

VILLAGE OF AKRON
WEED ORDINANCE
ORDINANCE NO. 1110

**AN ORDINANCE TO REGULATE THE USE OF CERTAIN NOXIOUS WEEDS, LEAVES
AND LIMBS WITHIN THE VILLAGE OF AKRON.**

**BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF AKRON,
MICHIGAN THAT:**

SECTION 1. NOXIOUS WEEDS DEFINED; CONSTITUTE NUISANCE:

For purposes of this article, all plants mentioned in Section 2 are hereby declared to be noxious weeds and to constitute a public nuisance.

SECTION 2. DUTY TO CUT AND DESTROY:

It shall be the duty of each owner, possessor or occupier of land, and of each person having charged of any land with the Village of Akron to cut, remove and to destroy all noxious weeds. Noxious weeds shall be defined as all grasses, annual plants, and vegetation other than trees or shrubs. However, this term shall not include cultivated flowers, gardens, or agricultural crops in production. All noxious weeds shall be cut, removed and destroyed on or before the 15th of each month (May through September), or before reaching a height of eight (8) inches, or as a necessity to prevent all noxious weeds from going to seed, spreading, or becoming a detriment to public health.

SECTION 3. NOTICE TO CUT AND DESTROY:

It shall be the duty of the Village Clerk to give general notice to every owner, possessor or occupier of land, and of every person having charge of any land within the Village by publication at least once in a newsletter mailed out that weeds not cut by May 15 of that year, and as often thereafter as necessary, will be cut incurred in the removal of relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirements of this article.

**SECTION 4. CUTTING AND DESTROYING NOXIOUS WEEDS BY THE VILLAGE –
GENERALLY:**

In the event any noxious weeds have not been cut or destroyed by the 15th of each month (May through September) the Village President or Clerk, or any duly authorized contractor engaged by the village, may enter upon the land and cause all such weeds to be cut down and destroyed. Express power to enter upon such land and to destroy such noxious weeds is hereby conferred. All expenses of such cutting or destroying, including any and all costs incurred in the removal or relocation of debris, junk, or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirements of this section shall be paid by the owner of such land plus an administrative service fee of five hundred and 00/100 (\$500.00) dollars per parcel, per cutting or destroying. The Village President or Clerk, or their designee, may enter upon such lands as often as necessary to cut and destroy weeds and shall not be liable for damages in any action of trespass thereof.

**SECTION 5. CUTTING AND DESTROYING NOXIOUS WEEDS BY THE VILLAGE –
ACCOUNT AND COLLECTION OF EXPENSES INCURRED:**

The Village Clerk shall keep an accurate account of the expenses incurred in carrying out the provisions of the Ordinance with respect to each parcel of land entered upon thereof. The amount of such expense incurred in the destruction of such weeds shall constitute a debt due the village by the persons so failing to comply with such Ordinance, and the village may maintain an appropriate action in a court of law for the collection thereof.

- A. In the event the cost of destroying weeds as provided for in this Ordinance remains uncollected or unpaid on the thirtieth of October following the cutting of the weeds, the unpaid amount shall be reported by the Village Clerk to the Village Treasurer, and the same, together with interest not to exceed the maximum established by state law for municipal borrowing nor be less than seven (7%) percent per annum, shall be placed upon the special tax roll next in course of preparation as a charge against the property upon which such order was carried out, and the same shall become a lien upon the land and shall be assessed and collected in the same manner as all other special assessments of the village are assessed and collected; and the same, when collected. Shall be paid into the general fund to reimburse the outlay therefrom.

SECTION 6. APPEAL:

Any owner, possessor or occupier of land who receives an invoice for expenses, costs or administrative service charges pursuant to Section 5 shall have an opportunity to meet with Village President or designee to request a review and modification of assessable expenses,

costs, and charges. The responsible party shall submit a written request for such a review within seven (7) calendar days of the date of the invoice. After a responsible party has been granted an opportunity to meet with the Village President or designee, the Village President or designee shall promptly determine whether to confirm, modify, or void any of the expenses, costs, or charges.

SECTION 7. PENALTY:

If any owner, possessor or occupier of land or any person, firm or corporation having charge of any lands in the village shall violate this Ordinance, he/she shall, upon conviction of any court of competent jurisdiction, be punished by imprisonment for not more than 90 days or by a fine of not more than \$500.00, or both, and be ordered to pay the court costs.

SECTION 8. VALIDITY:


- A. All Ordinances or part of any Ordinance in conflict herewith are hereby repealed.
- B. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 9. ORDINANCE IN FORCE:

This Ordinance shall be in full force and effect from and after its passage and approval and publication by law.

This Ordinance enacted by the Village Council of the Village of Akron at a regular meeting held at the Council Chambers in said Village on 19th day of December, 2017.

Yeas: 7
Nays: 0
Absent: 0


James L. Dickinson, Village President

I, Shari Hadaway, Clerk of the Village of Akron, do hereby certify that the above Ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Akron, Tuscola County, Michigan, at a regular meeting on 19th day of December, 2017.



Shari Hadaway, Village Clerk