

**An Ordinance to Amend
Title 8 Health and Sanitation**

Code of Ordinances, Village of Dane, Wisconsin

Note: Items of change (old language, if any, is "struck through" and new language as "bold face").

Section 8-1-4 shall be amended to read as follows:

Sec. 8-1-4 Destruction of Noxious Weeds.

(a) The Village Clerk-Treasurer shall annually on or before May 15th publish as required by state law a notice that every person is required by law to destroy all noxious weeds on lands in the Village which he owns, occupies or controls. A joint notice with other towns or municipalities may be utilized.

~~(b) If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the Village shall give five (5) days' written notice by mail to the owner or occupant of any lands upon which the weeds shall be growing to the effect that the said Weed Commissioner after the expiration of the five (5) day period will proceed to destroy or cause to be destroyed all such weeds growing upon said lands and that the cost thereof will be assessed as a tax upon the lands upon which such weeds are located under the provisions of Sec. 66.96 of the Wisconsin Statutes. In case the owner or occupant shall further neglect to comply within such five (5) day notice, then the Weed Commissioner shall destroy such weeds or cause them to be destroyed in the manner deemed to be the most economical method and the expense thereof, including the cost of billing and other necessary administrative expenses, shall be charged against such lots and be collected as a special tax thereon.~~

(b) If any owner, occupant, or person in charge of any parcel or lot fails to destroy noxious weeds as required under Wis. Stats. § 66.0407(3), the weed commissioner shall provide written notice to the owner, occupant, or person in charge, directing that person to destroy the noxious weeds no later than five days following the issuance of the notice. The notice shall be hand-delivered or mailed by regular mail to the last known address of the owner, occupant, or person in charge. The notice shall direct the owner, occupant or person in charge to destroy the noxious weeds, state that if the person does not destroy the noxious weeds the weed commissioner may destroy the noxious weeds, and state that the weed commissioner may, during the remainder of the growing season, and without further notice, cause additional growths of noxious weeds to be destroyed, and state that the cost of such work may be assessed as a tax against such parcel or lot pursuant to Wis. Stats. § 66.0517(3). If the person receiving such notice fails to destroy the noxious weeds within the time required in the notice, the weed commissioner may cause the noxious weeds to be destroyed pursuant to Wis. Stats. 66.0517(3). If an owner, occupant, or person in charge of a lot or parcel receives one written notice pursuant to this section, the weed commissioner may cause additional growths of noxious weeds to be destroyed at any time during the remainder of the growing season without further notice. The cost of destroying noxious weeds may be charged against the lot or parcel pursuant to Wis. Stats. 66.0517(3)(b). Any person who violates this section shall be subject to a penalty as provided in section 1-1-6 of the Code. Each 24-hour period that a violation of this period occurs shall constitute a separate offense under this section for enforcement purposes.

(c) As provided for in Sec. ~~66.96(2)~~, **66.0407** Wis. Stats., the Village shall require that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of six (6) inches in height from the ground surface shall be prohibited

within the Village corporate limits. Noxious weeds shall include any weed, grass or similar plant growth which, if allowed to pollinate, would cause or produce hayfever in human beings or would cause a skin rash through contact with the skin.

Noxious weeds, as defined in this Section and in Section 8-1-6, shall include but not be limited to the following:

Cirsium Arvense (Canada Thistle)
Ambrosia artemisiifolia (Common Ragweed)
Ambrosia trifida (Great Ragweed)
Euphorbia esula (Leafy Spurge)
Convolvulus arvensis (Creeping Jenny) (Field Bind Weed)
Tragopogon dubius (Goat's Beard)
Rhus radicans (Poison Ivy)
Cirsium vulgare (Bull Thistle)
Pastinaca sativa (Wild Parsnip)
Arctium minus (Burdock)
Xanthium strumarium (Cocklebur)
Amaranthus retroflexus (Pigweed)
Chenopodium album (Common Lambsquarter)
Rumex Crispus (Curled Dock)
Cannabis sativa (Hemp)
Plantago lanceolata (English Plantain)

Noxious grasses, as defined in this Section and in Section 8-1-6, shall include but not be limited to the following:

Agrostia alba (Redtop)
Sorghum halepense (Johnson)
Setaria (Foxtail)

Noxious weeds are also the following plants and other rank growth:

Ragweed
Thistles
Smartweed
Dandelions (over 12 inches in height)
Milkweed (over 12 inches in height)

State Law Reference: Sec. ~~66.96~~ 66.0407, Wis. Stats.

Vote: 5 Yes 0 No

The above and foregoing amending Ordinance was duly adopted at a special meeting of the Village Board on the 19th day of May, 2010, Dane, Wisconsin.

Steve Clemens, Village President

Attest: _____

Rebecca Simpson, Clerk/Treasurer/Administrator