

TOWN OF WESCOTT ORDINANCE  
DEFINING AND PROHIBITING  
PUBLIC NUISANCES  
No. 6-81 (as amended December, 1991)

WHEREAS, it is in the interests of the public that certain nuisances be defined as public nuisances.

WHEREAS, the Town Board of the Town of Wescott has power under Village Powers pursuant to Section 60.22(3), to enact ordinances defining and prohibiting public nuisances,

NOW THEREFORE, Town Board of Supervisors of the Town of Wescott, Shawano County, Wisconsin, does hereby ordain as follows:

SECTION 1: PUBLIC NUISANCES PROHIBITED

No person shall erect, contrive, cause, continue, maintain, or permit to exist any public nuisance within the Town of Wescott, Shawano County, Wisconsin.

SECTION 2: DEFINITIONS

(A.) PUBLIC NUISANCE. A public nuisance is an object, act, occupation, condition or use of property which shall continue for such length of time as to: (1) substantially annoy, injure or endanger the comfort, health, repose or safety of the public; (2) in any way render the public insecure in life or in the use of property; (3) greatly offend the public morals or decency; (4) unlawfully and substantially interfere with, or 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.

(B.) PUBLIC NUISANCE AFFECTING HEALTH. The following acts, omissions, places, conditions and objects are hereby specifically declared to be public nuisances, but such enumeration shall not be construed to exclude other health nuisances or hazards coming within the definition of subsection (A.) of this section:

(1.) All decayed, harmfully adulterated or unwholesome food or drying sold or offered for sale to the public.

(2.) Carcasses of animals, birds or fowl not intended for human consumption or food which are not buried or otherwise disposed of in appropriate sanitary manner within 24 hours after the death of such animal, bird, or fowl.

(3.) Accumulation 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.

(4.) Privy vaults and garbage cans which are not fly-tight.

(5.) All noxious weeds and other rank growth of vegetation.

(6.) All animals running at large.

(7.) All abandoned wells not securely covered or secured from public use.

(8.) 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 Town of Wescott.

(C.) PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

The following acts, omissions, places, conditions, and objects are hereby declared to be public nuisances affecting peace and safety; however such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the provisions of subsection (A.) of this section:

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

(2.) All unauthorized signs, signals, markings 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 its color, location, brilliance or manner of operation interferes with the effectiveness of any such device, sign or signal.

(3.) All trees, hedges, billboards, or other obstructions which prevent persons driving vehicles on public streets, alleys, or highway from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk. Any such obstruction which falls within a vision clearance triangle extending 25 feet horizontally along each street line from their intersection and within a vertical clearance of 6 feet shall be presumed to be a violation of this subsection.

(4.) All limbs of trees which project over and less than 8 feet above the surface of a public sidewalk, or 14 feet above the surface of the portion of the street, highway, or alley traveled by vehicles.

(5.) The use or display of fireworks except as provided by the laws of the State of Wisconsin and ordinances of the Town.

(6.) All buildings or structures so old, dilapidated or ~~out of repair~~ as to be dangerous, unsafe, unsanitary or otherwise unfit for human use or occupancy.

(7.) All wires over streets, alleys, highway, or public grounds which are strung less than fifteen (15) feet above the surface thereof.

(8.) All loud, discordant, and unnecessary noises or vibrations of any kinds, which greatly annoy or disturb a neighborhood or any considerable number of persons within the Town.

(9.) The keeping or harboring of any animal or fowl which be frequently or habitually howling, yelping, barking, crowing, or making other noises which greatly annoy or disturb a neighborhood or any considerable number of persons within the Town.

(10.) All obstruction of streets, alleys, highways, sidewalks or crosswalks and all excavation in or under the same, except as permitted by the ordinances of the Town of Wescott or which although made in accordance with such ordinances, are kept or maintained for unreasonable or illegal length of time after the purpose thereof has been accomplished.

(11.) All open and unguarded pits, wells, excavations, or unused, basements freely accessible from any public street, alley, highway, or sidewalk.

(12.) 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.

(13.) Repeated or continuous violations of the ordinances of the Town or Wisconsin Statutes relating to the use or storage of flammable liquids.

(D.) PUBLIC NUISANCES--OTHER. The following acts, omissions, places, conditions and objects are hereby specifically declared to be public nuisances offending the comfort, health, repose or safety of the Town of Wescott; but such enumeration shall not be construed or exclude either nuisances within the definition of subsection (A.) of this section:

(1.) All owners of property located within a residential district of the Town of Wescott who fail to keep their premises free of litter, debris, trash, or rubbish shall be in violation of this subsection.

