

ORDINANCE NO. 1183  
AN ORDINANCE AMENDING CHAPTER EIGHT  
IN THE MUNICIPAL CODE OF THE CITY OF CHILTON

The Common Council of the City of Chilton do ordain as follows:

**SECTION I:** Chapter 8 to be revised to include:

8.02(2)(f) All noxious weeds and other rank growth of vegetation. Noxious Weeds can be defined as "any species of plants, either annual, biennial, or perennial, reproduced by seed, root, underground stem, or bulblet, which when established is or may become destructive and difficult to control by ordinary means of cultivation or other farm practices." The main differences between a common weed and a noxious weed are: the noxious weed's high capacity for destruction and the extreme difficulty in controlling or eradicating the invading species.

A noxious weed is a plant that has been defined as a pest by law or regulation. The U.S. government maintains lists of plants that are considered threats to the well-being of the state or the country.

Rank Growth of vegetation can be defined as any growth in excess of 8 inches in residential areas and 12 inches in undeveloped areas of commercial or industrial zoning. (ORD # 1183 7/6/21)

8.02 ( 5) PUBLIC NUISANCE AFFECTING PROPERTY USAGE

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the provisions of subsection (1) of this section.

- (a) Any structure or accessory structure with broken or missing siding, shingles or exterior woodwork, crumbling stone, or brick, excessive chipped, peeling, or lack of paint, missing, broken, or deteriorating steps, porches, handrails and guardrails or any other conditions reflective of deterioration and/ or inadequate maintenance or as may, in the opinion of a reasonable person, tend to depreciate property values in the area or create a nuisance or hazard.
- (b) Any residential and non-residential premises in the city that harbor any junk, debris or condition, including, but not limited to: wood, bricks, concrete rubble, cinder block or other building materials, scrap metal, tree limbs or brush, tree stumps with a height greater than their diameter, diseased or dead trees or other yard waste, household garbage or refuse not

properly contained or stored, inoperable vehicles, motor or recreational, or parts thereof and inoperable machinery or parts thereof (except when housed inside out of public view), refrigerators, stoves, washing machines, dryers, or other appliances, water heaters, dilapidated dog houses or animal cages, animal waste, upholstered furniture, mattresses, bedsprings or other furniture not intended for exterior use by the manufacturer and used or stored on open porches or in yards.

- (c) Any residential and non-residential premises in the city that, has amassed dirt piles, rubble and any other material or conditions which might hinder maintenance of the property, except that dirt piles used for landscaping purposes.
- (d) Any residential and non-residential premises in the city that has allowed insects, rodents, pigeons, or other pests when the infestation is caused by failure of the owner or operator to maintain the building in a rodent or pigeon proof or substantially insect proof condition.
- (e) Any residential and non-residential premises in the city that has allowed the infestation of mice, rats, other rodents, or insects in, under or near stacked firewood or allow any brush, debris or refuse from the processing of firewood to remain anywhere on the property.
- (f) Any residential and non-residential premises in the city that has allowed the driveway, approaches, parking, and loading areas to, in the opinion of a reasonable person, become muddy or of poor condition due to lack of durable base or surface such that material (e.g. mud, gravel, stone) is deposited on the sidewalk, approach, gutter or street. (ORD # 1183 7/6/21)

#### 8.03 CHRONIC NUISANCE PREMISES. (Ord. No. 1090 6/19/12)

- (1) The Chief of Police or any officer designated are responsible to enforcement action arrest, the issuance of a citation, the issuance of a written or verbal warning.

