

NOTICE IS HEREBY GIVEN that the monthly meeting of the Village Board of the Village of Neosho shall be held on **Thursday, September 5, 2019, 7:00 p.m.** at the Neosho Village Hall, 210 S. Schuyler Street, Neosho WI.

The village hall is handicapped accessible.

AGENDA

- Call to Order/ Pledge of Allegiance to the Flag.
- Roll Call.
- Adoption of minutes of August 12, 2019.
- Public Appearances and Comments.
 - Chris Oldenhoff.
- Approval of Financial Report with Comparisons and Payment of Bills.
- President's Report.
 - Status of Snow Plowing.
- Police Dept. Report.
 - Statistical Report.
- Fire & EMS Report.
 - Statistical Report with Incidents including Training Exercises.
 - Status of Equipment.
- Cemetery Sexton Report.
- Clerk-Treasurer's Report.
- DPW Report
 - Activity Report, including equipment update and schedules.
- Approve Operator's Licenses for the following:
 - BP Station Neosho: Roy Gerken and Brianna Stevens.
- Discuss and/or ACT on the Following:
 - Ordinance 0905-01-2019, Ordinance Amending Article II, Municipal Court, Section 1-2-8 Created, In the Village of Neosho Municipal Court. Amended for the Addition of City of Mayville. Possible Waiving of Second Reading.
 - Review, Discussion and Possible action of Ordinance 10-1-06, Parking Restrictions, (f) Night Parking Regulations.
 - Review, Discussion and Possible action of Ordinance 10-1-06, Parking Restrictions, (m) Parking During Snow Emergencies.
 - Ordinance 0905-02-2019, Parking Restrictions on Woodlawn Street. Possible Waiving of Second Reading.
 - Ordinance 0905-03-2019, Woodlawn Cemetery Privileges. Possible Waiving of Second Reading.
 - Review of Public Nuisances Ordinance and Junk Letters.

Adjournment.

September 14, 2019 Tractor Pull.

September 28, 2019 Fire Department Fundraiser

September 12, 2020 Neosho Fest.

Any person who has a qualifying disability as defined by the American's With Disabilities Act, that requires the meeting or materials at the meeting to be in an accessible location or format must contact the Clerk-Treasurer at the village hall at 920-625-3086 at least one day prior to the meeting so that any necessary arrangements can be made to accommodate each request.

MEETING OF THE VILLAGE BOARD OF NEOSHO

August 12, 2019

President Gonzales called the regular meeting of the Village Board of the Village of Neosho to order at 6:30 p.m. Present were Pres. Gonzales, Tr. Desmore, Tr. Dale, Tr. Mioskowski, and Tr. Weynand.

Pledge of Allegiance was led by Pres. Gonzales.

Adoption of meeting minutes of July 10, 2019.

Motion by Tr. Mioskowski, second by Tr. Dale to approve the minutes as presented.

Public Appearances and Comments:

Chad Mintzlaff Brought in pieces of North Shore and Meadow Drive Road. His neighbor Josh agreed. Both complained of the weedy and junk yards near them. Pres. Gonzales commented that there will be follow up on both of the yards.

Chad Mintzlaff commented that there is no report on the dam.

Joan Heiden reported on speeding cars on NN.

Motion by Tr. Mioskowski, second by Tr. Dale to take items out of order to discuss the Great Lakes Jet Ski Event.

Representative of the Water Cross Event Justin Treder reported that there will be 65 entries. There will be a donation to the Village.

They have their own EMTs. They have discussed with the Police Chief to spend the night there but not campfires.

Historical Society will cover the food and the Fire Department will cover the beer.

Approval of Financial Report and Payment of Bills.

Motion by Tr. Mioskowski, second by Tr. Dale to Approve the Financial Report and Payment of Bills. Motion carried unanimously.

President's Report.

President Gonzales thanked Christine Wagner for cleaning up the weeds at Village Hall.

Police Department Report:

The Police report was read by Chief Linzenmeyer.

Fire Department Report:

The Fire Department report was reviewed by Chief Chapman. He commented on the upcoming pig roast.

Cemetery Sexton:

Trustee Desmore reported that there has been clean up at the cemetery. There is a tree that needs to be removed. She is getting quotes for the tree removal.

Clerk-Treasurers Report:

No report.