(2.) All property owners within the Town of Wescott who allow their property to accumulate trash, litter or rubbish shall be considered to be in violation of this subsection.

(3.) "Litter" as used in this ordinance includes, but is not limited to, trash and wastepaper lying scattered about; and an untidy accumulation of objects of any kind.

(4.) "Trash" as used in this ordinance includes, but is not limited to, something or object(s) worth little or nothing or something or object(s) in a crumbled, broken or inoperable condition.

(5.) "Rubbish" as used in this ordinance includes, but is not limited to, waste materials and refuse of every character and kind, collected and/or accumulated.

#### SECTION 3: JUNKED AND ABANDONED VEHICLES

(A.) JUNKED AUTOMOBILES, ETC. No disassembled, inoperable, unlicensed, junked, or wrecked motor vehicles, truck bodies, tractors, trailers, or appliances shall be stored or allowed to remain in the open upon public or private property, within the Town for a period exceed five (5) days if upon public property, or for a period exceeding thirty (30) days if upon private property. Any business engaged in automotive sales or repair may retain such vehicles in the open, on private property, for a period not to exceed one year, after which such vehicles must be enclosed by a screening or live planting.

(1.) The phrase "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers," as used in this section is defined as follows: motor vehicles or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.

(2.) The term "unlicensed" as referring to motor vehicles, truck bodies, tractors, or trailers as used in this ordinance shall be defined as follows: motor vehicles, truck bodies, tractors, or trailers which do not bear lawful license plates.

(3.) The term "motor vehicle" is defined in Section 340.01(35) of the Wisconsin Statutes.

(4.) The term "appliance" as used in this ordinance shall be defined as any stove, washer, or refrigerator which is no longer operable in the sense for which it was manufactured.

(B.) ABANDONED VEHICLES, ETC. No person shall have unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street, highway, or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any street or highway or on any public or private property within the Town of Wescott without the permission of the owner for a period of more than seventy-two (72) hours, the vehicle is deemed abandoned and constitutes a public nuisance.

#### SECTION 4. TREES AND SHRUBS

It shall be the policy of the Town of Wescott to regulate and control the planting, transplanting, removal, maintenance, and protection of public and private trees and shrubs in the Town in order to eliminate and

guard against dangerous conditions which may result in injury to persons using the streets, highways, alleys, sidewalks or property of the Town; to promote the beauty and general welfare of the Town; to protect trees and shrubs located in the public areas of the Town from undesirable and unsafe planting, removal, treatment and maintenance practices; and to control the spread of tree disease.

(A.) DEFINITIONS.

(1.) Bush or shrub: a low-spreading woody plant with several permanent stems.

(2.) Tree: a woody perennial plant with one main stem or trunk having a diameter of at least two inches, one foot above the ground, and which is capable of attaining a height in excess of ten feet above the ground.

(3.) Public trees and shrubs: all trees or shrubs planted or to on any park or other property owned or controlled by the Town or on any street highway, alley, sidewalk within the public right-of-way, including terrace trees and shrubs, but excluding school sites.

(B.) No person shall plant any bush, shrub or tree in any public easement, street, road, alley, highway, or terrace.

(C.) TRIMMING. The owner or occupant of any private property shall keep all trees standing on such property so trimmed that no bough or branch thereof shall hang lower than eight (8) feet above the surface of a public sidewalk or fourteen (14) feet above the surface of the street, highway, alley travelled by vehicles. Shrubs shall be trimmed so that they do not overhang any street, alley, highway, or sidewalk. The owner or occupant of any private property shall remove or cause to be removed any dead tree or dead or broken bough or branch on a tree standing on such private property and overhanging any public street, road, alley, sidewalk, or highway.

(D.) DAMAGE TO TREES AND SHRUBS ON PUBLIC PROPERTY. No person shall maliciously injure any trees growing on any public street, road, alley, or highway, or impede the free passage of water or air to such trees. Similar provisions apply to trees and shrubs located on public parks and other public property.

(1.) No person shall remove or cause to be removed any tree or shrub from any public property.

(2.) The owner or occupant of any private abutting on any public property may himself maintain and protect any tree standing on such public property at his or her own risk and where no objection has been voiced by any Town Board Supervisor or Chairperson, providing in doing so there is compliance with provisions of this Ordinance.

