

intersection of the right-of-way lines on any corner lot within the village shall not be permitted to grow to a height of more than 30 inches in height from top of curb at street level, in order that the view of a driver of a vehicle approaching a street intersection shall not be obstructed. Trees may be planted and maintained on private property in such area, provided that all branches are trimmed to maintain a clear vision for a vertical height of ten feet above the roadway surface. Any owner of any property failing to trim any trees, shrubs or bushes in conformity with this section shall be notified by the village manager to do so and such notice shall require trimming in conformity with this section within ten days after the date of such notice. Upon the expiration of such period, the manager may cause the trimming to be done and the cost thereof may be collected from the owner of such property as a single lot assessment in accordance with the Village Charter.
(Ord. No. 202, § 11(G), 10-14-1969)

Secs. 74-38—74-60. Reserved.

ARTICLE III. WEEDS

Sec. 74-61. Duty to clear land.

It shall be the duty of every owner, possessor or occupier of land or of every person having charge of any lands in the village to cut or destroy weeds in such manner as shall effectively prevent such weeds from bearing seed or spreading to adjoining property, at least twice in each year, once before June 1, and again before August 10, and as much oftener as may be necessary. Undeveloped properties over one acre in size, except for those portions of the property within 25 feet of any road, easement, or developed property are excluded.
(Ord. No. 192, § 1, 2-13-1968)

Sec. 74-62. Removal by village; expenses.

If any person shall fail to comply with the provisions of section 74-61 within the time specified, the village manager shall, through the proper department or agency of the village, cause all such noxious weeds to be cut or destroyed upon the lands of the person not complying with the provisions thereof. The village manager shall keep an accurate account of all expense incurred with respect to each parcel of land entered upon in carrying out the provisions of this article and shall make a sworn statement of such account and present the same to the village council. The council shall audit and allow such account and order such account paid from the proper funds of the village treasury not otherwise appropriated.
(Ord. No. 192, § 2, 2-13-1968)

Sec. 74-63. Recovery of village costs for removal; assessments.

A copy of the sworn statement provided for under section 74-62, including an account of the costs incurred on each of the several descriptions of parcels of property, shall be transmitted to the village treasurer. The village treasurer shall add to all such accounts so audited and allowed, ten percent of the amount of all such expenditures to cover the costs of

publication, overhead and other expense, and such total charges shall immediately constitute a lien and tax upon the land upon which such weeds were cut or destroyed. Within ten days after receipt of such report the village treasurer shall forward a statement of the total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll and such assessment shall be payable within 30 days without additional costs. If such assessments are not paid within 30 days, a penalty of five percent shall be added and the total amount of the assessments and penalty will be transferred or reassessed upon the next village tax roll. The village treasurer shall on or before May 15 of such year prepare a report of all parcels of property upon which such assessments have not been paid, and such unpaid assessments shall be reassessed upon the next village tax roll in a column headed "Weed and refuse ordinance assessment," together with the penalty of five percent to cover the cost thereof. Such assessments when reassessed upon the village tax roll shall be collected and paid in all respects as provided for the collection of county taxes. When these assessments are collected they shall be paid into the village treasury to reimburse the outlay therefrom as provided in this article.

(Ord. No. 192, § 3, 2-13-1968)

Sec. 74-64. Declaration of nuisance; duty to abate.

All weeds or grasses which are of the height of 12 inches or more growing or lying upon any property in the village, or any refuse or debris lying upon any property in the village, are hereby declared to be public nuisances, and it shall be the duty of every owner, possessor, or occupier of land, or of every person in charge of lands in the village upon which any of such weeds, grass, brush, uncontrolled tree growth or refuse or debris permitted to remain to cause the same to be cut down, destroyed or removed in the same manner and within the time as provided in section 74-61, except refuse or debris which must be removed at any time upon 15 days' notice as required by section 74-65. In the event of their failure to do so, the village manager through the proper department or agency of the village shall cause the same to be cut down, destroyed or removed in the same manner as provided in section 74-62, and the village treasurer shall collect such sums of money covering the cost thereof as provided in section 74-63.

(Ord. No. 192, § 4, 2-13-1968)

Sec. 74-65. Notice requirements; responsibility for noncompliance.

(a) *Publication of notice; contents.* The village clerk shall on or before May 15 of each year give notice of the requirements and provisions of this article by causing notice thereof to be published once a week for two successive weeks in the official newspaper of general circulation in the village on or before May 15th, except in the case of refuse or debris which may be ordered removed at any time during the year. Such notice shall be in substantially the following form:

VILLAGE OF OXFORD
NOTICE OF PROVISIONS OF
NOXIOUS WEED AND REFUSE ORDINANCE
TO ALL OWNERS, OCCUPANTS OR POSSESSORS OF
VACANT PROPERTY

Notice is hereby given that in accordance with Ordinance No. 192 of the Village of Oxford, all noxious weeds, or other weeds, grass, brush or uncontrolled tree growth which are a height

of 12 inches or more growing upon any property in the village, or any refuse or debris lying upon any property, shall be cut down, destroyed or removed, as the case may be, at least twice in each year, once before June 1 and again before August 10, and as much oftener as may be necessary.

(b) Refusal of owner or occupant to comply; expense of removal by village constitutes lien. In case any owner, occupant or possessor shall fail or refuse to comply with this article, the village manager shall, through the proper department or agency of the village, cause such weeds, grass, brush, or uncontrolled tree growth, or rubbish or debris, to be cut down, destroyed, or removed. The expense incurred by the village in the cutting, destruction or removal thereof, together with a ten percent overhead charge, will constitute a lien against such property and will be enforced as provided by law.

(Ord. No. 192, § 5, 2-13-1968)

Sec. 74-66. Penalty for violation of article.

Any person who violates the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not more than \$500.00 and the costs of prosecution, to the extent allowed by law, or by imprisonment in the county jail for a period not to exceed 90 days, or both such fine and imprisonment, in the discretion of the court.

(Ord. No. 192, § 6, 2-13-1968)

**VILLAGE OF OXFORD
22 W. BURDICK
OXFORD, MI 48371**

**Ordinance No. 406
AN AMENDMENT TO CODE OF
ORDINANCES CHAPER 74 VEGETATION
ARTICLE III WEEDS**

The Village of Oxford Ordains:

SECTION 74-66

An additional penalty fine of \$100.00 for the first offense, \$200.00 for the second offense and \$300.00 for the third offense and offenses thereafter shall be added to the fees and charges.

Should any portion of this ordinance be held invalid for any reason, such holding shall not be construed as affecting the validity of any of the remaining portions of this ordinance. 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.

This ordinance shall become effective 20 days after adopting in accordance with the Village of Oxford Charter.

This ordinance was duly passed adopted by the Oxford Village Council during its regular meeting held on October 11, 2016.

Moved by Helmuth, Seconded by Dolan. Motion Carried.

DATE OF PASSAGE: October 11, 2016

DATE OF PUBLICATION: November 2, 2016

EFFECTIVE DATE: November 23, 2016