

**VILLAGE OF PARDEEVILLE
PUBLIC PROTECTION COMMITTEE
MEETING AGENDA
Village Hall – 114 Lake Street, Pardeeville
Tuesday, April 12, 2022 at 12:00 p.m.**

- I. Call to Order
- II. Roll Call
- III. Verification of the Posting of Agenda
- IV. Agenda Approval
- V. Minutes Approval
- VI. Comments from the Floor

- VII. OLD BUSINESS
 - A. Lighting Ordinance (Dark Skies) – revised version

- VIII. NEW BUSINESS
 - A. Feral Cat Population
 - B. Property Maintenance – Proposal of New Ordinance

- IX. Adjourn

Kayla Lindert, Clerk/Treasurer
Posted: 04/08/2022

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The Village Hall is accessible to the handicapped. If you require additional assistance, please contact the village office no later than 48 hours prior to the meeting date. Phone 608-429-3121. If members are present from other recognized Boards, Commissions or Committees which may constitute a quorum, the meeting is presumed to be for the above-stated agenda/purpose. An updated agenda may be posted 24 hours before meeting time.

**VILLAGE OF PARDEEVILLE
PUBLIC PROTECTION COMMITTEE
MEETING MINUTES
Village Hall – 114 Lake Street, Pardeeville
Tuesday, February 22, 2022 at 6:00 p.m.
DRAFT: NOT APPROVED**

Call to Order: The meeting was called to order at 6:19 p.m.

Roll Call: All committee members were present except Holtan. Also, present Administrator/DPW Salmon, Connie Pease.

Verification of the posting of agenda: The agenda was properly posted at the Pardeeville Village Hall, online and the Pardeeville Post Office.

Agenda Approval:

MOTION Possehl/Balsiger to approve the agenda. Motion carried unanimously.

Minutes Approval:

MOTION Balsiger/Possehl to approve the previous meeting minutes as presented. Motion carried unanimously.

Comments from the Floor: Connie Pease spoke about the Dark Skies ordinance.

OLD BUSINESS:

Lighting ordinance (Dark Skies)

Draft ordinance was presented. Discussion was held on enforcement of this new ordinance. Enforcement process to include building inspector review upon complaint. Administration to send letter with resident having 3 years to come into compliance with new ordinance. Discussion held on safety.

MOTION Balsiger/Possehl to accept ordinance with removal of letter “E” in section 21-5. Motion carried unanimously.

NEW BUSINESS:

Driveway – Section 30-236/30-238 Installation Requirements, Update to Language

Discussion held.

Motion Possehl/Balsiger to accept proposed update to language. Motion carried unanimously.

Utility Trailer Parking – Section 58-190 & Section 58-189

Discussion was held regarding update to language in Section 58-190 and definition update in Section 58-189.

MOTION Possehl/Balsiger to accept proposed update to language. Motion carried unanimously.

Define Public Parking Lots - Section 58-191

Discussion was held regarding village public parking lots. Public parking lots to be defined. Recommend installing signage stating parking up to 72 hours allowed. Recommend placing public parking lots into the ordinance.

Meeting Adjourned at 7:25 p.m.

Submitted by: Erin Salmon, Village Administrator, Director of Public Works, Interim Clerk/Treasurer

Chapter 21 Lighting, Exterior – changes made after Board Meeting on 03/01/2022

21-1 - Title.

This chapter may be known and referred to as "Dark Sky Ordinance" or the "Exterior Lighting Ordinance."

21-2- Purpose and intent.

It is the intent of this chapter to define practical and effective measures by which the obtrusive aspects of excessive and/or careless outdoor light usage can be minimized, while preserving safety, security and the nighttime use and enjoyment of property. These measures will curtail the degradation of the nighttime visual environment by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy efficient sources, and decreasing the wastage of light and glare resulting from over-lighting and poorly shielded or inappropriately directed lighting fixtures.

21-3 - Conformance with applicable ordinances.

All outdoor illuminating devices shall be installed in conformance with all other provisions of the Pardeeville Village Code, including but not limited to the Building Code and the Electrical Code, where applicable.

21-4 - Applicability.

A. Shall constitute a major addition for purposes of this section. Any new or modification of buildings need to comply with the ordinance from within the date ordinance is adopted. An outdoor lighting plan must be submitted with your building permit from the Village of Pardeeville.

