

**ORDINANCE NO. 2026-\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 321 OF THE CODE OF ORDINANCES OF THE CITY OF RICHLAND CENTER RELATING TO CONTROL OF WEEDS, GRASSES AND BRUSH**

**WHEREAS**, the Common Council of the City of Richland Center finds that excessive growth of weeds, grasses, and brush and the accumulation of cut vegetation constitute a public nuisance affecting public health, safety, and welfare; and

**WHEREAS**, Wisconsin law authorizes municipalities to regulate weeds and grasses, abate public nuisances, recover costs incurred, and impose special charges pursuant to Wis. Stat. §§ 66.0407, 66.0517, and 66.0627; and

**WHEREAS**, the Common Council desires to simplify and clarify enforcement procedures, improve compliance, and ensure recovery of actual City costs associated with nuisance abatement;

**NOW THEREFORE BE IT ORDAINED**, by the Common Council of the City of Richland Center, Richland County, Wisconsin, as follows:

**SECTION 1. Repeal and Recreation of Chapter 321**

Chapter 321 of the Code of Ordinances of the City of Richland Center is hereby repealed and recreated in its entirety to read as follows:

**CHAPTER 321**

**CONTROL OF WEEDS, GRASSES AND BRUSH**

**321.01 Purpose**

This Chapter is enacted to protect public health, safety, and welfare by regulating the growth of weeds, grasses, and brush, authorizing enforcement and abatement of noncompliant conditions, and providing for cost recovery.

**321.02 Definitions**

For purposes of this Chapter:

- (1) **Grass and Weeds:** All grasses and weeds other than noxious weeds.
- (2) **Noxious Weeds:** Those plants designated as noxious weeds under Wis. Stat. §66.0407, as amended.
- (3) **Brush:** Woody vegetation other than trees.
- (4) **Natural Landscape:** A landscape consisting predominantly of grasses, forbs, or wildflowers native to Wisconsin that is intentionally designed and maintained to replicate a native landscape and that may exceed the height limits otherwise established in this Chapter.
- (5) **Owner:** The record owner of the property as shown by the records of the Richland County Treasurer for mailing of real estate tax bills.

**321.03 Duty to Mow and Maintain**

- (1) Every owner shall mow and keep mowed all grasses and weeds (other than noxious weeds) on their property to a height not exceeding six (6) inches above ground level.
- (2) Accumulated cut grass, weeds, brush, or similar vegetative material shall be removed from the property and properly disposed of.
- (3) No owner shall permit noxious weeds to grow or pollinate on any property.
- (4) Owners shall maintain the area between their lot line and the curb or pavement edge of any abutting public street in compliance with this Chapter.
- (5) The City recognizes that some occupants may require assistance to comply with this section. This provision does not create an exemption or extension of time, and the responsibility to ensure compliance remains with the owner, occupant, or person in charge of the property.

#### **321.04 Public Nuisance**

Any violation of this Chapter is declared a public nuisance.

#### **321.05 Exceptions**

The following are exempt from the height requirements of this Chapter, provided no noxious weeds are present:

- (1) Property enrolled in a state or federal agricultural, conservation, or environmental program.
- (2) Wetlands, wooded areas, or undeveloped lands where mowing would be impractical or environmentally harmful, as determined by the City.
- (3) Natural Landscapes may exceed the height limits of this Chapter only if they are intentionally planted and maintained so as not to create a public nuisance or allow the spread of noxious weeds. Failure to maintain a Natural Landscape in compliance with this subsection shall constitute a violation of this Chapter.

Natural Landscapes:

- a. Shall be located only on property owned by the owner maintaining the Natural Landscape;
- b. Are prohibited within any public street right-of-way or on City-owned property; and
- c. Shall not be permitted within three (3) feet of an abutting property line unless written consent is provided by the adjoining property owner.

#### **321.06 Failure to Comply; Abatement**

- (1) If grasses, weeds, or brush are not cut, removed, or otherwise brought into compliance with this Chapter, the City may cause such grasses, weeds, or brush to be cut or removed beginning the following morning after the violation exists.
- (2) The City may, as a courtesy, place a door hanger on the front or apparent main door of a structure on the premises, informing the owner or person in possession of the duty to

comply with this Chapter. However, failure of the City to place such a door hanger shall not relieve the owner, occupant, or person in charge of the property from the requirements of this Chapter and shall not prevent the City from proceeding to perform the abatement and collect the costs thereof.

- (3) All costs incurred by the City, including labor, equipment, materials, and an administrative fee, shall be charged to the property owner. Labor and equipment charges shall be assessed at a minimum of one-half ( $\frac{1}{2}$ ) hour per occurrence.
- (4) Upon request, an elderly or disabled owner may be granted a reasonable extension of time to secure assistance or hire a contractor, provided that conditions do not pose an immediate public nuisance.

#### **321.07 Billing; Delinquency; Special Charge**

- (1) The City shall mail a bill for abatement costs and administrative fees to the landowner at the address shown by the records of the Richland County Treasurer for mailing of real estate tax bills for the property.
- (2) If the costs are not paid within thirty (30) days after the billing is mailed, the charge shall be delinquent and shall become a lien against the property as of the date of delinquency.
- (3) The delinquent special charge shall be included in the current or next tax roll for collection and settlement pursuant to Wis. Stat. §§ 66.0627 and Ch. 74.

#### **321.08 Citations and Penalties**

- (1) Violations of this chapter may be enforced by citation whether or not the City performs abatement, and issuance of a citation shall not preclude abatement or recovery costs.
- (2) Any person who violates any provision of this chapter shall, upon conviction, forfeit not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each separate offense, together with all applicable court costs, fees, surcharges, and assessments as provided by law. Each day a violation continues shall constitute a separate offense.
- (3) For purposes of determining forfeiture amounts, offenses shall be tracked on a calendar-year basis, with each calendar year beginning January 1.
- (4) The specific forfeiture amounts to be imposed for first, second, and subsequent offenses shall be established by resolution of the Common Council.

#### **321.09 Administrative Fee**

When the City performs abatement under this chapter, an administrative fee will be assessed in addition to actual abatement costs. The administrative fee is intended to recover costs associated with inspection, documentation, equipment coordination, billing, and enforcement, and shall be established by resolution of the Common Council.

#### **321.10 Enforcement Authority**

Citations for violations of this chapter may be issued by any person authorized under

Section 980.06 of the Code of Ordinances, as amended by Ordinance 2025-06.

**SECTION 2. Repeal of Conflicting Provisions**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3. Severability**

If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions.

**SECTION 4. Effective Date**

This ordinance shall take effect upon passage and publication as provided by law.

**ADOPTED** by the Common Council of the City of Richland Center on this 3<sup>rd</sup> day of February, 2026 by the following votes: AYES \_\_\_\_\_, NOS \_\_\_\_\_.

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Todd Coppernoll, Mayor

Attest:

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Misty Molzof, Deputy Clerk