

ORDINANCE NO. 23**OR** 002

An Ordinance revising Chapter 8.32 of the Viroqua Municipal Code.

Section 1: Chapter 8.32 of the Viroqua Municipal Code is revised as follows:

8.32.010 Public Nuisance Declared. Noxious weeds and turf grass which exceeds eight (8) inches in length adversely affect property values and public health and safety and are hereby declared to be a public nuisance.

8.32.020 Weeds designated - Declared noxious. The following plants are declared noxious weeds:

A. Ambrosia artemisiifolia (common ragweed), Ambrosia trifida (giant ragweed), Cirsium vulgare (Bull thistle), Cirsium arvense (Canada thistle), Convolvulus arvensis (Field bindweed), Euphorbia esula (Leafy spurge), Toxicodendron radicans (Poison ivy), Toxicodendron diversilobum (Poison oak), Pastinaca sativa (Wild or Poison parsnip) and Conium maculatum (Poison hemlock).

B. Turf grass over 8 inches in height. (Ord 428, 1991).

8.32.030 Unlawful - Destruction required. No person shall permit any noxious weeds (as defined in section 8.32.020) upon land owned or occupied by said person, nor upon the boulevard or street right of way abutting said person's property; said person shall destroy said noxious weeds. (Ord 428, 1991).

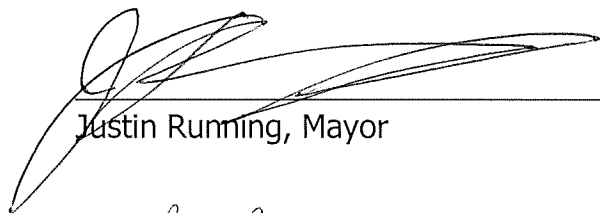
8.32.040 Failure to destroy - Penalty. In the event such person fails to destroy noxious weeds, a citation may be issued for the ordinance violation. Said person shall be required to forfeit not less than \$50 nor more than \$200 for each offense, each day a violation continues being a separate offense, and upon default in payment shall be imprisoned in the county jail until said forfeiture and any costs of prosecution are paid, not exceeding 30 days. (Ord 428, 1991).

8.32.050 Abatement. If the owner/occupant of the property does not contest the citation or is found guilty of the ordinance violation in municipal court and the property is not brought into compliance with this Chapter within forty-eight (48) hours of the municipal court's decision, the weed commissioner or other designated City employee shall destroy or cause such weeds to be destroyed, in the manner deemed to be the most economical method. If the owner/occupant of the property informs the City Clerk of his or her intent to appeal the municipal court decision before the expiration of the forty-eight (48) hours, the City will not take action to abate until either (1) the period to appeal has expired and no appeal has been filed, or (2) a decision is made on the appeal. The cost of abatement shall be assessed against the property (or in the case of boulevards or

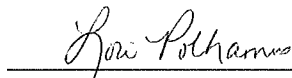
street rights of way, against the abutting property). An account showing the amount chargeable to each piece of land shall be filed with the City Clerk who, in turn, shall mail same to the owner and occupant of the premises. If the statement is not paid in full within thirty (30) days thereafter, the City Clerk may enter the charges in the tax role in a column headed "For the Destruction of Weeds" as a special tax against said lot or parcel of land.

8.32.060 Failure to destroy - rates for City corrective action. The Council shall from time to time by resolution establish rates for the use of City equipment and labor in destroying noxious weeds if any person fails to do so after notification as provided in Section 8.32.030. (Ord 238 §4, 1971).

Section 2: This ordinance shall take force and be in effect upon passage and publication, or publication of a "summary" meaning a brief, precise, and plain-language description that can be easily understood.


Justin Running, Mayor

Date: 3/28/2023


Lori Polhamus, Clerk

Date: 3/28/2023

Passed 1st time at council meeting on 3/14/2023

Passed 2nd time at council meeting on 3/28/2023

Published in Vernon Times on 4/12/2023