

**VILLAGE OF MOUNT CALVARY
FOND DU LAC COUNTY, WISCONSIN**

PLANT AND WEED CONTROL ORDINANCE

BE IT ORDAINED, by the Board of Trustees of the Village of Mt. Calvary, Fond du Lac County, Wisconsin, as follows:

SECTION 1. HEIGHT LIMITATIONS

No person shall permit any weeds, grass or plants, other than trees, bushes, native grasses, flowers or other ornamental plants, to grow to a height to exceed five inches (5") anywhere in the Village, except upon vacant parcels and areas not plainly visible from streets or residences.

SECTION 2. NOXIOUS WEEDS

Canada thistle, leafy spurge, field bindweed (creeping Jenny), goldenrod, ragweed and all other plants which: (a) are not generally grown or cultivated for nutritional, medicinal or ornamental value and (b) either grow aggressively so as to tend to crowd or choke out desirable plants or are generally known to cause allergic reactions in susceptible humans, are hereby declared to be noxious weeds. Any person owning, occupying or controlling land shall destroy all noxious weeds on such land.

SECTION 3. WEED COMMISSIONER

The Village President shall appoint a Weed Commissioner on or before May 15 of each year and such Weed Commissioner shall take the official oath which shall be filed in the Village office and shall hold office for one (1) year and until a successor has qualified or until the Village President determines not to appoint a Weed Commissioner. The Weed Commissioner shall carefully investigate concerning the existence of growing matter which is in violation of Section 1 of this ordinance and shall by regular mail give written notice of such violation to the owner, occupant or person having control of the land where such growing matter is found to cut, destroy and remove such growing matter within seven (7) days. For each day or part thereof that the Weed Commissioner devotes to destroying such growing matter, the Weed Commissioner shall receive such compensation as shall be determined by the Village Board. The amounts paid to the Weed Commissioner for destroying or cutting such growing matter on each separate parcel of land shall be billed to the owner thereof and if not paid shall be charged against the parcel and placed upon the tax roll and collected as a tax in the manner set forth in Wis. Stat., sec. 66.0517.

SECTION 4. NOTICE TO PUBLIC

The Village President shall annually, on or before May 15 of each year, cause to be published a Class II notice under chapter 985 of the Wisconsin Statutes, that every person is required by law to destroy all noxious weeds and to cut all other growing matter regulated by this ordinance to a height of not more than five inches (5").

SECTION 5. SEVERABILITY

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Kenneth Mertens
Village Chairperson

Attest:

Mary Mihm
Village Clerk

Adopted this 2nd day of December, 2003.

Published this _____ day of _____, 2003.