

A RECOGNIZED BICENTENNIAL COMMUNITY

17431 112th Ave. P.O. Box 186 Nunica, MI 49448

Phone: (616) 837-6868 Fax: (616) 837-7838

October 16, 2009

Steven & Kelly Rice
13405 Leonard Rd.
Nunica, MI 49448

Re: Ordinance # 2007-04 Grass, Leaves, Weeds and Landscape Maintenance

Location: 13405 Leonard Rd, Parcel # 70 04 20 300 029

Dear Steve & Kelly Rice:

The township has received complaints about the status of your parcel, in regard to the above listed ordinance. In review of the ordinance, you are required to maintain your parcel. Your parcel's property maintenance is an "eyesore" to the citizens of the township. Therefore you will be required to make your parcel compliant.

In Section 6 of the ordinance, you will see that if the parcel is not maintained *during a period commencing five (5) days after the delivery of this notice*, then the township will proceed with making the parcel compliant, and then further sending you the bill of payment for services. You should further read Section 6 (b) (c) for further ramifications.

The township is advising you that this parcel must be compliant by October 26, 2009, to avoid any further action by the township.

Sincerely,

A handwritten signature in red ink, appearing to read "Eduard Rusticus".

Eduard Rusticus
Zoning Enforcement

cc: Leon Stille, Township Supervisor

EXHIBIT A

ORDINANCE NO. 2007-04

Grass, Leaves, Weeds and Landscape Maintenance

An ordinance to provide detailed enforcement of the environment with such items as grass, leaves, weeds and landscape maintenance.

THE TOWNSHIP OF CROCKERY ORDAINS:

Section 1. Purpose.

The purpose of this ordinance is to establish and impose guidelines upon the maintenance of property within the limits of the Township of Crockery so as to secure the public health, safety and welfare of the Township and its inhabitants.

Section 2. Definitions

The following words, terms and phrases, when used in this ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

For purposes of this Ordinance, the term "yard" shall mean that portion of a parcel of property sixty (60) feet from the front and/or side of a principal structure towards an immediately adjacent right-of-way. In no case will a yard consist of any portion of a public right of way.

For purposes of this Ordinance, the term "noxious weeds" includes 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* L.) and poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vermic*), oxeye daisies, ragweed, goldenrod or other plant which is recognized as deleterious to health, safety, or public welfare and recognized as common nuisance.

For purposes of this Ordinance, the term "owner" means any natural person, firm, or corporation, as determined by the last local tax assessment records.

For purposes of this Ordinance, receipt of written notice means the date on which a notice was deposited in the United States mails bearing proper address and postage.

Section 3. Responsibility.

Every owner, lessee, occupant or person having charge of any property or premises within the Township is required to maintain the lawn and landscaping of a yard in a manner so as not to violate this Section, and such owner, lessee, occupant or person in charge of the property or premises remains liable for violations of this Section regardless of any agreement with any third party regarding such property or premises.

Section 4. Public nuisance.

The following acts and conditions, when performed or existing upon any property, lot, or parcel of land within the Township, are declared to be unlawful and are defined as and declared to be public nuisances which are injurious or potentially injurious to the public health, safety and welfare and/or have a tendency to degrade the aesthetic appearance and property values of or injure or potentially injure surrounding property:

- (1) Dead, decayed or hazardous trees, noxious weeds or other vegetation dangerous to the public safety and welfare or which constitute a fire hazard, including without limitation the following:
 - a. Overgrown grass, weeds or other vegetation to a height greater than eighteen inches likely to harbor rats or other vermin.
 - b. Overgrown grass, weeds or other vegetation to a height greater than eighteen inches having the potential to depreciate the property values of other properties in the immediate neighborhood.
- (2) Inadequately maintained lawns or landscaping which is visible from any public street, property, or right-of-way and which, either alone or in combination with other conditions on the subject property, tends to degrade the aesthetic quality of or tends to reduce property values in the immediate neighborhood, including without limitation any of the following:
 - a. Lawns growing in excess of six inches in height.
 - b. Leaves that have not been raked or otherwise removed from lawns or landscaped areas.
 - c. Failure of any property owner, with the exception of single-family homeowners, to substantially comply with any landscaping plans previously approved by the Township in connection with the Township's issuance of land use approval.

Section 5. Enforcement.

Prior to enforcement of this Section, the Township Supervisor or his agent is authorized to notify the owner either by personal service or first class mail, of any parcel of land, or the agent of the owner, to cut, destroy and/or remove the material and vegetation referred to in Section 4 and to keep it cut, destroyed and/or removed. The notice shall also provide the remedies available to the Township, as set forth in Section 6, should the owner or the agent of the owner fail to take corrective actions.

Section 6. Work done at owner's expense.

- (a) If at any time during a period commencing five (5) days after the delivery of notice the Township Supervisor or his agent, shall find that any owner or owner's agent has failed to cut, destroy and/or remove the material and vegetation referred to in Section 4 he shall cause such material and vegetation to be cut, destroyed and/or removed and bill the owner for the cost thereof.
- (b) Such unpaid charges shall become a lien upon the property on which such work has been done.
- (c) Payment shall be due to the Township within 30 days of the bill being sent to the property owner for the performance of such services. The bill shall notify the property owner of his or her right to dispute all of any part of the bill before a hearing officer, prior to the due date of the bill. Except as otherwise determined by the hearing officer, if payment is not received by the Township within 30 days after such billing, the Township Treasurer shall add an additional penalty of one percent per month to the delinquent bill. The Township Treasurer shall annually, on November 1, certify any delinquent billing, or any part thereof, together with all accrued interest and penalty; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual Township tax roll. Such charges so assessed shall be collected in the same manner as general Township taxes.

Section 7. Severability.

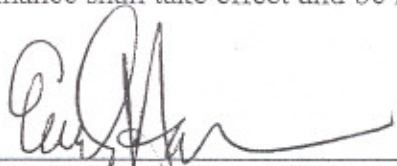
Should any part of this ordinance be held invalid by Court of Competent Jurisdiction, the remaining parts shall be severable and shall continue in full force and effect.

Section 8. Ordinance Repeal.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 9. Ordinance Adoption.

The Township Clerk shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval as required by law.



Erika Harrison, Township clerk

**NOTICE OF ADOPTION
OF CROCKERY TOWNSHIP ORDINANCE**

PLEASE TAKE NOTICE that an Ordinance was adopted at the Crockery Township Board meeting held on October 8, 2007. A copy of the Ordinance is attached as Exhibit A.

PLEASE TAKE FURTHER NOTICE that the Zoning Map Amendment Ordinance shall be effective on October 24, 2007.

PLEASE TAKE FURTHER NOTICE that a copy of the Ordinance may be purchased or inspected by any person at the Crockery Township office at 17431 112th Avenue, Nunica, Michigan, (Telephone: 616-837-6868) on any day of the week, except Saturdays, Sundays and holidays, between the hours of 9:00 a.m. and 12:00 noon and 1:00 p.m. and 5:00 p.m.

Dated: October 8, 2007

Erika Harrison, Clerk
Crockery Township



16 / 10 / 2009 12:42



16 / 10 / 2009 12:43