

Passed: 10.9.23
Posted: 10.10.23
Removal: 11.11.23

ORDINANCE NO. 2023-009
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF LINN, WALWORTH COUNTY, WISCONSIN, S. 5-3, NUISANCE WEEDS

§ 5-3 Weeds.

A.

Public policy. It is hereby declared necessary in the interest of public safety and welfare that the cutting of grass and noxious weeds be regulated in the Town between May 1 and November 1 because of the fire hazards that are involved and the danger to persons and property that results therefrom.

B.

Definition. The term "noxious weeds" as used in this section includes the following unless protected by the Endangered and Threatened Species Laws (State Statute 29.604 & Administrative Rule NR27): all types of thistles; ragweed; marijuana that is not grown or cultivated for lawful commercial purposes; English charlock or wild mustard; field bind weed, commonly known as "creeping jenny"; goat's beard; harmful barberry; field dodder; Indian mustard; oxeye daisy snapdragon or butter and eggs; poison ivy; leafy spurge; burdock; yellow rocket; quack or quitch grass; goldenrod; and pigweed.

C.

Cutting of grass and noxious weeds.

(1)

No person owning land in the Town shall permit any grass and noxious weeds to grow to a height in excess of one foot between May 1 and November 1 within 200 feet of any residence. It shall be the duty of any owner to cut such grass and noxious weeds within the area herein described and to remove such cuttings from the premises or cut them up in such a manner as to prevent the burning thereof.

(2)

In the event that such grass and noxious weeds are not cut as required by this section, written notice thereof shall be given to the owner by the Weed Commissioner by certified mail or personal service of such notice directing that the grass and noxious weeds be cut within 10 days, and in the event such grass and noxious weeds are not so cut within 10 days, the Town Board shall provide for the cutting and removal of such grass and noxious weeds and charge the cost and expense thereof to the owner of the premises involved. A statement of such costs shall be mailed by the Town Clerk^{III} to the owner, and if not paid within 30 days from the date of mailing, such costs shall be placed upon the tax roll assessed against the real estate involved and collected by the Town at the

next succeeding tax collection. There shall only be one notice given to the owner per year. If there are successive violations, the Town may proceed as provided herein without any further notice to the owner.

D.

Service by Fire Department. In the event that a fire occurs in an area where the grass and noxious weeds have not been cut as required by this section which requires the service of the Town Fire Department to control the same, the owner shall be liable to the Town for all costs and expenses incurred by such fire and shall pay the cost upon written notice from the Town Clerk as to the amount thereof. In the event such payment is not made within 30 days from notice of the Town Clerk,¹²¹ the amount thereof shall be placed upon the tax roll and assessed against the real estate upon which the fire occurred and collected by the Town at the next succeeding tax collection.

Dated at the Town of Linn, Wisconsin, this 9th day of October, 2023.

TOWN OF LINN

ATTEST

Alyson Morris
Alyson Morris, Clerk

James Weiss
James Weiss, Chairman