B. Residential fixtures. Any light fixtures 2,000 lumens and over, any outdoor light fixtures above the eave, or any light fixture attached to buildings or poles separate from the residence must comply with the provisions of this chapter. Outdoor light fixtures that are attached to residential buildings, located below the eave, and less than 2,000 lumens are exempt from the provisions of this chapter. Residential spot or floodlights shall be fully shielded and directed no more than 45° above straight down.

C. Existing uses and buildings; nonconformance and compliance. Unless otherwise provided in this chapter, after a period of three years from the date of enactment of this chapter, any lighting in place prior to the enactment date shall be brought into full compliance with the requirements of this chapter. If any lighting or light fixture changes use, lamp type, lamps, or bulbs or there is any replacement or structural alteration made to the lighting or light fixture prior to the three-year compliance deadline, then such lighting or light fixtures shall immediately be brought into full compliance with the requirements of this chapter.

D. Roadways. Lighting for public roadways is exempt at the time from the provisions of this chapter

21-5 - General outdoor lighting standards.

A. All nonexempt outdoor lighting fixtures shall be fully shielded and not exceed your property boundaries.

B. All nonexempt outdoor lighting fixtures shall be placed so as to not cause light trespass or light glare. All outdoor lighting should shine.

C. Flood or spot lamps must be aimed no higher than 45° above straight down (halfway between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway.

E. Any lamp installed on a residential property must be shielded such that the lamp is not directly visible from any other residential property.

F. Multiuse lighting must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included use.

21-6 - Outdoor advertising signs.

A. Externally illuminated and neon signs. External illumination for signs shall conform to all provisions of this chapter. All upward-directed sign lighting, meaning lighting directed above the horizontal plane of the luminary, is prohibited.

B. Internally illuminated and neon signs.

(1) Outdoor internally illuminated advertising signs must either be constructed with an opaque background and translucent text and symbols, or with a colored (not white, off-white, light gray, cream or yellow) background and generally lighter text and symbols. Lamps used for internal illumination of such signs shall not be counted toward the lumen cap.

(2) Neon signs shall be treated as internally illuminated signs for the purposes of this chapter, and shall not have their luminous outputs counted toward the lumen cap. Neon lighting extending beyond the area considered to be the sign area shall conform to all provisions of this chapter, be treated as decorative lighting, and shall conform to the lumen cap.

(3) Other internally illuminated panels or decorations not considered to be signage shall be considered decorative lighting, and shall be subject to the standards applicable for such lighting, including but not limited to the lamp source, shielding standards and lumens per property cap.

C. Illuminated sign curfews. Illumination for all advertising signs, both externally and internally illuminated, shall be turned off at the curfew times listed herein or when the business closes, whichever is later. As long as you are operating sun lighting may be on, must be off 30min after close commercial/advertising. All signs in reside area must be off by 11:00.

Sign Type and Land Use Zone	Time
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Commercial and industrial zoning:

Opaque background	12:00 a.m.
Colored background	12:00 a.m.
Light background	10:00 p.m.

All residential zoning:

Colored background	11:00 p.m.
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D. Nonconformance of existing outdoor advertising signs.

(1) All outdoor advertising sign light fixtures lawfully installed prior to and operable on the effective date of this chapter shall be brought into full compliance with the requirements of this chapter within three years of its enactment.

21-7 - Special uses.

A. Outdoor display lots.

(1) Shielding. All display lot lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully shielded characteristics.

C. Service station canopies.

(1) Shielding. All luminaires mounted on or recessed into the lower surface of service station canopies shall be fully shielded and utilize flat lenses.

21-8 - Submission of plans; evidence of compliance; subdivision plats.

A. Subdivision plats. If any subdivision proposes to have installed street or other common or public area outdoor lighting, submission of the information as described herein shall be required for all such lighting.

21-9 - Temporary exemption.

(1) Such other data and information as may be required by the designated official.

A. Approval; duration. The designated official shall have ten business days from the date of submission of the request for temporary exemption to act, in writing, on the request. If approved, the exemption shall be valid for not more than 30 days from the date of issuance of the approval. The approval shall be renewable upon further written request, at the discretion of the designated official, for a maximum of one additional thirty-day period. The designated official is not authorized to grant more than one temporary permit and one renewal for a thirty-day period for the same property within one calendar year.

