

**TOWN OF CLAYTON
WEED CONTROL ORDINANCE
CHAPTER 4.10**

AN ORDINANCE REGULATING NOXIOUS AND NUISANCE WEEDS THROUGHOUT THE TOWN OF CLAYTON AND ESTABLISHING LOT MAINTENANCE STANDARDS FOR LOTS WITHIN A RECORDED SUBDIVISION PLAT OR WITHIN A SANITARY DISTRICT WITHIN THE TOWN OF CLAYTON, COUNTY OF WINNEBAGO, STATE OF WISCONSIN.

Section 1.0 INTRODUCTION

1. **Authority.** This ordinance is adopted pursuant to authority conferred by Section 66.0407 and 66.0517 and Chapter 60, Wis. Stats.
2. **Purpose.** The purpose of this ordinance is to promote the public health, safety, and welfare of the Town of Clayton by requiring the destruction of noxious and nuisance weeds and establishing minimum landscape maintenance standards for lots within a recorded subdivision plat or within a Sanitary District in the Town of Clayton, County of Winnebago, State of Wisconsin.

Section 2.0 DEFINITIONS

1. **"Destroy"** means 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.
2. **"Managed Natural Landscape"** means native and naturalized plants including but not limited to ferns, wildflowers, grasses, shrubs and trees grown in a managed landscape, provided, however, that noxious weeds and nuisance weeds were prohibited and subject to destruction under Section 3 (1).
3. **"Noxious Weeds"** means Canada thistle, leafy spurge, and field bindweed (Creeping Jenny).
4. **"Nuisance Weeds"** means any non-native member of the genus *Lythrum* (Purple loosestrife) or hybrids thereof, multiflora rose, common ragweed (*Ambrosia artemisiifolia*), giant ragweed (*Ambrosia trifida*), and burdock (*Actrium* spp.).
5. **"Recorded Subdivision Plat"** means a subdivision plat recorded with the Winnebago County Register of Deeds office under plats.
6. **"Town of Clayton"** means the Town of Clayton, Winnebago County, Wisconsin.

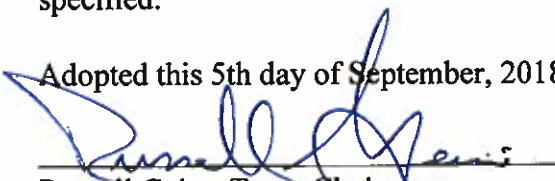
Section 3.0 GENERAL PROVISIONS


1. Destruction of Noxious Weeds. Any person owning, occupying, or controlling land within the Town of Clayton shall destroy all noxious weeds on the land.
3. Maintenance of Lots and Yards. Any person owning, occupying, or controlling any lot or yard within a recorded subdivision plat or within a Sanitary District in the Town of Clayton, County of Winnebago, State of Wisconsin shall remove or cut untended and unmanaged weed grass growth which has grown to a height greater than 10 inches.
2. 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.

Section 4.0 ENFORCEMENT

1. 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 a Sanitary District in the Town of Clayton, County of Winnebago, State of Wisconsin. If a person fails or neglects to destroy, remove, or cut such vegetation as required in Section 3, the Weed Commissioner shall destroy, or have destroyed, or remove, or cut such vegetation in the most economical manner. The Weed Commissioner may enter upon lands to cut, remove, or destroy such vegetation without being liable to an action for such trespass or any other action for damages resulting from entry, cutting, removal, or destruction if reasonable care is exercised.
2. 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, Stats., except in case of land which are exempt from taxation, railroad land, 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.

Adopted this 5th day of September, 2018.


Russell Geise, Town Chairman


Attest: Richard Johnston, Clerk