SECTION 5. ABATEMENT OF PUBLIC NUISANCES

(1.) Inspection of premises. Whenever complaint is made to the Town Chairman or to a Town Enforcement Officer that a public nuisance exists within the Town of Wescott, the enforcement officer shall promptly and forthwith inspect or cause to be inspected the premises complained of and shall make a written report of his findings to the Town Chairman. Whenever practicable, the Town Enforcement Officer shall cause photographs to be made of the premises and shall file the same in the office of the Town Clerk.

(2.) Summary Abatement.

(a.) Notice to Owner. If the Enforcement Officer shall determine that a public nuisance exists within the Town and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Town Chairperson may direct the enforcement officer to serve a notice upon a person causing, permitting, or maintaining such nuisance, whether an owner or occupant of the premises where such nuisance is caused, permitted, or maintained. If immediate personal service can not be made, a copy of such

notice shall be posted on the premises in a location likely to attract the attention of the owner or occupant thereof, as well as direct mail notice to the last known owner of said property. Such notice shall direct the person causing, permitting, or maintaining such nuisance, or the owner or occupant to the premises to abate and remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Town may cause the same to be abated and will charge the cost thereof to the owner, occupant, or person causing, permitting or maintaining the nuisance.

(b.) Abatement by Town. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the Enforcement Officer in the case of health nuisances and other cases shall cause the abatement or removal of such public nuisance.

(3.) Abatement By Court Action. If the Enforcement 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 file a written report of his findings with the Town Chairman who shall cause an action to abate such nuisance to be commenced in the name of the Town in the Circuit Court of Shawano County in accordance with the provisions of Chapter 823 of the Wisconsin Statutes. In the alternative, the Chairperson may direct the Enforcement Officer to issue one or more citations for each day of violation for a said time period, and to report back whether compliance has occurred.

(4.) Other Methods Not Excluded. Nothing in this ordinance shall be construed as prohibiting the abatement of public nuisances by the Town of Wescott, or its officials in accordance with the laws of the State of Wisconsin.

#### SECTION 6. COSTS OF ABATEMENT

In addition to any other penalty imposed by this Ordinance for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abatement of any public nuisance by the Town shall be collected as a debt from the owner; occupant or person causing, permitting, or maintaining the nuisance. If notice to abate the nuisance has been given to the owner previously, such cost shall be assessed against the real property where such violation occurred as a special charge unless paid earlier.

#### SECTION 7. ENFORCEMENT PROVISIONS

(1.) First Offense/Penalty. Any person who shall violate this subsection, shall, upon conviction thereof, forfeit not less than One Dollar (\$1.00) and no more the Two Hundred Dollars (\$200.00) together with the cost of prosecution and, in default of payment of such forfeiture and cost of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid but not exceeding 90 days.

(2.) Second Offense/Penalty. Any person guilty of violating this subsection or any part of this subsection who shall previously have been convicted of violation of the same ordinance or subsection shall upon conviction thereof forfeit not less than \$10.00 nor more than \$400.00 for each such offense, together with the costs of prosecution and in default of payment of such forfeiture and the cost shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid but not to exceed six (6) months.

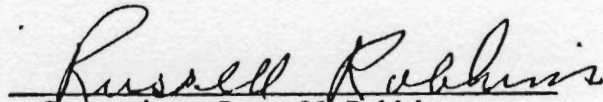
(3.) Each day of violation of this ordinance shall constitute a separate offense.

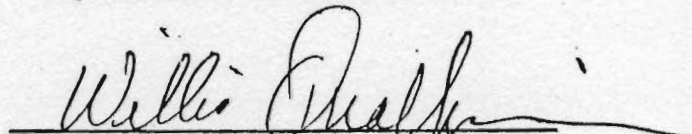
(4.) This Ordinance may be enforced by the citation procedure as authorized by Ordinance 2-81. The following bond schedule is hereby established for use of citation pursuant to this Ordinance..

ORDINANCE TITLE	OFFENSE	DEPOSITS & COSTS
First violation of the Public Nuisance Ordinance	1st <u>\$50</u>	*Current court costs
Second violation of the Public Nuisance Ordinance	2nd <u>\$75</u>	*Current court costs

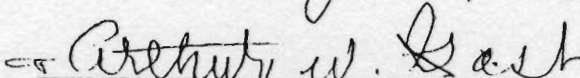
\*At time of Ordinance revision, additional costs would be \$38.00.