B. Disapproval; appeal. If the request for temporary exemption or its extension is disapproved, the person making the request may appeal to the Zoning Board of Appeals under § 58-405.

21-10 - Exemptions.

A. State and federal facilities. Compliance with the intent of this chapter at all state and federal facilities is encouraged, but not required.

B. Swimming pool and fountain lighting. Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards provided herein, though it must conform to all other provisions of this chapter.

C. Flags, lighted from top only. United States and State of Wisconsin flags are exempt from the provisions of this chapter. All other outdoor lighted flags, such as, but not limited to, decorative and commercial flags shall conform to the provisions of this chapter.

D. Holiday lighting. Holiday lighting is exempt from the provisions of this chapter.

21-11 - Exemptions for unusual circumstances, difficulties or costs.

A. The Village Board may allow exemptions from this chapter to recognize that a good faith attempt has been made to comply with this chapter, but compliance is still not possible due to unusual circumstances or difficulties or costs encountered.

21-12 - Enforcement; violations and penalties.

A. Violations. It shall be unlawful for any person to violate any provision of this chapter. Each and every day or night during which the violation continues shall constitute a separate offense. The Village may institute appropriate action or proceedings to enjoin violations of this chapter or applicable Wisconsin Statutes. The Village Department of Public Works and Police Department personnel are required and authorized to enforce all provisions of this chapter, including the power to issue municipal citations for any violations.

B. Penalties. Any person who fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit fine according to schedule; costs of prosecution for each violation, including the Village's reasonable and actual attorney fees and disbursements incurred in the prosecution of such violations.

Chapter 403

PROPERTY MAINTENANCE

GENERAL REFERENCES

Fires and fire prevention — See Ch. 272.

Hazardous materials and pollutants — See Ch. 297.

Nuisances — See Ch. 372.

Stormwater management and erosion control — See Ch. 450.

Urban forests — See Ch. 480.

Waste management — See Ch. 505.

ARTICLE I
General Standards
[Adopted as Title 10, Ch. 10, of the 1994 Code]

§ 403-1. Scope.

These standards apply to all structures located in a residential-zoned area and to all structures and sites used for residential purposes but zoned for other uses.

§ 403-2. Minimum standards.

It shall be unlawful for any person to occupy or use or let or hold out to another for occupancy or use any building, structure or premises which does not comply with the requirements of this Code.

§ 403-3. Foundations, exterior walls and roofs.

The foundation shall be substantially watertight and protected against rodents and shall be kept in good condition and repair. The foundation elements shall adequately support the building at all points. Every exterior wall shall be substantially watertight, weathertight, protected against rodents, kept in good condition and repair and shall be free of deterioration, holes, breaks, loose or rotting boards or timber, and any other condition which might admit rain or dampness to the interior portions of the walls or to the exterior spaces of the dwelling. All exterior wood surfaces shall be protected by paint, stain or other water- and weather-resistant treatment. Every roof shall be watertight, weathertight, kept in good condition and repair, and have no dangerous defects. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All cornices, copings, parapets, moldings, belt courses, lintel, sills, and similar projections shall be kept in good repair, free from cracks or defects which make them hazardous or dangerous.

§ 403-4. Windows, doors and hatchways.

Every window shall be fully supplied with transparent or translucent windowpanes which are substantially without cracks or holes, shall be substantially tight and shall be kept in good condition and repair. Windows, other than fixed windows, shall be easily opened and shall be held in position by window hardware. Every exterior door shall fit substantially tight within its frame and shall be kept in good condition. Window and door frames shall be kept in good condition and shall exclude rain and substantially exclude wind from entering the building or structure. Every basement hatchway shall prevent the entrance of rodents, rain and surface drainage water into the building or structure.

§ 403-5. Screens.

From June 1 to September 15 screens shall be installed on doors or windows when they are required for ventilation. Screening shall be at least a 14 mesh and shall be attached to its frame in such manner which does not leave openings larger than those in the screen itself. Frames shall be in good condition and repair and shall fit tightly into the window or door frame so as not to allow the passage of insects or rodents. Screens shall be provided with positive attachment devices to ensure that inserts will not fall from or be

dislodged from the door or window frame. A self-closing device shall be provided for screen doors.

§ 403-6. Stairways and porches.

Every exterior stairway and every porch and its supports shall be kept in good and safe condition and repair and shall be free of deterioration, with every rail and balustrade firmly fastened and maintained.

