

CHARTER TOWNSHIP OF ADRIAN

LENAWEE COUNTY, MICHIGAN

GRASS AND WEED ORDINANCE

ORDINANCE ____

An ordinance to secure the public health, safety and welfare of the residents and property owners, by the control and regulation of the height of tall grass and weeds 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 CHARTER TOWNSHIP OF ADRIAN, LENAWE COUNTY, MICHIGAN ORDAINS:

Section 1. Title and Applicable Seasons.

This ordinance shall be known and cited as the Charter Township of Adrian Grass and Weed Ordinance, and shall be applicable and in full force and effect from May 1st through October 31st of each year.

Section 2. Purpose

The Charter Township of Adrian hereby finds that tall grass and weeds can have a blighting effect on neighborhoods and can provide a refuge for vermin and insects. The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of the Charter Township of Adrian by regulating the height grass and weeds is allowed to grow in certain areas of the township in which more people reside in close proximity.

Section 3. Definitions

- 3.1. *Grass*: any type of grass or weed, but not including crops grown as a source of income, including but not limited to corn, oats or barley.
- 3.2. *Noxious Weeds*: “weeds” shall include 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 (*Toxicodendron radicans*), poison sumac (*toxicodendron vernix*) or other plant, any of which is in the opinion of the Township Board, comes under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, *et seq.*), including grass over eight (8) inches in height,

other than that part of a vegetable or flower garden, is regarded as a common nuisance.

- 3.3. *Owner*: any person holding an ownership interest in land in the Charter Township of Adrian upon which there is tall grass growing. For the purposes of this Ordinance, the name and address listed on the Township tax assessment roll shall indicate ownership interest in such land.
- 3.4. *Occupant*: any person who has the right to occupy a parcel of property due to being an owner or pursuant to a verbal or written lease or rental agreement with the owner or agent thereof
- 3.5. *Land Used for Agriculture*: the use of land for tilling of the soil, the raising of field or tree crops or animal husbandry, as a source of income.

Section 4. Land Subject to Regulations

- 4.1. This ordinance applies to the following:
 - A. Lots in a platted subdivision with a structure.
 - B. Vacant lots within platted residential subdivisions in which buildings have been erected upon 60 percent or more of the lots, or
 - C. On parcels of land 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.
- 4.2. This ordinance does not apply to:
 - A. Land used for agricultural purposes including weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, or rye.
 - B. Portions of lots used for flower gardens, shrubbery or vegetable gardens.
 - C. Naturally wooded areas, regulated wetlands or meadows.
 - D. Areas designated as undeveloped open space.

Section 5. Duty to Cut Grass

- 5.1. The owner and/or occupants of land to which this ordinance applies shall not allow tall grass or weeds to grow over eight inches (8") in height throughout the growing season, including grass and weeds in the right-of-way, and it shall be the duty of all owners and/or occupants of land located in the Charter Township of Adrian either to cut or otherwise destroy by lawful means all tall grass and weeds, as defined in this

ordinance, which are growing upon said property, before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

- 5.2. On an undeveloped lot, tall grass and weeds must be cut back at a distance of at least thirty (30) feet from the roadway so as to allow a clear line of site.

Section 6. Unlawful Acts

It shall be unlawful for the owner and/or occupant of any lot or parcel of land to which this ordinance applies to:

- 6.1. Allow or maintain upon any portion of such lot or parcel any growth of tall grass or weeds as defined herein, or to permit the deposit or accumulation upon any portion of such lot or parcel of land, of any brush, yard debris, dead vegetation, or
- 6.2. Cut grass or weeds so as to create a nuisance due to unsightliness, an unhealthy or unsafe condition, or traffic hazard, or fire hazard, or
- 6.3. Operate mowing equipment adjacent to a public street, in such a manner as to cause the discharge of grass clippings, vegetative material or other litter, to be disbursed or remain in the public street.

Section 7. Notice.

- 7.1. If the owner of land to which this ordinance applies, after 10 days' written notice, served by certified mail, fails comply with the requirement of this ordinance then an agent authorized by the Township may enter upon the property and destroy noxious weeds by cutting. Mechanical equipment that will not damage the property or the adjacent sidewalk, may be used to cut the noxious weeds.
- 7.2. Pursuant to MCL 247.64a, the Township may publish a notice of the provisions of this ordinance in a newspaper circulating within the Township once during the month of March that grass and weeds not cut by May 1 of that year may be cut by the Township and the owner of the property charged with the cost of mowing. The Township may cut grass and weeds as many times as is necessary and charge the cost to the property owner. This notice is deemed and declared to be adequate and sufficient notice to all persons affected hereby and the notice provisions of Section 7.1 of this ordinance shall not apply. The notice shall be substantially in the following form:

“To owners of lands situated in the Charter Township of Adrian, Lenawee County, State of Michigan:

Notice is hereby given that all noxious weeds and grass growing to a height of eight inches and all dead grass and brush on lots in a platted subdivision with a structure; vacant lots within plated residential

subdivisions in which buildings have been erected upon 60 percent or more of the lots, or on parcels of land 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, must be cut down, destroyed, and removed from such property on or before May 1, 20____, and maintained at a height of less than 8 inches to prevent such weeds from going to seed or to blossom, as the case may be, and to prevent such dead grass and brush from becoming a fire hazard.