  
Chairman Michel Schuler

  
Supervisor Russell Robbins

  
Supervisor Willis Qualheim

Filed this date: 14th day of  
January, 1992

  
Clerk Arthur W. Gast

The board for the Town of Wescott, Shawano County, Wisconsin, ordains as follows:

Section 2 of Ordinance 6-81, ordinance code 4.01 is amended to add:

(B.) (11.) No person may keep any undomesticated carnivore or omnivore, including but not limited to any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarundi, hyena, coyote, alligator, elephant, rhinoceros, poisonous snake, hippopotamus, eagle. Any other like dangerous wild animal, reptile, bird or creature that has a history of attacking humans or domesticated pets is prohibited any place except in: a safely and properly maintained zoological park open to the public that has prior approval by the town board after presenting a business plan and specifying safety measures for patrons, a viable circus business, a scientific or educational institution following tax exemption guidelines, a commercial research laboratory, a veterinary hospital run by a licensed person with an appropriate doctorate degree, a town designated pound or animal refuge, fish in an indoor aquarium not in a public place, or in a well-secured vehicle while being transported without delay to or from any unrestricted place. Any such animal that is within the town at any time shall be safely and properly caged and restrained so that the animal cannot escape confinement onto property of another or attack any person validly on the owner's property. Failure to meet any such standards designed to protect the public from harm shall be in violation even if any attempt was made to domesticate such animal(s). The chairman and enforcement officer are authorized to interpret specific standards using these guides, while applying them to specific facts. However, any owner found in violation as to what constitutes adequate security measures may appeal in writing, by letter or otherwise, to the town board, at least one week prior to a scheduled board meeting. No town board appeal is allowed as to the presence of any named animal herein.

Dated June 13, 2000.

Vote for: 3 against: 0

Published in Shawano Leader on June 30, 2000.

Karla Duchac, Clerk

Chairman Michel Schuler  
Supervisor Willis Qualheim  
Supervisor Russell Robbins

The Wescott town board does ordain as follows:

Section 2 of (nuisance) Ordinance 6-81, ordinance code 4.01 is amended to add:

(B.) (9.) Any outdoor swimming pool that has at least three feet of water depth capacity, and is constructed so that it could not easily be deflated and moved frequently, must have at least a four foot high fence surrounding access to the pool. However, an elevated pool may have access by a deck, provided there is entry only through an adjacent structure, or by a stairway containing a gate customarily kept closed.

(10.) No outdoor swimming pool shall be constructed so that it is underneath a line carrying electric power, or within three feet of such a line if it were to disconnect and fall straight down.

**Code 12.04**

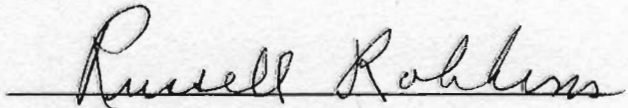
The building inspector will not approve any new construction that is not in harmony with the town's nuisance ordinance, taking the final result into account. If the inspector discovers any swimming pool violation, a reasonable opportunity shall be afforded an owner to come into compliance with ordinance standards before further enforcement measures.

Dated July 11, 2000

Vote for: 3 against: 0



Chairman Michel Schuler



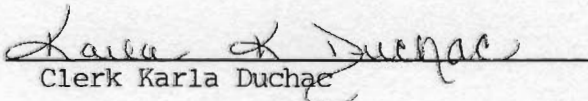
Supervisor Russell Robbins



Supervisor Willis Qualheim

Published in Shawano Leader

on 7/23/00

  
Clerk Karla Duchae

The board of supervisors for the Town of Wescott, Shawano County, does ordain as follows:

1. PURPOSE. This ordinance amends the existing nuisance ordinance for the town by adding to the existing provisions.

2. SNOW REMOVAL. The deposit of any snow or ice upon any alley or street of the town contrary to the provisions of this section shall be and is declared to be a nuisance and, in addition to the penalty provided for violation in this section, the town may summarily remove any snow so deposited and cause the cost of said removal to be charged to the owner of the property from which said snow or ice has been removed. If the removal cost is not paid within 30 days, such charge shall be extended upon the current or next tax roll as a special charge as provided in W.S. s. 66.60(16), with 5% interest added from date of billing until December 15 and a \$25.00 administrative fee.