DPW Report:

Butch reported that the lawn mowers were repaired. And roads have been patched. .

Operator's Licenses:

None.

Discussion ensued of the Ordinance Creating an Ordinance Prohibiting Dumpster or Storage Type Containers.

Trustees are to read the ordinances and bring them back marked up with direction. Discussion ensued of the alternatives and parking of the dumpster off of the road, use of reflective signs and time limits. Discussion ensued that the property owner / contractor will need to come to the Village Board and ask for permission.

Discussion ensued of the park fees and boat launch fees and the collection of the fees. Tr. Desmore will work on a collection box and paperwork for the boat launch fee.

Discussion ensued of the use of the Village Fire Department Fire Truck for DPW Use and Snow clearing. It was said that the truck is not heavy enough for that use. Discussion ensued of the Village purchasing a truck for such use. Discussion of storage and purchase of the truck, storage and purchase of the salt, employee to run the truck and the employee to plow the snow ensued.

The Dodge County Broadband support was acknowledged.

Discussion ensued of the cemetery privileges ensued. Several changes were made. The item will come back as an ordinance change.

Motion by Mioskowski, second by Tr. Dale to bill residents for the garbage and recycling. Motion carried unanimously.

Motion by Tr. Mioskowski, second by Tr. Desmore to adjourn at 8:45 p.m.

Respectfully Submitted,

Deanna Braunschweig, Clerk-Treasurer

ORDINANCE 0905-01-2019

AN ORDINANCE AMENDING ARTICLE II, MUNICIPAL COURT, SECTION 1-2-8 CREATED, IN THE VILLAGE OF NEOSHO MUNICIPAL CODE

The Village Board of the Village of Neosho, Dodge County, Wisconsin, does ordain as follows:

“There is created and established a joint municipal court under the provisions of Sections 755.01(4) and 66.0301, Wis. Stats., to be designated as the “Municipal Court for the City of Beaver Dam, Town of Beaver Dam, Village of Neosho, Town of Rubicon, Town of Ashippun, the City of Waupun, and the City of Mayville”.

SECTION II: This ordinance shall be effective upon its passage and publication.

This ordinance shall take effect upon passage and posting,

Steven Gonzales, Village President

ATTEST:

Attest : _____
Deanna Braunschweig, Village Clerk-Treasurer

purpose of loading or unloading freight.

- (j) **Parking in Driveways Prohibited.** No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to prohibit parking.
- (k) **Parking With Engine Running.** No person shall park any motor vehicle for more than 30 minutes upon a public street, alley or parking lot, or upon any private property zoned for residential, business or commercial purposes in the Village if the vehicle engine is left running or if the engine to any equipment on the vehicle is left running.
- (l) **Street Maintenance and Snow Removal.** Whenever it is necessary to repair a Village street or any part thereof, or to remove snow, the Village President or designee shall post such street or parts thereof with appropriate signs prohibiting parking. Such signs shall be erected at least 2 hours prior to the time that street maintenance work or snow removal is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (m) **Parking During Snow Emergencies.**
 - (1) **Emergency Declarations.** In times of emergency due to 4 inches or more snowfall, the Village President or, in his absence, the Council President shall declare a snow emergency. Such declaration shall be made by causing the announcement thereof to be made by one area radio station. Such snow emergencies shall be in effect until declared ended by the Chief of Police or the Village President.
 - (2) **Parking Regulations.** During a declared snow emergency, it shall be unlawful for any person to park, or suffer to be parked, any vehicle upon any street in the Village.
 - (3) **Towing of Vehicles.** Upon the issuance of a parking citation against the registered owner of any vehicle found parked in violation of this subsection, the Police Chief may direct the towing of such vehicle to a temporary site designated by the Chief.
 - (4) **Penalty.** In addition to the penalty provided in sec. 10-1-14 of this chapter, any person violating this section shall be required to pay the towing charges for any vehicle towed as a condition for the release of such vehicle.

SEC. 10-1-7 ARTERIAL.

The following street in the Village is designated an artery for

(2) No person shall park any vehicle on the east side of South Schuyler Street from the south side of the bridge to the south Village limits. As used in this section, a vehicle shall be deemed parked, within the meaning of this section, when it is stopped for any other purpose than that of taking on or discharging passengers or cargo and then only for such time as it is reasonably required for such purpose. A vehicle, which is stopped on any street for any other purpose, shall be considered parked regardless of whether or not the seats are occupied by one (1) or more persons. No unattached trailer, camper, boat or similar type hauled device, or other recreational vehicle, shall be left parked at any time on South Schuyler Street as set forth above.