As defined in the ordinance noxious weeds include: 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 (*Toxicodendron radicans*), poison sumac (*toxicodendron vernix*) or other plant, any of which is in the opinion of the Township Board, comes under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, et seq.), including grass over eight (8) inches in height (but not including crops grown as a source of income, including but not limited to corn, oats or barley)

Failure to comply with this notice on or before the above mentioned date shall make any party so failing liable for the costs of cutting, destroying, and removing said weeds and dead grass and brush by the Township, said cost to be levied and collected against said lands in the same manner as other taxes are levied and collected.

Section 8. Enforcement

- 8.1. *Enforcement Officer.* This Ordinance shall be enforced by such persons who shall be so designated by the Township Board, who shall for purposes of this ordinance be the Charter Township of Adrian Ordinance Enforcement Officer (OEO).
- 8.2. *Right of Entry.*
 - A. If the notice requirements of Section 7 are met, the Ordinance Enforcement Officer and his or her authorized representatives are hereby empowered to enter upon any premises or land in the Charter Township of Adrian for the purpose of inspecting, mowing, removing of and/or destroying of tall grass and weeds prohibited under this ordinance. No person shall molest or interfere with such person or person while they are engaged in carrying out the provisions of this ordinance.

- B. The Charter Township of Adrian, its agents and representatives shall not be responsible for damage to buildings, vehicles, landscape, trees, shrubs, etc., during the mowing of property in violation of this ordinance.
- 8.3. *Assessment of Costs.* All expenses of such cutting, to include equipment usage, transportation, man-hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this Ordinance shall be paid by the owners of such land plus an administrative charge of fifteen percent (15%), thereof per residential parcel, per cutting. After having a lot mowed, the Township shall then submit a bill to the property owner for the cost of the mowing. If the property owner does not pay the bill within sixty (60) days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien on the land or property assessed of the same character in effect as the lien created by general law for taxes, plus an additional delinquency fee of ten percent (10%) per month until paid.

Section 9. Penalties

- 9.1. Any violation of this Ordinance shall be a Municipal Civil Infraction, subject to payment of a civil fine of not less than \$100.00, plus applicable costs and other sanctions for each violation as authorized by Section 21 of Act 359 of the Public Acts of 1947, as amended and the Charter Township of Adrian Municipal Ordinance Violations Bureau Ordinance.
- 9.2. Repeat offenses under this ordinance shall be subject to increased fines as provided by this Section. As used in this Section, “repeat offense” means a second (or any subsequent) violation of the same requirement or provision of this Ordinance within any three (3) year period for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:
- A. The fine for any offense which is a first repeat offense shall be not less than \$150.00 plus costs.
 - B. The fine for any offense which is a second repeat offense shall be not less than \$250.00 plus costs.
 - C. The fine for any offense which is a third repeat or any subsequent repeat offense, shall be not less than \$400.00 each plus costs.
- 9.3. Each day on which any violation of this Ordinance occurs or continues, constitutes a separate offense subject to separate sanctions.

- 9.4. If there is any evidence of retaliation by any offender against any complainant or witness, such evidence shall be communicated to the District Court. In sentencing any violator, the District Court or Magistrate shall first examine the evidence of retaliation, and if such be shown, shall consider such acts, including the amount of property damage, and sentence the violator accordingly, which sentence may include restitution for any damage.

Section 10. Declaration of Nuisance

Any violation of any provision of this Ordinance is hereby declared to be a nuisance per se and the Township may seek enforcement of the Ordinance by suit for injunction, damages, or other appropriate legal action, as against a nuisance, at the expense of the property owner under MCL 600.2940(3), including reasonable attorney fees. Any such civil action shall be in addition to any prosecution for violations of this Ordinance as a Municipal Civil Infraction, Commencement of any such proceedings shall not constitute an election of remedies.

Section 11. Severability and Repealer

- 11.1. The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.
- 11.2. The enactment of this ordinance repeals and replaces any other ordinance or parts of ordinance in conflict with the provisions of this ordinance.

Section 12. Effective Date

This ordinance shall take effect immediately after its enactment and publication.

YEAS: () _____
NAYS: () _____
ABSENT: () _____

Ordinance declared adopted on _____, 2026.

Stephen May
Supervisor for the Charter Township of
Adrian

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Sarah Buku, the Clerk of the Charter Township of Adrian certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Charter Township of Adrian on _____, 2026 and published in the _____, a newspaper circulated in the Township of Adrian on _____, 2026.

Sarah Buku
Clerk for the Charter Township of Adrian