

NOTICE TO ALL OWNERS OR OCCUPANTS OF LAND IN THE TOWNSHIP OF WHITE LAKE TO CUT NOXIOUS WEEDS

To the owner or occupant or any person or persons, firm or corporation having charge of any land in the Charter Township of White Lake:

Notice is hereby given that beginning May 1, 2023 [update month for each notice], the provisions of the White Lake Township Code of Ordinances, Chapter 8, Article IV - Property Maintenance Code, Section 8-89 will be enforced, requiring that all noxious weeds in excess of eight (8) inches in height growing on any land in the Charter Township of White Lake, Oakland County, Michigan, must be cut and destroyed. Weeds are defined as all grasses, annual plants, vegetation, and noxious weeds as defined by MCL 247.62. The term "weeds" shall not include trees, shrubs, cultivated flowers and gardens, and this section shall not apply to vacant parcels of land greater than 2.5 acres, those lands under the control or ownership of the Township or any other governmental agency or public school system, and parcels of land subject to the Michigan Right to Farm Act, Public Act No. 93 of 1981.

[Need to include specifics on “methods of treating and eradicating the noxious weeds.”]

If an owner or occupant fails to remove the noxious weeds within ten (10) days of the notice of violation, then any duly authorized employee of the Township or contractor hired by the Township shall be authorized to enter upon the property and cut and destroy the weeds growing thereon, and the costs (including a ten (10) percent administrative charge) of such removal shall be billed to and paid by the owner or occupant of the property. The bill shall include an account of the labor, material and service for which the expense was incurred and shall become a lien upon the property on which work has been done. Payment shall be due and payable to the Township within 30 days of the bill being served on the property owner or occupant. If payment is not received by the Township within 30 days after such billing, the Township Treasurer shall add an additional penalty of one percent per month to the delinquent bill. The Township Treasurer shall annually certify any delinquent billing, or any part thereof, together with all accrued interest and penalties, to the township board; and it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual Township tax roll. Such charges so assessed shall be collected in the same manner as general township taxes.

Please contact **Ordinance Officer Jason Hudson at 248-698-3300 ext.134** if you have any questions.

Anthony L. Noble , White Lake Township Clerk

**CHARTER TOWNSHIP OF WHITE LAKE
AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE IV – PROPERTY
MAINTENANCE CODE OF THE WHITE LAKE TOWNSHIP
CODE OF ORDINANCES**

THE CHARTER TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE 1: AMENDMENT.

Chapter 8, Article IV, Section 8-89 of the Township of White Lake Code of Ordinances, commonly referred to as The Property Maintenance Code, is hereby amended to revise the notice provisions regarding the deadlines to cut down and destroy noxious weeds. The remaining sections and subsections in Chapter 8, Article IV, Section 8-89 are otherwise unaffected by this amendment and shall remain in full force and effect.

Sec. 8-89. Changes.

The following sections and subsections of the International Property Maintenance Code, 2018 Edition, adopted by this article, are hereby amended as set forth below. Section numbers set forth below shall refer to like-numbered sections of the International Property Maintenance Code, 2018 Edition.

(4) *302.4—Weeds.*

a. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. Weeds are defined as all grasses, annual plants, vegetation and noxious weeds as defined by MCL 247.62. The term "weeds" shall not include trees, shrubs, cultivated flowers and gardens, and this section shall not apply to vacant parcels of land greater than one acre, those lands under the control or ownership of the township or any other governmental agency or public school system, and parcels of land subject to the Michigan Right to Farm Act, Public Act No. 93 of 1981 (MCL 286.471 et seq.).

b. The ordinance enforcement officer shall publish a notice in a newspaper of general circulation in the township at least 10 days prior to the deadline to cut down and destroy all noxious weeds taller than eight inches in height. Noxious weeds shall be removed prior to May 1, June 1, July 1, August 1, and September 1 of each year, or as often as may be necessary to prevent such noxious weeds from going to seed.

