

ORDINANCE No. 99A
AN ORDINANCE CONTROLLING NOXIOUS WEEDS
AND MAINTENANCE OF VEGETATION

The Village Board of the Village of Rosendale, Fond du Lac County, does hereby ordain as follows:

Ordinance No. 99 titled AN ORDINANCE REQUIRING THE REMOVAL OF NOXIOUS WEEDS AND GRASSES is hereby repealed and replaced as Ordinance No. 99A, as identified and designated above, as follows:

(1) Purpose. It is the purpose of this Ordinance to monitor, control and prohibit the uncontrolled growth of lawns, grasses, noxious weeds and other vegetation, and to require the proper maintenance of grasses, shrubs on all lots and parcels of land in the Village. It is in the interest of the public and part of the oversight responsibility of the Village to provide regulations and standards regarding the control and maintenance of all such vegetation. Vegetation which is not managed can decrease the value of nearby properties, threaten the public health and safety, and have detrimental environmental impact to the surface waters in the Village.

(2) Noxious Weeds and Grasses shall mean any plant listed under current Wisconsin Statutes, and as amended from time to time: "Nuisance Weeds" Wis. Stat. 23.235(1)(a) and "Noxious Weeds" Wis. Stat. 66.0407, and all other weeds and grasses exceeding 8 inches in height.

(3) Control of Noxious Weeds and Grasses; Height Limit. It shall be the responsibility of every person, firm, corporation, owner or occupant of property within the Village to maintain the entire property and the area between the property line and street or curb edge (also known as right-of-way). Such areas shall be mowed and maintained at a height not to exceed 8 inches.

(4) Depositing Material on Public Streets and Sidewalks. It shall be unlawful for any person, firm, corporation, owner or occupant of property in the Village to deposit any weeds, grass or other vegetative material on any public street or sidewalk from mowing operations or from any other means.

(5) Notice and Remedy. If any person violates this Ordinance, the Village Police Department shall either personally serve or mail written notice of such violation that noxious weeds or grasses must be cut or removed within five (5) calendar days. Thereafter enforcement action may proceed without prior notice. The notice shall be sent by certified mail with proof of mailing only to the occupant or owner's last known and reasonably ascertainable address. If owner or occupant fails to comply with the notice, the Village is authorized to enter upon such property and cause the weeds, grasses, and other vegetation to be cut, mowed or removed in conformity with this Ordinance. Only one such notice need be issued per property per calendar year.

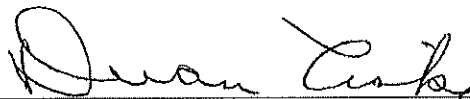
(6) Costs and Fees. The fee for cutting, mowing or removal of noxious weeds, grasses or other vegetation by the Village shall be \$100 for each violation. In addition, if equipment is needed to perform the cutting, mowing and/or removal, the charge for such equipment shall also be billed

to the property owner. Labor and equipment costs for any violation where the work done is in excess of 30 minutes shall be billed at a rate of \$100 per hour, plus a reasonable charge for equipment. In the event that equipment is damaged while mowing in an effort to bring property into compliance with this Ordinance, such cost to repair the equipment shall be added to the Costs and Fees. If such fees and/or costs are not paid in full within thirty (30) days of the date of invoice, all such charges, costs and fees shall be placed on the tax roll as a special charge against the property pursuant to §66.0627, Wis. Stats.

(7) Penalties/Forfeitures. In addition to the Costs and Fees provisions set forth in this Ordinance, an owner or occupant who violates any provision of this Ordinance may be issued an Ordinance Violation citation and be subject to cease and desist orders for violations and/or a penalty of not less than \$25.00 nor more than \$500.00 together with costs of prosecution.

Effective Date: This Ordinance shall take effect upon enactment and publication.

Enacted this 26th day of August, 2019.



Duane Ciske, Village President

Attest:



Emily Wirkus, Clerk-Treasurer