

CITY OF PARCHMENT
KALAMAZOO COUNTY, MICHIGAN

ORDINANCE 202

AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE V, BLIGHT, OF THE PARCHMENT CITY CODE OF ORDINANCES; TO DECLARE THE PERMITTING AND GROWTH OF WEEDS, GRASS OR VEGETATION OVER THE HEIGHT OF TWELVE INCHES; TO DECLARE THAT PERMITTING THE GROWTH OF WEEDS OVER TWELVE INCHES CONSTITUTES A NUISANCE; TO PROVIDE FOR ENFORCEMENT THEREOF; AND TO REPEAL ALL OTHER ORDINANCES OR PARTS THEREIN INCONSISTENT OR CONTRARY TO THIS ORDINANCE; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.

THE CITY OF PARCHMENT ORDAINS:

ARTICLE I

Chapter 30, Article V, Blight, Section 30-51, Definitions, is hereby amended to add "Weeds and Grasses" to the definition section, which addition shall now read:

Weeds and Grasses shall include, but are not limited to, vegetation which emit unpleasant, unhealthy or noxious odors or pollen, any high growth of vegetation including grasses which might conceal rubbish, waste materials, trash or which may constitute a fire hazard. The term "weed" as used in this Section shall include, but not be limited to, Canadian thistle, dodders (any species of cuscuta), mustards, wild carrot, bind weed, perennial sow thistle, hoary alyssum, ragweed, poison ivy, poison oak and poison sumac.

ARTICLE II

Chapter 30, Article V, Blight, Section 30-53, Nuisance Declared, is hereby amended to add subsection (h) which shall now read:

h. No person owning, occupying or in control of any lot or land within the limits of the City shall allow or maintain on such lot or land any growth of weeds and grasses reaching a height of 12 inches or are in the seed-bearing stage of growth. This subsection shall not apply to any lot or land which has been traditionally wooded, or which is adjacent to any recreational trail or which, due to slope of the property or other topographical factors, has been traditionally kept in a natural state or condition.

ARTICLE III

Chapter 30, Article V, Blight, Section 30-56, Abatement of Public Nuisance – Weeds and Grasses, is hereby added and shall now read:

Sec. 30-56. Abatement of Public Nuisance – Weeds and Grasses.

If after notice of abatement, as set forth in Section 30-54, the weeds and grasses constituting a public nuisance are not abated, a representative or contractor of the City may enter onto the premises and abate the nuisance in such manner as the City representative or contractor, in their sole discretion, deems best for the City.

ARTICLE IV

Chapter 30, Article V, Blight, Section 30-57, Expenses Incurred – Tax Liens, is hereby added and shall now read:

Sec. 30-57. Expenses Incurred – Tax Liens.

All expenses incurred in the abatement of nuisances under this Article shall be paid by the owner of the land. The City shall have a lien upon such land for such expense, which may be enforced in any manner permitted by law including the same manner as enforcement of tax liens through entry upon the next tax roll and assessment as a City tax. Such expense shall be subject to all interest and penalties provided for taxes due and collectible within the City under the general tax laws of the State. In addition, the City may sue the owner in any appropriate court of law for collection of the debt.

ARTICLE V
REPEALER

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

ARTICLE VI
SEVERABILITY

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

ARTICLE VII
EFFECTIVE DATE

This Ordinance shall take force and effect on April 5, 2014.

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CERTIFICATE

I, Dennis Durham, City of Parchment Clerk, do hereby certify that the foregoing City of Parchment Ordinance Number 202 was adopted by the City Commission at a regular meeting held on March 17, 2014, and that the following is a record of the vote of the members of said City Commission on said Ordinance:

AYES: Hageman, J. Heasley, R. Heasley, Justice and Sell

NAYS: None

ABSENT: Balmer and Britigan

ABSTAIN: None

Dennis Durham
Clerk

1st reading 03/03/2014
2nd reading 03/17/2014
Adoption 03/17/2014
Publication 03/26/2014
Effective 04/05/2014