

ORDINANCE NO. 52

An Ordinance Regulating the Length of
Lawn and Grasses in the Village of Marquette

The Village Board of the Village of Marquette in session begun on the 20th day of
April, 2006, does ordain as follows:

SECTION 1:

- a. **Purpose**
This Section is adopted due to the unique nature of the problems associated with lawns and grasses being allowed to grow to excessive length in the Village of Marquette.
- b. **Public Nuisance Declared**
The Village Board finds that lawns and grasses on lots or parcels of land which exceed six (6) inches in length on occupied parcels adversely affect the 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, interfering with public convenience and adversely affects property value of other land within the Village. For that reason, any lawn or grass on a lot or other parcel of land which exceeds six (6) inches in length on any parcel is hereby declared to be a public nuisance.
- c. **Nuisances Prohibited**
No person, firm, company or corporation shall permit any public nuisance as defined in Subsection (b) above to remain on any premises owned or controlled by him/her within the Village.
- d. **Inspection**
The Weed Commissioner or his/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, the Weed Commissioner shall immediately cause written notice to be served, by the Village Clerk, that the Village proposes to have the lawn or lot grass cut so as to conform with this Section.
 2. The notice shall be mailed or served on the owner of the lot or parcel of land or, if the owner is not known and there is a tenant occupying the property, then to the tenant, and notify the owner or tenant that said lawn must be cut to comply with this section within seven (7) days or the Village will cut said lawn at the owners/tenants expense.

f. **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/her/their lawn or grass as set forth above, then, and in that event, the Village may elect to cut said lawn or grass as follows:

1. The written notice required in Subsection (e) shall inform said person that in the event of his/her/their 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 from the subject's property and shall charge the expenses of doing so at the rate as established by hiring a reputable lawn mowing or landscaping service, whose business it is to cut lawns or grass. The charge shall be set forth in a statement to the Village Clerk 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 thirty (30) days thereafter, the Village Clerk shall enter the charges on the tax roll as a special tax (local charge) 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 Sec. 66.0627 of the Wisconsin Statutes.

SECTION 2: This ordinance shall take effect from and after its passage and posting as required by law.

ROLL CALL: Ayes: 3 Nays: 0 Absent: 0 Abstain: 0

Passed and adopted this 20th, day of April, 2006.

Attest:

Deborah J. Flagel
Deborah J. Flagel, Clerk

APPROVED AS TO FORM

[Signature]
Village Attorney

VILLAGE OF MARQUETTE

John L. Ouellette
John L. Ouellette, President

David W. Zeh
David W. Zeh, Trustee

Jason A. Winchell
Jason A. Winchell, Trustee

Posted 04-20-2006

Effective 04-21-2006