

CHAPTER 674

Weeds and Grass

- 674.01 Weed Growth Prohibited
- 674.02 Duty of Occupant or Owner
- 674.03 When to Do Work
- 674.04 Exemptions
- 674.99 Penalty.

CROSS REFERENCES

Box elder trees, female, as nuisance -see M.C.L.A. §124.151

Weeds generally -see M.C.L.A. §§247.51, 247.52, 247.61
et seq., 286.701 et seq.

Cutting or destroying trees -see M.C.L.A. §§747:235, 247.241, 752.701 et seq.
et seq.

Malicious destruction of trees -see M.C.L.A. §750.382

674.01 Weed Growth Prohibited.

No person occupying any premises, and no person owning any unoccupied premises shall permit or maintain on any such premises any growth of noxious weeds; nor any growth of grass or other rank vegetation to a greater height than twelve (12) inches on the average; nor any accumulation of dead weeds, grass or brush. "Noxious 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* L.) and poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*).

674.02 Duty of Occupant or Owner.

It shall be the duty of the occupant of every premises and the owner of unoccupied premises within the City, to cut and remove or destroy by lawful means all such noxious

weeds and grass, as often as may be necessary to comply with the provisions of section 9.41; provided, that the cutting, removing or destroying of such weeds and grass at least once in every three (3) weeks between May 15th and September 15th of each year, shall be deemed to be compliance with this Chapter.

674.03 When to do Work.

If the provisions of sections 674.01 and 674.02 are not complied with, the City Manager shall notify the occupant, or owner of unoccupied premises, to comply with the provisions of said sections within a time to be specified in said notice, which notice shall be given in accordance with this Code. Said notice shall require compliance with this Chapter within five (5) days after service of such notice, and if such notice is not complied with within the time limited, the City Manager shall cause such weeds, grass and other vegetation to be removed or destroyed and the actual cost of such cutting, removal or destruction including supervision and overhead costs, but not to exceed one hundred (\$100 00) dollars for any one tract of land, for one incident. The cost shall be a lien against the premises and collected as a single lot assessment as provided in this Code. The City Manager, or his designee, shall be Commissioner of Noxious Weeds of the City and shall serve as such without additional compensation.

674.04 Exemptions.

Exempted from the provisions of this Chapter are flower gardens, plots of shrubbery, vegetable gardens and small grain plots. An exemption under the terms of this section cannot be claimed unless the land has been cultivated and cared for in a manner appropriate to such exempt categories.

674.99 Penalty

- (1) **First Offense** – The first violation of the above rules shall be a civil infraction, punishable by a fine not to exceed \$100.00 plus costs.

(2) **Second Offense** – The second violation of the above rules, within a 3 year period, shall be a civil infraction, punishable by a fine not to exceed \$200.00 plus costs.

(3) **Third Offense** – The third or more violation of the above rules, within a 3 year period, shall be a misdemeanor punishable by a fine of not greater than \$500.00 plus costs and/or jail sentence not to exceed 93 days in jail.