

TAYMOUTH TOWNSHIP

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TOWNSHIP OF TAYMOUTH SAGINAW COUNTY, MICHIGAN GRASS MAINTENANCE AND NOXIOUS WEED CONTROL ORDINANCE ORDINANCE NO. 2007- 02

An Ordinance to secure the public health, safety and welfare of the residents and property owners of Taymouth Township, by the control and regulation of grass and maintenance of certain weeds and growth within the township; to provide penalties for the violation thereof; and to repeal all ordinances or parts of ordinances in conflict therewith.

The Township of Taymouth, Saginaw County, Michigan hereby ordains:

Section 1: **Title**

This ordinance shall be known and cited as the Taymouth Township Grass Maintenance and Noxious Weed Control Ordinance.

Section 2: **Definitions**

For purposes of this ordinance, the following definitions shall control:

1. "Noxious weeds" shall include the following: Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*ambrosia elatior* l.) and poison ivy (*rhus toxicodendron*), and poison sumac (*toxicodendron vernix*).

Section 3: **Declaration of Nuisance**

The presence of noxious weeds is hereby declared to be a public nuisance. The presence of grass in excess of 9 inches in an area provided herein is declared to be a nuisance.

Section 4: **Duty of Owner**

This Ordinance is intended to apply to parcels of real property which are improved with a building or other structure. It shall be the duty of the Owner or occupant of said parcel (hereafter collectively "Owner") to maintain the lawn area surrounding the building or other structure to destroy the noxious weeds before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

It shall also be the duty of the Owner to maintain grass or other vegetation within the lawn area to a height not to exceed 9 inches.

Section 5: Public Notice Requirements

The Township Clerk shall, during the month of March of each year, give notice of the requirements and provisions of this ordinance by publishing a notice one time in a newspaper of general circulation within the Township of Taymouth. The notice shall comply with the provisions of Section 247.64a of the Michigan Compiled Laws. It shall describe the methods of treating and eradicating the noxious weeds, and provide that if the owner or occupant refuses to destroy the noxious weeds prior to May 1 of said year and to maintain the grass as provided in this Ordinance, the township may enter upon such land and destroy the noxious weeds and mow the grass, with the expenses incurred in such destruction and mowing to be paid by the owner or occupant of the land. The notice shall further indicate that the township shall have a lien against the land for the amount of the expense in destroying the noxious weeds and grass mowing. The township may cut the weeds and grass as many times as is necessary and charge the costs thereof to the owner.

Section 6: Failure of Owner to Comply

If any person shall fail to comply with the provisions of this ordinance, the township or its authorized representative shall, cause all such noxious weeds and grass to be cut or destroyed upon lands of the persons who have not complied with the provisions of this ordinance. The Township shall keep an account of expenses incurred with respect to each parcel of land which is entered upon in carrying out the provisions of this ordinance. The Township Board shall establish by resolution an hourly rate (a fraction of an hour shall be charged the full hourly rate) and an administrative fee which shall be charged by the Township for carrying out the provisions of this ordinance. In order to reimburse the Township for its expenses in administering the inspection, scheduling and notification procedures required under this ordinance, there shall be an annual one-time fee which shall be charged to the owner as provided below. Effective the date of this Ordinance and until changed by resolution, the following fees and rates shall be applied:

Administrative Fee - \$150.00.

Hourly rate - \$ 45.00.

Section 7: Collection of Costs from Owner

A copy of the account as provided in Section 6, including an account of the costs incurred on each of the several descriptions or parcels of property, shall be transmitted to the Township Treasurer. Such amount shall be a lien against the premises, to be enforced in the manner provided by the general laws of the State of Michigan for the enforcement of tax liens.

Section 8: Civil Infraction

1. A person who has violated, or continues to violate, any provision of this ordinance shall be responsible for the violation punishable as a civil infraction, with a fine of not more than \$100.00. Each day that a violation continues shall constitute a separate violation.
2. The Township is hereby authorized to issue municipal civil infraction citations under this ordinance, directing alleged violators to appear in court, or to issue municipal civil infraction notices, directing alleged violators to appear at the Township of Taymouth Violations Bureau as provided under the ordinances of the Township.
3. A civil infraction shall not be a bar against, or a prerequisite for, taking any other action against a person.

Section 9: Validity

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 10: Effective Date

This ordinance shall take effect 30 days after upon publication in the Birch Run Herald, a newspaper of general circulation within the Township of Taymouth.

Section 11: Conflict

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Made and passed by the Taymouth Township Board of Trustees this 13th day of June, 2007.

Douglas James
DOUG JAMES, Supervisor

Gail Basner
GAIL BASNER, Clerk

CERTIFICATION

STATE OF MICHIGAN)
COUNTY OF SAGINAW)

I, the undersigned, Township Clerk for the Township of Taymouth, Saginaw County, Michigan, do hereby certify that Ordinance No. 2007- 02, adopted by the Township Board of Trustees of said Township on the 13th day of June, 2007, was recorded in full in the Minutes of Meeting of said Township Board of Trustees on said date, and was signed by the Supervisor and Clerk of Taymouth Township.

Dated: June 13, 2007



GAIL BASNER, Clerk

Date of Publication:
Newspaper: