

BRADY TOWNSHIP
SAGINAW COUNTY, MICHIGAN

Ordinance NO:

WEED ORDINANCE

AN ORDINANCE TO SECURE THE PUBLIC HEALTH, SAFETY AND WELFARE OF RESIDENCE AND PROPERTY OWNERS BY THE CONTROL AND REGULATION OF NOXIOUS WEEDS AND GRASS WITHIN CERTAIN AREAS OF THE TOWNSHIP; TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR PUBLICATION AND AN EFFECTIVE DATE.

The Township of Brady ordains:

SECTION 1: Title

This ordinance shall be known as "Brady Township Weed Ordinance".

SECTION 2: Definition

The Term "Noxious weeds" shall include but not be limited to Canada thistle, (*Cirsium arvens*), dodders (any species of *Cuscuta*), wild carrot (*Daucus carota*), mustards, bindweed; perennial sow thistle; hoary alyssum; ragweed; poison ivy; poison sumac; giant hogweed and any other plant that in the opinion of Brady Township officials falls under the provision of this is regarded as a common nuisance, noxious weed but does not include milk weed.

SECTION 3: Regulations

1. It shall be the duty of all owners of land as specified in this ordinance and which noxious weeds are growing to destroy said weeds before they reach a seed-bearing stage and prevent their regrowth, or shall prevent them from becoming a detriment to public health.
2. It shall be the duty of all owners of land as specified in this ordinance and upon which grass is growing to keep such grass at a height of not more than 9 inches.

SECTION 4: Location

1. This ordinance shall apply to the front, side and back yards of parcels of land along roads or streets in common usage, which is the area that has historically been maintained as lawn.
2. This ordinance shall not apply to parcels of land devoted to growing any commercial grain or farm crops or government conservation programs.

SECTION 5: Violation

1. The township, through its ordinance enforcement officer, shall notify by first class mail the owner and/ or occupant of a parcel that is in violation of this ordinance. If the ordinance enforcement officer can not notify the owner or occupant of the parcel, the notice may be posted in a conspicuous place on the building on the parcel. The owner or occupant shall be given 10 days in which to correct the violation.

2. If the owner or occupant does not correct the violation within the ten day period, the owner or operator shall be guilty of a municipal civil infraction as provided in the Ordinance NO. Brady Township Municipal Sanctions for Ordinance Violations constitute a separate offense. A violation of this ordinance shall also subject the violator to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law, including costs and attorneys fees.

SECTION 6: Sanctions

If any person shall fail to comply with the provisions of this ordinance by the specified time, the Township Supervisor or delegate responsible for enforcement of Township ordinances shall cause all such noxious weeds to be cut or destroyed upon lands of the person not complying with the provisions of this Ordinance. The Township shall keep an account of the expenses incurred with respect to each parcel of land which is entered upon in carrying out the provisions of this Ordinance. In order to reimburse the procedures required under this Ordinance, there shall be an annual one-time fee which shall be charged to the owner as provided below. Effective the date of this Ordinance and until changes by resolution, the following fees and rates shall be applied:

First offense -written with 10 days to correct offense.

Second offense- \$150 or cost of mowing which ever is greater.

SECTION 7 Severability

The provisions of this ordinance are hereby declared to be severable, and should any provision, sanction or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in force and effect.

SECTION 8: Effective Date

This ordinance shall take effect on and be in force thirty(30) days after its publications.