

CHARTER TOWNSHIP OF HARING
COUNTY OF WEXFORD, STATE OF MICHIGAN
ORDINANCE NO. 2015-95

CHARTER TOWNSHIP OF HARING GRASS, WEED, AND VEGETATION ORDINANCE

AN ORDINANCE TO SECURE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS, BY THE CONTROL AND REGULATION OF CERTAIN WEEDS AND GROWTH IN SUBDIVIDED LANDS AND UPON LANDS ALONG IMPROVED STREET AND ROADS WITHIN THE TOWNSHIP; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

IT IS HEREBY ORDAINED BY THE TOWNSHIP OF HARING, WEXFORD COUNTY, MICHIGAN.

Section 1. – TITLE

This ordinance shall be known and cited as the Charter Township of Haring Grass, Weed, and Vegetation Ordinance.

Section 2 – DEFINITIONS

For the purpose of this ordinance, “weeds” shall include Thorn-apple (*Datura inoxia*), 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*) and poison ivy (*rhus toxicodendrom*), poison sumac (*toxicodendrom vernix*) or other plant coming under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, et seq.), is regarded as a common nuisance.

Section 2 – APPLICATION

This Ordinance applies to all parcels within 200 feet of any public road right-of-way in commercial and industrial zoned land lying west of the US-131 expressway.

Section 3 – REGULATIONS

- A. Nuisances. Grass, weeds and/or other vegetation in violation of Section 4 of this Ordinance shall be deemed a nuisance per se on such parcels.
- B. Exemptions. The following are exempt from the provisions of this article:
 - 1) Farming operations,
 - 2) Flowers, ornamental plants, and vegetables under cultivation,
 - 3) Wetland and conservancy zones, and
 - 4) Natural areas, green belts, open lands, buffers, and other landscape features approved by the township pursuant to site plan approval.

Section 4 – DUTY TO CUT

It shall be the duty of all owners and occupants of parcels included in this Ordinance to cut and maintain any grass, weeds and/or vegetation regulated by this Ordinance on said parcels during the week prior to Memorial Day, Independence Day, and Labor Day, or to destroy said weeds before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves.

Section 5 – PENALTY AND FINES

- A. Any violation of any provision of this Ordinance shall be deemed a municipal civil infraction, punishable by a civil fine.
- B. Violation Notices. A person who, as a result of violating any provision of this Ordinance, receives a municipal civil infraction violation notice, upon an admission of responsibility thereon, shall pay a civil fine at the Haring Charter Township Municipal Violations Bureau, in the amount provided in Section 5 of Ordinance No. 47, the Haring Charter Township Municipal Ordinance Violations Bureau Ordinance, plus any costs as specified in said Section 5 of Haring Township Ordinance No. 47 (“Haring Charter Township Municipal Ordinance Violations Bureau Ordinance”).
- C. Citation/Complaint. A person who, as a result of violating any provision of this Ordinance, receives a municipal civil infraction citation/complaint, upon an admission or adjudication of responsibility thereon, shall pay a civil fine for each infraction of not less than \$50 nor more than \$500, plus costs, damages, expenses, and other sanctions as authorized under Public Acts No. 12, 13, and 14 of 1994, as amended, Public Act 359 of 1941, and other applicable laws.
- D. The Haring Charter Township Ordinance Enforcement Officer, the Municipal Ordinance Violations Bureau Clerk, the Township Building Inspector, Township Manager and/or such other Township officials as the Township Board may appoint from time to time by resolution, are authorized to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of this Ordinance and take any other action as specified in Section 7 of Haring Township Ordinance #47.

Section 6 – SEVERABILITY

The provisions of this ordinance are hereby declared to be severable, and should any provision, sanction or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 7. – REPEAL CLAUSE

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect.

Section 8. – EFFECTIVE DATE

This ordinance shall take effect on and be in force seven (7) days after its publication.

VOTE ON SAID ORDINANCE

Scarbrough made a motion to adopt Ordinance 2015-95 as amended. Fagerman supported. All in Favor unanimously.

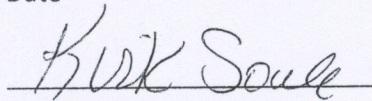
Adopted:

Yeas: 7

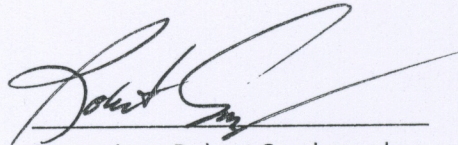
Nays: 0

3-11-15

Date



Clerk, Kirk Soule



Supervisor, Robert Scarbrough