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## ARTICLE V. - NOXIOUS WEEDS

### Sec. 10-120. - 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:

~~Garden ornamental grasses, prairie grasses, native grasses or cultivated lawns~~ which are planned, designed, and actively managed will not be considered noxious weeds and grasses.

~~Noxious weeds and grasses~~ includes Canada Thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard, and Indian mustard, species of *Bassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*Ambrosia elatior*), poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*) or other plants which, in the opinion of the village council, are regarded as a common nuisance.

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:

*Weeds* means all plant growth except flowers, vegetables, agricultural crops, trees, bushes, or grass, whether noxious or otherwise. Noxious/Invasive species as defined by the State of Michigan Department EGLE watch list.

### **Sec. 10-121. Public nuisance declared.**

All weeds and grass standing at the height of eight inches or more on land within the village, unless otherwise excepted in this article, are hereby declared to be a public nuisance.

#### **Sec.10-121.1 Exemptions from the requirements to Mow.**

Unimproved Light Industrial parcels, Unimproved PUD Parcels, and parcels in current Agricultural use.

{Needing section on firebreak/ areas to mow if we are to allow residential parcels to allow any section of their lots to be a natural prairie or wildflower garden. }

### **Sec. 10-122. Unlawful height of weeds and grass.**

It shall be unlawful for any person to permit weeds or grass to reach a height of six inches or more on land owned by or under the possession, control, or occupancy of such person within the village, including any public right-of-way or easement portion thereof.

### Sec. 10-123. - Duty to cut.

It shall be the duty of the occupant of every premises and the owner of every unoccupied premises within the village to cut, remove, or destroy by lawful means all such weeds and grass as often as may be necessary to comply with the provisions of section 10-122.

### Sec. 10-124. - Grass plots on public rights-of-way.

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Grass plots growing on any public street rights-of-way or alley rights-of-way, within said village, shall be kept mowed by owner, possessor, or occupier, or by such person or persons having charge of the abutting property. When the grasses or noxious weeds in such places are **six** inches or more in height, they shall be considered neglected.

Sec. 10-125. - Grass plots on private property.

Grass plots growing on any private property within the village shall be kept mowed by the owner, possessor, or occupier, or by such person or persons having charge of such property. It shall be the duty of the owner, possessor, or occupier of any building to keep same trimmed of all grasses and noxious weeds, also brush, constituting a fire hazard. When the grass and weeds in such places are **six** inches or more in height, they shall be considered neglected.

**Sec. 10-126. Notice; posting and publication.**

- (a) *Publication.* The village shall cause notice of the purpose of this article and the intent of the village to enforce it to be published once in April of each year in a newspaper of general circulation within the village, social media website, or Village website.
- (b) *Notice of violation.* Notice of violation of sections 10-122 or 10-123 shall be given by mailing notice to such occupant or owner at his last known address; or by posting the notice in a conspicuous place on the premises. A notification for failure to comply with the provisions of either sections 10-122 or 10-123 shall be given for each occurrence of a violation of this Ordinance.

Sec. 10-127. - Form of notice **to be mailed.**

The notice shall read in the following manner:

To owner, possessor or occupier, or such person or persons, firms, associations, partnerships, or corporations having charge of such property within the Village of Lawrence.

**The Village has received a complaint on the height of your grass/weeds at the address of \_\_\_\_\_ . On \_\_\_\_\_, 202\_, a Village officer investigated the complaint. This investigation revealed that the grass/weeds were \_\_\_\_\_ inches in height.**

Notice is hereby given that all weeds **s** and grasses growing or present on any land in the Village of Lawrence shall be cut down **within ten (10) days of the date of this letter.**

Failure to comply with the notice shall make the owner, possessor, or occupier of any land so failing, or of every person or persons, firms, associations, partnerships or corporations, having charge of any such land, liable for the cost of such cutting of such weeds **and/or** grasses, which costs shall be levied and collected against such land in the same manner as other taxes are levied and collected.

DATED	SIGNED
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Sec. 10-128. - Mailing notice.

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On the same day of posting the clerk shall send by first class mail at their last known address, the notice letter identified in section 10-127 to the owner, possessor, or occupier, or such person having charge of such property whereon said weeds and grasses are growing or present.

Sec. 10-128. - Failure to give notice.

Failure of the clerk to give such notice as provided herein shall not constitute a defense to any action to enforce the payment or debt created under the provisions of this article.

**Sec. 10-129. Abatement of nuisance.**

- (a) Upon receiving notification as set forth in section 10-126(b), the occupant or owner of unoccupied premises shall cause the weeds, grass, and other vegetation to be cut, removed, or destroyed by lawful means within 10 days of the date of the notice, and shall thereafter continue to maintain such vegetation at a height of less than six inches.
- (b) Failure to cure a violation of section 10-122 or 10-123 in a timely manner will cause the village to abate the violation. The village shall keep an account of the expense of the abatement, and such expense shall be charged to and paid by the owner, occupant or person in possession or control of the premises. Fees for abatement by the village shall be equal to the contractual costs incurred by the village.

**Sec. 10-130. Costs of abatement constitute lien.**

- (a) Charges for weed or grass cutting shall be due within 30 days from the date the bill is mailed. If payment is not received by the due date, a late fee of \$50.00 shall be charged.
- (b) Charges for weed or grass cutting shall become a lien upon the premises. Whenever a bill for such charges has been rendered and remains unpaid by May 1 of the following calendar year, the treasurer may add the expense of abatement and the late fee to the next real property tax notice for the premises, which amounts shall become delinquent if unpaid by the due date for payment of such tax and shall then bear interest at the same rate as the tax.

Secs. 10-132—10-156. - Reserved.