

Grass and Noxious Weeds

An Ordinance under the provision of Public Act 246 of 1945 as amended, to regulate grass and noxious weeds for the benefit of the residents of the Township of Clinton.

TOWNSHIP OF CLINTON, LENAWE COUNTY, MICHIGAN, ORDAINS:

Section 1. Intent.

The Clinton Township Board hereby finds that tall grass and noxious weeds are not in the interest of residents' health and safety.

Section 2. General Requirements.

- 2.1 In all Commercial (C), Industrial (I), Suburban Residential (SR), Lake Residential (LR), Multi-Family Residential (MR) and Mobile Home Residential (MH) districts, no person occupying any premises, and no person owning any unoccupied premises shall permit or maintain on any such premises any growth of weeds, grass or other rank vegetation to a greater height than twelve (12) inches on the average, or any accumulation of dead weeds, grass or brush. No such occupant or owner shall cause, suffer or allow poison ivy, ragweed or other noxious plants, or plants detrimental to health, to grow on any premises in such manner that any part of such ivy, ragweed or other noxious or harmful weed shall extend upon, overhang or border any public place, or allow seed, pollen or other particles or emanations therefore to be carried through the air into any public place.
- 2.2 It shall be the duty of the occupant of every premise and the owner of every unoccupied premise within the Township, to cut and remove or destroy by lawful means, all weeds, grass, or other rank, noxious or harmful vegetation as often as may be necessary to comply with the provisions of the section.

Section 3. Violations

- 3.1 If the provisions of this section are not complied with, the Supervisor or his duly authorized representative shall send a letter giving residents 7 days to cut grass or noxious weeds. If the weeds still have not been cut, the Township shall pay a contractor to cut the weeds and bill the owner.
- 3.2 Municipal Civil Infractions Violations and Penalties
 - A. Violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$500.00 for the first offense and not less than \$100.00 nor more than \$2,500.00 for subsequent offenses, in the discretion of the Court, and such fine shall be in addition to all other

costs, attorney fees, damages, expenses, and other remedies as provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person for the same property within twelve (12) months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall be considered separate first offenses.

- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- D. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.
- E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- F. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section 4. Effective Date.

This Ordinance was duly adopted by the Clinton Township Board at its regular meeting called and held on the 9th day of December 2013 and was ordered given publication in the manner required by law.

The Ordinance herein shall be effective thirty (30) days after publication.