

TOWNSHIP OF KAWKAWLIN ORDINANCE NO. 4

KAWKAWLIN TOWNSHIP NOXIOUS WEEDS ORDINANCE

ADOPTED: January 12, 1971

EFFECTIVE: February 22, 1971

An Ordinance for the purpose of controlling and eradicating certain noxious weeds within the Township of Kawkawlin, to permit the Township of Kawkawlin to have a lien for expenses incurred in controlling and eradicating such weeds, to permit the Township of Kawkawlin Board to appoint a Commissioner of Noxious Weeds, to define his powers, duties and compensation, and to repeal certain acts and parts of acts.

THE TOWNSHIP OF KAWKAWLIN, BAY COUNTY, MICHIGAN ORDAINS:

SECTION 1. TITLE

This Ordinance shall be known and cited as the Township of Kawkawlin Noxious Weeds Ordinance.

SECTION 2. COMMISSIONER OF NOXIOUS WEEDS, APPOINTMENT, TERM, COMPENSATION, REMOVAL, NOTIFICATION OF DEPARTMENT OF AGRICULTURE.

The Kawkawlin Township Board shall appoint a competent person to be the Commissioner of Noxious Weeds who shall take the oath required by the Kawkawlin Township Board officers, and shall hold office for the term of two (2) years and until a successor is appointed and qualified, and he shall receive for his compensation such sum as may be fixed by the Kawkawlin Township Board, The Kawkawlin Township Board may, at any time, for good cause remove such Commissioner from office and appoint his successor to serve the remaining portion of his term. The Kawkawlin Township Board shall report the name and address of the person so appointed to the State Department of Agriculture within ten (10) days after making such appointment.

SECTION 3. DEFINITION OF NOXIOUS WEEDS.

For this purpose of this Ordinance, "noxious weeds" shall include Canada thistle (circium 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 vernix) or other plant which in the opinion of the Kawkawlin Township Board, coming under the provisions of this Ordinance is regarded as a common nuisance.

SECTION 4. DUTY OF COMMISSIONER, PREVENTION OF SPREAD AND ERADICATION.

The Commissioner of Noxious Weeds shall diligently inquire concerning the introduction and existence of noxious weeds in the Township of Kawkawlin, and if any are found growing therein, he shall take charge of all such growing and take care that they do not go to seed or otherwise spread, or become a detriment to the public health, and he shall carefully seek and learn, so far as practicable, the best methods of their destruction and he shall persistently apply in proper time such remedy or treatment as shall be best calculated to prevent their spread and to eradicate the same.

SECTION 5. DUTY OF LAND OWNERS, NOTICE, DESTRUCTION BY COMMISSIONER, EXPENSE, SUBDIVIDED LANDS AND LOTS, PENALTY, LAND OF UNKNOWN OWNERSHIP.

A. DUTY OF LAND OWNERS

It shall be the duty of all owners of land on which noxious weeds are found growing, to destroy the same before they reach a seed-bearing stage,

SECTION 6. LIMITATION OF EXPENDITURE ON ANY ONE TRACT.

The Commissioner shall apply the best known means, and use the utmost diligence in eradicating noxious weeds, but he shall not have power to expend in work or materials more than Twenty-five Dollars (\$25.00) for any one (1) infested tract, without advice and consent, in writing, of the Supervisor of the Township of Kawkawlin.

SECTION 7. PROSECUTION OF VIOLATORS.

It shall be the duty of the Commissioner to prosecute or complain to the proper authorities of any person or corporation who may violate any law now existing, or which may hereafter be passed, on the subject of noxious weeds.

SECTION 8. ANNUAL REPORT OF COMMISSIONER.

The Commissioner shall, annually, before the first day of December, make a written report to the Department of Agriculture and to the Kawkawlin Township Board; said report shall be made out upon blank forms furnished by the Department of Agriculture and shall contain such information with reference to the existence and growth of noxious weeds as said Department may require.

SECTION 9. AUDIT AND PAYMENT OF COMMISSIONER'S ACCOUNTS.

The Kawkawlin Township Board shall audit the accounts of the Commissioner, both for his services and for the money expended or labor employed by him; and the Kawkawlin Township Board shall provide for the payment of said services, expenditures, or labor as they now do for other Township expenses.

SECTION 10. FAILURE OF RAILROAD TO DESTROY NOXIOUS WEEDS, PENALTY.

If any company, association, or person owning, controlling or operating a railroad shall refuse or neglect to dig up and destroy or take other certain means of exterminating noxious weeds that may at any time be growing on the right-of-way or other lands of such lots, or appertaining thereto, they shall be fined for each offense not less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00).

