

ORDINANCE NO. 26
WEED ORDINANCE
TOWNSHIP OF THREE OAKS
COUNTY OF BERRIEN
STATE OF MICHIGAN

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 streets within the township; to provide penalties for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF THREE OAKS, BERRIEN COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE

This ordinance shall be known and cited as the Three Oaks Township Weed Ordinance.

SECTION 2: DEFINITION

For the purpose of this ordinance "weeds" shall be known as any vegetation that is non-agricultural, non-edible, and non-commercial.

SECTION 3: REGULATIONS

- A. It shall be the duty of all owners 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 thereof, or
 - (2) On parcels of land along improved streets in common usage within the township, to a depth of 165 feet or the depth of ownership, whichever is the lesser, to maintain the growth of weed to a height not to exceed 24 inches.
- B. Nothing in this ordinance shall apply to weeds in fields devoted to growing any small crops such as wheat, oats, barley or rye.

SECTION 4: NOTICE OF VIOLATION

The township shall give written notice to the owner of any property in violation of this ordinance by first class mail to such owner as taken from the tax rolls and such owner shall be given notice and shall have 30 days from and after such notice to remove the weeds from the property. In the event such owner does not cut and destroy the weeds on their property within 30 days as required; the township may enter such premises and cut and destroy such weeds. This notice shall suffice as notice for the entire growing season. In the event said weeds is again allowed to growth a height of 24 inches or more, the township shall have the right to remove said weeds without additional notification.

SECTION 5: PENALTY

In the event the township is required to cut and remove the weeds from any property, as provided by the preceding section, the township shall thereafter bill the owner of such property, by first class mail, for the expense of cutting and destroying such weeds and the owner of such property shall be responsible for the expense of cutting and removing the same.

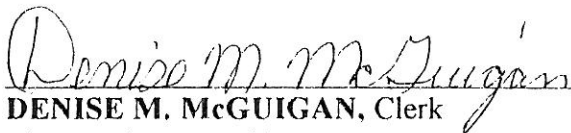
SECTION 6: COLLECTION OF PENALTY

In the event any property owner does not pay to the township the expense of cutting and destroying weeds, after being billed as provided by the preceding section, the expense of so cutting and destroying shall be added to the tax bill of the owner of such property and shall become a lien against said property and shall be collected in a like manner as taxes are collected.

This Ordinance shall take effect 30 days following its publication after adoption.

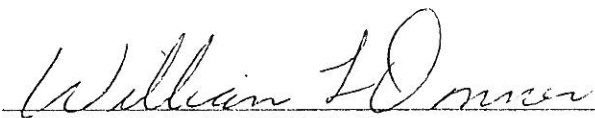
Adopted this 10th day of November 1997.

TOWNSHIP OF THREE OAKS



DENISE M. McGUIGAN, Clerk
Three Oaks Township

Attest:



WILLIAM L. DONNER, Supervisor
Three Oaks Township

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 26, adopted by the Township Board of the Township of Three Oaks, Berrien County, Michigan, at a regular meeting held on the 10th day of November, 1997.

I further certify that Board Member Sherrill Moved the adoption of said Ordinance and Board Member Osburn supported the motion.

I further certify that the following Board Members voted for the adoption of said ordinance: Donner, McGuigan, Osburn, and Sherrill.

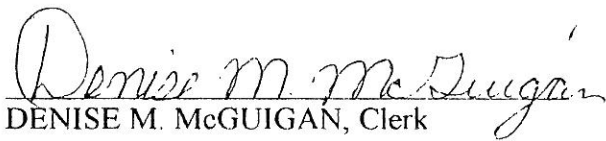
The following Board Members voted against the adoption of said Ordinance: None.

The following Board Members were absent: Doecker

The following Board Members Abstained: None

I further certify that the foregoing Ordinance was published in full in the Southcounty Gazette, a newspaper circulating in the Township of Three Oaks, on the 24th day of November, 1997.

Dated: November 17, 1979



DENISE M. McGUIGAN, Clerk

Three Oaks Township

Date of filing with the Berrien County Clerk 11-21-97