ORDINANCE NO. 705-A
CHARTER TOWNSHIP OF WEST BLOOMFIELD
OAKLAND COUNTY, STATE OF MICHIGAN

DEAD, DISEASED OR DANGEROUS TREES, SHRUBS AND PLANTS
ORDINANCE AMENDMENT

An Ordinance to amend Chapter 23, Article III, Section 23-30, of the Code of
Ordinances, of the Charter Township of West Bloomfield, Michigan, by providing for
the recovery of reasonable attorney fees, if any, for work carried out by the
Township in the event that a property owner refuses, fails, or neglects to remove a
dead, diseased or dangerous tree, shrub or plant from his or her property in the
Township.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS

SECTION 1.

That the Code of Ordinances, Charter Township of West Bloomfield,
Michigan, is hereby amended as follows:

Sec. 23-30. Failure to Pay

If the owner refuses, fails or neglects to perform any duty required of him or
her by the foregoing sections, the township may seek a warrant, and if issued, shall
enter upon the lot, parcel of land or premises, without further notification to the
owner, and perform the work required. Upon completion of the work, the township
shall serve written notice on the owner, by first class mail, of its intention to assess
the owner's property for the cost of the work, including reasonable attorney fees, if
any, along with the penalties specified in section 23-35 below. Payment of the
township' costs as specified in its written notice shall be secured by a lien on the
property, and if not paid within 30 days from the date of mailing of the notice, may
be assessed against the property by placement on the tax roll for collection in the
same manner and subject to the same interest and penalties applicable to
delinquent special assessments, including a penalty of 1% added for each month or
portion of a month on the amount that is unpaid until September 1 when the unpaid
amount is reported to the township board for placement on the tax roll and an
additional 6% penalty of the unpaid amount and foregoing penalties added as of
September 1 upon the township board certifying the amounts for collection on the
tax roll. In addition thereto, the township may file and have recorded at the Oakland
County Register of Deeds, a claim of interest in land securing repayment to the
township. Upon repayment, the Township shall discharge its claim of interest in
land.

SECTION 2.

The remaining provisions of Chapter 23, Article III, of the Code of Ordinances,
of the Charter Township of West Bloomfield, Michigan, not otherwise amended
herein, shall remain in full force and effect. All other Ordinances or parts of
Ordinances in conflict with this amendment are repealed only to the extent
necessary to give this amendment full force and effect.
SECTION 3.

Should any section, subdivision, clause, or phrase of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they commenced.

SECTION 5.

This Ordinance as ordered shall take effect immediately after its adoption and upon publication.

SECTION 6.

The Township Clerk shall publish this Ordinance in the manner required by law and a copy of this Ordinance may be inspected or purchased at the Township Clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days.

CERTIFICATION

It is certified that the Ordinance set forth above was duly adopted by the Board of Trustees of the Charter Township of West Bloomfield at a meeting duly called and held on May 12, 2008, to be effective upon publication as provided by law.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: ____________________________

Clerk

INTRODUCED: APRIL 7, 2008
ADOPTED: MAY 12, 2008
EFFECTIVE: MAY 19, 2008
PUBLISHED: MAY 18, 2008