

**SAGOLA TOWNSHIP
NOXIOUS WEEDS ORDINANCE
#117 – 2014**

An ordinance to secure the public health, safety and welfare of the residents and property owners, by the control and regulation of certain weeds and growth in subdivided lands and upon lands along improved streets 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 SAGOLA, DICKINSON COUNTY, MICHIGAN, ORDAINS:

SECTION 1: TITLE

This ordinance shall be known and cited as the Sagola Township Noxious Weeds Ordinance.

SECTION 2: DEFINITIONS

For the purpose of this ordinance, “weeds” shall include Canada thistle, dodders, mustards, (black, charlock, and Indian mustard), species of wild carrot, goldenrod, milkweed, tansy, hoary alyssum, ragweed, and poison ivy, poison sumac or other plants, including any growth of grass or other rank vegetation to a greater height than 10 inches, nor any accumulation of dead weeds, grass, or brush, that in the opinion of the Township Board, coming under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, *et seq.*), is regarded as a common nuisance.

SECTION 3: REGULATIONS

- A. It shall be the duty of all owners of land upon which “weeds”, as defined in this ordinance, are growing, either:
 - 1. Within platted subdivisions in which buildings have been erected upon 60 percent or more of the lots, or
 - 2. On parcels of lands along improved streets in common usage within the township, to a depth of one hundred sixty five (165) feet or the depth of the ownership, whichever is the lesser, or
 - 3. To destroy said “weeds” before they reach a seed-bearing stage at least once every four weeks between June 1—Sept. 15 each year, and to prevent said “weeds” from perpetuating themselves and from becoming a detriment to public health.
- B. Nothing in this ordinance shall apply to weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, hay, or rye.

SECTION 4: PENALTIES

Any person, firm or corporation who violates any of the provisions of this ordinance shall be deemed a civil infraction and shall be subject to a fine of \$50.00 and for the first repeat offense, \$150.00. For any second or subsequent repeat offense, the fine shall not exceed \$500.00 in total between June 1 –Sept. 15. The expense incurred by the Township for cutting, destroying or removal of “weeds” will be levied and collected against the property owners on their tax bill. The foregoing penalty shall be in addition to the other rights of the township to proceed at law or equity with other appropriate and proper remedies.

SECTION 5: 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 6: EXEMPTIONS

Exempted from the provisions of this ordinance are flower gardens, plots of shrubbery, vegetable gardens, small grain plots, hay fields, and forested areas, left uncultivated in keeping with the natural character of the residential neighborhood.

SECTION 7: LIABILITY

The Township assumes absolutely no liability while enforcing this ordinance while on the premises.

SECTION 8: NOTIFICATION

The property owner will be notified by certified mail and in the case of unsuccessful delivery, the Township will enforce the ordinance and the expenses incurred will be added as a tax lien on the property.

SECTION 9: EFFECTIVE DATE

This ordinance shall take effect on the 16th day of August , 2014. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Clerk

Township

Passed: July 7, 2014
Effective: August 16, 2014
Published: July 16, 2014