c. When an owner or agent fails to bring the property into compliance with each deadline required by this article, and as set forth in the published notice, then any duly authorized employee of the township or contractor hired by the township shall be authorized to enter upon the property and cut and destroy the weeds growing thereon, and the costs (including a ten percent administrative charge) of such removal shall be billed to and paid by the owner or agent responsible for the property. The bill shall include an account of the labor, material and service for which the expense was incurred and shall become a lien upon the property on which work has been done. Payment shall be due and payable to the township within 30 days of the bill being

served on the property owner or agent. Such service shall be as provided in section 107. If payment is not received by the township within 30 days after such billing, the township treasurer shall add an additional penalty of one percent per month to the delinquent bill. The township treasurer shall annually certify any delinquent billing, or any part thereof, together with all accrued interest and penalties, to the township board; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual township tax roll. Such charges so assessed shall be collected in the same manner as general township taxes.

d. [Unchanged.]

e. This section does not apply to weeds in fields devoted primarily to growing any small grain crop such as wheat, oats, barley or rye.

ARTICLE 2: SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE 3: EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE 4: REPEALER.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

ARTICLE 5: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of White Lake at a meeting thereof duly called and held on the ____ day of _____, 2023, and ordered to be given publication in the manner prescribed by the Charter of the Charter Township of White Lake.

BY: _____
Rik Kowall, Supervisor

BY: _____
Anthony L. Noble, Clerk

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a. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. Weeds are defined as all grasses, annual plants, vegetation and noxious weeds as defined by MCL 247.62. The term "weeds" shall not include trees, shrubs, cultivated flowers and gardens, and this section shall not apply to vacant parcels of land greater than ~~two~~ and one-half one acres, those lands under the control or ownership of the township or any other governmental agency or public school system, and parcels of land subject to the Michigan Right to Farm Act, Public Act No. 93 of 1981 (MCL 286.471 et seq.).

~~b. If the township ordinance enforcement officer or his designated representative determines that property has not been maintained as required under this section, then the owner or agent responsible for the property shall receive a notice of violation. Such notice shall be in writing, include a description of the property sufficient for identification, include a statement of the violation or violations and why the notice is being issued, include a correction order allowing ten days to cut or destroy the weeds after service of notice of violation, inform the property owner or agent of the right to appeal, include a statement of the township's right to maintain the property and right to file a lien for the costs of such maintenance in accordance with section 106.3. Upon failure of the owner or agent having charge of the property to cut and destroy weeds after service of a notice of violation, the owner or agent shall be subject to penalties in accordance with section 106 and as prescribed by this article.~~

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1, and September 1 of each year, or as often as may be necessary to prevent such noxious weeds from going to seed.

c. When an owner or agent fails to bring the property into compliance with ~~this article within ten days of the notice of violation each deadline required by this article, and as set forth in the published notice~~, then any duly authorized employee of the township or contractor hired by the township shall be authorized to enter upon the property and cut and destroy the weeds growing thereon, and the costs (including a ten percent administrative charge) of such removal shall be billed to and paid by the owner or agent responsible for the property. The bill shall include an account of the labor, material and service for which the expense was incurred and shall become a lien upon the property on which work has been done. Payment shall be due and payable to the township within 30 days of the bill being served on the property owner or agent. Such service shall be as provided in section 107. If payment is not received by the township within 30 days after such billing, the township treasurer shall add an additional penalty of one percent per month to the delinquent bill. The township treasurer shall annually certify any delinquent billing, or any part thereof, together with all accrued interest and penalties, to the township board; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual township tax roll. Such charges so assessed shall be collected in the same manner as general township taxes.

d. [Unchanged.]

~~e. —The ordinance enforcement officer is authorized to publish a notice in a newspaper of general circulation of the township by March 31 of each year that any weeds shall be maintained by the property owner or his agent to be less than eight inches in height at any time after May 1 of the current year.~~

f(e). This section does not apply to weeds in fields devoted primarily to growing any small grain crop such as wheat, oats, barley or rye.

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Rik Kowall, Supervisor

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Anthony L. Noble, Clerk