

Pinconning Township Noxious Weed Ordinance

Section 1: This Ordinance shall be known and cited as the Pinconning Township Noxious Weed Ordinance. The Noxious Weed Ordinance is to secure the public health, safety and welfare of the residents and property owners of Pinconning Township by the control and regulation of weeds and growth in the subdivided lands and upon lands along improved roads/streets within Pinconning Township which has premises located upon it and provide penalties for the violation thereof and to repeal all Ordinances or parts of Ordinances in conflict therewith.

Section 2: Purpose of this Ordinance, "Weeds" shall include all noxious weeds that come under the provisions of the Noxious Weeds Act. Public Act; 359 of 1941, as amended (MCL 247.61, et seq) and include all grasses, annual plants and vegetation. However, this term shall not include cultivated flowers, gardens, trees or shrubs.

Section 3: The owner of a premise or a parcel of land containing two (2) acres or less shall maintain the exterior of their property in compliance with the requirements of this Ordinance including the owners of vacant land. If the owner or agent having charge of a property fails to maintain the exterior of their property in compliance with the requirements of this Ordinance, a violation notice shall be issued. Upon failure of the owner or agent having charge of a property to meet the requirements of this ordinance and after a notice of violation has been issued, Pinconning Township shall have the authority to have any duly authorized employee of Pinconning Township or contractor hired by the Township to enter upon the property in violation and cut the weeds/grass thereon, and said cost of such cutting shall be paid by the owner or agent responsible for the property.

It shall be the duty of all property owners of the land upon which weeds (as defined in this Ordinance are growing, or

- 1: Within a platted subdivision in which buildings have been erected upon sixty (60) percent or more of the lots, or
- 2: On a parcel of land with a premise or on land containing two (2) acres or less along improved roads / streets in common usage within Pinconning Township, to a depth of one hundred fifty (150) or the depth of ownership whichever is the lesser, and
- 3: The cutting of weeds and grass shall be required whenever weeds or grass exceeds a height of twelve (12) inches or greater.

Nothing in this Ordinance shall apply to weeds in fields devoted to the growing of any small harvested cash crop or upon land without a premise the contains over two (2) acres.

If any person, firm or corporation fails to comply with any of the provisions of this Ordinance by the time specified in the notice of violation, Pinconning Township shall cause all such weeds / grass to be cut.

Section 4: If Pinconning Township shall cause the cutting of weeds / grass of any person, firm or corporation and said person, firm, corporation fails to pay the cost of weed / grass cutting, a copy of said cost incurred by the Township shall be transmitted to the Pinconning Township Clerk. The Pinconning Township Clerk shall add to all said accounts ten (10) percent of the amount of all such expenditures to cover the administrative expense. Within thirty (30) days after the receipt of said cost incurred, the Township Clerk shall forward a statement of the total charges assessed against each parcel of land the owner shown on the recent tax roll. Said assessment shall be payable within thirty (30) days. If said assessment is not paid within the thirty (30) days, the total amount of the assessment shall be placed on the tax roll. Said assessments on the Pinconning Township on the Pinconning Township tax roll shall be collected and paid in all respects as provided for the collection of taxes.

Any person, firm or corporation who violates any of the stated provisions of this Ordinance shall be deemed guilty of a civil infraction, subject to the payment of a civil fine of not less than Fifty Dollars (\$50.00), plus cost. Each day that violation continues, it shall constitute a separate offense.

This Ordinance repeals all Ordinances or parts of Ordinances in conflict therewith. Sections of this Ordinance shall be deemed to be severable and should any section, paragraph or provision hereof be deemed by the courts to be unconstitutional or invalid, such holding shall not affect the validity of this Ordinance as a whole or any part so declared to be unconstitutional or invalid.

This Ordinance shall become effective thirty (30) days after legal publications with the provisions of the Act governing same.

This Ordinance duly adopted August 10, 2010 at a regular meeting of the Pinconning Township Board of Trustees and will become effective September 19, 2010.

Motion made by Trudo Support Morin.

Yeas: Trudo, Holbrook, Stalsberg, Morin – Yes

Nays:

I the undersigned, duly qualified and acting Township Clerk, Pinconning Township, Bay County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board at regularly scheduled meeting of the Township Board of Trustees held on the 10th day of August 2010.

JoAnna Morin, Pinconning Township Clerk

Sharon Stalsberg, Pinconning Township Supervisor