

Oleanders Prohibited

City of Mesa prohibits oleanders in the northern section of the city only.

Cave Creek and Cottonwood prohibit oleanders entirely.

Norco, California prohibits oleanders.

Oleanders Restricted

Show Low does not specifically prohibit oleander however it is not on their list of approved plant species. Anything not on the list needs to be approved.

No Prohibitions or Restrictions on Oleanders

Buckeye

Chino Valley

Flagstaff

Marana has oleander listed as a toxic plant.

Maricopa County

Pima County

Pinal County

Prescott

Prescott Valley

Queen Creek

Tucson

Access Blocked - Content Alert

The URL: <http://tpc.googlesyndication.com/safeframe/1-0-2/html/container.html> was blocked

Business » Real estate » Article

0 Comments

Access Blocked**Injunction can require removal of oleander tree**[SHARE URL EMAIL](#)

FONT: A A A

Recommend { 0 }

Tweet

G+1

The URL:
<http://tpc.googlesyndication.com/safeframe/1-0-2/html/container.html> was blocked

- The link you have been blocked Web Filter because the category "advertisement"

RELATED INFO

[Search prices by ZIP code >>](#)[Time lapse of foreclosures >>](#)[Best, worst home values >>](#)[Maricopa County: Median home prices by city >>](#)[Pinal County: Median home prices by city >>](#)[What is for sale right now? >>](#)[Join our free community conversation >>](#)**By Christopher Combs**

Combs Law Group

Fri Aug 23, 2013 3:21 PM

Question: We have owned a 2-acre horse property in Gilbert for more than 30 years. Ten years ago, a large subdivision was built on the northern boundary of our property. One neighbor planted an oleander tree that is starting to hang over the block wall fence. Oleander leaves are poisonous and only six to 11 leaves can kill a horse within 24 hours. Our neighbor refuses to remove the oleander tree or cut the oleander tree down to the height of the block wall fence. In order to keep my horses safe, I now keep them in the barn and out of the pasture. What rights do I have as someone who has used the pasture for my horses for more than 30 years?

Answer: The evolution of a community from primarily farm land to primarily residential properties can require existing property owners to change the use of their property. For example, if the normal sound levels of the neighboring subdivision now cause your horses to "spook," you might have to keep the horses in a barn. On the other hand, one homeowner on the subdivision who refuses to reasonably use his property to prevent injury or death of horses in the adjoining property can be required by a court injunction to use his property reasonably. This court injunction could require the complete removal of the oleander tree or at least cutting the oleander tree below the line of the block wall fence.

Reach real-estate attorney Combs at azrep@combslawgroup.com.

Most Popular

Top View

Arizona public comparison more

Photos: Greater Phoenix sales

2012 list of 35 young /

Six fascinating facts at

Taxation Vexation: Sp wildly disparate tax bill

GoDaddy founder Bob Scottsdale golf club

Access Blocked

The URL:
<http://tpc.googlesyndication.com/safeframe/1-0-2/html/container.html> was blocked

- The link you have been blocked Web Filter because the category "advertisement"

TOP JOBS

POWERED BY **ca**

Watch for Top Jobs co

June 22 2006 City Council Minutes
ST. GEORGE CITY COUNCIL MINUTES
SPECIAL MEETING
JUNE 22, 2006, 4:00 P.M.
ADMINISTRATION CONFERENCE ROOM

DISCUSSION RE OLEANDER ORDINANCE:

Discussion on a proposed ordinance restricting the planting of oleanders within the City.

City Attorney Shawn Guzman introduced Kyle Fielding who is employed by the City as a legal intern during the summer.

Deputy Paula Houston distributed a draft ordinance and reviewed it with those present.

Chad Drake commented that he will request the County to adopt a County-wide ordinance prohibiting oleanders, but first wanted to see what the City will do.

Dave Young commented that a provision to the ordinance should be added prohibiting the disposal of oleanders in the areas discussed.

Connie Bundy distributed pictures of oleanders adjacent to her corrals which drop their leaves and flowers into her corrals.

Ed Baca advised that he recently read an article where the ingestion of oleanders led to two deaths in California. He suggested that they be banned in places accessible to small children. He inquired if the City had any liability due to oleanders located on City property.