#### 8.03 (2)(t) Parking violations as defined in Chapter 16 of the City of Chilton Municipal Codes

8.06 (1) ENFORCEMENT. The Chief of Police, the Chief of the Fire Department, the Building Inspector or City Administrator shall enforce those provisions of this Chapter that come within the jurisdiction of their offices, and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated and that reasonable standards are maintained. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does in fact exist. Standards, as determined by a reasonable person, can be defined by the following:

- (a) The exterior of every structure or accessory structure, residential and non-residential, including fences, shall be maintained by the owner, occupant or person authorized to use same, in good repair and all exterior surfaces thereof

shall be kept painted or covered with exterior siding material intended for that use by the manufacturer for purposes of preservation and appearance. The owner and occupant of any premises shall be responsible for proper and sanitary storage of all solid waste accumulated at that premises until collected by the collecting and transporting service. A cart, even if used for storage purposes, shall not be placed in the front yard of a property except when put out for collection. Timelines for remediation and or repair of any and all properties will vary by occupancy status and time of year taking into account climate and conditions needed to facilitate repairs.

(b) On all Lots in residentially developed areas shall be kept free, by the owner, occupant, or person authorized to use same, of dirt piles, rubble and any other material or conditions which might hinder maintenance of the property, except that dirt piles used for landscaping purposes shall be leveled and said areas seeded with grass within thirty (30) days of the date of delivery of the dirt. Dirt piles in commercially and industrially zoned areas shall be removed within one (1) year of the date of deposit on the property, except those used in conjunction with properly zoned landscaping businesses or contractor's yards.

(c) Firewood Storage. Except for temporary storage for a period not to exceed 14 days from the date of delivery to the property, all firewood shall be stored behind the front line of the residential structure and no closer than one foot to an adjacent property line. Such storage shall not exceed five feet above grade or the height of the fence when stored adjacent to said fence. All firewood shall be stacked neatly and in stable condition. No person shall permit the infestation of mice, rats, other rodents, or insects in, under or near the stack. No person shall allow any brush, debris or refuse from the processing of firewood to remain anywhere on the property. Not more than ten (10) percent of the side yards and rear yard combined may be used for the storage of firewood at any time.

(d) Every owner or operator of residential or nonresidential structures shall be responsible for the extermination of any insects, rodents, pigeons, or other pests when the infestation is caused by failure of the owner or operator to maintain the building in a rodent or pigeon proof or substantially insect proof condition. All openings or areas where rodents, pigeons and insects might enter the building shall be effectively sealed.

(e) In addition to the "Inspection Service Fee" described in (f) below, any violation of this section may be abated pursuant to section 20.04 of the municipal code.

(f) Inspection Service Fees

1) The property owner shall be assessed a separate inspection service fee of \$100.00 for violations of this section as verified by the City after an inspection. This inspection service fee shall be in addition to any other fees or special charges authorized by the Municipal Code. Inspection service fees may be placed

as a special charge against the property as allowed by statute without further notice if they remain unpaid thirty days after an invoice is mailed to the owners last known address.

2) The fees referred to in this section and other sections of this article shall be established by the governing body and may from time to time be modified by resolution. A schedule of the fees established by the governing body shall be available for review at City Hall.

(g) PENALTY. Any person who shall violate any provision of this chapter shall be subject to the penalty provided by Sec. 20.04 of this Code. (ORD # 1183 7/6/21)

8.06(2)(5) PENALTY. Any person who shall violate any provision of this chapter shall be subject to the penalty provided by Sec. 20.04 of this Code.

**SECTION II:** The Municipal Code is amended in conformity with this ordinance.

**SECTION III:** This ordinance shall take effect upon its passage and publication in accordance with law.

Ordinance No. 1183 introduced, and its adoption moved by Alderman Deehr, seconded by Alderman Gruett.

**Roll Call Vote Indicated:**

Council member Robbie Seipel	aye
Council member Jon Kragh	absent
Council member Joe Schoenborn	aye
Council member Ron Gruett	aye
Council member Jeff Moehn	aye
Council member Andrew Deehr	aye
Council member Kathleen Schmitzer	aye
Council member Peggy Loose	aye

Upon a call of votes thereon, the result was as follows:

7 Votes Cast  
7 Votes Aye  
0 Votes Nay

The mayor declared Resolution No. 1183 adopted and approved this 6th day of July 2021.

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Thomas Reinl, Mayor

ATTEST: \_\_\_\_\_  
David DeTroye - City Administrator/Clerk/Treasurer