

Village of Potter, County of Calumet
Ordinance #2006-5

Ordinance Regulating Property Maintenance.

The Village Board of Potter does hereby ordain as follows:

Section I. PROPERTY MAINTENANCE

a) **Intent.** It is recognized that property that is not maintained may have a deleterious effect on the value of adjacent property and may potentially result in conditions that are unhealthy and not sanitary. Special regulations relating to the maintenance of property in the Village of Potter are necessary to provide for the protection of property values and general health of the residents.

b) **Definitions.** For the purpose of this ordinance, the following words and phrases shall have the meanings assigned to them in this section. Words and phrases not herein otherwise defined shall have the meanings accepted by common use.

1. **Debris.** Broken concrete, bricks, blocks or other mineral matter; bottles porcelain and other glass or crockery, boxes; lumber (new or used), posts stocks or other wood; paper, rags, cardboard, excelsior, rubber, plastic, wire, tin, and metal items; discarded household goods or appliances, junk lawn mowers, tar paper, residues from burning or any similar materials, any of which have an adverse effect upon surrounding properties, neighborhood or village property value(s), health, safety or general welfare.

2. **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, tools, discarded building materials, or any other unsightly material, the accumulation of which has an adverse effect upon surrounding properties, neighborhood or Village property value(s), health, safety or general welfare.

3. **Rubbish.** Combustible and non-combustible waste materials, including the residue from the burning of wood, coal and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tin cans, metals, mineral matter, glass or crockery and other materials. This definition does not include recyclable or garbage properly disposed of in approved containers.

4. **Noxious Weeds and Rank Growth.** All noxious weeds and other rank growth of vegetation.

1. Noxious Weeds shall be defined as in Wisconsin Statutes, Section 66.96 and 66.955 to include: Canada Thistle, Leafy Spurge, Field Bindweed (Creeping Jenny), and non-native members of the genus Lithium (Purple Loose Strife) or hybrids thereof.

2. Rank Growth shall be defined as lawns, grasses, and other vegetative growth on undeveloped lots or platted parcels of land which exceed twelve (12) inches in length except for property located in a designated flood plain, wetland, or storm water detention areas.

5. **Abandoned 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.

6. **Junk Vehicles.** All junked, disassembled, inoperable or wrecked motor vehicles, or parts thereof, which have been allowed to remain outside of any building upon public or private property of a period in excess of three (3) days, unless in connection with an automotive sales or repair business located in properly zoned areas. All vehicles kept within the Village of Potter must carry a valid State registration and current license.

c) **Property Maintenance Requirements.** All exterior areas of any property shall be kept in a clean and sanitary condition. No person or entity shall accumulate, store, or allow any debris, junk, or rubbish outside of any building on any real estate located in the Village of Potter. No abandoned refrigerators, or junked or unlicensed vehicle may be stored or kept on property within the Village of Potter. All developed lots, undeveloped lots or platted parcels of land shall be maintained in a manner to prohibit the growth of noxious weeds or rank growth.

d) **Powers and Duties of the Village Board of Potter.** The Village President and the Village Trustee(s) shall have the authority to enforce the provisions of this ordinance and may make inspections either in response to a complaint that an alleged violation is being committed. The Village President, the Village Trustee(s), and the Village Clerk shall have the authority to cause a citation to be issued to the property owner and/or the occupant of the property upon which the debris, junk or rubbish is located.

e) **Penalties.** Any person who violates any provision of this ordinance, or neglects to maintenance their property as outlined by this ordinance shall be required to forfeit not less than \$50 nor more than \$100, together with the costs of prosecution for the first offense and not less than \$100 nor more than \$200, plus court costs, for each subsequent offense within the calendar year.

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

This ordinance adopted the 14th day of June, 2006.

President: Doug Lau

Attest: Clerk: Dennis Gruett

Posted 06/15/006

Village of Potter, County of Calumet

Notice is hereby given on this _____ day of _____, 2_____.

To owner of (property address)_____:

The Village of Potter, in compliance with Ordinance #2006-5 regarding Regulation of Property Maintenance within the Village of Potter is giving you written notice that the said ordinance must be adhered to. A copy of this ordinance is available for viewing through any Village of Potter Board member or the Village of Potter Clerk.

Penalties. Any person violating any provision of this ordinance shall forfeit not less than \$50 nor more than \$100, together with the cost of prosecution for the first offense and not less than \$100 nor more than \$200, plus court costs, for each subsequent offense within the calendar year.

Directive Comments:_____
