

**CHARTER TOWNSHIP OF YPSILANTI
ORDINANCE NO. 2015-449**

*An Ordinance to Amend the
Ypsilanti Charter Township Code of Ordinances
Chapter 66 entitled Vegetation*

The Charter Township of Ypsilanti hereby ordains that the Charter Township of Ypsilanti Code of Ordinances, Chapter 66 entitled Vegetation, is amended as follows:

Sec. 66-26. - 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:

Commissioner means the commissioner of noxious weeds.

Lawn extension means the unpaved portion of any street which is inside the curbline.

Natural areas means a site largely unaltered by modern human activity where vegetation is distributed in naturally occurring patterns.

Sec. 66-27. - Violations, civil infractions.

Any person, firm or corporation, which owns real property (as shown on the assessor's records), violating any provision of this article shall be responsible for a civil infraction and shall be subject to a fine as follows:

- (1) The fine for any first violation shall be \$75.00;
- (2) The fine for any violation which the violator has, within the past two years, been found in violation of once before, shall be \$150.00;
- (3) The fine for any violation which the violator has, within the past two years, been found in violation of twice before, shall be \$250.00.

Sec. 66-27.1. - Each day a separate civil infraction.

A separate civil infraction shall be deemed committed upon each day during or when a violation occurs or continues.

Sec. 66-27.2. - Rights and remedies are cumulative.

The rights and remedies provided herein are cumulative and in addition to any other remedies, including an action to abate, restrain, and/or enjoin filed in a court of competent jurisdiction.

Sec. 66-28. - Diseased, damaged, infested vegetation.

No tree or other vegetation which by virtue of disease, damage or insect infestation presents a hazard to persons or property on adjoining land shall be maintained.

Sec. 66-29. - Trimming and corner clearance.

Trees and other vegetation on private property shall be maintained so that no part thereof intrudes upon the public right-of-way in the space eight feet above the surface of the right-of-way. Vegetation on private property within 25 feet of the intersection of right-of-way lines shall not be permitted to grow to a height of 36 inches above the adjacent right-of-way surface. Trees may be maintained within 25 feet of the intersection but must have all branches trimmed to provide clear vision for vertical height of eight feet above the roadway surface.

Sec. 66-30. - Lawn extensions.

The owner or occupant of every parcel of land is responsible for grading, planting, mowing and raking the extension so that it is covered with grass or other ground cover approved by the commissioner before it reaches a height of seven inches. Upon receipt of evidence demonstration that vegetation cannot be maintained on a lawn extension, the commissioner may issue a permit to cover the lawn extension with stone or such other material as will present a neat appearance.

Sec. 66-31. - Grass and weeds.

It shall be the duty of all owners of any residential, developed, subdivided or landscaped areas, including vacant properties that adjoin such areas, to cut or destroy any grass, noxious weeds or other vegetation found growing on such land before it reaches height of seven inches. This provision applies to lands, including fence lines, structural perimeters and landscaped areas. In other areas situated within close proximity to an occupied structure and when deemed necessary to protect the health, safety and welfare of citizens, such vegetation may be maintained at an average height of less than ten inches.

The commissioner may designate natural areas where such vegetation may be permitted to grow in excess of ten inches without causing blight, creating a nuisance or compromising the safe and sanitary maintenance of nearby dwellings, commercial and industrial buildings.

Annually, a notice shall be published in a newspaper of general circulation during the month of March indicating that if grass, weeds and other vegetation are not cut or destroyed by June 1 and thereafter maintained according to these standards during the growing season, they may be cut or removed by the township and the costs charged against the property as described in section 66-32.

Sec. 66-32. - Enforcement.

If private property or a lawn extension is not maintained as required by this article, the commissioner may have the work done to bring the property or lawn extension into compliance. The notice provided for enforcement of sections other than section 66-31 shall be sent to the address of the owner as shown on the assessor's records at least five days prior to commencing the work. If an immediate hazard to public safety occurs, no prior notice shall be necessary. The actual costs of the work needed to bring property or a lawn extension into compliance, together with an additional 15 percent of that cost, shall be billed to the owner. If this amount is not paid within 45 days, it shall be a special assessment

against the property as provided in this Code. The supervisor shall add such expense to the tax roll on such lands, and such shall become a lien against such lands and be enforced in the same manner as provided by the laws of the state for general property taxes.

Sec. 66-33. - Financial hardship.

Under proof of financial hardship, the supervisor may authorize charges under section 66-32 to be paid in installments or reduced and subject to township board approval.

Severability

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or enforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

Effective Date and Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The ordinance shall take effect after publication in a newspaper of general circulation as required by law.

Secs. 66-34—66-60. - Reserved.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2015-449 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on September 15, 2015 after first being introduced at a Regular Meeting held on August 18, 2015. The motion to approve was made by member Roe and seconded by member Doe. Yes: Mike Martin, Eldridge, Doe, Stumbo, Roe. ABSENT: S. Martin, Currie NO: None. ABSTAIN: None.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

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