

# ORDINANCE 2004-1

## AMENDMENT TO ORDINANCE 6 WEED CONTROL

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*AN ORDINANCE TO AMEND THE WEED CONTROL ORDINANCE BEING ORDINANCE 6 OF THE ORDINANCES OF THE VILLAGE OF DEERFIELD.*

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### THE VILLAGE OF DEERFIELD ORDAINS:

#### Section 1.

- Ordinance 6 of the ordinances of the Village of Deerfield, being the Weed Control Ordinance, adopted by the Village on September 8, 1981 is hereby amended as follows:

- a. Section 3 of the Ordinance is amended to hereafter read as follows:

"Section 3. WHEN VILLAGE TO DO WORK

If the provisions of the foregoing sections are not complied with, the Village Council shall server either personally, or by regular mail, written notice upon the owner, lessee, or occupant or any person having the care or control of any such lot or land to comply with the provisions of this Ordinance. If the person upon whom the notice is served fails to cut, remove such weeds, grass or other vegetation within seven (7) days after mailing or personal service of such notice, or if no owner can be found of such lot, the Village Council shall cause such weeds, grass, or other vegetation to be removed and the actual cost of such cutting or removal shall be certified by the Village Council and shall become a lien upon the property on which such weeds, grass, or other vegetation were located, and shall be assessed and collected in the same manner provided by law for collection of taxes."

- b. Section 5 of the Ordinance is amended to hereafter read as follows:

"Section 5. PENALTY

a. *Municipal Infraction.* A violation of this Ordinance shall be a municipal civil infraction punishable as follows:

- i. First violation: \$100 fine
- ii. Second violation within a two (2) year

period: \$200 fine

iii. Third or subsequent violation within a two (2) year period \$500 fine.

In addition to the above prescribed civil fines, costs in the amount of \$10 shall be assessed by the bureau if the fine and costs are paid within 10 days of the date of service of the municipal ordinance violation notice. Otherwise, costs of \$20 shall be assessed by the bureau.

b. *Abatement of Violation.* In addition to, or in lieu of, enforcing this Ordinance by issuance of municipal civil infraction(s), the Township may institute an appropriate action in a Court of general jurisdiction seeking equitable relief, which shall include, but not limited to, an order to abate the nuisance."

c. Section 8 of the Ordinance is amended to hereafter read as follows:

"Section 8. EFFECTIVE DATE

This Ordinance shall take effect immediately upon publication."

Section 2.

YEAS: 7  
NAYS: 0  
ABSENT: 0

ORDINANCE DECLARED ADOPTED ON November 1, 2004

Todd Nighswander

President, Deerfield Village

**CERTIFICATE OF ADOPTION AND PUBLICATION**

**I, Sandra Witt, the duly elected Clerk of the Village of Deerfield certify that the foregoing Ordinance is a true and correct copy of the Ordinance enacted by the Village Council of the Village of Deerfield on November 1, 2004 and published in the Blissfield Advance, a newspaper circulated in the Village of Deerfield on November 10, 2004.**

Sandra Witt

Deerfield Village Clerk