

ORDINANCE NO. 13

GRASS, WEEDS AND BRUSH

AN ORDINANCE REGULATING AND CONTROLLING THE GROWTH OF GRASS AND WEEDS OR BRUSH PILES IN ROLLIN TOWNSHIP.

The Township of Rollin Ordains:

Section 1. Definitions

- A. Lawn shall mean areas in the front, side or back yards, including grass in the abutting road right-of-way of platted lots. In unplatted areas, lawn shall mean the area around a house and garage that is normally mown by the occupant or their agent.
- B. District shall mean any zoning district designated R1, R2, RM, RMH and SE (10 acres or less) residential districts; C1, C2, C3 and CM commercial districts; and Industrial districts. Agriculturally zoned districts shall be exempt from this ordinance except for lawn areas around dwellings.
- C. Owner shall mean the owner of record or his agent.

Section 2. Duty of the Owner.

- A. It shall be the duty of any owner of property in any district to cut and/or remove grass and weeds before they go to seed, spread, regrow or otherwise become a detriment to public health or reach a height of ten (10) inches
- B. On improved streets or roads and in platted areas, the owner is responsible for keeping their property and the land in front of their property that is within the road or street right-of-way, except for paved areas, free of grass and weeds to side property lines or to a point 10 feet to the side of the house or driveway, whichever is less.
- C. In the case of weeds within the road right-of way at rural road intersections, the height shall not exceed twenty (20) inches. If not cut by the Road Commission, the Township may cause said weeds to be cut as a traffic hazard, if so determined by the Township Supervisor, and the Township may bill the Road Commission for the cost of said weed removal at the end of the growing season, by means of an itemized invoice.
- D. To keep his/her property free from piles of brush or other vegetation. Accumulations of such material in excess of three months shall be prohibited

Section 3. Notification

A. The Township may serve notice to the property owner by first class mail or by publishing a notice in a newspaper of general circulation in the Township in April of each year (May of the first year of enactment). Such notice shall include information that the Township shall cut or destroy the grass and weeds at the owners expense which shall be recovered by a lien against the property to be collected with the winter taxes; that the grass and weeds will be cut as often as necessary during the growing season; and that refusal to allow the Township or its agent to mow will result in penalties as defined in Section 6 of this Ordinance. In addition, the Township shall publish the same notice as placed in an advertising paper of general circulation in the Township in April and the first week of June, and August of each year.

Section 4. Township Authorized to Cut Grass and Weeds and/or Remove Brush

- A. If the owner fails to cut or remove the vegetation as listed in Section 2, the Township or its agent is hereby authorized to cut and/or remove the offending vegetation after due notice,
- B. If the Township fails to publish the newspaper notice, written notice shall be given the owner of the Township's intent to cut and/or remove the offending vegetation by first class mail at least seven (7) days prior to the Township performing the work. Notice shall be delivered in person or posting notice on the property and by first class mail to the owners address of record.
- C. Such notice shall include language indicating the notice is for the entire growing season and that the cost of the cutting and/or removal shall be a lien to be collected at with the winter tax billing. The County Road Commission may be billed directly by the first of November each year.
- D. The Township shall keep a record of all enforcement actions under this ordinance during each calendar year and compile a report indicating the name and address of each parcel receiving a notice, the action taken by the owner, the action taken by the Township and the cost of the actions billed and submit a copy to the Township Board before December 1 of each year,

Section 5. Exemptions

Exempted from the provisions of this Ordinance are flower gardens, shrubbery, vegetable gardens, wood lots, small grain plots, and agricultural or unplatted lands excluding building sites.

Section 6. Enforcement

The Township is hereby authorized to enforce this ordinance by cutting grass and weeds and/or removing and destroying piles of brush and other vegetation as described in Section 4, above after proper notification. The cost of such work performed by the Township

together with a fee of not less than \$50 per mowing or removal or as set by the Township Board shall become a lien on the property and collected with the winter taxes.

Any person refusing to allow the Township or its agent to enter his or her property to cut offending grass or remove brush shall be subject to a civil infraction and may be issued a ticket immediately after a verbal warning if they fail to permit the work. Fines shall not be more than \$100 for the first infraction, \$200 for the second infraction within a three year period and \$ 400 for the third infraction within a three year period.

Section 7. CONFLICTING ORDINANCES

All conflicting language in any Township ordinance is hereby recinded.

Section 8. SEVERABILITY

If any court of law or equity within the State of Michigan determines that any part of this Ordinance is unconstitutional, void, voidable, or unenforceable, the remaining provisions of this Ordinance shall be deemed separate, distinct and valid in all respects from said provision.

Section 9 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its publication.