SECTION 11. SEPARABILITY CLAUSE.

All ordinances, or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after publication thereof.

SECTION 13.

This Ordinance is hereby declared to have been adopted by the Kawkawlin Township Board, County of Bay, State of Michigan, at a regular meeting thereof duly called and held on the twelfth day of January A.D., 1971, and ordered to be given publication in the manner prescribed by law.

I, Lloyd W. Goss, Clerk of the Township of Kawkawlin, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Kawkawlin Township Board at a regular meeting held on the twelfth day of January A.D., 1971.



Lloyd W. Goss  
Clerk of Kawkawlin Township  
Bay County, Michigan

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Lloyd W. Pajot  
Supervisor of Kawkawlin Township  
Bay County, Michigan

ORDINANCE NO. 2

ANTI-BLIGHT ORDINANCE

Resolution of the Township of Kawkawlin, County of Bay, State of Michigan, passed at a duly convened meeting at 1569 S. Huron Road in said township on the 14th day of February, 1968.

WHEREAS, Act No. 344 of the Public Acts of 1945 as amended, of the State of Michigan enables and gives power to this Township Board to adopt a resolution providing for means to prevent, reduce or eliminate blight, blighting factors or causes of blight within Kawkawlin Township, Bay County, Michigan and to provide for the enforcement of said means and to provide penalties for the violation of any ordinances adopted pursuant to said act and,

WHEREAS, it is for the best protection of the public health, interest and general welfare of the township that an ordinance be adopted or ordained governing conditions which are causes of blight or blighting factors,

NOW THEREFORE, it is hereby resolved by the township board of Kawkawlin Township pursuant to said act to adopt the following ordinance, which ordinance is hereby accordingly adopted as follows:

KAWKAWLIN TOWNSHIP ORDINANCE NO. 2  
ANTI-BLIGHT ORDINANCE

ADOPTED: February 14, 1968

SECTION 1. Purpose

Consistent with the letter and spirit of Act No. 344 of the Public Acts of 1945 as amended, it is the purpose of the ordinance to prevent, reduce or eliminate blight or potential blight in Kawkawlin Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in said township.

SECTION 2. Cause of Blight or Blighting Factors

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. On and after the effective date of this ordinance no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Kawkawlin Township owned, leased, rented, or occupied by such person, firm, or corporation.

(a) The storage upon any property of junk automobiles, except in a completely enclosed building and except as permitted by ordinance in this township. For the purpose of this ordinance the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of sixty days, and shall also include whether so licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of sixty days except trucks and other machinery or equipment which may be used periodically pursuant to an active business.

(b) The storage upon any property of building materials unless there is in force a valid building permit issued by the governmental agency having control over such permits for construction upon said property and unless said materials are intended for use in connection with such construction. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in construction of any structure.

(c) The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such manner as not to create a nuisance for a period not to exceed thirty days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.

(d) The existence of any structure or part of a structure which because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, as a dwelling, not useful for any other purpose for which it may have been intended.

(e) The existence of any vacant dwelling, garage, or other outbuildings unless the same are kept securely locked, windows kept glazed, or neatly boarded up and otherwise protected to prevent entrance thereto by vandals or other unauthorized persons.

(f) The existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit and unless such construction is completed within a reasonable time.

### SECTION 3. Enforcement and Penalties

(a) This ordinance may be enforced by any law enforcement officer of the State, County and Township and by such other persons as the Township Board shall, in writing, designate.

(b) The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten days after service of the notice upon him. Such notice shall be served by registered mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

(c) Failure to comply with such notice within the time allowed to the owner and/or occupant shall constitute a violation of this ordinance.

(d) Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not to exceed \$100.00 or by imprisonment not exceeding thirty days or by both such fine and imprisonment in the discretion of the Court.


### SECTION 4. Effective Date

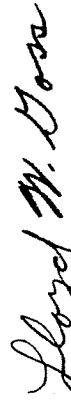
This ordinance shall be published in a newspaper circulated within the township within ten (10) days of the adoption date hereof and shall become effective thirty (30) days after the date of the first publication.

Moved for adoption by Virgil Wetters and supported by Fred Dore.  
Upon roll call vote it was voted as follows:

YES	5
NO	0

The above resolution was duly adopted by the Township Board at the duly convened meeting on the 14th day of February, A.D. 1968, at 1569 S. Huron Road, Kawkawlin Township.

  
LAWRENCE J. GAUSCHI

  
LLOYD W. GOSS  
Kawkawlin Township Clerk