

ARTICLE II. - GRASS, BRUSH AND WEEDS

*Footnotes:**--- (2) ---***Editor's note**— *Ord. No. 364, § 1, adopted March 11, 2002, amended Art. II, in its entirety, to read as herein set out.**Prior to inclusion of said ordinance, Art. II pertained to similar subject matter. See also the Code Comparative Table.***State Law reference**— *Control and eradication of noxious weeds, MCL 247.61 et seq.*

Sec. 20-21. - Weed growth prohibited.

No person owning any premises shall permit or maintain on any such premises any growth of noxious weeds; nor any growth of grass or other rank vegetation to a greater height than six inches on the average; nor any accumulation of dead weeds, grass or brush on any lot less than one acre in size. On lots in excess of one acre in size, no person owning any premises shall permit or maintain within 50 feet from the edge of the street or property line, any growth of noxious weeds; nor any growth of grass or other rank vegetation to a greater height than six inches on the average; nor any accumulation of dead weeds, grass or brush. 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* 1.) and poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*) or other weeds, plants, brush or grasses which the council may, from time to time, specifically designate as coming within the meaning of this section.

(Ord. No. 364, § 1, 3-11-02)

Sec. 20-22. - Duty of owner.

It shall be the duty of the owner of any premises within the city to cut and remove or destroy by lawful means all such noxious weeds and grass as often as may be necessary to comply with the provisions of this ordinance.

(Ord. No. 364, § 1, 3-11-02)

Sec. 20-23. - Cutting by city upon failure of owner to comply.

If any person shall fail to comply with the provisions of this ordinance by the specified time, the city manager shall, through the department of public works, cause all such grass and noxious weeds to be cut or destroyed upon lands of the person not complying with the provisions of this article. The director of the department shall keep an accurate account of all expense incurred with respect to each parcel of

land entered upon in carrying out the provisions of this article and shall make a sworn statement of the account and present it to the city manager.

(Ord. No. 364, § 1, 3-11-02)

Sec. 20-24. - Collection of costs from owner.

A copy of the sworn statement, including an account of the costs incurred on each of the several descriptions or parcels of property, shall be transmitted to the city treasurer. The city treasurer shall add to all such accounts \$300.00 to cover the costs of publication, overhead and other expense, and assess and collect the total amount in the same manner provided in the City Charter for the collection of taxes.

(Ord. No. 364, § 1, 3-11-02)

Sec. 20-25. - Notice of requirements.

The city clerk shall on or before March 31 of each year give notice of requirements and provisions of this article by publishing a notice once a week for two successive weeks in a newspaper of general circulation in the city. The notice shall be substantially as follows:

The owner, lessee, tenant or occupant of any occupied or unoccupied lot, land or any part thereof in the city on which noxious weeds are found growing shall destroy the weeds before they reach a seed bearing stage and prevent their regrowth, or shall prevent them from becoming a detriment to public health. If the owner, agent, or occupant refuses to destroy the noxious weeds, the city manager shall enter upon the land and destroy the noxious weeds. Expenses incurred in the destruction shall be paid by the owner of the land, and the city shall have a lien against the land for the amount of the expense. The lien shall be enforced in the manner provided by law for the enforcement of construction liens.

(Ord. No. 364, § 1, 3-11-02)

Sec. 20-26. - Exemptions.

Exempted from the provisions of this article are flower gardens, plots of shrubbery, vegetable gardens and small grain plots. An exemption under the terms of this section cannot be claimed unless the land has been cultivated and cared for in a manner appropriated to such exempt categories.

(Ord. No. 364, § 1, 3-11-02)

Secs. 20-27—20-30. - Reserved.