

CHARTER TOWNSHIP OF IRONWOOD
WEED CONTROL ORDINANCE
ORDINANCE NO. 46

THE CHARTER TOWNSHIP OF IRONWOOD ORDAINS:

PREAMBLE:

The Ironwood Township Board having determined it to be necessary to preserve and protect the public health, safety, and welfare of the residents of Ironwood Township, the Township Board hereby enacts Ordinance No. 46 to control and regulate noxious weeds and other vegetation growing within the Township in areas which are zoned R1. This ordinance is intended to comply with Public Act 359 of 1941 (MCL 247.61, et seq). The additional purpose of this ordinance is to prevent all noxious weeds from going to seed or to blossom, as the case may be, and to prevent any dead weeds, grass, brush or vegetation from becoming a fire hazard. This ordinance shall be known and may be cited as the "weed control ordinance".

SECTION 1: Growth Prohibited.

No person occupying or owning any improved lot shall permit or maintain on said improved lot any growth of noxious weeds; any growth of grass or other vegetation in excess of ten (10) inches in height; or any accumulation of dead weeds, grass, brush, or other vegetation. In addition, any person occupying or owning any improved lot shall destroy any noxious weeds before they reach a seed-bearing stage and prevent their regrowth, and shall prevent any noxious weeds from becoming a detriment to public health. For the purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Noxious weeds" shall mean Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, and species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary allyssum (*Berteroa incana*), ragweed (*ambrosia elatior* 1.), poison ivy (thus *Toxicodendron*), and poison sumac (*Toxicodendron vernix*).

"Improved lot" shall mean any parcel of land having at least one (1) building thereon.

SECTION 2: Duty of Occupant or Owner.

It shall be the duty of every person, who owns or occupies, any improved lot within the Township's limits to cut, destroy and remove or cause to be cut, destroyed, or removed, all noxious weeds, grass, or other vegetation, as often as may be necessary to comply with the provisions of Subsection 1 of this Ordinance.

SECTION 3: When to do Work.

If the provisions of Subsections 1 or 2 of this Ordinance are not complied with, the commissioner of noxious weeds shall notify, by certified mail, the occupant and owner of the improved lot upon which the violation of this Ordinance exists. Said notice shall describe methods of treating and eradicating noxious weeds and contain a complete copy of this Ordinance. In addition, said notice shall require compliance with this Ordinance within ten (10) days after mailing of said notice. If said notice is not complied with within that time, the commissioner of noxious weeds shall cause such weeds, grass, brush and other vegetation to be cut, destroyed, and removed, and the actual cost incurred, including supervision and overhead costs, shall be paid by the owner of the improved lot. Said expenses shall constitute a lien against the improved lot and shall be enforced in any manner provided by law for the enforcement of construction liens.

It shall be the duty of the Township Clerk to publish a notice in a newspaper of general circulation in the Township during the month of March that noxious weeds, grasses, and other vegetation not cut in conformance with this Ordinance by May 1 of that year may be cut at the direction of the Township and the owner of the property charged with the actual costs incurred in cutting same. Said notice shall describe methods of treating and eradicating noxious weeds and a complete copy of this Ordinance. Moreover, said notice shall provide that the Township may see to the cutting as many times as is necessary and charge the cost to the property owner in order to comply with this Ordinance.

SECTION 4: Exemptions.

This Ordinance does not apply to weeds in fields devoted to growing any small grain crop such as wheat, oats, barley, or rye. In addition, this Ordinance does not apply to flower gardens, plots of shrubbery and vegetable gardens, provided the improved lot has been cultivated and cared for in a manner appropriate to these exempt categories.

SECTION 5: Commissioner of Noxious Weeds

Enforcement of this Ordinance shall be granted to the Commissioner of Noxious Weeds. The Commissioner of Noxious Weeds shall be appointed by the Township Board to hold office for a term of two (2) years or until a successor is appointed and qualified. Said Commissioner shall take the oath of office required of Township officers and shall receive compensation as determined by resolution of the Township Board. The Commissioner of Noxious Weeds shall not expend more than \$75.00 in cutting any one (1) improved lot, unless first obtaining the written consent of the Township supervisor. The Commissioner of Noxious Weeds shall perform duties under Public Act 359 of 1941 (MCL 247.61, et seq), under the provisions of this Ordinance, and as may be designated from time to time by the Township Board.

SECTION 6: Penalties

Any person violating any provision of this Ordinance shall be guilty of a municipal civil infraction and shall be punished in accordance with the Township's municipal civil infraction ordinance, provided that any fine shall not exceed \$100. Each day that a violation occurs shall be deemed a separate offense. Imposition of the penalties provided under the Municipal Civil Infraction Ordinance shall not exempt an individual from compliance with this Ordinance. The foregoing shall be in addition to the other rights of the Township to proceed at law or equity for other proper remedies.

SECTION 7: Severability

If any article, section, sub-section, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, being the intent of Ironwood Township that this Ordinance shall be fully severable.

SECTION 8: Repealer

All other Ordinances in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 9: Effective Date

This Ordinance shall become effective in accordance with applicable Michigan law.

Adopted and approved by the Township Board of the Charter Township of Ironwood,

Gogebic County, Michigan, on the 26 day of June, 2006.



RICHARD ESTOLA
Township Supervisor

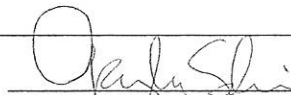
STATE OF MICHIGAN)
)ss
COUNTY OF GOGEBIC)

I hereby certify that the above Ordinance No. 46, being the Weed Control Ordinance of the Charter Township of Ironwood, Gogebic County, Michigan, was duly adopted by the Ironwood Township Board at a regular meeting of the Board held on the 26 day of June, 2006, with the following vote therein:

AYE: Salmi, Partyka, Olson, Estola, Brunello, Suutala, and Genisot

NAY: _____

ABSENT: _____



GAYLA SALMI
Township Clerk