

Health and Sanitation

SEC. 6-1-6 **DESTRUCTION OF NOXIOUS WEEDS**

Ordinance Sec. 6-1-6 Destruction of Noxious Weeds of the Code Of Ordinances of the Village of Rudolph, is hereby repealed in its entirety and recreated as follows:

SEC. 6-1-6A **WEED CONTROL**

- (a) **DEFINITIONS.** The terms “noxious weeds” and “weeds” as used in this Section include the following: Canada thistle, leafy spurge and field bindweed (creeping Jenny); Giant Ragweed; common ragweed; and Poison Ivy.
- (b) **DESTRUCTION** Every person shall destroy all noxious weeds on all lands within the Village of Rudolph which he shall own, occupy or control, including any terraces and/or ditches abutting said property. The Weed Commissioner shall destroy all noxious weeds on all public lands within the Village of Rudolph except as hereinabove prescribed.
- (c) **DEFINITION OF DESTROY.** The term “destroy” means the complete killing of weeds or the killing of said plants above the surface of the ground by the use of chemicals where lawfully permitted, cutting, tillage, cropping system or any or all of these in effective combination, at such time and in such manner as will effectually prevent such plants from maturing to the bloom or flower stage.
- (d) **NOTICE.** The President of the Village shall annually, on or before May 15th, publish a class two notice that every person is required by law to destroy all noxious weeds as defined herein on lands in the municipality which he owns, occupies or controls.
- (e) **WEED COMMISSIONER DUTIES AND POWERS.** The Weed Commissioner holding office pursuant to Sec. 2-3-9 of this Code shall have the duties and powers set forth in Section 66.98 of the Wisconsin Statutes which is incorporated by reference herein in its entirety.
- (f) **WEED COMMISSIONER: ENTRY.** The Weed Commissioner may enter upon any lands within the Village of Rudolph upon which any of the weeds mentioned in the Section are growing, and cut or otherwise destroy them, without being liable to an action for trespass or any other action for damages resulting from such entry and destruction, if reasonable care is exercised in the performance of the duty hereby imposed.
- (g) **CHARGES ENTERED ON TAX ROLL.** The charges of the Weed Commissioner for the destruction of weeds shall be entered upon the tax roll as a tax on the lands upon which any weeds were destroyed as set forth in Section 66.98 of the Wisconsin Statutes.
- (h) **PENALTY.** In the event that any person required by this section to destroy noxious weeds as required herein shall fail to do so, after five days written notice from the Weed Commissioner, mailed by certified mail with return receipt to the last known post office address of said person, he shall be considered in violation of this ordinance and if found guilty by the Court for said violation be subject to a fine of not less than \$20.00 but no more than \$200.00 plus costs.

SEC. 6-1-7 **REGULATION OF LENGTH OF LAWN AND GRASSES.**

- (a) **PURPOSE.** This section is adopted due to the unique nature of the problems associated with lawns, grasses and weeds being allowed to grow to excessive length in the Village of Rudolph.
- (b) **PUBLIC NUISANCE DECLARED.** The Village Board finds that lawns on residential lots of parcels of land which exceed eight (8) inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomfoting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interferes with the public convenience and adversely affects property values of other land within the Village. For that reason, any lawn on a residential lot or other parcel of land which exceed eight (8) inches in length is hereby declared to be a public nuisance.
- (c) **NUISANCES PROHIBITED.** No person, firm or corporation shall permit any public nuisance as defined in subsection (b) above to remain on any premises owned or controlled by him within the Village.
- (d) **INSPECTION.** The Weed Commissioner or his designee shall inspect or cause to be inspected all premises and places within the Village to determine whether any public nuisance as defined in subsection (b) above exists.
- (e) **ABATEMENT OF NUISANCE.** If the inspecting officer shall determine with reasonable certainty that any public nuisance as defined in subsection (b) above exists, he shall immediately report such existence to the Village Board who shall, if it determines that such nuisance exists, cause notice to be served that the Village Board proposed to have the lawn cut so as to conform with this Section and that a hearing will be held before the Village Board for the purpose of ordering such mowing. The notice shall be served at least one (1) week prior to the date of the hearing and shall be served on the owner of the lot or parcel of land, or, if he, is not known and there is a tenant occupying the property, then to the tenant, of the time and place at which the hearing will be held. At the hearing, the owner may appear in person or by his attorney and may present witnesses in his behalf. After the hearing the Village Board shall make its determination in writing specifying its finds of fact and conclusions. If it determines that a public nuisance does exist, it shall order the inspecting officer to serve or cause to be served upon the owner of the property, if he can be found, or upon the occupant thereof a written notice to abate the nuisance with five (5) days of the service of the notice. If the owner does not abate the nuisance within the time limit, the inspecting officer shall cause the same to be abated.
- (f) **ASSESSMENT OF COSTS OF ABATEMENT.** The entire cost of abating any public nuisance as defined in subsection (b) above shall be chargeable to and assessed against the parcel or lot affected.

SEC. 6-1-8 **BURNING OF TRASH AND REFUSE IN RUBBISH BURNERS.**

- (a) No person shall keep or maintain, make or cause to be made any fire for burning of any combustible material in any street, alley or on any premises, public or private, within the Village except in a substantial rubbish burner or incinerator constructed of metal and covered with not larger than one half (1/2) inch hardware screen or similar material so as to prevent the escape of sparks and

burning material. Such rubbish burner shall be located not less than twenty-five (25) feet from any lot line, building or structure.

- (b) Only leaves, grass, paper and other readily combustible materials may be burned in rubbish burners. No person shall burn any plastic, tires, garbage, oily rags, or other materials likely to produce objectionable smoke or odors when burned.
- (c) **CHIEF MAY PROHIBIT**. The Fire Chief is permitted to prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.
- (d) **BURNING ON STREETS**. No materials may be burned upon any street, curb, gutter or sidewalk.
- (e) **LIABILITY**. Persons utilizing and maintaining outdoor fires shall be responsible for any liability resulting from damage caused by his fire.

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