

**VILLAGE OF BERRIEN SPRINGS
ORDINANCE NUMBER 376**

AN ORDINANCE TO AMEND CHAPTER 42 ENTITLED "VEGETATION,"
ARTICLE III ENTITLED, "NOXIOUS WEEDS," SECTION 42-58 ENTITLED
"NUISANCE DECLARED; ABATEMENT"

NOW THEREFORE, The Village of Berrien Springs ordains:

Section 1. Section 42-58 entitled "Nuisance declared; abatement" is hereby deleted and replaced with the following new Section 42-58:

ARTICLE III. - NOXIOUS WEEDS

Section 42-58 Nuisance declared; abatement.

All lands which are not maintained in accordance with this article are hereby declared to be public nuisances, and such public nuisances shall be abated. The Village building inspector, or the code enforcement officer, shall determine if lands are in violation of this article and may serve such notice of the violation personally, or by first class mail, postage prepaid, addressed to the last known address of the person who owns, leases, occupies, possesses, or has control or charge of the land, or may post in a conspicuous place in or about the structure, a copy of the said notice. The notice shall provide that if the land is not brought into compliance with this article on or before three days from the date of notice, the village shall cut the grasses, weeds, and brush thereon and the person shall be responsible for paying the cost thereof within 30 days of being billed for the costs.

Section 2. Any and all other parts, sections or clauses contained in said Ordinance not otherwise amended by this Ordinance are hereby ratified and affirmed and remain in full force and effect.

Section 3. This Ordinance and its various parts, sections and clauses are hereby declared several. If any part, section or clause contained in this Ordinance is adjudged unconstitutional or otherwise legally invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

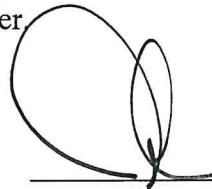
Section 5. The Village Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

Section 6. This Ordinance shall take effect twenty (20) days after publication.

YEAS: Roll call vote: Barry Gravitt, Milt Richter, Lonna Johnson, Jack Davis, Kristin von Maur, President Jesse Hibler

NAYS: None.

Dated: August 24, 2020



Jesse Hibler

Ordinance declared adopted:



Sheryl A. Kesterke, Village Clerk

I hereby certify that the above and foregoing Ordinance was duly adopted by the Village Council of Berrien Springs and published in the *Journal Era*, a weekly newspaper published in the Village of Berrien Springs, in the issue of said newspaper dated and published on the 2nd date of September, 2020.



Sheryl A. Kesterke

(Ord. No 251, §4, 9-3-1991; Ord. No 327, §1, 2-20-2012; Ord. No. 362, § 1, 10-24-2016)

Cross reference – Public nuisances, §16-26 et seq.

***State law reference** – Control and eradication of noxious weeds, MCL 247.61 *et seq*