(e) **Parallel Parking.** No person shall park a vehicle, except by parallel parking and within the parking spaces designated.

(f) **Night Parking Regulations.** Parking is prohibited between the hours of 1:00 A.M. and 6:00 A.M., from December 1 to April 1 on all streets in the Village for a period of time longer than 30 minutes.

(g) **Parking in Parking Lots Regulated.**

(1) **24 Hour Parking.** No person shall, without a parking lot permit, park any motor vehicle in any Village parking lot for more than 24 hours. No person shall park any motor vehicle on any such parking lot by backing said motor vehicle into a parking stall.

(2) **Parking Lot Permit.** Village parking lot parking permits may be obtained from the Police Chief or Village Clerk/Treasurer for a winter parking permit fee of \$25.00.

(h) **Parking Limited to Certain Vehicles.**

(1) **Parking in Municipal Building Parking Lot.**

No person shall park any vehicle in the municipal building parking lot, except as follows:

(a) Parking on the north side of the municipal building parking lot shall be for fire department purposes only.

(b) Parking on the south side and the west side of the municipal building parking lot shall be for visitors to the Village Hall for municipal business purposes only and for individuals involved with organizations using the Village Hall facility.

(i) **Parking in Alleys Regulated.** All parking in alleys is prohibited, except in alleys in the business district for the

ORDINANCE 0905-02-2019

AN ORDINANCE AMENDING PARKING RESTRICTIONS 10-1-06, PARKING RESTRICTIONS, IN THE VILLAGE OF NEOSHO MUNICIPAL CODE

The Village Board of the Village of Neosho, Dodge County, Wisconsin, does ordain as follows:

SECTION I: (c) Parking Prohibited at all Times:

Addition of:

(3) On Woodlawn Street – No Parking on East Side of Woodlawn Street, North of Milwaukee Street.

SECTION II: PENALTY.

Any person who shall violate any provision of this chapter may be subject to a penalty as provided in Sec. 1-1-6 of this code.

SECTION III: This ordinance shall be effective upon its passage and publication.

Steven Gonzales, Village President

ATTEST:

Attest : _____
Deanna Braunschweig, Village Clerk-Treasurer

ORDINANCE NO. 0905-03-2019

AN ORDINANCE TO REPEAL REPLACE ORDINANCE RULES

The Village Board of the Village of Neosho, Dodge County, Wisconsin, does ordain as follows:

Section I: Cemetery Rules are replaced as attached:

This Ordinance shall take effect upon its passage and publication according to law.

Introduced:

Adopted:

Steven Gonzales, Village President

ATTEST:

Deanna Braunschweig
Village Clerk - Treasurer

WOODLAWN CEMETERY PRIVILEGES AND RESTRICTIONS

CARE OF THE CEMETERY

- No mound shall be raised upon any grave above the general level of the lot.
- No hedges, fences or enclosures of any kind will be permitted on or around lots.
- No planting of shrubs or trees is permitted.
- A limited amount of artificial flowers displayed in the cemetery must be in containers and placed on the extension. Any artificial flowers not in containers will be removed from the cemetery by the Village.
- Wreaths on wire stands must also be placed on the monument or marker.
- Fresh cut flowers may be used anytime and will remain until, in the judgment of the Village, they become wilted or unsightly.
- Potted plants may be set on special occasions, such as Memorial Day, birthday, anniversary, etc.
- All decorations must be placed where they do not interfere with lawnmowing.
- All landscaping, care of lots and other work in the cemetery will be done by the Village.
- The Village reserves the right for its workmen and those persons necessary to the performance of normal cemetery operation, with their equipment – if necessary, to enter upon or cross over any lot in the cemetery in the performance of such duties.
- The Village, or its employees, assumes no liability for damages to property or of persons, or for physical or mental suffering arising out of the performance of its normal operations, or for loss by vandalism or other acts beyond its reasonable control.

