

ORDINANCE NO. 171

An ordinance to secure the public health, safety and welfare of the residents and property owners of Williams Township by the control and regulation of certain weeds and growth in subdivided lands and upon lands along improved streets within the township; to permit the township to have a lien for expenses incurred in controlling and eradicating such weeds; to provide penalties for violation of the ordinance and to repeal all ordinances or parts of ordinances in conflict with it.

**THE CHARTER TOWNSHIP OF WILLIAMS, BAY COUNTY, MICHIGAN,
ORDAINS:**

Section 1: Title. This ordinance shall be known and cited as the Williams Township Weed Ordinance.

Section 2: Definitions. For the purpose of this ordinance, "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*), poison ivy (*rhus toxicodendron*), poison sumac (*toxicodendron vernix*), and grasses and other vegetation in excess of 10" in height or in spread.

Section 3: Regulations.

- A. It shall be the duty of each owner, possessor, or occupant of land upon which weeds, as defined in this ordinance, are growing, either:
 - 1. Within platted subdivisions in which buildings have been erected upon 60 percent or more of the lots; or,

2. On parcels of land along improved streets in common usage within the township.

To destroy those weeds to a depth of 165 feet or the depth of the lot, whichever is less, before they reach a seed-bearing stage, and to prevent them from perpetuating themselves and from becoming a detriment to public health.

- B. Nothing in this ordinance shall apply to: weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, or rye; crops; planted flowers; garden plants (including decorative grasses); trees; and, planted shrubs.

Section 4: Notice. The township shall notify by certified mail with return receipt requested, the owner, possessor or occupant of any land on which noxious weeds are found growing, which notice shall contain a method of treating and eradicating such weeds and a summary of the provisions of Sections 3, 5, 6 and 7 of this Ordinance. Instead of the notice required by the preceding sentence, the township may publish a notice in a newspaper of general circulation in the county during the month of March that weeds not cut by May 1 of that year may be cut by the township and the owner of the property charged with the cost. The publication shall also contain all other information required of the notice provided for in this section. The township may cut weeds as many times as is necessary and charge the cost to the property owner.

Section 5: Cutting Weeds. In the event the owner, possessor or occupant of any land on which weeds are found growing has failed after 10 days' notice as provided in Section 4, above, to destroy such weeds or cause the same to be destroyed, an agent authorized by the Township Board may enter upon the land or lots and destroy by cutting with or without mechanical equipment which will not damage the property or an adjacent sidewalk, any such weeds, and all expenses incurred in such destruction shall

be paid by the owner of such land or lots.

Section 6: Lien. The township shall have a lien upon such land or lots for cutting weeds and if not paid by the time township taxes are levied upon the tax roll, such expense shall be added to the tax roll and collected in the same manner that township taxes are collected under the general laws of the State of Michigan providing for the enforcement of tax liens.

Section 7: Penalties. Any person, firm or corporation who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$100, which fine, when collected, shall become a part of the "Weed Control Fund" of Williams Township. Each day that a violation shall continue shall constitute a separate offense. The foregoing penalty shall be in addition to the other rights of the township to proceed at law or equity with other appropriate and proper remedies.

Section 8: Validity. Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 9: Effective Date. This ordinance shall take effect on publication and shall be published in the *Bay City Democrat* on the 23rd day of September, 2010. Ordinance No. 160 and all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

YEAS: Wasek, Plant, Hoverman, Charney, Paige, Putt, and Gower.

NAYS: None.

ABSENT: None.

ORDINANCE DECLARED ADOPTED.

Amy Charney
Amy Charney, Clerk
Williams Township
Bay County, Michigan

CERTIFICATION

I, **AMY CHARNEY**, as Clerk for the Charter Township of Williams, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was introduced and received by the Charter Township of Williams Board on the 10TH day of August, 2010.
2. That the same was published in the *Bay City Democrat* on the 19th day of August, 2010.
3. That the same was adopted by the Charter Township Board on the 14th day of September, 2010.
4. That the same was published in the *Bay City Democrat* on the 23rd day of September, 2010.

Amy Charney
Amy Charney, Clerk
Charter Township of Williams
Bay County, Michigan

AUTHENTICATION OF RECORD

We, **PAUL WASEK**, Supervisor, and **AMY CHARNEY**, Clerk, for the Charter Township of Williams, Bay County, Michigan, hereby authenticate the following relative to the foregoing Ordinance:

1. That the same was passed by the Charter Township of Williams Board on the 14th day of September, 2010.

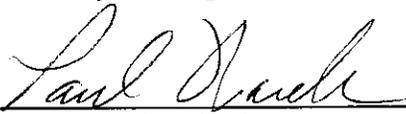
2. That the following members of the Township Board voted yes, in favor of said Ordinance: Wasek, Plant, Hoverman, Charney, Paige, Putt, and Gower.

3. That the following members of the Township Board voted no, against said Ordinance: None.

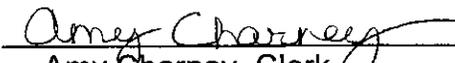
4. That the following members of the Township Board were absent:
None.

DATED: This 15th day of September, 2010.

CHARTER TOWNSHIP OF WILLIAMS
Bay County, Michigan

By: 
Paul Wasek, Supervisor

DATED: This 15th day of September, 2010.

By: 
Amy Charney, Clerk