

TOWNSHIP OF ST. CHARLES
COUNTY OF SAGINAW, STATE OF MICHIGAN
TOWNSHIP ORDINANCE NO. 22-03
TALL GRASS AND WEED CONTROL

1. DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GRASS. Any type of grass or weed, not including crops grown as a source of income.

OCCUPANT. Any person who has the right to occupy a parcel of land due to being an owner or pursuant to a rental agreement with the owner or agent thereof.

OWNER. Any person holding ownership interest in land in the Township of St Charles. For the purposes of this subchapter, the name and address listed on the township tax assessment roll shall indicate ownership interest in such land.

WEEDS. Any plant which, in the opinion of the Township Board, comes under the provisions of the Noxious Weed Act, Public Act 359 of 1941, being M.C.L.A. §§ 247.61 et seq., as amended.

(Ord. passed - -)

2. LAND SUBJECT TO REGULATION.

(A) On parcels of land with a structure within the township to a depth of 165 feet or the depth of ownership, whichever is lesser; and

(B) Vacant lots within a platted subdivision in which buildings have been erected upon 50% or more of the lots.

(Ord. passed - -)

3. NON-APPLICABILITY.

(A) Land used for agricultural purposes including weeds in fields devoted to growing any small grain crops such as wheat, barley, oats or rye; and

(B) Naturally wooded areas, regulated wetlands or meadows.

(Ord. passed - -)

4. UNLAWFUL ACTS.

(A) It is unlawful for the owner and/or occupant of any lot or parcel of land to which this subchapter applies to allow or maintain upon such lot or parcel any growth of tall grass or weeds as defined herein, or to permit the deposit or accumulation of any brush, yard debris or dead vegetation as to create a nuisance due to unsightliness, an unhealthy or unsafe condition, traffic or fire hazard.

(B) Growth of grass to a length greater than nine inches shall be considered to be a nuisance for the purposes of this section.

(Ord. passed - -)

5. DUTY TO CUT GRASS.

(A) The owner and/or occupants of land to which this subchapter applies shall not allow tall grass or weeds to grow over nine inches in height, including grass and weeds in the right-of-way; it shall be the duty of all owners and/or occupants of land located in the township to either cut or otherwise destroy by lawful means all tall grass and weeds, as defined in this subchapter, growing upon said property.

(B) To provide for a clear line of site, tall grass and weeds on an undeveloped lot bordering an intersection of two roadways must be cut back at a distance of at least 30 feet from each roadway.

(Ord. passed - -)

6. NOTICE OF VIOLATION.

(A) (1) Public notice of weed control requirements shall be made prior to April 15 of each year with an initial compliance date of May 1 of each year and as needed thereafter.

(2) On or after that date, a designated representative of the Township Board shall make inspection and determine if any property is in violation of this subchapter.

(B) (1) After inspection, if any property is determined to be in violation of this subchapter, a violation notice will be given to the property owner and/or occupant of said premises by posting a copy of said notice on the property or by sending notice via first class mail to the owner's name that appears in the last local assessment record of the township.

(2) The notice will give the property owner 15 days from the date of notice to cut the tall grass and weeds.

(Ord. passed - -)

7. ENFORCEMENT AND RIGHT OF ENTRY.

This subchapter shall be enforced by a person or persons designated by the Township Board to inspect, remove and/or destroy all tall grass and weeds as prohibited under this subchapter. Said representatives will be empowered to enter upon any premises or land in township for the purpose of carrying out this responsibility.

(Ord. passed - -)

8. FAILURE TO COMPLY.

If tall grass and weeds are not removed within 15 days of notice, an appointed township representative shall have the authority to enter upon the land and cause the lawn to be mowed, even if the property owner and/or occupant failed to actually receive said notice. The township, its agents and representatives shall not be responsible for damage to buildings, vehicles, landscaping and the like during the mowing of property in violation of this subchapter.

(Ord. passed - -)

9. ASSESSMENT OF COSTS AND PENALTIES.

In the event of noncompliance of this subchapter, the Township Board shall order the work done and all labor and administrative costs shall be charged to the property owner of record at a rate to be determined by the Board. Said property owner shall have 15 days to make payment; thereafter the charges become a lien against the property and will be placed on the property owner's taxes as a special assessment.

(Ord. passed - -)

SECTION 3 - SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 4 - REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5 - EFFECTIVE DATE

This ordinance shall take effect 30 days after publication.

A handwritten signature in black ink, appearing to read "Don Ackerman", written over a horizontal line.

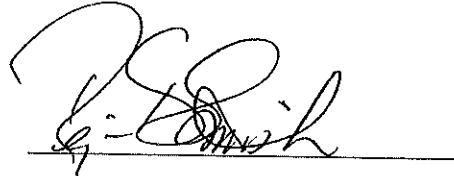
Don Ackerman, Township Supervisor

A handwritten signature in black ink, appearing to read "Regina Smith", written over a horizontal line.

Regina Smith, Township Clerk

CLERK'S CERTIFICATION

I, Regina Smith, the duly elected, qualified and acting Clerk of St. Charles Township, County of Saginaw, Michigan do certify that the above Ordinance was adopted at a meeting of the St. Charles Township Board on the 10th day of January, 2023 by a majority of the members of the board present and voting.

A handwritten signature in black ink, appearing to read 'R. Smith', written over a horizontal line.

Regina Smith, Township Clerk