ARTICLE IV. - VEGETATION[[4]](#fn_32)

Footnotes:

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**State Law reference—** Weed control, MCL 247.61 et seq.

Sec. 34-101. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Noxious weeds* means Canada thistle, dodders, mustard, wild carrot, bind weed, perennial sowthistle, hoary alyssum, ragweed, poison ivy, poison sumac, and any other weeds which may create a condition detrimental to the public health, safety and welfare.

(Comp. Ords. 1988, § 35.101)

**Cross reference—** Definitions generally, § 1-2.

Sec. 34-102. - Allowing growth of weeds; unlawful.

It shall be unlawful for the owner and occupant of any lot or lands, either public or private, within the township to allow or maintain on any portion of such lot or lands the growth of any noxious weeds.

(Comp. Ords. 1988, § 35.102)

Sec. 34-103. - Limit on height, distance from building; shrubs, brush.

It shall be unlawful for the owner or occupant of any lot or lands, either public or private, within the township to allow or permit grass or weeds of any kind to grow upon any such lot or lands to a height of more than nine inches from the ground or within a distance of 80 feet from any existing building on the property of another or from the property line. It shall be unlawful to permit the growth of shrubs, wild bushes or brush on any property in the township to a height or density which might constitute a traffic or fire hazard. The obligation of the owner or occupant of any property in the township is to cut down, remove or destroy any grass, weeds, shrubs, bushes or brush that shall extend to the center of the road fronting on the property of such owner or occupant.

(Comp. Ords. 1988, § 35.103; Ord. No. 357, 3-25-2008; Ord. No. 370, § 1, 9-13-2010; Ord. No. 388, § 5, 1-14-2016)

**Cross reference—** Buildings and building regulations, ch. 18.

Sec. 34-104. - Reserved.

**Editor's note—** Ord. No. 370, § 2, adopted Sept. 13, 2010, repealed § 34-104 which pertained to violation and fine and derived from Comp. Ords. 1988, § 35.104.

Sec. 34-105. - Removal by township.

(a) Whenever it appears to the ordinance enforcement officer, the township supervisor or the person appointed by the township board as weed commissioner, either by a written complaint signed by a resident of the township or upon their own knowledge and belief, that there exists on any lot or lands situated in the township grass, noxious weeds, weeds of any kind, or in any combination, which have grown to a height of more than permitted by section 34-103, the ordinance enforcement officer or any person so appointed by the township board shall possess the authority to enter upon any premises in the township in order to cut or otherwise remove any such grass or weeds exceeding 12 inches in height.

(b) Where grass and/or weeds are cut or removed by the township in the manner set forth in subsection (a) of this section, the charges per lot sizes shall be review each year by the board of trustees to determine the amount to be charged to the landowner, such charges to be assessed pursuant to section 34-106. The amount shall be charged to the landowner as set forth in section 34-106. Performance of such work by the township under this section shall not relieve the owner or occupant of the prosecution or penalties prescribed in section 34-104.

(c) The township shall publish a notice in a newspaper of general circulation in Macomb County during the month of March that weeds not cut by May 1 of that year may be cut by the township and the owner of the property charged with the cost under subsection (b) of this section. This notice shall state that failure to perform such work in that time stated shall result in entry upon the premises by the ordinance enforcement officer or other persons so appointed by the township board to perform the work, charging the cost plus administrative costs to the landowner. These charges are to be assessed pursuant to section 34-106. The notice shall further describe methods of treating and eradicating the noxious weeds.

(Comp. Ords. 1988, § 35.106; Ord. No. 351, § I, 3-12-2006; Ord. No. 357, 3-25-2008; Ord. No. 370, § 3, 9-13-2010)

Sec. 34-106. - Collection of expenses.

The full amount of any charges assessed pursuant to section 34-105, with respect to each lot or parcel of land upon which grass or noxious weeds have been cut or removed pursuant to this article, shall be a special assessment to be spread against such land and property to be assessed, levied and collected at the same time and in the same manner for nonpayment.

(Comp. Ords. 1988, § 35.107)