



Willowbrook Farm Homeowners Association

A home of Novi Community

Dear home owner

May 1st 2018. Novi, MI

Board of WFHA serves this as courtesy "reminder" to denote the following "non-compliances" are considered as violation of **provisions related to City of Novi ordinance as we all as WFHA's By-Laws and Covenants.**

1. Trash receptacle regulations
2. Poor lawn maintenance
3. Non-removal of holiday lighting

1 & 2 are in direct violation of the provisions of the City of Novi ordinance while 3 is a violation of By-Laws and Covenants.

With ref to **trash receptacle** and **poor lawn maintenance** below is the regulation as laid out by City of Novi.

- **21-19. - Unlawful to permit other weeds, grass, brush; duty to cut.**
 - (a) **It shall be unlawful for the owner, occupant, or any person having control** or management of occupied or nonoccupied subdivided land, occupied or unoccupied land which is part of a condominium development (including site condominiums), or any other no subdivided parcel of land which is occupied by a structure, within the city to permit or allow on such premises or upon the right-of-way of any highway, road, or street adjacent to such lot, place, area, or parcel, **the presence of weeds, grass** (including grasses typically established as ground cover for any occupied or unoccupied residential, industrial, or commercial property), **brush, or deleterious, unhealthy growths of any species or variety exceeding a height of eight (8) inches above ground level, and the same are hereby declared to be a public nuisance. It shall be the duty of every owner, occupant, or every person in charge of such property upon which any of the above-mentioned weeds, grass, brush, deleterious, or unhealthy growths is permitted to remain to cause the same to be cut down, destroyed or removed, in the same manner and within the time provided in section 21-18, or more often as may be necessary.**
 - (b) **If such owner, occupant, or person shall knowingly refuse or neglect to comply in this regard he shall, upon conviction in any court of competent jurisdiction, be liable to the penalty imposed in this division for the violation thereof.**
 - (c) **Sec. 21-144. – Trash Receptacles.**
 - (a) *Specifications, maintenance.* It shall be the responsibility of both the owner and the person in control of the premises to keep the premises free of any refuse unless the same be kept in **receptacles** which shall be tightly covered at all times with suitable covers, except for times of filling and collection, and in no case shall any such **receptacles** be made of wood. **Such receptacles must be placed within a totally enclosed building or placed upon an area of the rear yard of the occupant's property so as not to create a nuisance to surrounding residents.** It shall be the duty of both the owner and the occupant to keep the **receptacles** clean and in a sanitary condition and in a good state of repair. All **receptacles** shall be located and maintained on an even, hard surface base or pad of cement, asphalt, or gravel.
 - (b) **Placement for collection.** No person shall place refuse **receptacles** on the public right-of-way or other designated collection site earlier than **twenty-four (24) hours prior to the scheduled collection day. All receptacles must be removed from such areas no later than twelve (12) hours**



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following the actual collection. It shall be the responsibility of both the property owner and the property occupant to place refuse at the designated collection site within a sealed container or plastic bag so as to prevent objectionable odors, or spillage of refuse upon any public or private site.

• **Sec. 27-147. - Penalties.**

(a) Any person who shall violate the provisions of this division shall be responsible for a municipal civil infraction, subject to the following penalties:

(1) *First offense.* The civil fine for a first offense violation shall be in an amount of two hundred dollars (\$200.00), plus costs and other sanctions for each offense

(2) *Repeat offense.* The civil fine for any offense which is a repeat offense shall be in an amount of five hundred dollars (\$500.00), plus costs and other sanctions for each offense.

(b) Enforcement. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin further violation of this article.

a. Continuing offense. Each act of violation, and each day upon which any such violation shall occur, shall constitute a separate offense.

(b) Remedies not exclusive. In addition to any remedies provided for by this article, any equitable or other remedies available may be sought.

(1) The judge or magistrate shall be authorized to impose costs, damages and expenses as provided by law.

(2) A municipal civil infraction shall not be a lesser included offense of a criminal offense or of an ordinance violation which is not a civil infraction.

3. Removal of holiday lighting:

This is in violation of the By-Laws and Covenants as well. We kindly seek your cooperation to take these holiday lights down ASAP and be in compliance.

Overall, we seek your immediate attention to correct any or all of the violations cited above (if applicable) and seek your cooperation to be in compliance with all the provisions of By-Laws, Covenant and the City of Novi ordinances at all times.

Board of WFHA may be constrained for additional follow up reminders for non-correction of the above or any other violation that may be observed. We deeply appreciate your immediate attention and help.

With kind regards,

Board of WFHA.

WF Home Owners Association, Novi, MI

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