

ADRIAN TOWNSHIP
WEED CONTROL ORDINANCE

This Ordinance is enacted under the authority of the Public Acts of 1941, No. 359, effective January 10, 1942, as amended, Public Acts of 1956 No. 81 and as subsequently amended, Public Acts of 1962 No. 10, and Public Acts 172 of 1969.

Sec. 1: The Adrian Township Board may appoint a competent person to be the Commissioner of Noxious Weeds who shall take the oath required of township officials and shall hold office for the term of two (2) years and until a successor is appointed and qualified, and he shall receive for his compensation such sum as may be fixed by the Township Board. The Township Board may, at any time, for good cause remove such Commissioner from office and appoint his successor to serve the remaining portion of his term. The appointing body shall report the name and address of the person so appointed to the State Department of Agriculture within ten (10) days after making such appointment.

Sec. 2: For the purpose of this Ordinance, "noxious 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 (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*) or other plant which in the opinion of the governing body of any township, coming under the provisions of this Ordinance is regarded as a common nuisance.

Sec. 3: The Commissioner of Noxious Weeds shall diligently inquire concerning the introduction and existence of noxious weeds in his township, and if any are found growing therein, he shall take charge of all such growing and take care that they do not go to seed or otherwise spread, or become a detriment to the public health, and he shall carefully seek and learn, so far as practicable, the best methods of their destruction, and he shall persistently apply in proper time such remedy or treatment as shall be best calculated to prevent their spread and to eradicate the same.

Sec. 4: It shall be the duty of all owners of lands on which noxious weeds are found growing, to destroy the same before they reach a seed bearing stage and to prevent such weeds from perpetuating themselves, or to prevent such weeds be-

coming a detriment to public health. The Commissioner shall notify by certified mail with return receipt requested, the owner, agent, or occupant of any lands on which noxious weeds are growing, or he may give any other such notice as is provided by law. Such notice shall contain methods of treating and eradicating such noxious weeds and a summary of the provisions of Section 4 of this Ordinance. Failure of the Commissioner to give such notice shall not, however, constitute a defense to any action to enforce the payment of any penalty provided for or debt created under the provisions of this Ordinance. In case any such owner, agent or occupant shall refuse to destroy such noxious weeds or cause the same to be destroyed, it shall be the duty of the Commissioner to enter upon such lands and to destroy such noxious weeds or cause the same to be destroyed. Express power to so enter upon such lands and destroy such noxious weeds is hereby conferred upon such Commissioner. Any expense incurred in such destruction shall be paid by the owner or owners of such lands, and the township of which such Commissioner is an officer shall have a lien against such lands for such expense, which lien shall be enforced in the manner now provided by law for the enforcement of mechanics' liens. Any owner who shall refuse to destroy such noxious weeds, as provided for in this Section, shall be subject to a fine of not more than \$100.00; said fine when collected to be paid to the Supervisor and shall become a part of the "noxious weed control fund" of the township. Nothing in this Ordinance shall apply to weeds in fields devoted to growing any small grain crop such as wheat, oats, barley or rye.

Sec. 5: The Commissioner shall apply the best known means, and use the utmost diligence, in eradicating noxious weeds; but he shall not have power to expend in work or materials more than \$25.00 on any one infested tract, without the advice and consent, in writing, of the Supervisor of the township.

Sec. 6: It shall be the duty of the Commissioner to prosecute or complain to the proper authorities of any person or corporation who may violate any law now existing, or which may hereafter be passed, on the subject of noxious weeds.

Sec. 7: The Commissioner shall, annually, before the first day of December, make a written report to the Department of Agriculture and to the body by whom he was appointed. Said report shall be made out upon blank forms furnished by the Department of Agriculture and shall contain such information with reference to noxious weeds as said department may require.

EFFECTIVE DATE

The foregoing Ordinance was adopted by the Township Board of Adrian Township, Lenawee County, Michigan, at a meeting held on June 7, 1971, and ordered published in the Adrian Daily Telegram, a newspaper having general circulation in said township, as required by the statutes of the State of Michigan.

The foregoing Ordinance shall take effect immediately on June 7, 1971.