VISITORS

- The cemetery will be open to visitors at all times one-half (1/2) hour after sunrise to one-half (1/2) hour before the official sunset. Permission to enter the cemetery at any other time must be obtained from the Sexton or the Village Board.
- Persons or picnic parties with refreshments or alcoholic beverages are not permitted within the cemetery.
- Dogs are allowed on a leash.
- Vehicles traveling within the cemetery shall not exceed five (5) miles per hour. No vehicle shall be driven except on roads designated for that purpose, nor shall such be driven in a reckless manner.
- No offroad, ATV, or snowmobiles.
- Any other activities not listed cannot interfere with visitors of the cemetery.

INTERMENTS

- Interments will be made only during daylight hours.
- All graves shall be dug by the Village under the direction of the Sexton or his/her authorized agent.
- No burial will be permitted until a legal burial transit permit has been presented to the Sexton.
- All cremation remains to be buried must be arranged through the Sexton.
- No burials, both cremation and casket, will be allowed without a vault.
- Two urn burials may be permitted in the same full plot, if coordinated by the Village Cemetery Sexton prior to the first burial. The first urn burial would be to the head of the plot and the second at the foot of the plot.

MONUMENTS

- Foundations to the monuments should be flush with the ground, centered on the lot, and no wider than 3 feet for single lots and five feet for double lots. On all sides the width of the monument must be six inches smaller than the base.
- Cremation Urn Only Area - Monuments must be no larger than 36 inches wide, 16 inches tall and 10 inches thick.

NOTES:

- All new burials take time to settle and will be filled in as required, when required.
- Fees for opening graves are paid through the undertaker to the village specified contractor.
- Cemetery gates may be closed at times to allow for a funeral procession or other situation. During those times, please respect the closed gates by passing through the open pedestrian walkway only.
- For any additional cemetery related questions please contact the Village Sexton at 262-422-3721.

ORDINANCE NO. 01-2016

AN ORDINANCE TO REPEAL TITLE 12 PUBLIC NUISANCES AND
RECREATE TITLE 12 PUBLIC NUISANCES

The Village Board of the Village of Neosho, Dodge County, Wisconsin, does ordain as follows:

- Section I: TITLE 12 of the Village of Neosho are hereby repealed and replaced with the sections below::
- Section II: 12-1-1 Public Nuisances Prohibited.
No Person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village.
- Section III: No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village.
[§ 12-1-2 Public nuisance defined.](#)
A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:
[A.](#)
Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.
[B.](#)
In any way render the public insecure in life or in the use of property.
[C.](#)
Greatly offend the public morals or decency.
[D.](#)
Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way or the use of public property.
[§ 12-1-3 Public nuisances affecting health.](#)
The following acts, omissions, places, conditions and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other health nuisances.
[A.](#)
Adulterated food. All decayed, adulterated or unwholesome food or drink sold or offered for sale to the public.
[B.](#)
Unburied carcasses. Carcasses of animals, birds or fowl not intended for human consumption or food which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
[C.](#)
Breeding places for vermin, etc. Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal or any material whatsoever in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed.
[D.](#)
Stagnant water. All stagnant water in which mosquitoes, flies or other insects can multiply.
[E.](#)
Privy vaults and garbage cans. Privy vaults and garbage cans which are not flytight.
[F.](#)
Air pollution. The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash or industrial dust within the Village limits or within one mile therefrom in such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property.
[G.](#)
Noxious weeds.^[1] All noxious weeds, as defined in § 66.0517(1), Wis. Stats. In addition, other rank growth of vegetation, and all weeds, grasses and plants over twelve inches in height, excluding trees and shrubs, which:
[\(1\)](#)
Detract from the surrounding area and properties.
[\(2\)](#)
Become a possible fire hazard, as determined by the Fire Chief.

(3)

Become a health hazard due to their pollen or a potential cover for disease-carrying rodents and other small animals.

(4)

Are of an infectious or poisonous nature in or adjacent to a populated area, regardless of height.

(5)

Become a potential hazard to vehicular traffic in vision clearance triangles.

I.

Water pollution. The pollution of any public well or cistern, stream, lake, canal or other body of water by sewage, creamery or industrial wastes or other substances.

J.

Noxious odors, etc. Any use of property, substances or things within the Village emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stench repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the Village.

K.

Street pollution. Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk or public place within the Village.

L.

Pesticide application. The application, or causing of the application, of any pesticide, as defined in § 94.67(25), Wis. Stats., in such a manner as to endanger the health of persons within the Village.