§ 403-7. Chimneys.

Every chimney and chimney flue shall be in good and safe condition and repair.

§ 403-8. Grading and drainage of lots.

Every yard, court, driveway or other portion of the lot shall be graded or drained so as to prevent the accumulation of stagnant water on any such surface. Driveways shall be maintained in good condition and repair.

§ 403-9. Yards.

Yards shall be kept substantially clear of debris and shall be provided with adequate lawn or ground cover of vegetation, hedges or bushes. All areas not covered by any of the foregoing shall be treated to prevent dust or the blowing or scattering of dust particles into the air. All trees, bushes or vegetation which overhangs a public entrance shall be properly trimmed to avoid obstruction of the view and movements of vehicles and pedestrians.

§ 403-10. Infestation.

Every building and structure and all exterior appurtenances on the premises shall be adequately protected against rats, mice, termites and other vermin. Occupants and operators shall be responsible for the extermination of rodents and vermin from that part of the premises under their exclusive control, except where more than one unit is infested at the same time, and in this instance the owner shall also be responsible for extermination of the infestation.

§ 403-11. Exterior appearance.

Every building and structure shall be kept neat and attractive in appearance. All wooden portions shall be painted, stained or receive other similar treatment as often as necessary to maintain such appearance. Stone, brick or other masonry shall be kept adequately painted and maintained.

§ 403-12. Refuse, garbage and rubbish storage requirements.

Every building or structure shall have adequate refuse, garbage or rubbish storage facilities. Garbage containers shall all have tight covers and shall be kept in place at all times. No occupant shall accumulate rubbish, boxes, lumber, metal or other materials which may provide harborage for rodents or vermin.

§ 403-13. Accessory structures.

Every accessory structure shall be kept in good condition and repair, shall not obstruct light and air of doors or windows, shall not obstruct a safe means of access to any building or structure, shall not create fire or safety hazards and shall not provide rat or vermin harborage. All accessory structures which are in deteriorated condition and which are not repairable shall be removed.

§ 403-14. Complaints.

Complaints alleging a violation of this article shall be commenced by service of written notice of noncompliance upon the property owner, the form of notice to be in substantially the form of Appendix A.¹

1. Editor's Note: Appendix A is included at the end of this chapter.

ARTICLE II

Brush, Grass and Weeds**[Adopted as Secs. 8-1-4, 8-1-5 and 8-1-6 of the 1994 Code]****§ 403-15. Destruction of noxious weeds.**

- A. The Village Clerk/Treasurer 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 Village which he or she 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 days' written notice by mail to the owner or occupant of any lands upon which the weeds shall be growing to the effect that said Weed Commissioner, after the expiration of the five-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 § 66.0407, Wis. Stats. In case the owner or occupant shall further neglect to comply within such five-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. **[Amended 6-7-2010 by Ord. No. 2010-06-14²]**
- C. As provided for in § 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 eight 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 hay fever in human beings or would cause a skin rash through contact with the skin.
- (1) Noxious weeds, as defined in this section and in § 403-17, 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)

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Arctium minus (burdock)
 Xanthium strumarium (cocklebur)
 Amaranthus retroflexus (pigweed)
 Chenopodium album (common lambsquarter)
 Rumex crispus (curled dock)
 Cannabis sativa (hemp)
 Plantago lanceolata (English plantain)

- (2) Noxious grasses, as defined in this section and in § 403-17, shall include but not be limited to the following:

Agrostis alba (redtop)
 Sorghum halepense (johnson)
 Setaria (foxtail)

- (3) 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)

§ 403-16. Natural lawns.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

NATURAL LAWN — Includes common species of grass and wildflowers native to North America which are designed and purposely cultivated to exceed eight inches in height from the ground. Specifically excluded from natural lawns are the noxious grasses and weeds identified in § 403-15 of this article.

NATURAL LAWN MANAGEMENT PLAN — A written plan relating to the management and maintenance of a lawn which contains a legal description of the lawn upon which the planted grass will exceed eight inches in height, a statement of intent and purpose for the lawn, a detailed description of the vegetational types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.

NEIGHBORING PROPERTY OWNERS — All those property owners who are located within 300 feet of the proposed natural lawn site.

PROPERTY OWNER — Includes the legal title holder and/or the beneficial owner of any lot according to most current Village records.

