

ORDINANCE NUMBER 2022-497
AN ORDINANCE AMENDING SECTION 26-72 OF THE CODE OF ORDINANCES
OF THE CITY OF MILTON REGULATING MOWING OF WEEDS AND GRASSES

WHEREAS, Section 26-72 of the Code of Ordinances of the City of Milton provides for the process of notifying property owners of an order to mow the grass and/or weeds on their property which exist in violation of Section 26-71 of the Code of Ordinances; and

WHEREAS, the weed commissioner and city staff having discovered that the notice provisions contained in Section 26-72 often fail to provide the property owner with timely notice of the order to mow the weeds and grass on their property prior to same being mowed by the city; and

WHEREAS, the current requirement of Section 26-72 that the weed commissioner send a certified letter to the property owner setting forth their order to mow the grass and weeds on their property is a considerable expense incurred by the city when a certified letter is not otherwise required by law and where notice of the order of the weed commissioner to mow the grass and weeds on the subject property can be communicated more efficiently by other means; and

WHEREAS, the Common Council of the City of Milton having determined that Section 26-72 requires modification in order to provide for timely notice to property owners so that they may on their own comply with the order of the weed commissioner to mow the grass and weeds on their property, so allowing staff of the Department of Public Works to direct their efforts to other responsibilities for the benefit of the city.

NOW, THEREFORE, the Common Council of the City of Milton do ordain as follows:

Section I. Section 26-72 of the Code of Ordinances of the City of Milton is hereby amended to read as follows:

It shall be the duty of the weed commissioner to enforce this article and if any person shall fail to comply herewith, the commissioner shall mail to or serve upon the owner personally or by affixing a copy in a conspicuous place on the premises where it can be conveniently read, written notice that in the event of the owner's failure to cut all grass and weeds within five days of the date of the notice and to keep all grass and weeds mowed, the commissioner shall cause the premises to be mowed and report the cost thereof in writing to the clerk in the manner provided in Wis. Stats. § 66.0517. The notice shall contain the regulations of this article and be effective for the remaining calendar year. Such charge shall be spread on the tax roll as a special tax to be collected in the same manner as other taxes unless such lands are exempt from taxation. The cost to be charged by the weed commissioner pursuant to this section shall be an hourly fee with a minimum fee. The common council is hereby provided with the power to enact resolutions when deemed necessary, establishing fees regarding this section. The amount of the fee shall be stated in such resolution. Adoption of the resolution shall require a majority vote of the common council members present when the resolution is presented. The city clerk shall maintain a current schedule of all fees.

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

Approved by the Common Council of the City of Milton this 7th day of June, 2022.

CITY OF MILTON

Anissa Welch, Mayor

Attest:

Jenny Salvo, Clerk

1st Reading: _____
2nd Reading: _____
3rd Reading: _____
Date Adopted: _____

Effect of Ordinance: Permits notice of the order of the weed commissioner to cut grass and weeds to be served on the property owner by regular mail, personal service or posting on the premises.