

## Chapter 307

### WEEDS AND MANAGED NATURAL LANDSCAPES

#### GENERAL REFERENCES

Streets and sidewalks — See Ch. 265.

Trees — See Ch. 282.

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#### § 307-1. Authority; purpose.

- A. Authority. This chapter is adopted pursuant to authority conferred by §§ 66.0407 and 66.0517 and Chapter 60, Wis. Stats.
- B. Purpose. The purpose of this chapter is to promote the public health, safety and welfare of the Town of Greenville by requiring the destruction of noxious and nuisance weeds and establishing minimum landscape maintenance standards for lots within recorded subdivision plats and lots located within the Town of Greenville Sanitary District No. 1.

#### § 307-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**DESTROY** — The complete killing of weeds or the killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at a time and in a manner as will effectively prevent weed plants from maturing to the bloom or flower stage.

**MANAGED NATURAL LANDSCAPE** — Native and naturalized plants, including but not limited to ferns, wildflowers, grasses, shrubs and trees grown in a managed landscape; provided, however, that noxious weed and nuisance weeds are prohibited and subject to destruction under § 307-3A.

**NOXIOUS WEEDS** — Canada thistle, leafy spurge and field bindweed (creeping jenny).

**NUISANCE WEEDS** — Any nonnative member of the genus *Lythrium* (purple loosestrife) or hybrids thereof, multiflora rose, common ragweed (*Ambrosia artemisiifolia*), giant ragweed (*Ambrosia trifida*) and burdock (*Arctium* spp.).

**RECORDED SUBDIVISION PLAT** — A subdivision plat recorded with the Outagamie County Register of Deeds office under plats.

**SANITARY DISTRICT** — The Town of Greenville Sanitary District No. 1.

#### § 307-3. Destruction of weeds; maintenance of lots and landscapes.

- A. Destruction of noxious weeds. Any person owning, occupying or controlling land within the Town of Greenville shall destroy all noxious weeds on the land.
- B. Maintenance of lots and yards.
  - (1) Any person owning, occupying or controlling any developed lot or yard within a recorded subdivision plat or within the Sanitary District shall remove or cut all untended and unmanaged weed and grass growth which has grown to a height greater than 10 inches.
  - (2) Any person owning, occupying or controlling any undeveloped lot or yard within a recorded subdivision plat or within the Sanitary District shall remove or cut unattended and unmanaged weed and grass growth within a fifty-foot swath on the property along the border of any adjacent rights-of-way or any adjacent developed property with buildings.
- C. Maintenance of managed natural landscape. Any person owning, occupying or controlling any lot or yard within a recorded subdivision plat or within the Sanitary District containing a managed natural landscape shall destroy all noxious weeds and nuisance weeds.

#### **§ 307-4. Enforcement; records.**

- A. Town Weed Commissioner. The Town Weed Commissioner shall investigate the existence of noxious weeds within the Town, and nuisance weeds and untended and unmanaged weed and grass growth which has grown to a height greater than 10 inches on a lot or yard within a recorded subdivision plat or within the Sanitary District. Upon discovering the existence of noxious weeds, the Weed Commissioner may notify the office of the Clerk to give 10 days' written notice by mail to the owner or occupant of the land containing noxious weeds to destroy such weeds. If a person fails or neglects to destroy, remove, or cut such vegetation as required in § 307-3, the Weed Commissioner shall destroy or cut such vegetation in the most economical manner. The Weed Commissioner, or designee, may enter upon lands to cut, remove or destroy such without being liable to an action for such trespass or any other action for damages resulting from the entry, cutting, removal, or destruction if reasonable care is exercised.<sup>1</sup>
- B. Records and charges. The Weed Commissioner shall keep a written account specifying by separate items the amount chargeable to each piece of land, describing the land, which shall be filed with the Town Clerk. The Clerk shall enter the amount chargeable to each piece of land in the next tax roll in a column headed "For the Destruction of Weeds," as a tax on the lands upon which weeds were destroyed, cut or removed. The tax shall be collected under Chapter 74, Wis. Stats., except in case of lands which are exempt from taxation, railroad lands

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

or other lands for which taxes are not collected under Chapter 74. A delinquent tax may be collected as is a delinquent real property tax under Chapters 74 and 75 or as is a delinquent personal property tax under Chapter 74. In case of railroad lands or other lands for which taxes are not collected under Chapter 74, the amount chargeable against these lands shall be certified by the Town Clerk to the State Treasurer, who shall add the amount designated to the sum due from the company owning, occupying or controlling the lands specified.