- B. Plan and permit required. The growth of a natural lawn in excess of eight inches in height from the ground surface shall be prohibited within the Village corporate limits unless a natural lawn management plan is approved and a permit is issued by

the Village as set forth in this section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife. Natural lawns of perennial plants are allowed on lots with exceptionally steep grades without a permit under this section.

C. Natural lawn management plan.

- (1) Property owners who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the Village. Natural lawn management plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any Village-owned property, including street rights-of-way. This shall include at a minimum property located between the sidewalk and the street or a strip not less than 10 feet adjacent to the street where there is no sidewalk, whether the area is under public or private ownership. In addition, natural lawns shall not be permitted within 10 feet of the abutting property owner's property unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the natural lawn management plan.
- (2) Any subsequent property owner who abuts an approved natural lawn may revoke the waiver, thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten-foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the Village Clerk/Treasurer by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Village Board shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten-foot section abutting the neighboring property owner. The Village Board shall revise the approved natural lawn permit accordingly. The owner of the approved natural lawn shall be required to remove the ten-foot section abutting the neighboring property owner within 20 days of receipt of the written notification from the Village, provided that the notification is received sometime between May 1 and November 1. Property owners who receive notification from the Village between November 1 and April 30 shall be required to remove the ten-foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.³

D. Application process.

- (1) Property owners interested in applying for permission to establish a natural lawn shall obtain and complete an application form available from the Village Clerk/Treasurer. The completed application shall include a natural lawn management plan. Upon submitting a completed application, a nonrefundable filing fee as prescribed in the Village Fee Schedule will be assessed by the Village. Upon receiving payment, copies of the completed application shall be mailed by the Village to each of the owners of record, as listed in the office of the Village Assessor, who are owners of the property situated wholly or in part within 300 feet of the boundaries of the property for which the application is made. If within 15 calendar days of mailing the copies of the complete

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

application to the neighboring property owners the Village receives written objections from 51% or more of the neighboring property owners, the Village Clerk/Treasurer shall immediately deny the application.⁴

- (2) If the property owner's application is in full compliance with the natural lawn management plan requirements and less than 51% of the neighboring property owners provide written objections, the Village Clerk/Treasurer shall issue permission to install a natural lawn.
- E. Application for appeal. The property owner may appeal the Village Clerk/Treasurer's decision to deny the natural lawn permit request to the Village Board at an open meeting. All applications for appeal shall be submitted within 15 calendar days of the notice of denial of the natural lawn permit. The decision rendered by the Village Board shall be final and binding.⁵
- F. Safety precautions for natural grass areas.
- (1) When, in the opinion of the Fire Chief of the Department serving the Village of Pardeeville, the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit, the property owner shall be required to cut the natural lawn within three days upon receiving written direction from the Fire Chief.
 - (2) Natural lawns shall not be removed through the process of burning unless stated and approved as one of the management and maintenance techniques in the natural lawn management plan. The Fire Chief shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to ensure public safety. Burning of natural lawns shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural lawns, thereby ensuring the public safety. In addition, the property owner requesting permission to burn the natural lawn shall produce evidence of property damage and liability insurance identifying the Village as a party insured. A minimum amount of acceptable insurance shall be \$300,000.
- G. Revocation of an approved natural lawn permit. The Village Clerk/Treasurer, upon the recommendation of the Weed Commissioner, shall have the authority to revoke an approved natural lawn permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this section. Notice of intent to revoke an approved natural lawn permit shall be appealable to the Village Board. All applications for appeal shall be submitted within 15 calendar days of receipt of the written notice of intent to revoke the approved natural lawn permit. Failure to file an application for appeal within the 15 calendar days shall result in the revoking of the natural lawn permit. All written applications for appeal filed within the fifteen-calendar-day requirement shall be reviewed by the Village Board in an open

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

meeting. The decision rendered by the Village Board shall be final and binding.
[Amended 6-7-2010 by Ord. No. 2010-06-14⁶]

H. Public nuisance defined; abatement after notice.

- (1) The growth of a natural lawn as defined in this section shall be considered a public nuisance unless a natural lawn management plan has been filed and approved and a permit is issued by the Village as set forth in this section. Violators shall be served with a notice of public nuisance by certified mail to the last known mailing address of the property owner.
- (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within 10 days, the enforcement officer may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within 10 calendar days from receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the Village Clerk/Treasurer shall enter those charges onto the tax roll as a special tax as provided by state statute.
- (3) The failure of the Village Clerk/Treasurer to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the Village expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this section.

