

STATE OF MICHIGAN
COUNTY OF ARENAC
THE VILLAGE OF STERLING
ORDINANCE NUMBER 34
TALL GRASS AND WEEDS

Sec. 1. Definitions.

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Lawn means an area of land that has been cleared of native or natural vegetative growth for the purpose of establishing a mowable grass area.

Sec. 2. Enumeration; declared nuisance.

Any weeds such as; jimson, burdock, ragweed, thistle, cocklebur or any other weeds of a like kind, found growing in any lot or tract of land which is occupied or has a structure(s) in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

Sec. 3. Height.

In the Village, when a property has been developed with a structure and the established landscaping includes lawn areas, it shall be unlawful for anyone to allow the lawn areas to grow weeds or grass to a height exceeding six inches. Any such grass or weeds exceeding such height are hereby declared to be a nuisance.

Sec. 4. Notice to owner to abate.

Whenever the President, police officer, civil infractions enforcement officer, or designee determines that there has been a material violation of this article the Village official may proceed by way of:

- (1) Give written notice to the owner or person or persons responsible for the premises in the manner prescribed in this division; and/or
- (2) Issue a notice of civil infraction or issue a civil infraction citation in accordance with section 5; or
- (3) Proceed with the other enforcement action(s) prescribed by this code or as a misdemeanor, as allowed, or to pursue any other remedy provided by law and to carry out those orders that have been prescribed by the court having jurisdiction; and/or
- (4) Remedy the material violation with labor being provided by Village staff or arranging to have a commercial contractor complete the work and to recover any costs from the owner, operator, or person(s) responsible for the premises.

Sec. 5. Notice contents and service of notice.

The notice referenced in Section 4 (the previous section), shall:

- (1) Be in writing;
- (2) Include a description of the real property sufficient for identification;
- (3) Include a statement of the reasons why the notice is being issued;

- (4) Include a correction order allowing a reasonable number of days (to be specified in the notice) for the repairs, actions and/or improvements required to achieve compliance with the provisions of this article; and
- (5) Include a statement that identifies the penalties or other enforcement sanctions that may be imposed if all repairs, actions and/or improvements ordered by the Village's building official are not complied with, as specified in the notice.
- (6) Notices or citations shall be delivered in accordance with Section 4.

Sec. 6. Abatement by Village upon failure of owner.

If the nuisance and/or violation of Village zoning and/or general ordinance is not abated by the property owner either voluntarily, or pursuant to court order, then the Village, after the appropriate period of time of notice to the property owner has expired, may in fact take all the necessary steps to abate the nuisance, and apply any costs reasonably incurred as a result of the property owner and/or occupant failing to abate such nuisance and/or general or zoning

ordinance violation, and cause same to be placed upon the tax rolls for subsequent collection thereof and/or place a lien upon said premises for eventual collection of said monies either by way of judicial foreclosure or other available legal remedy.

Sec. 7. Charges to constitute lien; collection.

Charges for such weed and/or grass removal shall be a lien upon the premises. Whenever a bill for such charges remains unpaid for 30 days after it has been rendered by mailing it first class mail, postage prepaid, to the owner of record at the address as shown on the then current tax roll, the Village clerk shall notify the city treasurer of the facts of such delinquency, whereupon such charge shall be entered upon the next tax roll as a charge

against such premises, and shall be collected and the lien thereof enforced in the same manner as general city taxes against such premises are collected and the lien enforced.

Sec. 8. Severability.

The various sections, parts and clauses of this ordinance are hereby declared to be severable. If any part, clause, sentence, paragraph, or section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Sec. 9. Conflicting Laws.

If any term of this ordinance conflicts with any previous ordinance, this ordinance shall prevail, and those terms inconsistent with this ordinance, are hereby repealed. Unless otherwise provided for herein, any section of any previous ordinance shall remain in full force and effect.

Sec. 10. Validity.

Should any section, clause, or provision of this Ordinance be declared by any Court to be invalid, the same shall not affect the validity of the remaining portions of such Section of the Ordinance or any part thereof other than the part so declared to be invalid.

Sec. 11. Effective Date.

This Ordinance shall become effective 20 days after adoption and shall be published once in full in the *Arenac Independent*, a newspaper circulating within the boundaries of the Village of Sterling, on or before the 23rd day of May, 2024.

Sec. 12. Repealed.

All ordinances or parts of an ordinance in conflict with this ordinance are repealed only to the extent necessary to give this Tall Grass and Weeds Ordinance full effect.

Sec. 13. Election of Remedies.

If the Village pursues one remedy in regard to the enforcement of this ordinance, the Village may also pursue other remedies until the violation is completely remedied.

Sec. 14. Right To Appeal.

Anyone who is accused on behalf of the Village of violating any of the terms of this ordinance may appeal the decision of the enforcing officer to the Village Council at their next monthly meeting.

Adopted: May 14, 2024

Published: May 23, 2024

Effective: June 3, 2024

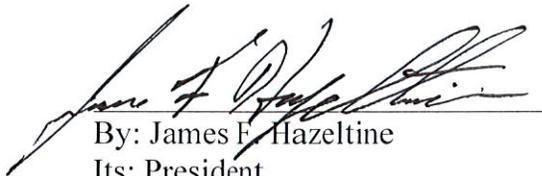
Motion to Adopt Ordinance Number 34 by Trustee Yenior, seconded by Trustee Hazeltine.

Yes : 5 Yes : Janice Yenior, Jeannine Coughlin, Cindy Chidley, Leann Grandchamp,
J. Austin Hazeltine

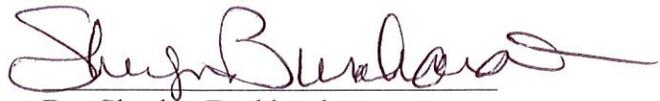
NO : 0 No : Names

Absent : 1 Absent : Elijah Burkhardt

Dated: May 14, 2024

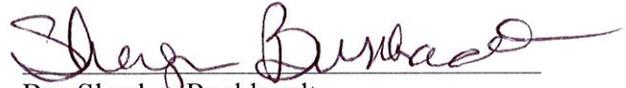

By: James F. Hazeltine
Its: President

Dated: May 14, 2024


By: Sherlyn Burkhardt
Its: Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance Number 34, which was enacted by the Village of Sterling at a regular meeting on the 14th day of May, 2024.

A handwritten signature in dark ink, appearing to read "Sherlyn Burkhardt", written over a horizontal line.

By: Sherlyn Burkhardt

Its: Clerk