

**PUBLIC NOTICE
CITY OF ALBION
ABATEMENT OF NOXIOUS WEEDS, GRASS AND BRUSH**

Chapter 90. Vegetation. Article III of the City of Albion, Michigan, Code of Ordinances, entitled Noxious Weeds, Grass and Brush.

Section 90-67. Declaration of Nuisance.

Weeds, noxious vegetation and poisonous vegetation, as defined in this article, are declared to be a hazard to the public health and welfare of persons within the city and offensive to the well-kept appearance of the city and are, therefore a nuisance.

Section 90-68. Weed Growth Prohibited.

- a) Undeveloped Property. Grass, brush, scrub trees and weeds must be maintained at a height of ten inches or less for a minimum distance of 24 feet from any abutting roadway / pavement edge. The Planning Director with approval of the city manager shall have the ability to adjust this distance based on terrain, location, unusual conditions, etc. Such adjustment shall be documented in writing. The city manager, code enforcement officer or other designated official may require the removal of poisonous vegetation, such as poison sumac, poison oak and poison ivy, when determined to be a hazard to the public, health, safety and welfare of persons in the specific area.
- b) Undeveloped Property with Some Clearing. If brush and / or scrub trees have been removed from some portion of undeveloped property (clearing) and if said cleared area is within 200 feet of an existing structure, then the property owner shall continue to keep said area cleared of brush, scrub trees and weeds.
- c) Developed Property. All developed portions of the property must maintain grass, brush, scrub trees and weeds at a height of ten inches or less.
- d) Exempted from the provisions of this article are flower gardens, plots of shrubbery and vegetable gardens. An exemption under the terms of this section cannot be claimed unless the land is being cultivated and cared for in a manner appropriate to such exempt categories.

Section 90-69. Duty of Owner.

It shall be the duty of the owner of any lot or parcel of ground within the City to cut and remove or destroy by lawful means all such grass, brush, scrub trees, poisonous vegetation and weeds as often as may be necessary to comply with the provisions of Section 90-67 and 90-68.

Abatement Process and Costs.

In the event the owner, occupant, or person in charge of such lands within the city shall fail, refuse or neglect to destroy grass, brush, scrub trees, poisonous vegetation and weeds and to conform with this article, it shall be the duty of the of the City Manager, Code Enforcement Officer or other designated official to cause all grass, brush, scrub trees, poisonous vegetation and weeds to be cut down, removed and destroyed.

The cost of the work, plus 10% administrative fee shall be assessed against the owner of said land, as such owner shall appear on the assessment roles. Per Council Resolution 2006-42, an abatement fee of \$100.00 will be added to said cost.

In addition, this is a Civil Infraction, fines and penalties can be enforced under Sec. 1-26. Municipal civil infraction. Sec. 1-26. (g) Schedule of civil fines and penalties. (3) i. Chapter 90. Vegetation Article III. Noxious Weeds, Grass and Brush, First Offense: \$50.00; Repeat Offense (or any subsequent): \$100.00

Kerry Helmick
Finance Director/City Clerk/Treasurer