

ORDINANCE NO. 2018-10

AN ORDINANCE AMENDING CHAPTER 345, PROPERTY MAINTENANCE OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT CHAPTER 345 BE AMENDED TO READ AS FOLLOWS:

SECTION 1.

Article I

Weeds and Unsightly Growth

§ 345-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

DESTROY

The complete killing of weeds or the killing of weed plants ~~over~~ **above** the surface ~~and of the~~ ground by the use of chemicals, cutting, tillage, ~~croppage~~ **cropping** system, or a **any or all of these in effective** combination, ~~at a~~ **of these** at such time and in such ~~a~~ **a** manner as will effectively **effectually** prevent such ~~the weed~~ plants from maturing to the bloom and flower stage.

NOXIOUS WEEDS

Canada or other thistles, Cichorium intybus (commonly called "chicory"), Ambrosia artemisiifolia (commonly called "ragweed"), Lactuca serriola (commonly called "prickly lettuce"), Hordeum jubatum (commonly called "squirrel tail"), Arctium lappa (commonly called "burdock"), white or ox-eyed daisies, snapdragon or toad flax, cocklebur, sow thistle, sour dock and yellow dick, wild mustard, wild parsnip, quitch grass, known also as "quack-grass" or "leafy spurge," field blind weed (commonly called "creeping jenny"), Cuscuta sp. (commonly called "dodder"), Brassica juncea (commonly called "Indian mustard"), Plantago lanceolata (commonly called "buckhorn"), Raphanus raphanistrum (commonly called "wild radish"), and Barbarea vulgaris (commonly called "yellow rocket"). **Canada thistle, leafy spurge, and field bindweed (creeping Jenny), as provided by s. 66.0407 (1) (b), Wis. Stats.**

§ 345-2 Noxious weeds to be destroyed.

- A. ~~Every~~ **A** person **owning, occupying or controlling land** shall destroy all noxious weeds on ~~the land~~ **all lands the person owns, occupies or controls**. The persons having immediate charge of any public lands shall destroy all noxious weeds on such lands.

To ensure that the invasive weeds are destroyed and the seeds not redistributed, the DNR's Endangered Resources and Waste Management programs asks property owners to separate and bag any invasive plants in clear bags and label the bags "Invasive plants – approved by WI DNR for landfilling." Groups removing invasive weeds from public properties like parks should make arrangements with their local public works office for collection and disposal.

- B. If the owner fails to destroy such weeds, the Village of Allouez shall destroy or cause such weeds to be destroyed in the manner deemed to be the most economical. The cost of destroying the weeds shall be charged and assessed in the manner provided by § 66.0517, Wis. Stats.

§ 345-3 **Unsightly growth.**

A. To be controlled.

- (1) The owner, occupant or person in control of any lot, with the exception of a lot in the wetlands or a lot being used for agricultural purposes, shall not allow, permit or maintain the growth of grass, hay, brambles, brush, reeds, rushes, cattails or any combination thereof, or any unsightly growth, to a height of over seven inches.
- (2) The Village of Allouez shall cut down ~~and remove~~ or cause to be cut down ~~and removed~~ all such growths as described in Subsection **A(1)** above and shall charge the cost thereof in the manner provided by § 66.0627, Wis. Stats.

B. Declared a public nuisance. The permitting of such growth as enumerated in Subsection **A(1)** above, by blighting residential areas, permitting breeding areas for obnoxious insects and concealing vermin and filthy deposits, is declared to be a public nuisance.

§ 345-4 **Violations and penalties.**

Any person, firm or corporation violating any provision of this article, upon conviction, shall forfeit not less than \$50 nor more than \$1,000 and pay the costs of prosecution, or, in the event of failure to pay such forfeiture and costs within the time set by the court, any such person shall be committed to the Brown County jail until such forfeiture and costs are paid, but every such commitment shall be for a definite term which shall not exceed 90 days. Each act of violation shall constitute a separate offense.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 17th day of July, 2018.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk-Treasurer