

TOWN OF SEVASTOPOL ORDINANCE NO. 01-2016

An Ordinance Regulating Noxious Weeds and Terrestrial Invasive Plants in the Town of Sevastopol

The Town Board of the Town of Sevastopol, Door County, Wisconsin, does ordain as follows:

Section 1 -Authority:

This ordinance is adopted pursuant to the authority granted in Wis. Stats. §60.22 (3) and §60.23(8).

Section 2 -Purpose:

This Ordinance is established to prevent the proliferation of noxious weeds and terrestrial invasive plants and require property owners to destroy noxious weeds and terrestrial invasive plants growing upon their property in the Town of Sevastopol and provides the Town enforcement authority to require such action.

Section 3 -Adoption of Statutes and Rules:

Wis. Stats. §66.0407 and §66.0627 along with Wis. Department of Natural Resources Rule NR40 as hereafter amended are adopted by reference.

Section 4 -Destroy Defined:

“Destroy” means the complete killing of the weed or weed plant above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at a time and in a manner as will effectually prevent the weed plant from maturing to the bloom or flower stage.

Section 5 -Noxious Weeds Defined:

“Noxious Weed” means Canada thistle, leafy spurge, field bindweed, any weed designated as a noxious weed by the Department of Natural Resources by rule, and any other weed the governing body of the Town of Sevastopol or the County Board of the County of Door by ordinance or resolution declares to be noxious within its respective boundaries.

Section 6 -Terrestrial Invasive Plants Defined:

“Terrestrial Invasive Plants” means phragmites, wild parsnip, Japanese knotweed, common teasel and cut leaved teasel, any weed or plant designated as an invasive species by the Department of Natural Resources in The Wisconsin Invasive Species Identification, Classification and Control Rule – NR 40.

Section 7 -Noxious Weeds and Terrestrial Invasive Plants Prohibited:

A person owning, occupying or controlling land shall destroy all noxious weeds and terrestrial invasive plants on the land. The person having immediate charge of any public lands shall destroy all noxious weeds and terrestrial plants on the land.

Section 8 -Public Notice:

The Town Clerk shall on or before May 15 of each year publish a class 2 notice under Ch. 985, that every person is required by law to destroy all noxious weeds and terrestrial invasive plants, as defined in this ordinance, on lands in the Town which the person owns, occupies or controls.

Section 9 -Enforcement:

The Town Weed Commissioner shall enforce this section. If any person fails to comply with the provisions of this Ordinance, the Town may, after five (5) days written notice to the property owner, cause the premises to be mowed or sprayed and shall report the cost thereof to the Town Clerk. This cost shall be entered on the tax roll as a special charge for services under Wis. Stats. §66.0627. The property owner shall notify the weed commissioner of compliance with the notice and provide proof thereof, immediately; failure to do so may cause enforcement action to commence at the property owners expense.

Section 10 -Penalties:

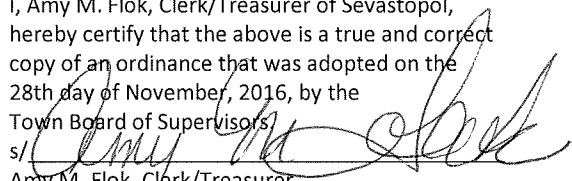
Any person owning, occupying or controlling land in the Town of Sevastopol who fails to destroy all noxious weeds and terrestrial invasive plants as required herein shall forfeit not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars. Each day that a violation exists is considered a separate violation. In addition, the court may impose upon each person violating this Ordinance an assessment for court costs and fees, including reasonable attorney fees, incurred by the Town in enforcement of this section.

EFFECTIVE DATE: This ordinance shall become effective after the date of its passage and publication as required by law.

Roll Call Board Members	Aye	Nay	Exc.
John Staveness	x		
Chuck Tice	x		
Tony Haen	x		
Dan Woelfel	x		
Leo Zipperer	x		

Certification

I, Amy M. Flok, Clerk/Treasurer of Sevastopol, hereby certify that the above is a true and correct copy of an ordinance that was adopted on the 28th day of November, 2016, by the Town Board of Supervisors.


s/ Amy M. Flok, Clerk/Treasurer
Town of Sevastopol