

ORDINANCE O-2-13

AN ORDINANCE AMENDING SECTION 8-1-6 OF THE CODE OF ORDINANCES
(Destruction of Noxious Weeds)

INTRODUCED BY ALDERMAN KEEHAN

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 8, Chapter 1, SEC.8-1-6 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 8 – Health and Sanitation

CHAPTER 1

Health and Sanitation

SEC. 8-1-6 DESTRUCTION OF NOXIOUS WEEDS.

- (a) A person owning, occupying or controlling land within the City corporate limits shall destroy all noxious weeds on the land. All noxious weeds shall be destroyed prior to the time in which such plants mature to the bloom or flower stage.
- (a)(b) The City Clerk shall annually on or before May 15 publish ~~as required by state law~~ a notice that every person is required by law to destroy all noxious weeds on lands in the City which he or she owns, occupies or controls. A joint notice with other towns or municipalities may be utilized.
- (b)(c) If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the City 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 Sections 66.0517 and 66.0627, Wis. Stats. 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.
- (c) ~~As provided for in Sec. 66.96(2), Wis. Stats., the City 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 eight (8) inches in height from the ground surface shall be prohibited within the City corporate limits. Noxious weeds~~

~~shall include any weed, grass or similar plant growth which, if allowed to pollinate, would cause or produce hay fever in human beings or would cause a skin rash through contact with the skin. Noxious weeds, as defined in this Section and in Section 8-1-8, shall include but not be limited to the following~~ Noxious weeds means any weed designated as a noxious weed by the Wisconsin Department of Natural Resources by rule or by the common council by ordinance or resolution, including but not 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 vulgaries (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)
Sow Thistle
Wild Mustard
Burdock
~~Poison Ivy~~
Poison Oak
Golden Rod
~~Beggar Ticks~~ Beggarticks
Purple Loosestrife
Multiflora Rose

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

~~Agrostia alba (Redtop)~~
~~Dactylis glomerata (Orchard)~~
~~Phleum pratensis (Timothy)~~
~~Poa pratensis (Kentucky Blue)~~
~~Sorghum halepense (Johnson)~~
~~Setaria (Foxtail)~~

State Law Reference: Section 66.96, Wis. Stats.

- (e) The Weed Commissioner shall be appointed by the Mayor on or before May 15 in each year and shall have the powers and duties enumerated in this SEC. and in Section 66.0517, Wis. Stats., except that the person shall receive no compensation for his or her services other than his or her regular salary.

SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this day of , 2013.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk