

# 01-25 Hay Township Tall Grass and Weed ordinance

## Original ordinance of 05-1991 revised 04-2025

An ordinance enacted pursuant to the authority of MCL 41.181 et seq., and Public Act 359 of 1941 to secure public health, safety and general welfare of residents, property owners and persons within the Township of Hay, Gladwin County Michigan by the regulation of the height of tall grass and weeds in subdivided lands and upon lands along County maintained and privately maintained roads within the Township of Hay and to prescribe the penalties for the violation thereof.

Title: This ordinance shall be known and cited as the Township of Hay Tall Grass and Weed Ordinance.

B. Purpose: The township hereby finds that tall grass and weeds can have a blighting effect on neighborhoods and provide a refuge for vermin and insects. The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of Hay township by regulating the height that grass, and weeds are allowed to grow in certain areas of the Township in which people reside in close proximity.

C. Subject to Regulations:

1. This ordinance applies to the following

a. Properties less than 1 acre total in size. Areas to be maintained within 100ft of any permanent structure. Areas within 30ft of any outbuilding, mobile/trailer items will be maintained. If the property line is less than the described distances, the property is to be maintained to that line.

b. Properties greater than 1 acre total in size. Areas to be maintained within 150ft of any permanent structure. Areas within 30ft of any outbuilding, mobile/trailer items will be maintained. If the property line is less than the described distances, the property is to be maintained to that line.

D. Duty to cut grass:

The owner/occupant of land to which this ordinance applies shall not allow tall grass or weeds to grow over 8" in height throughout the growing season. The growing season is from May 1 through November 1 of each year. And it shall be the duty of all owners and or occupants of land located in the Township of Hay either to cut or destroy by lawful means all tall grass and weeds as defined in this ordinance, which are growing upon said property, before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

E. Enforcement:

1. Enforcement officer: This ordinance shall be enforced by such persons who shall be designated by the Township Board, who shall for purposes of this ordinance be the Township of Hay Ordinance Enforcement Officer (OEO) or other designated persons by the board.

2. Right of Entry: The OEO and his/her authorized representatives and lawn contractors are hereby empowered to enter upon any premises or land for the purpose of inspecting, removing of and/or destroying tall grass and weeds prohibited under this ordinance. No person shall molest or interfere with such a person or persons while they are engaged in carrying out the provisions of this ordinance.

3. Violation Notice: After inspection, if any property is determined to be in violation of this ordinance, a Violation Notice will be sent to the property owner and/or occupant of said premises in which the name appears in the last local assessment record of the Township. The notice shall be sent by Registered Letter and/or by posting a copy of said notice on the property. The notice shall give the property owner fifteen (15) days from the date of the notice to cut the tall grass and weeds, and/or by any other lawful means pursuant to Public Act 359 of 1941.

4. Failure to comply: If the tall grass and weeds are not cut within fifteen (15) days the OEO shall have the authority to enter upon the land and/or to cause the lawn to be mowed by and authorized representative who is hereby empowered to enter upon any premises or land in the Township of Hay for the purpose of mowing tall grass and weeds in violation of this ordinance even if the property owner and/or occupant failed to actually receive said notice. The Township of Hay, its agents and representatives, shall not be responsible for damage to buildings, vehicles, landscape, trees, shrubs etc., during the mowing of property in violation of this ordinance.

5. Assessment of costs: All expenses of such cutting, to include equipment usage, transportation, man hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this ordinance shall be paid by the owners of such land plus an administrative fee of twenty five (25%) percent, thereof per residential parcel per cutting. After having the property mowed, the Township shall submit a bill to the property owner for the cost of the mowing. If the property owner does not pay the bill within sixty (60) days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien created by general law for taxes.

6. Declaration of Nuisance: Any violation of any provision of this Ordinance is hereby declared to be a nuisance and the Township may seek enforcement of the Ordinance by suit for injunction, damages, or other appropriate legal action, as against a nuisance, at the expense of the property owner under MCL 600.2940(3)., including reasonable attorney fees. Any such civil action shall be in addition to any prosecution for violations of this Ordinance as a Municipal Civil Infraction with the maximum penalty for the civil infraction

to be \$500.00 plus all costs. Commencement of any such proceedings shall not constitute an election of remedies.

7. Repealer: All Ordinances or parts of ordinances in conflict herewith are hereby repealed, provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the Township Ordinances.

8. Effective date and adoption: This ordinance shall become effective thirty (30) days after its publication as required by law.