

CHAPTER 18
TOWN OF DECATUR
LITTERING ORDINANCE

WHEREAS the Town Board of the Town of Decatur has determined that it is in the best interest of the health and safety of the citizens of the Town to control littering,

AND WHEREAS the problem of littering is becoming an increasing problem,

BE IT THEREFORE ORDAINED:

SECTION 1: WASTE: No person, business, or corporation shall throw any glass, cans garbage, rubbish, waste, slop, dirty water, noxious liquid, or other litter or unwholesome substance (hereafter referred to as "waste"), upon the streets, alleys, sidewalks, highways, public parks, public accesses, or other property of the Town or upon any private property not owned by him or upon the surface of any body of water within the Town.

SECTION 2: YARD WASTE: No person, business, or corporation shall cause grass, leaves or any form of yard waste (hereafter referred to as "Yard Waste") to enter upon public property or in any public body of water within the Town if the grass, leaves, or yard waste would create a hazardous condition to the general or motoring public.

SECTION 3: DEBRIS: No person, business, or corporation shall operate, park, or store a motor vehicle so as to cause mud, dirt, manure, stones, or vehicle fluids or lubricants (hereafter referred to as "Debris") to become deposited upon public property or in any public body of water within the Town.

SECTION 4: PUBLIC NUISANCE DECLARED: The depositing of Waste, Yard Waste, or Debris on said public property or in any public body of water within the Town is hereby declared a nuisance.

SECTION 5: ENFORCEMENT: The Town of Decatur Town Board shall be responsible for the enforcement of this ordinance.

(a.) **PENALTY:** Any person, business, or corporation violating Sections 1, 2, or 3 of this ordinance shall be responsible to clean or remove the Waste, Yard Waste, or Debris from the public property, or any public body of water within the Town, and shall be subject to a fine of \$100.00.

(b.) **SPECIAL CHARGES:** In addition to the penalties provided for in the violation of this ordinance, the Town of Decatur may remove or contract to have removed, any Waste, Yard Waste, or Debris deposited on the aforementioned public property or public body of water. Any cost incurred by the Town in order to remove the materials shall be deemed a special charge for current services. If not paid within thirty (30) days of being invoiced, the special charge, together with interest calculated at the rate of one and one-half percent (1 1/2 %) per month from the date of the invoice, shall be a lien upon the property from which the Waste, Yard Waste, or Debris emanated. Said

special charge shall be included in the current or next tax roll for collection and settlement in accordance with the provisions of Wisconsin Statutes, Chapter 74.

SECTION 6: APPEAL: The issuance of an invoice shall be deemed notice to the property owner of the special charge in accordance with the provisions of Wisconsin Statutes 66.0627. Any property owner may, within thirty (30) days of the date of the invoice appeal the special charge to the Town Board by providing written notice of any objection to the special charge. The Town Board, upon receipt of such objection, shall place the objection on the Town Board agenda for review and consideration. Notice of the Town Board meeting shall be provided to the party objecting to the special charge. The Town Board shall, after hearing the objection, either affirm, affirm in part, or rescind the special charge. The decision of the Town Board shall be final.

Adopted this 17th day of January, 2017

By the Town Board of the Town of Decatur

Allen Schneider, Town Chairperson

Ronald L. Schwartzlow, 1st Supervisor

Robert A. Gadow, 2nd Supervisor

Attested by:

Ann L. Schwartz, Clerk/Treasurer