12-1-4 Public Nuisances Offending Morals and Decency.

The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances offending public morals and decency.

A.

Disorderly houses. All disorderly houses, bawdy houses, houses of ill fame, gambling houses and buildings or structures kept or resorted to for the purpose of prostitution, promiscuous sexual intercourse, gambling or sale and/or use of controlled substances as defined in Ch. 961, Wis. Stats.^[1]

B.

Gambling devices. All gambling devices and slot machines.

C.

Unlicensed sale of liquor and beer. All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured or rectified without a permit or license as provided for by this Code.

D.

Continuous violation of Village ordinances. Any place or premises within the Village where Village ordinances or state laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.

E.

Illegal drinking. Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of state laws or this Code.

Public Nuisances Affecting Peace and Safety.

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety.

A.

Signs, billboards, etc. All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public safety.

B.

Illegal buildings. All buildings erected, repaired or altered in violation of the provisions of this Code relating to materials and manner of construction of buildings and structures within the Village.

C.

Unauthorized traffic signs. All unauthorized signs, signals, markers or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which, because of their color, location, brilliance or manner of operation, interfere with the effectiveness of any device, sign or signal.

D.

Obstruction of intersections. All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.

E.

Trees and shrubs.

F.

Dangerous trees. All trees which are injurious to public health or safety because of a diseased or damaged condition, and the storage of cut elm wood, unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide.

G.

Fireworks. All use, possession or display of fireworks except as provided by the laws of the state.

H.

Dilapidated buildings. All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

I.

Wires and cables over streets. All wires and cables over streets, alleys or public grounds which are strung less than 18 feet above the surface thereof.

J.

Noisy animals or fowl. The keeping or harboring of any animal or fowl which, by frequent or habitual howling, yelping, barking, crowing or making of other noises, shall greatly annoy or disturb a neighborhood or any considerable number of persons within the Village.

K.

Obstructions of streets; excavations. All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same except as permitted by this Code or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished or do not conform to the permit.

L.

Snow, ice and debris removal. All debris not removed, and all snow and ice not removed or sprinkled with salt, ashes, sawdust or sand.

M.

Refrigerators. All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside.

N.

Open pits, basements, etc. All open and unguarded pits, wells, excavations and basements.

O.

Flammable liquids violations. Repeated or continuous violations of this Code or the laws of the state relating to the storage of flammable liquids.

12-1-6 Junk, Certain Vehicles and Firewood.

A.

Public nuisances declared. The following are hereby declared to be public nuisances wherever they may be found within the Village:

(1)

Any motor vehicle, truck body, tractor or trailer as enumerated in Subsections C and D below and defined in Subsection B below.

(2)

Any junk stored contrary to Subsection E below.

(3)

Any firewood used or stored contrary to Subsection F below.

B.

Definitions. The words, phrases and terms used in this section shall be interpreted as follows:

DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS

Motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.

IN THE OPEN

Land which may be viewed from public streets or adjoining property.

JUNK

Worn out or discarded material of little or no value, including but not limited to household appliances or parts thereof, machinery and equipment or parts thereof, vehicles or parts thereof, tools, discarded building materials or any other unsightly debris, the accumulation of which has an adverse effect upon the neighborhood or Village property values, health, safety or general welfare.

MOTOR VEHICLE

As defined in § 340.01(35), Wis. Stats.

UNLICENSED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS

Motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.

C.

Storage of inoperable vehicles, etc.

(1)

Restricted. No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors or trailers in the open upon any public or private property in the Village for a period exceeding 10 days.

(2)

Exceptions.

(a)

Any business engaged in automotive sales or repair located in a properly zoned district may retain no more than five disassembled or wrecked vehicles, including vehicles under repair, in the open for a period not to exceed 30 days, after which such vehicles shall be removed.^[1]

D.

Storage of unlicensed vehicles, etc.

(1)

Restricted. No person shall accumulate, store or allow any unlicensed motor vehicle, truck body, tractor or trailer in the open upon any public or private property in the Village for a period exceeding 10 days.

(2)

Exceptions.

(a)

Any business engaged in the sale, repair or storage of such unlicensed vehicles.

(b)

Garden tractors and mowers may be stored in the rear yard not less than 10 feet from any property line.

