

§ 91.01 WEEDS.

(A) All noxious weeds, on both public and private lands, are hereby declared to be a nuisance. It shall be unlawful to permit noxious weeds to remain in the village.

(B) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

NOXIOUS WEEDS. Shall include Canada Thistle (*Cirsium Arvense*), Dodders (any species of *Cuscuta*), Mustards (Charlock, Black Mustard, and Indian Mustard, species of *Brassica* and *Simapis*), Wild Carrot (*Daucus Carota*), Bindweed (*Convolvulus Arvensis*), Perennial Sowthistle (*Sonchus Arvensis*), Hoary Alyssum (*Berteroa Incana*), Ragweed (*Ambrosia Elatior*), and Poison Ivy (*Rhus Toxicodendron*), Poison Sumac (*Toxicodendron Vernix*) or other plants which in the opinion of the Village Council is regarded as a common nuisance.

(C) The Code Enforcement Officer is appointed the commissioner of noxious weeds and is authorized to inspect and examine any weeds in the village to determine whether or not they are noxious. Upon discovering that any such weeds are noxious and any time they exceed eight inches in height, the Commissioner shall notify the owner or occupant of the premises of the violation by affixing a notice on or as near as possible to the front door of the property.

(D) It shall be the duty of the owner or occupant of any land upon which the noxious weeds exist to have the same cut or eradicated within five days of notice by the Commissioner. It shall be the duty of the Department of Public Works to eradicate or cut all noxious weeds from land owned by the village.

(E) Where the owner or occupant of the premises concerned does not properly cut or eradicate noxious weeds within five days after notice, or where the owner or occupant of the premises cannot be located, the Department of Public Works or its designee is hereby authorized to enter the property and cut or eradicate the noxious weeds. Any expense incurred in the destruction shall be paid by the owner or owners of the property, and in the event of nonpayment thereof the village shall have a lien against the property for the expense, which lien shall be enforceable in the manner provided by law for the enforcement of mechanics' liens.

(F) This section will take effect 30 days from date of enactment.

(Ord. 37, passed 5-6-1963; Ord. 63, passed 10-2-1978; Ord. 90, passed 2-1-1982; Ord. 166, passed 7-16-2001; Ord. 210, passed 6-7-2010) Penalty, see § 91.99

Statutory reference

Weeds, see M.C.L.A. §§ 247.61 et seq.