

ORDINANCE NO. OA #09-07

(ORDINANCE NO. 06-130)

AN ORDINANCE TO REQUIRE THE CUTTING OF GRASS AND WEEDS

THE VILLAGE OF FIFE LAKE ORDAINS ACCORDING TO PA 359 OF 1941,
AS AMENDED:

Section 1. Prescribed Conduct.

A. No person who is the owner, possessor, or occupier of improved areas within the Village of Fife Lake, shall allow any grass, weeds, or the like to grow to a height in excess of eight (8) inches on any such improved areas. The grass, weeds, or the like, must be cut so often in each year as shall be sufficient to prevent from going to seed, including that portion of public street or alley abutting that property and bounded by the established curb, gutter line, shoulder or road edge.

B. Noxious weeds; definition; exclusion of milkweed.

(1) For the purposes of this act, “noxious weeds” includes all of the following:

- (a) Canada thistle (*Cirsium arvense*).
- (b) Dodders (any species of the genus *Cuscuta*).
- (c) Mustards (charlock, black mustard, and Indian mustard, species of the genus *Brassica* or *Sinapis*).
- (d) Wild carrot (*Daucus carota*).
- (e) Bindweed (*Convolvulus arvensis*).
- (f) Perennial sowthistle (*Sonchus arvensis*).
- (g) Hoary alyssum (*Berteroa incana*).
- (h) Giant hogweed (*Heracleum mantegazzianum*).
- (i) Ragweed (*Ambrosia elatior* L.).
- (j) Poison ivy (*Toxicodendron radicans*).
- (k) Poison sumac (*Toxicodendron radicans*).
- (l) Any other plant that, in the opinion of the governing body of any county, city, township, or village, falls under the provisions of this act and is regarded as a common nuisance.

(2) Noxious weeds does not include milkweed (any species of the genus *Asclepias*).

C. Exceptions. Notwithstanding the foregoing, the following lands shall be exempt from the provisions of this section, provided that the owner of the land petitions for exemption from the provisions of this section in writing to the Village Council.

1. Undeveloped wooded areas where tree growth is in excess of ten (10) feet in height.
2. Undeveloped parcels of four and on-half (4 ½) acres or more in non-subdivision areas.
3. Lands where less than fifty (50) per cent of the lots are occupied.
4. Lands where occupied lots have been developed without removing the original natural cover.

Section 2. Abatement of Nuisance by Village.

- A. This ordinance is enforced by the Village president, president pro-temp, and the Grand Traverse County Deputy.
- B. In the event the owner, possessor, or occupant refuses or neglects to comply with the provisions of this Ordinance within fourteen (14) days after receipt of such notice, the Village of Fife Lake and its authorized representatives are hereby empowered, to enter upon such kind for the purpose of accomplishing, abatement of the violation by spraying, cutting and/or other methods deemed acceptable by the Department of Public Works of the Village of Fife Lake. A fee as set by the Village of Fife Lake Council shall be paid by the owner or owners of such lands or lots, and in cases where not paid, the Village shall have a lien for the same in the manner hereinafter provided.

Section 3. General Notice by Publication.

It is hereby made the duty of the Village Clerk to give general notice to every owner, possessor, or occupant. Having control or management of any land herein grass, weeds, or the like exceeding eight (8) inches are growing, standing or present to cut down, destroy or remove the same. Such general notice shall be made by publication in a newspaper of general circulation in the Village of Fife Lake at least in each calendar year, shall read substantially as follows:

Notwithstanding the foregoing, the following land shall be exempt from the provision of this section provided that the owner of the land petitions for exemption from the provisions of this section in writing to the Village Council of the Village of Fife Lake.

1. Undeveloped wooded areas where tree growth is in excess of ten (10) feet in height.
2. Undeveloped parcels of four and one-half (4 ½) acres or more in non-subdivision areas.
3. Lands where less than fifty (50) per cent of the lots are occupied.
4. Lands where occupied lots have been developed without removing the original natural cover.

Section 5. Violations.

Any person or entity who violates the provisions of this ordinance is responsible for a municipal civil infraction, either as a violation notice or a citation, and subject to payment of civil fine in accordance with the provisions of Ordinance No. OA 03-08 of the Village of Fife Lake.

Section 6. Separability.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of said ordinance shall not be affected thereby.

Publication and Recording. A summary of this Ordinance shall be published once in a newspaper of general circulation within the boundaries of the Village of Fife Lake qualified under State law to publish legal notices, immediately after its adoption and the same shall be recorded in the minutes of the Village of Fife Lake of the meeting at which this Ordinance was adopted and, in addition shall be recorded in the Ordinance Book of the Village.

Effective Date. This Ordinance is hereby declared to be immediately necessary for the preservation of the public health and welfare of the people of the Village of Fife Lake and shall be in full force and effect immediately after its publication as provided by law.

Passed and adopted by the Village Council of the Village of Fife Lake, County of Grand Traverse, Michigan, on April 21, 2025.

