CHAPTER 5

HEALTH

5.01 WEEDS. (a) The provisions of Sections 66.0407 and 66.0517, as amended, of the Wisconsin Statutes relating to the regulation and control of weeds are hereby adopted by reference.

(b) The term “noxious weeds” as used herein shall include the following: canada thistle, leafy spurge, field bindweed (creeping jenny), whorled milkweed, bull thistle, common ragweed, giant ragweed, wild parsnip, nettles, burdock, wild hemp (marijuana), poison ivy, poison oak, jimsonweed, common cocklebur, black nightshade, any weed designated as a noxious weed by the Department of Natural Resources by rule, any other weed declared to be noxious by ordinance or resolution of the Common Council, and any growth of weeds, grasses or lawns over eight (8) inches in height, as defined in subsection (d).

(c) The Office of Weed Commissioner is hereby created. The powers and duties of the Weed Commissioner as set forth in this section are hereby conferred upon and combined with the Director of Public Works.

(d) No person shall permit or maintain any growth of weeds, grasses or lawns over eight (8) inches in height, measured from the ground surface, except those areas designated as follows:

1) Those areas more than 400 feet from property containing a residential dwelling unit.

2) All other areas more than 400 feet from a parcel containing a structure in use.

3) Cultivated flowers or gardens or natural lawns.

4) Areas enrolled in federal or state agricultural set aside programs as of March 1, 1998. Such areas may be re-enrolled in these programs, subject to federal and state rules and regulations. Such areas must comply with applicable federal and state rules and regulations regarding mowing and noxious weeds.

(e) The Weed Commissioner shall enforce this section of the Municipal Code, and if any person shall fail to comply herewith, the Weed Commissioner shall, after 5 days written notice to the owner, cause the property to be mowed and report the cost thereof in writing to the City Clerk. The cost thereof shall be placed on tax rolls.
as a tax on the lands upon which such weeds, grasses, lawns or noxious weeds were cut, as set forth in Section 66.0517 of the Wisconsin Statutes.

(f) An administration charge, as set by resolution by the Common Council, shall be added to bills where the property owner fails to mow his property and thereby causes the City to perform the work and that any amount not paid within 30 days shall bear interest at the rate of one percent per month until fully paid.

5.02 BURNING REFUSE. (Repealed)

5.03 GARBAGE AND REFUSE ACCUMULATIONS, JUNK VEHICLES. (a) No person shall permit any garbage, rubbish or refuse matter to accumulate on premises occupied by him or on any unoccupied premises owned by him so as to render the premises unsanitary or detrimental to public health or safety.

(b) No person shall permit any junked or abandoned vehicle to be stored or parked on any premises occupied by or owned by him. A vehicle shall be considered junked or abandoned if it is not licensed for the current license year or if it is not in operable condition for a consecutive period of 30 days. A vehicle which is not in compliance with Wisconsin Administrative Rules for Motor Vehicle Equipment (MVD 5) is not in operable condition.

(c) If any person fails or neglects to remove any garbage, rubbish or refuse matter or any junked or abandoned vehicle on premises occupied by him or owned by him after being requested to do so in writing by an official of the City of Platteville, the City of Platteville may have such garbage, rubbish or refuse or junked or abandoned vehicle removed from said premises and, in addition to any penalty provided for the violation of this section, the occupant or owner of said premises shall pay the cost of such removal, in addition to an administration charge of $40.00 per parcel and that any amount not paid within 30 days shall bear interest at the rate of one percent per month until fully paid.

(d) No person owning, leasing, occupying or having charge of any premises shall place or allow to remain outdoors and exposed to the elements, any chair, sofa, bed, table or other related or similar furniture, which is not designed or intended for outdoor use and which may be susceptible to deterioration or which may provide a harborage for rodents. This section shall not apply to furniture which is placed outside as refuse for collection and disposal, or which is in an enclosed porch.

5.04 SWIMMING POOL FENCES. (a) No person, firm or corporation in possession of land in the City of Platteville, either as owner, purchaser under contract, lessee, tenant or licensee shall maintain a swimming pool thereon unless all the requirements of this section are complied with.
(b) A swimming pool within the meaning of this section shall be any depression in the ground either temporary or permanent or a container of water either temporary or permanent and either above or below the ground in which water of more than 12 inches in depth is contained and which is used primarily for the purposes of bathing and swimming.

(c) Every person, every member of a partnership and every corporation that owns, directly or indirectly, or operates or uses or has custody or control of or has the right to use any swimming pool located in the City of Platteville shall erect and maintain a fence or barriers at least 5 feet in height around such swimming pool and of such construction as to safeguard a child less than 10 years of age from falling into such swimming pool. All gates or other openings in such fence or barrier shall be of a self-latching nature and shall be closed and locked when the swimming pool is not in use.

(d) All fences constructed in compliance with this section shall conform to all other ordinances in the City of Platteville relating to fences and shall be so constructed that no opening is allowed larger than 6 square inches. If wire is used, no material lighter than 12 gauge wire shall be allowed. If wood fencing is used, no less than one inch nominal boards shall be allowed. Fence structures must start not more than 3 inches above ground level.

(e) Abandoned pools or unused pools situated on residential premises which are not occupied or dwelt in for periods of 30 days or more shall be completely drained or equipped with a secure swimming pool cover capable of supporting an adult weighing 150 pounds.

(f) All swimming pools existing at the time of the passage of this section shall comply with the terms of this section within 90 days after its passage and publication as required by law.

(g) Any person or persons violating the provisions of this section shall, upon conviction thereof, be fined not less than $10 nor more than $200, together with the costs of prosecution. Each day that a violation of this section shall continue shall be deemed a separate offense.

5.05 CLEAR WATER DRAINAGE. No landowner or tenant shall suffer or permit any drainage from roofs, patios, swimming pools, drain tiles, or any other clear water source on land owned or occupied by him into the sanitary sewer system of the City of Platteville. Under this section clear water sources shall be those sources of water wherein such water is not used for sewage purposes. If any dispute or disagreement of any kind exists as to whether any source of water is a clear water source, the Director of Public Works is hereby authorized and empowered to make the final decision on such question.
5.50 PENALTY AND ENFORCEMENT. (a) Forfeiture Penalty. The penalty for violation of any provisions of this chapter shall be a forfeiture as hereinafter provided, together with the costs of prosecution and any penalty assessment imposed by Wisconsin Statutes.

(b) Forfeiture Schedule. The penalty for violation of any provision of this chapter shall be as set forth on the forfeiture schedule adopted by Section 1.10 of this code, with a maximum forfeiture of $150.00.