

ORDINANCE 2022-01

AN ORDINANCE OF THE PORTAGE TOWNSHIP ADVISORY BOARD CONCERNING THE DESTRUCTION OF DETRIMENTAL PLANTS, NOXIOUS WEEDS AND RANK VEGETATION

Whereas: Indiana Code § 15-16-8-1 defines “detrimental plant”, including in residential areas only, noxious weeds and rank vegetation. However, detrimental plant does not include agricultural crops.

Whereas: Indiana Code § 15-16-8-3 states that a person owning or possessing real estate in Indiana shall destroy detrimental plants by: (1) cutting or mowing and, if necessary, by plowing, cultivating, or smothering; or (2) using chemicals in the bud stage of growth or earlier, to prevent detrimental plants from maturing on the person's real estate.

Whereas: Indiana Code § 15-16-8-4 authorizes a township trustee to investigate whether there are detrimental plants on real estate in the township, order the owner of the real estate to destroy any detrimental plants found on the real estate, and if said detrimental plants are not destroyed in a timely manner, cause the same to be destroyed.

Whereas: Indiana Code § 15-16-8-5 authorizes the township trustee to pay costs incurred in cutting or destroying detrimental plants.

Whereas: Indiana Code § 15-16-8-6 authorizes the township trustee to prepare a statement certifying the cost and expenses incurred in cutting or destroying the detrimental plants, including for work, chemicals and supervision of the performance of said services, including a request the owner of the real estate pay the costs to the township trustee.

Whereas: If the owner of the real estate does not pay said costs within ten (10) days, Indiana Code § 15-16-8-7 authorizes the township trustee to file the certified statement with the County Auditor, who shall then place the amount claimed on the tax duplicate for said real estate.

NOW THEREFORE, be it and it is hereby ordained by the Portage Township Advisory Board of Porter County, Indiana as follows:

“Detrimental plant” is defined as (1) Canada thistle (*Cirsium arvense*). (2) Johnson grass (*Sorghum halepense*). (3) Columbus grass (*Sorghum almum*). (4) Bur cucumber (*Sicyos angulatus*). (5) Shattercane (*Sorghum bicolor* (L.) Moench spp. *drummondii* (Steud.) deWet). (6) Common waterhemp (*Amaranthus rudis*) and tall waterhemp (*Amaranthus tuberculatus*). (7) Maretail (*Conyza canadensis*). (8) Palmer amaranth or carelessweed (*Amaranthus palmeri*). (9) Poison hemlock (*Conium maculatum*). (10) Powell amaranth (*Amaranthus powellii*). (11) Rough pigweed (*Amaranthus retroflexus*). (12) Smooth pigweed (*Amaranthus hybridus*). (13) In residential areas only, noxious weeds and rank vegetation. The term does not include agricultural crops.

“Noxious weeds” is defined as any growth of vegetation, other than trees, bushes, shrubs, ornamental plants, or agricultural plants cultivated in an orderly manner for the purpose of producing food or other agricultural products. However, grass grown over six inches (6”) in height shall be considered noxious weeds.

“Rank vegetation” is defined as any plant growth, which is or may be harmful to the senses, health or well-being of citizens of Portage Township, Porter County, Indiana.

Noxious weeds and/or rank vegetation do not include agricultural crops.

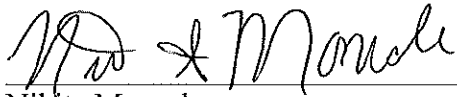
Portage Township adopts Indiana Code § 15-16-8 as the policy and procedure to be followed by the Portage Township Trustee in the eradication of detrimental plants, noxious weeds and rank vegetation from Portage Township.

This Ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

ALL OF WHICH HAVING BEEN PASSED AND ADOPTED by the Advisory Board of Portage Township, Porter County, Indiana this 7th day of June, 2022.



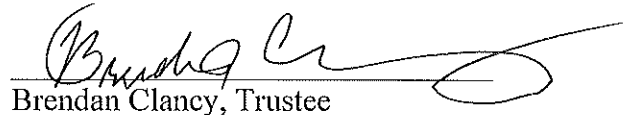
Billy Coker



Nikita Momola

Eric Skalka

Attest:



Brendan Clancy, Trustee