

**ORDINANCE NO. 2007-16**

(11-16-07)

**AN ORDINANCE BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS  
COMMITTEE TO AMEND SECTION 10.03 (6) AND TO CREATE SECTION  
10.13 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF  
STURTEVANT, RACINE COUNTY, WISCONSIN,  
RELATING TO NOXIOUS WEEDS**

The Village Board of the Village of Sturtevant, Racine County, Wisconsin, do ordain as follows:

1. That Section 10.03 (6) of the Municipal Code of the Village of Sturtevant be, and hereby is, amended to read as follows:  
(6) NOXIOUS WEEDS. All noxious weeds as defined in Section 10.13.
2. That Section 10.13 of the Municipal Code of the Village of Sturtevant be, and hereby is, created to read as follows:

**10.13 NOXIOUS WEEDS.**

(1) DEFINITIONS. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Noxious weeds* means and includes those weeds defined in Wis. Stats. § 66.0407 as noxious weeds and, in addition thereto excepting on village-owned property, shall include any other weeds, grass, hay, brambles, brush, reeds, rushes, cattails, or any combination thereof, which have grown to a height of nine inches or more. Cultivated cropland is exempt from said height restriction.

(2) STATUTORY PROVISIONS ADOPTED. The provisions of Wis. Stats. §§ 66.0407 and 66.0517, so far as applicable, are hereby adopted by reference and made a part of this Code as fully as if set forth in this article.

(3) UNLAWFUL TO PERMIT GROWTH. It shall be unlawful for any owner, occupant or person in control of any premises in the village to allow or maintain the growth of noxious weeds on such premises or upon any sidewalk or parkway abutting such premises.

(4) NOTICE TO ABATE. The weed commissioner is hereby authorized and empowered to notify in writing the owner, occupant or person in control of any premises in the village who shall allow or maintain any growth of noxious weeds on such premises to cut, destroy and/or remove such weeds. Such notice shall be sent by mail addressed to the

owner or person in control of such premises appearing on the records of the city assessor at the last known address appearing on such records.

(5) **ABATEMENT BY WEED COMMISSIONER.** Upon the failure, neglect or refusal of any owner, occupant or person in control of any premises in the city who is so notified to cut, destroy and/or remove the noxious weeds on such premises and/or abutting sidewalk or parkway within five days after the mailing of such notice, the weed commissioner shall cut, destroy and/or remove such noxious weeds; and at the completion of such work, shall charge an assessed cost thereof in the manner provided by Wis. Stats. § 66.0517.

(6) **ISSUANCE OF CITATION.** In all cases where the owner, occupant or person in control of any premises in the village has failed, neglected or refused to destroy and/or remove the noxious weeds on such premises and/or abutting sidewalk or parkway, the weed commissioner or his designee may issue a citation to the person notified under subsection(5) . The citation may be served simultaneously with the weed order.

(7) **PAYMENT OF FORFEITURE IN LIEU OF COURT APPEARANCE.**

(a) Any person charged with a violation of the offenses listed under subsection (b) of this section may pay the amount enumerated therein at the police department in lieu of a court appearance. Persons wishing to contest charges contained in subsection (b) of this section may contact the police department to arrange a court appearance date.

(b) The following forfeiture may be paid at the police department:

TABLE INSET:

Section number	Violation	Forfeiture
10.13	Failure to cut/remove noxious weeds	\$30.00

2. That this ordinance shall take effect immediately, upon adoption and publication as provided by law.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 4<sup>th</sup> day of December, 2007.

**VILLAGE OF STURTEVANT**

By: \_\_\_\_\_  
Steve Jansen, President

Attest: \_\_\_\_\_  
Mary Hanstad, Clerk/Deputy Treasurer