

- Beneficial landscaping for the purpose of erosion control, soil fertility improvement, improved water quality, and preservation of native Michigan plants, grasses, bushes, and trees.

Section 5: Penalties

- A. This ordinance may be enforced by way of civil infraction, or by way of misdemeanor, or by any other lawful remedy. It shall also comply with the notice provisions as set forth in the relevant Civil Infraction Ordinance and/or any amendment thereto.
- B. Furthermore, any person found by an authorized Alcona Township official to be in violation of this ordinance, shall be obligated upon request, to provide documentation to satisfy the various provisions of this ordinance, or for failure to do so, same shall also constitute a violation of this ordinance. This documentation may include, but is not limited to appropriate licensure, insurance coverage, or any other information as required by this ordinance and/or as may be mandated by any other law.
- C. The fine set forth for violations of this ordinance shall be not less than \$100.00 and not more than \$500.00, and if prosecuted as a misdemeanor, imprisonment for no longer than ninety (90) days in jail, or cumulatively all of these penalties, as well as any other penalty as deemed appropriate within the discretion of the sentencing Judge.

Section 6: Validity

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7: Conflicting Laws

If any term of this ordinance conflicts with any previous ordinance, this ordinance shall prevail. Unless otherwise provided for herein, any section of any previous ordinance shall remain in full force and effect.

Section 7: Severability

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

Township of Alcona
Ordinance Number 2023-01
Vegetation and Weeds Control

Ordinance to Provide for: control of growth of vegetation and noxious weeds to secure the public health, safety and welfare of the residents and property owners within the township; to provide penalties for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF ALCONA, ALCONA, COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Alcona Township Vegetation and Weeds Control Ordinance.

Section 2: Purpose

The Township of Alcona has determined that overgrown vegetation and weeds create and contribute to creating or furthering a detrimental environmental effect, a health hazard, and serious and significant effects on the values of properties within the township. It is the intent of this ordinance to regulate and restrict overgrown vegetation and weeds; provide for authority to abate conditions; and otherwise promote the public health, safety, and welfare of the township.

Section 3: Definitions

For the purpose of this ordinance overgrown is vegetation over 6 inches in height; “weeds” shall include Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*ambrosia elatior 1*) and poison ivy (*rhus toxicodendron*), poison sumac (*toxicodendron vernix*) or other plant, coming under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, et seq.), is regarded as a common nuisance.

Section 4: Regulations It shall be unlawful and determined to be a blighting factor for any person to allow noxious weeds, grass, nuisance brush, and or shrubs to become overgrown and in a persistent state of neglect. This shall not apply to areas zoned Agricultural or Forest Recreational. Also exempt from this section as long as they are intentional, planned, and maintained are:

- Natural areas set aside for the purpose of habitat restoration and protection
- Riparian buffer areas

Section 9: Election of Remedies

The method of this ordinance to address claimed violations shall be cumulative to any other legal remedies the Township may have at law.

Section 10: Effective Date

This ordinance shall become effective on December 12, 2023. At a regular meeting of the Alcona Township Board held on the 12th day of December, 2023, adoption of the foregoing ordinance was moved by Bolanowski and supported by Bouchard.

Voting for: All

Voting against: None

The Supervisor declared the Ordinance adopted.

Dated: 12-12-2023

Marlena MacNeill

By: Marlena MacNeill
Its: Supervisor

Dated: 12-12-2023

Dawn LaLonde

By: Dawn LaLonde
Its: Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance Number 2022-04, which was enacted by the TOWNSHIP OF ALCONA Board at a regular meeting on the December 12, 2023 2022.

Dawn LaLonde

By: Dawn LaLonde
Its: Clerk