

Chapter 19

NOXIOUS WEEDS

- 19.01 Purpose
- 19.02 Designation of Noxious Weeds
- 19.03 Noxious Weed Destruction

19.01 Purpose. The purpose of this ordinance is to provide for the control of noxious weeds in the town.

19.02 Designation Of Noxious Weeds. The following are designated as noxious weeds in the town:

- A. Canada thistle, leafy spurge, and field bindweed (creeping Jenny), as provided by ss. 66.0407 (1) (b), Wisconsin Statutes.
- B. Any weed designated as noxious by the Town Board. The town chairperson shall include those weeds designated as noxious weeds in the Noxious Weed Notice given annually under ss. 66.0407 (4), Wisconsin Statutes.

19.03 Noxious Weed Destruction.

- A. Under ss. 66.0407 (3), Wisconsin Statutes, and this ordinance, a person owning, occupying, or controlling land shall destroy all noxious weeds on the land.
- B. If after publication of the notice required under ss. 66.0407 (4), Wisconsin Statutes, the town board determines after investigation of the conditions on the land that the persons owning, occupying, or controlling the land have failed to destroy all noxious weeds on the land, the town board may cause to be served upon any or all of those persons a copy of the notice required under ss.66.0407 (4), Wisconsin Statutes, together with a statement commanding that the noxious weeds upon the land shall be destroyed within 15 days of the receipt of the notice or the person shall be subject to a forfeiture as provided in the Town of Center Noxious Weed Ordinance. The notice and statement shall be served by registered or certified mail.
- C. Any person upon whom a notice to destroy weeds is served under subsection B may request a hearing before the town board to challenge the reasonableness of the Board's command to destroy weeds. The request for hearing shall be in writing and shall be filed with the town clerk on or before the expiration of the time to destroy the weeds as stated in the notice under subsection B. In the event that a request for hearing is filed, the town board shall set a time and place for the hearing, not less than 5 days after the date the request for hearing is received by the town clerk, and notice of the time and place hearing shall be served upon the person requesting the hearing. No citation or complaint for the recovery a forfeiture under this section may be issued until the completion of the hearing.

Every notice issued under subsection B shall contain a clear statement of the right to request a hearing as provided under this subsection.

D. If any owner, occupant, or person in control of any such land fails, within fifteen days, to cut or to destroy such noxious or invasive weeds, then the Town will abate the violation, by destroying such noxious or invasive weeds, and the costs of abatement, together with the costs of enforcement and administration shall be billed to the landowner. Such costs shall be placed on the tax roll as a special tax to be collected in the manner of other taxes under Chapter 74, Wisconsin Statutes, unless such lands are exempt.

E. The Town shall annually on or before May 15 publish a Class 2 Notice that every person is required by law to destroy all noxious weeds or invasive weeds as determined by the Town Board. Failure to publish said notice shall not be a defense to any prosecution for violation of the provisions of this section.