

10.19 - Noxious weeds prohibited.

- (1) *Definition.* "Noxious weeds" as used herein includes the following: Canada thistle, leafy spurge, field bindweed (creeping jenny), ragweed, and invasives on Wisconsin Department of Natural Resources invasive species list.
- (2) *Purpose.* The purpose of this section is to prevent the problems that noxious weeds present; noxious weeds shall be controlled in part by cutting and/or spraying to prevent blossoming of the noxious weeds and their spread due to blossoming.
- (3) *Prohibited.* No one owning property within the city shall permit any weeds or grasses which cause or produce hay fever or other toxic effects in human beings, emit unpleasant or noxious odors or conceal filthy deposits to grow or pollinate on his/her premises. To prevent such growth and pollination, every owner shall mow or cause to be mowed all grasses or weeds exceeding ten inches in height on premises owned by the individual and on any tree, lawn or street right-of-way between the property line and a developed street abutting such premises, except those areas approved under section 32.06(2)(e) as a natural lawn. Where such weeds or grasses cannot be controlled or eradicated by such treatment, the property owner shall spray or cause to be sprayed this growth with chemicals which shall control or eradicate such weeds and grasses except in those areas where noxious weeds, as defined above, exist, the following shall apply:
  - (a) Where undeveloped areas abut developed lots, a minimum distance of 100 feet from the developed lot shall be cut. At the discretion of the weed commissioner, cutting of additional footage may be required upon his/her finding that such cutting is necessary to carry out the intent of this section.
  - (b) Vacant property not abutting developed lots may be required to be cut upon the finding of the weed commissioner that such cutting is necessary to carry out the intent of this section.
  - (c) Upon a favorable recommendation by the weed commissioner, the city council may waive or relax the noxious weed control standards prescribed by this section, except for those standards established by the state, upon a finding that literal enforcement of the noxious weed control standards prescribed by this section is physically impossible or presents an extreme hardship on the owner out of proportion to the problem. The weed commissioner shall note his/her recommendations in the records kept and maintained by him/her and shall also note any relaxed standards which may be approved. These findings and relaxed standards, if any, shall be subject to review and revocation at any time by the city council without a showing of cause or a change in circumstances, and a waiver or relaxation of standards in accordance with this section shall only be effective for one year.
- (4) *Enforcement by weed commissioner: notices.* The weed commissioner shall enforce this section. If any person fails to comply herewith, the commissioner shall, after five days' written notice to the owner, cause the premises to be mowed or sprayed and shall report the cost thereof in writing to the clerk-treasurer. This cost shall be entered on the tax roll as a special tax to be collected in the same manner as other taxes. The property owner shall notify the weed commissioner of compliance with the notice; failure to do so within the five-day period renders compliance null and void.

(Code 1992, § 10.19; Ord. No. 1109-1003, § 2, 10-21-03; Ord. No. 1323-0916, § 1, 9-20-16)