

ST. JAMES TOWNSHIP Ordinance No. of 2008

AN ORDINANCE PURSUANT TO ACT 246 OF THE PUBLIC ACTS OF 1945, AS AMENDED, TO PROVIDE PROCEDURES INTENDED TO COMPLY WITH FEDERAL AND STATE DUE PROCESS REQUIREMENTS BEFORE INCLUDING PRIVATE PROPERTY ALONG THE LAKE MICHIGAN SHORELINE IN A PHRAGMITES ERADICATION ZONE

Phragmites Administrator and Township Action Required

1. A Phragmites Administrator shall be appointed by the Township Board to administer this ordinance.
2. The Phragmites Administrator shall conduct annual survey of all Lake Michigan shoreline properties within the Township
3. Phragmites Administrator shall obtain written permission from all landowners prior to property inspection and survey
4. Phragmites Administrator shall submit a written report of findings to the Township Board no later than the June regular meeting each year.
5. Individual property reports shall be mailed to each property owner for their information and use.
6. Township shall schedule a Public Hearing to determine inclusion or exclusion of infested property(s) to a Phragmites Eradication Zone. Each property owner is allowed to argue inclusion or exclusion of their property in the Phragmites Eradication Zone.
7. Notification of public hearing shall also be sent to each individual landowner on record - no less than 20 days before hearing
8. After the public hearing, the Township shall make determination as to which parcels will be included in the Phragmites Eradication Zone for work the following year.
9. Phragmites Administrator shall submit applications to the Michigan (MDEQ) Department of Environment and Great Lakes Energy (EGLE) for obtaining permits for the treatment of parcels within the Eradication Zone.
10. Upon receipt of permits, the Township shall engage the services of a professional to engage in Phragmites treatment. The Township shall pay all costs associated with the treatment of each infested site.

RECOMMENDATION: Revamp ordinance to reflect a need for a more comprehensive “Plant Invasive Species” ordinance and the name change of the Phragmites Administrator to one of a Natural Resources Administrator to handle any and all current methodologies for survey, extermination, timelines, etc. for the control/extermination of plant invasive species in the Archipelago.