I. Penalty.

- (1) Any person, firm or corporation who or which does not abate the nuisance within the required time period or who otherwise violates the provisions of this section shall be subject to the general penalty found in § 1-4 of this Code.
- (2) In addition to any penalties herein provided, the Village may issue stop-work orders upon owners of lots where work is unfinished under a previously issued building permit for any violation of this section.

§ 403-17. Regulation of length of lawn and grasses.

- A. Purpose. This section is adopted due to the unique nature of the problems associated with lawns, grasses and noxious weeds being allowed to grow to excessive length in the Village of Belleville.
- B. Public nuisance declared. The Village Board finds that lawns, grasses and noxious weeds on nonagricultural, nonconservancy lots or parcels of land, as classified under Chapter 615, Zoning, of this Code, within the Village of Belleville which exceed eight inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interfere with the public convenience and adversely affect property values of other land within the Village. For that reason, any nonagricultural lawn, grass or weed on

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

a lot or other parcel of land which exceeds eight inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area or where the lawn, grass or weed is part of a natural lawn approved pursuant to § 403-16 above.

- C. Nuisances prohibited. No person, firm or corporation shall permit any public nuisance as defined in Subsection B above to remain on any premises owned or controlled by him or her within the Village.
- D. Inspection. The Weed Commissioner or his or her designee shall inspect or cause to be inspected all premises and places within the Village to determine whether any public nuisance as defined in Subsection B above exists.
- E. Abatement of nuisance.
 - (1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsection B above exists, he or she shall immediately cause written notice to be served that the Village proposes to have the lot grass or lawn cut so as to conform to this section and § 403-16.
 - (2) The notice shall be mailed or served on the owner of the lot or parcel of land or, if he or she is not known and there is a tenant occupying the property, then on the tenant, at least seven days before the grass or lawn will be cut. Such notice shall direct the person causing, maintaining or permitting such nuisance, or the owner or occupant of the premises, to abate or remove such nuisance within seven days and shall state that unless such nuisance is so abated the Village will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, maintaining or permitting the nuisance, as the case may be. **[Amended 6-7-2010 by Ord. No. 2010-06-14; 9-17-2012 by Ord. No. 2012-09-01; 3-2-2015 by Ord. No. 2015-03-03]**
- F. Remedy from notice. Any person affected by a notice issued pursuant to Subsection E of this section may, within seven days of service of the notice, apply to the circuit court for an order restraining the Village from abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance. **[Amended 9-17-2012 by Ord. No. 2012-09-01; 3-2-2015 by Ord. No. 2015-03-03]**
- G. Village's option to abate nuisance. In any case where the owner, occupant or person in charge of the property shall fail to cut his or her lawn, grass or weeds as set forth above, then and in that event the Village may elect to cut said lawn, grass or weeds as follows:
 - (1) The written notice required in Subsection E shall inform said person that in the event of his or her failure to abate the nuisance within the prescribed time, the Village shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.
 - (2) The Village shall cut or cause to be cut all grass and weeds from the subject property and shall charge the expenses of so doing at a rate as established by resolution by the Village Board. The charges shall be set forth in a statement to the Village Clerk/Treasurer, who, in turn, shall mail the same to the owner,

occupant or person in charge of the subject premises. If said statement is not paid in full within 30 days thereafter, the Village Clerk/Treasurer shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate or as provided under § 66.0907(3)(f), Wis. Stats.

- H. Forfeiture. In addition to the abatement procedures set forth above, any owner, occupant or person in charge of property who permits his or her lawn, grass or weeds to create a public nuisance under Subsection B shall be subject to the general penalty provided for in § 1-4 of this Code. Each day a public nuisance under this section continues shall constitute a separate offense. **[Amended by Ord. No. 1997-07-03]**

ARTICLE III
Junk and Unsightly Materials
[Adopted as Title 11, Ch. 8, of the 1994 Code]

§ 403-18. Junked vehicles and appliances on private property.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways or which are otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

INOPERABLE APPLIANCE — Any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.

MOTOR VEHICLE — As defined in § 340.01(35), Wis. Stats.

