

Lake Odessa Village Council

Ionia County, Michigan

Trustee Johnson, supported by Trustee Cappon, made a motion to adopt the following resolution:

RESOLUTION NO. 2022-33

APPROVAL TO AMEND THE FEES CHARGED FOR ABATEMENT OF WEEDS BY VILLAGE PERSONNEL

WHEREAS, per Section 10-133 of the Village's Code of Ordinance, "It shall be unlawful for any person to permit weeds or grass to reach a height of eight inches or more on land owned by or under the possession, control or occupancy of such person within the village, including any public right-of-way or easement portion thereof;" and

WHEREAS, per Section 10-134 of the Village Code of Ordinance, "It shall be the duty of the occupant of every premises and the owner of every unoccupied premises within the village to cut, remove, or destroy by lawful means all such weeds and grass as often as may be necessary to comply with the provisions of section 10-133;" and

WHEREAS, per Section 10-137(b) of the Village Code of Ordinance, "Failure to cure a violation of section 10-133 or 10-134 in a timely manner will cause the village to abate the violation. The village shall keep an account of the expense of the abatement, and such expense shall be charged to and paid by the owner, occupant or person in possession or control of the premises. Fees for abatement by the village shall be determined from time to time by resolution of the village council;" and

WHEREAS, in 2013, the Village Council set the cost of abatement by the Village at \$60.00 for the first hour or fraction thereof, with \$15.00 added for each additional $\frac{1}{4}$ hour fraction thereof; and

WHEREAS, Village staff have analyzed the costs for abatement and have found that they are outdated and do not meet the true costs for the aforementioned abatement process by Village staff; and

WHEREAS, Village staff recommends that the following amended schedule of fees be adopted for the abatement of the aforementioned violation:

Fees for cutting, removal or destruction by village personnel of weeds and/or grass which have reached a height of 8 inches or more, which fees include, but are not limited to, the costs of administration, manpower, machinery, and fuel:

- First Violation Resulting in the Abatement of Nuisance by Village Personnel within a calendar year: \$100.00

- Second Violation Resulting in the Abatement of Nuisance by Village Personnel within a calendar year: \$125.00
- Third Violation Resulting in Abatement of Nuisance by Village Personnel within a calendar year: \$150.00
- Fourth Violation, and all subsequent violations, Resulting in the Abatement of Nuisance by Village Personnel within a calendar year: \$175.00

And;

WHEREAS, this resolution shall take effect on July 5, 2022.

NOW THEREFORE BE IT RESOLVED:

1. The Lake Odessa Village Council approves the schedule of fees, as set above, for abatement of weeds and grass at a height that violates Sections 10-131 to 10-139 of the Village's Code of Ordinance.
2. The Lake Odessa Village Council further approves this amended schedule of fees to take effect beginning July 5, 2022.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes: Johnson, Cappon, Brighton, Hickey, Young, Banks

Nays: None

Absent: McCloud

Abstain: None

RESOLUTION DECLARED ADOPTED.

Dated: June 20, 2022



Patrick Reagan, Village Manager/ Clerk