Jeanette Rawlings commented that education was needed as some people do not know how dangerous oleanders are.

Jeannie Black commented that Connie Bundy's daughter lost her show steer to oleanders, and a man in New Harmony fed his neighbor's four horses grass clippings with oleander leaves and all the horses died. She advised that Charlie Welch owns property by 2800 South and one of the homes there planted oleanders which will blow into his hayfield.

Natalie Drake advised that a lot of people who don't even own livestock signed the petition to ban oleanders.

Dave Young suggested that upon approval of the ordinance, it be distributed to landscapers and local nurseries.

Donald Rawlings advised that he lost several horses to oleanders. He urged adoption of the ordinance.

Council Member Bunker inquired how Norco City enforced its ordinance banning oleanders.

Kyle Fielding advised that a City-wide blanket banning oleanders in Norco was enacted in 2001, but the enforcement clause was repealed in 2005 because there was no way to enforce it.

City Attorney Shawn Guzman commented that it would difficult to enforce the ordinance as people have made a financial investment in their oleander plants and the City would be dealing with personal property rights.

Natalie Drake commented that some horses are worth \$45,000+ while oleander plants are worth \$50.00 at the most.

Council Member Bunker inquired if the ordinance could be adopted as presented and re-evaluated at a later date to see if it should be amended to blanket the City, rather than be enforced by zones.

Enforcement Officer Brad Young commented that the ordinance could be enforced, but with difficulty, and there will be many angry people.

Community Development Director Bob Nicholson suggested that the ordinance be scaled back to include agricultural zones only.

Natalie Drake commented that while she was gathering signatures on the petition, she was told that some kids in Bloomington had sniffed oleander leaves trying to get high and were hospitalized for two and a half weeks.

Council Member Orton commented that requiring removal of existing oleanders will create another problem.

Council Member Whatcott suggested that the possibility of a grant be explored to provide a rebate for replacement of oleanders. That along with education might make a difference. The City should take a pro-active approach and provide dumpsters in strategic locations specifically for the dumping of oleander plants and leaves to make sure they are not dumped somewhere or burned. He stated this should be done before mandatory removal is required.

Council Member Orton commented that the City should make a commitment to replace any oleanders located on City property.

Council Member Allen suggested that the nurseries be advised to put warnings on the oleander plants they sell.

Council Member Gardner suggested that people be assigned to gather more information on the subject as it would not be good to pass an ordinance until related issues are dealt with.

Council Member Orton commented that a County-wide ordinance would be needed.

Council Member Whatcott commented he felt a lot of people would voluntarily remove the plants if they knew how toxic they were.

Jeannie Black suggested that the media be contacted to help get the word out.

Water Services Director Barry Barnum commented that it would be possible to make arrangements for an extra roll-off dumpster at the reuse center for disposal of oleanders

OLEANDER

(*Nerium oleander*)

Oleander is widely grown in Australia as a street tree and garden ornamental. It grows 2-6 metres tall and 1-3 metres wide and is extremely toxic to all species, including humans and horses.

As few as only seven leaves could be enough to kill an average size horse and only one leaf or flower can kill a human. Contact with foliage may irritate the skin. While the bitter leaves of oleander are normally unpalatable to horses, the dried branches, flowers and leaves are more palatable but still toxic. Most cases of oleander poisoning have involved the ingestion of fallen and wilted leaves or plant clippings.

Oleander kills by disrupting normal heart function and can cause rapid death. The cardiac glycosides contained in oleander inhibit an important enzyme called sodium/potassium antipase that regulates levels of sodium and potassium ions in the body. This leads to a build-up of sodium in cells which triggers a release of calcium into the cells. High levels of calcium in heart cells can cause problems with normal function, leading to heart failure. Cardiac glycosides also affect the nervous and gastrointestinal systems.

Signs of cardiac glycoside poisoning include: diarrhoea; colic; lethargy and weakness; abnormal heartbeat and weak pulse; sweating; cold extremities and shortness of breath. Death from heart failure usually occurs 12-48 hours after a horse eats oleander.

There is no specific treatment for cardiac glycoside poisoning and immediate veterinary attention is critical for there to be any chance of survival. Horses that survive cardiac glycoside poisoning may be left with permanent heart damage. Activated charcoal, fluids and heart medications have been useful in a small number of cases.









