

MT. MORRIS TOWNSHIP
GENESEE COUNTY, MICHIGAN

WEED CONTROL ORDINANCE NO. 78. 118-A

AN ORDINANCE TO PROVIDE FOR THE CUTTING, DESTRUCTION AND REMOVAL OF NOXIOUS AND POISONOUS WEEDS AND DEAD GRASS AND BRUSH ON LAND WITHIN THE UNINCORPORATED AREA OF THE TOWNSHIP OF MT. MORRIS AND TO PROVIDE FOR THE LEVY AND COLLECTION OF THE COST INCURRED THEREBY WHEN DONE BY SAID TOWNSHIP: TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF MT. MORRIS ORDAINS:

SECTION I. DEFINITION FOR THE PURPOSE OF THIS ORDINANCE: For the purpose of this Ordinance, "Noxious Weeds" shall include Canada thistle (*Cirsium arvense*), dodders, (any species of *Cuscuta*), mustards (Sharlock, Black Mustard and Indian Mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carata*), bindweed (*convulvulus arvenis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*ambrosia elatior* L.) And poison ivy (*rhus toxicodendron*), poison sumac (*toxicondendron vermix*), oxeyes daisies, ragweed, goldenrod, or other plants which could be deleterious to health, safety, or public welfare is hereby declared a nuisance.

SECTION II. It shall be the duty of every person who owns any subdivided land or land along public streets and roads or improved streets in common usage, for a depth of ten (10) rods or the depth of the lots whichever is lesser, within the unincorporated area of the Township of Mt. Morris to cut, destroy, and remove from said lands all noxious and poisonous weeds growing thereon, at least twice each year, once before the first day of May and once again before the first day of September, to prevent such weeds from going to seed or blossom, as the case may be, and to prevent such dead grass and brush from becoming a fire hazard. Therefore the presence of such weeds upon such lots or parcels is hereby deemed to constitute a public nuisance.

SECTION III. LACK OF COMPLIANCE BY OWNER, TOWNSHIP RECOURSE: EXPENSE CHARGED TO OWNER, ETC. METHODS OF COLLECTION.

In the event the owner, agent, or occupant of a subdivided land or land along public streets and roads or improved streets in common usage, for a depth of ten (10) rods or the depth of the lots, whichever is lesser, within this Township, to which this Ordinance applies, shall fail or refuse to comply with the provisions of Section II thereof, then after ten (10) days notice to such person of the fact of a violation of Section II of this Ordinance, by registered or certified mail, return receipt requested, in substantially the form set forth in this Ordinance, then any agent authorized by the legislative body of the Township of Mt. Morris, may enter upon such lot or lots and cut and destroy all noxious weeds located thereon. Due care shall be taken to avoid unnecessary damage to any lot. The owner, agent of such lot or lots, shall be liable for all cost incurred by said Township. The Township shall place a lien upon the lot, and, in event the charges are not paid by the owner, agent, or occupant of said lot within ninety (90) days from the date of billing said person by registered or certified mail, return receipt requested, payment shall

be deemed delinquent and said lien enforceable as a tax lien against the lot or lots, and be collected in the same manner as other taxes are levied and collected.

SECTION IV. NOTICE TO CONTROL THE OWNERS, AGENTS, OR OCCUPANTS OF LOTS, OR OTHER PARCELS OF LAND WITHIN THE TOWNSHIP COVERED BY THIS ORDINANCE.

Notice is hereby given that you are in violation of Section II of Ordinance No. 78-118-A, Township of Mt. Morris, making it unlawful to cause, or permit the growing of noxious weeds on any subdivided land or land along public streets and roads or improved streets in common usage, for a depth of ten (10) rods or the depth of the lots, whichever is lesser, within the Township covered by said Ordinance. Sections III and I of said Ordinance reads as follows:

“SECTION III. LACK OF COMPLIANCE BY OWNER, TOWNSHIP RECOURSE: EXPENSE CHARGED TO OWNER, ETC. METHOD OF COLLECTION.

In the event the owner, agent, or occupant of a subdivided land or land along public streets and roads or improved streets in common usage, for a depth of ten (10) rods or the depth of the lots, whichever is lesser, within this Township, to which this Ordinance applies, shall fail or refuse to comply with the provisions of Section II thereof, then after ten (10) days notice to such person of the fact of a violation of Section II of this Ordinance, by registered or certified mail, return receipt requested, in substantially the form set forth in this Ordinance, then any agent authorized by the legislative body of the Township of Mt. Morris, may enter upon such lot or lots and cut and destroy all noxious weeds located thereon. Due care shall be taken to avoid unnecessary damage to any lot. The owner, agent of such lot or lots, shall be liable for all cost incurred by said Township. The Township shall place a lien upon the lot, and, in event the charges are not paid by the owner, agent, or occupant of said lot within ninety (90) days from the date of billing said person by registered or certified mail, return receipt requested, payment shall be deemed delinquent and said lien enforceable as a tax lien against the lot or lots, and be collected in the same manner as other taxes are levied and collected.”

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Township Enforcement Officer
Mt. Morris Township

SECTION V. In lieu of the notice required in Section IV, The Township of Mt. Morris may publish a notice in a newspaper of general circulation within Genesee County during the month of March, that weeds not cut by May 1 of that year will be cut by the Township and the owner of the property charged with the cost. The publication shall also contain all other information required by the notice provided for in Section IV. The Township of Mt. Morris may cut weeds as many times as necessary and charge the cost to the property owner.

SECTION VI. APPOINTMENT OF AGENT. The Mt. Morris Township Board designates and names their Administrative Officials to carry out the provisions of this Ordinance, and shall determine and fix the compensation of these persons.

SECTION VII. SEPARABILITY CLAUSE. All Ordinances, or parts thereof in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION VIII. PENALTIES. Any person, persons, firms or corporations failing to comply with this Ordinance, shall, upon conviction thereof, be sentenced to pay a fine not exceeding one-hundred dollars (\$100.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court.

SECTION IX. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days following publication thereof.

MADE AND PASSED BY THE MT. MORRIS TOWNSHIP BOARD THIS 28th DAY OF MARCH 1988.