E.

Storage of junk prohibited. No person, shall accumulate, store or allow any junk outside of any building on any public or private real estate located in the Village.

F.

Storage of firewood. No person shall store firewood on any residential premises except for use on the premises. No firewood pile may be located within the front setback. No firewood pile shall exceed four cords and firewood shall be neatly stacked.

G.

Issuance of citation; action to abate. Whenever the Police Chief shall find any such vehicle or junk, as defined in Subsection B above, accumulated, stored or remaining in the open upon any property within the Village contrary to the provisions of Subsections C, D and E above, or firewood stored contrary to Subsection F above, he shall notify the owner of said property on which such vehicle, junk or firewood is located of the violation of this section. If such vehicle, junk or firewood is not removed within 10 days, the Police Chief shall cause a citation to be issued to the property owner or the occupant of the property upon which such vehicle, junk or firewood is located. In addition, action to abate such nuisance may be commenced.

H.

Penalty. Any person who shall be adjudicated to have violated any of the provisions of this section shall be subject to a forfeiture as provided in § 1-4 of this Code plus the costs of said prosecution and, upon default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not to exceed 10 days. Each day that a violation of this section continues shall be deemed a separate offense.

A.

Enforcement. It shall be the duty of the Chief of Police, the Fire Chief, and a health officer to enforce those provisions of this chapter that come within the jurisdiction of their respective offices, including the issuance of citations, and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and shall have satisfied himself that a nuisance does, in fact, exist.

B.

Summary abatement.

(1)

Notice to owner. If the inspecting officer shall determine that a public nuisance exists within the Village and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village President may direct the Chief of Police to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Village shall cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

(2)

Abatement by Village. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.

C.

Abatement by court action. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he shall serve notice on the person causing or maintaining the nuisance and the owner of the property to remove the same within 10 days. If such nuisance is not removed within 10 days, he shall report such fact to the Village President, who may direct the Village Attorney to commence an action in Circuit Court for the abatement of the nuisance.

D.

Other methods not excluded. Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the state nor as prohibiting an action to be commenced in the Circuit Court seeking a forfeiture.

E.

Cost of abatement. In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

12-1-8 Weed Control

A.

Noxious weeds and rank growth prohibited. No owner or occupant of any lot or parcel shall allow such property to become overgrown with any weeds or grass so as to constitute a public nuisance.

C.

Enforcement. If a property owner fails to control the growth of such weeds or rank growth of vegetation on his property, the Weed Commissioner shall serve upon him notice as to this fact. If such owner fails to abate this nuisance within five days after service of the notice, the Weed Commissioner shall take action to abate such public nuisance.

D.

Costs. If the Village causes a nuisance to be removed as provided in Subsection [C](#) above, the actual cost thereof as provided in the Village fee schedule, together with an administrative fee equal to 10% of the actual cost, shall be charged to the property owner. If such charges are not paid by November 15 of the year in which they are billed, such charges, together with an additional administrative fee for collection equal to 10% of the total of such charges and fees, shall be extended on the next succeeding tax roll as a tax charged against the property affected and collected in the same manner as are other taxes, pursuant to § 66.0517, Wis. Stats.

[Amended 3-10-2008 by Ord. No. 1006-2008]

[§ 12-1-9 Trees and shrubs in street right-of-way.](#)

[§ 12-1-10 Health nuisances.](#)

[A.](#)

The Village of Neosho promulgates ordinances controlling the existence of public health nuisances within the Village of Neosho limits and makes reasonable rules for the enforcement of the provisions of this chapter. Any person violating any of the regulations of this chapter shall be subject to a penalty provided in § [1-4](#) of this Code.

[B.](#)

Any health nuisance may be abated.

[\[1\]](#)

[§ 12-1-15 Violations and penalties.](#)

In addition to the remedy for abatement provided in this chapter, any person who shall violate any provision of this chapter, or permit or cause a public nuisance, shall be subject to a penalty as not less than \$100, nor more than \$500 together with cost of prosecution, court costs and applicable fees, assessments, and surcharges.

This Ordinance shall take effect upon its passage and publication according to law.

January 6, 2016

Jeanne M. McDermott

Jeanne M McDermott, Village President

ATTEST:

Deanna L. Boldrey

Deanna L. Boldrey

Village Clerk - Treasurer