UNLICENSED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.

- B. Storage of automobiles restricted. No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances shall be stored upon private residential property or unenclosed outside a building upon nonresidential property within the Village of Pardeeville for a period exceeding 10 days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as not to constitute a public nuisance.
- C. Exceptions. This section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and in a non-nuisance manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided that such vehicles are stored in compliance with the ordinances of the Village. Also excepted are motor vehicles registered pursuant to §§ 341.265 and 341.266, Wis. Stats. In other situations the Village Board may issue temporary permits permitting an extension of not to exceed an additional 30 days' time to comply with this section where exceptional facts and circumstances warrant such extension.
- D. Enforcement.
- (1) Whenever the Police Department shall find any vehicles, vehicle parts or tires, or appliances, as described herein, placed or stored in the open upon private property within the Village, it shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this section. If said

vehicle, part thereof or appliance is not removed within five days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

- (2) If such vehicle or appliance is not removed within 20 days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be towed to the facility of the person providing the towing service, and it shall thereafter be disposed of as prescribed in §§ 489-3 through 489-6 of this Code by the Chief of Police or his or her duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.
- E. Penalty. Any person who shall interfere with the enforcement of any of the provisions of this section and shall be found guilty thereof shall be subject to a penalty as provided in § 1-4 of this Code. Each motor vehicle or appliance involved shall constitute a separate offense.

§ 403-19. Unhealthy, hazardous or unsightly materials on public or private property.

- A. Inspections. Whenever the Building Inspector or Fire Inspector shall, upon inspection of any premises within the Village of Pardeeville, find that there is deposited, placed, stored or remaining on said premises any garbage, junk, rubbish, rubble, trash, abandoned, outmoded or nonsalable merchandise or parts, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or any other unhealthy, hazardous or unsightly materials or things which create a fire or health hazard, or which are detrimental to the appearance, neatness and cleanliness of the immediate neighborhood or the Village of Pardeeville in general, such official shall issue his or her written order to the owner and/or occupant of the premises to remove said garbage, junk, rubbish, rubble or trash, abandoned, outmoded or nonsalable merchandise or parts, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or other unhealthy, hazardous or unsightly materials or things. Said written order shall provide that such removal shall be accomplished within 10 days after service of said order upon the owner or occupant of the premises involved. The order shall be served upon such owner or occupant in the manner prescribed by law for service of a summons of a court of record of the State of Wisconsin. Such written order, in addition to specifying and describing the material or things to be removed, shall also set forth on the face thereof the provisions of Subsection B.
- B. Appeal. Any person feeling himself or herself aggrieved by any order of a Village official under this section may, within 10 days from the date of receipt of such order, appeal such order to the Village Zoning Board of Appeals.
- C. Exceptions. Nothing contained in this section shall be construed to prohibit the depositing of rubbish, rubble, junk, trash, abandoned, outmoded or nonsalable merchandise or parts or unsightly materials or things which are:

- (1) Lawfully located pursuant to Chapter 615, Zoning, of this Code and maintained in such a manner as not to constitute a nuisance;
 - (2) Temporarily deposited due to an emergency;
 - (3) Materials temporarily stored during construction; or
 - (4) Collected and piled for immediate pickup and disposal by the Village or by private means.
- D. Nonconforming uses. It shall not be a defense to the provisions of this section that the owner or occupant of the premises involved has a nonconforming use under the provisions of Chapter 615, Zoning, of this Code, but the provisions of this section shall be complied with notwithstanding that the owner or occupant of any given premises is using or occupying such premises under a valid nonconforming use.
- E. Grease traps. All owners or occupants of premises within the Village containing one or more grease traps shall annually clean accumulations of grease in such grease traps and provide the Village with written notification that they have complied with the terms of this subsection. Written notification that the grease traps have been cleaned shall be provided to the Village Clerk/Treasurer by September 30 of each year and shall identify each trap cleaned and the date on which each trap was cleaned and shall include documentation that the septage was serviced by a person holding a valid Wisconsin septage servicing operator's certificate under Ch. NR 114, Wis. Adm. Code. Any owner or occupant who fails to annually clean his or her grease traps or provide timely notification to the Village Clerk/Treasurer shall be subject to a penalty as provided in § 1-4 of this Code. **[Amended by Ord. No. 2003-01-01]**

