

VILLAGE OF MAYVILLE ORDINANCE 134-2,

SYNOPSIS OF ORDINANCE TO AMEND NOXIOUS WEED ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that on Tuesday, July 7, 2020, at its regular Village Council Meeting, the Village of Mayville Village Council voted to adopt an ordinance, which amended the Village of Mayville Noxious Weed Ordinance. An Ordinance to amend sections 30-151 through 30-162 of the Village of Mayville Noxious Weeds Ordinance, being Ordinance No. 134, and adopted June 21, 2005 found at Section 30-151 *et seq.*, of the Village of Mayville Code, to amend certain definitions of the Ordinance; to amend Prohibited Conditions; to amend the Duty of Owners, Occupants, etc.; to amend the Enforcement provision; to amend the Penalty provision; to amend the provision regarding Cutting and Clearing by the Village upon the failure of the Owner to comply; to amend the provision regarding the Right of Entry for Removal and Interference; to amend the provision regarding the Collection of Costs from the Owner; to amend the provision regarding Notice Requirements; to amend the provision regarding Exemptions; to provide for Severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

A synopsis of the ordinance follows:

Section 1: Amending Section 30-151 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the definition section of the Village of Mayville Noxious Weed Ordinance as to the following definitions: (1) “Enforcement Officer”; (2) “Noxious or poisonous weeds”; (3) “Person”; (4) “Public Nuisance.”

Section 2: Amending Section 30-152 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the prohibited conditions outlined in the Village of Mayville Noxious Weed Ordinance.

Section 3: Amending Section 30-153 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the Duties of Owners under the Village of Mayville Noxious Weed Ordinance, specifically providing for regulations relating to the removal, destruction, cutting and maintenance of dead or diseased trees, weeds, leaves, grass, brush, shrubs or plants.

Section 4: Amending Section 30-154 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the enforcement provision of the Village of Mayville Noxious Weed Ordinance relating to, among other things, the notice required to be provided to a person charged with violation this Article.

Section 5: Amending Section 30-155 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the applicable penalties under the Village of Mayville Noxious Weed Ordinance by permitting the assessment of fines, damages, costs and penalties and by empowering the Village to pursue an injunction, among other legal remedies, to remedy a violation of this Article.

Section 6: Amending Section 30-156 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the regulations regarding the cutting and clearing of violative property by

the village upon the failure of an owner to comply with the Village of Mayville Noxious Weed Ordinance by permitting the Village to cause all dead or diseased trees, noxious or poisonous weeds, shrubs or plants, any accumulation of dead weeds, grass or brush, leaves, trash, debris, refuse, filth or other noxious materials to be cut, removed or destroyed where a property owner is in violation of the aforesaid Ordinance.

Section 7: Amending Section 30-157 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the regulations regarding the Village's right of entry for removal under the Village of Mayville Noxious Weed Ordinance. Specifically, this Article empowers designated representatives of the Village to enter onto property in violation of the aforesaid Ordinance for the purpose of cutting, removing or destroying poisonous and noxious weeds, brush, grass, leaves, shrubs, plants, trees, non-woody surface vegetation, debris, refuse, filth or other noxious materials.

Section 8: Amending Section 30-158 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the regulations regarding the Village's right to collect costs from the owner of violative property under the Village of Mayville Noxious Weed Ordinance by providing a mechanism and procedure for such costs to be collected.

Section 9: Amending Section 30-159 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the regulations regarding the Notice of Requirements under the Village of Mayville Noxious Weed Ordinance. Specifically, this Section provides that The village clerk shall on or before May 1 of each year give notice of requirements and provisions of this article by publishing a notice once a week for two successive weeks in a newspaper of general circulation in the village and by including said Notice in the last water bill of each account prior to May 1 of each year.

Section 10: Amending Section 30-160 of the Village of Mayville Noxious Weed Ordinance:

This Section amends the regulations regarding Exemptions under the Village of Mayville Noxious Weed Ordinance. Specifically, this Section provides that flower gardens, plots of shrubbery, vegetable gardens and grain plots are exempted from the provisions of this Article pursuant to the regulations contained therein.

Section 11: Ratification and Confirmation: This section ratifies and confirms all other parts of the Village of Mayville Noxious Weed Ordinance not specifically addressed in the Amending Ordinance.

Section 12: Severability. This section provides that the provisions of this ordinance are severable from any provisions that are declared invalid by a court.

Section 13: Repeal. This section repeals other ordinances or parts of ordinances in conflict with this Ordinance.

Section 14: Effective Date. This section provides that this Ordinance takes effect on the date of the publication of this synopsis.

Section 15: Publication. This section directs the Village Clerk to publish a copy of this ordinance or a legally-permitted synopsis as required by law.

A true copy of this Ordinance may be inspected or obtained during regular business hours at the Village of Mayville Governmental Office, which is located at 6104 Fulton St., Mayville, MI 48744.

Village Clerk: Kayla Reed