3. ENFORCEMENT PROVISIONS AMENDMENT. This Ordinance may be enforced by the citation procedure as authorized by Ordinance 2-81. The following bond schedule is hereby established for use of citation pursuant to this Ordinance.

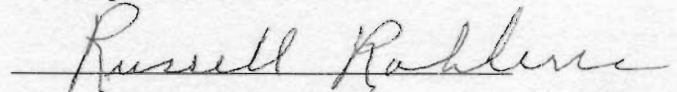
ORDINANCE TITLE	OFFENSE	DEPOSITS & COSTS
First violation	\$50.00	Plus current court costs.
Second and subsequent violation	<u>\$100.00</u> Double	Plus current court costs.

Dated: December 28, 2000.

Vote for: 3 against: 0



Chairperson Michel Schuler



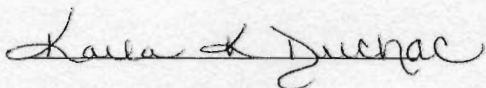
Supervisor Russell Robbins



Supervisor Willis Qualheim

Published in The Shawano Leader

on 1/5/01



Clerk Karla Duchac

402

**INTEGRATED ORDINANCE 87-1 (as amended)**

Whereas, it is the public interest for protection of public and private property to control the spread of oak wilt fungus a/k/a *Ceratocystis fagacearum*.

Whereas, the spread of oak wilt fungus is believed to be increased by cutting and pruning of oak trees between April 1 and October 1 of each year.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Wescott, Shawano County, does ordain as follows:

**SECTION 1 - TITLE.** The ordinance shall be named the Oak Wilt Fungus Control Ordinance.

**SECTION 2 - TOWN FORESTER.** The office of Town Forester is hereby created to be filled by appointment by the Town Board Chairperson subject to conformation by the Town Board. The Town Forester shall have the powers and perform the duties imposed by this ordinance and by ch. 27 of the Wisconsin Statutes.

**SECTION 3 - DEFINITIONS.** a. "Oak wilt fungus", a/k/a *Ceratocystis fagacearum* is a disease of oak trees carried by way of grafted root systems between infected and healthy trees or by insects carrying spores.

b. The Town Forester may authorize on behalf of the Town of Wescott other persons to carry-out inspections and authorize permits.

**SECTION 4 - DESIGNATION OF A TREE DISEASE CONTROL AREA.** The Town Forester shall designate an oak wilt control area within the Township in which this shade tree disease ordinances and control procedures shall be enacted.

**SECTION 5 - PROHIBITION OF TRIMMING, CUTTING, WOUNDING OR PRUNING OAK TREES FROM APRIL 1 TO OCTOBER 1 OF EACH YEAR.** a. To control the overland spread of oak wilt, no person shall cut, trim, wound or prune any oak trees, or allow the cutting, trimming, wounding or pruning of oak trees in the Town of Wescott between April 1 and October 1 of each year without first obtaining a written permit from the Town Forester.

b. No person shall take any action which causes incidental damage to oak trees from April 1 to October 1 of each year. For example doing damage to oaks while falling other trees. This shall include any activity which breaks open the bark of oak trees, thereby making them susceptible to the oak wilt fungus. If wounding is unavoidable during this period, as in the aftermath of a storm or when the tree interferes with utility lines, a tree wound dressing shall be applied immediately.

**SECTION 6 - PROHIBITION OF TRANSPORTING ANY INFECTED OAK WOOD OR BARK INTO OR THROUGH THE TOWN OF WESCOTT FROM APRIL 1 TO OCTOBER 1.** a. No person shall, at any time, transport or allow to be transported any wood or bark known to be infected with oak wilt fungus through the Town of Wescott from April 1 to October 1 of any year, except a person may transport infected wood to the Town of Wescott burnsite upon a permit issued under this ordinance for transportation of such wood during scheduled hours of the burnsite.

b. Except to allow for disposal of the wood by burning, burying, chipping or debarking before April 1 of the year following the death of the trees, wood from trees known to be infected with oak wilt fungus may not be moved off any property in the Town of Wescott. Property owners must provide proof to the Town Forester of proper disposal of any oak wilt infected wood removed from their property or be subject to the penalties in Section 13.

**SECTION 7 - HANDLING OF INFECTED OAK WOOD OR BARK DURING THE PERIOD OF APRIL 1 TO OCTOBER 1.** a. To prevent the oak wilt fungus from producing spores and to prevent overland spread of this fungus, any diseased material of the red oak group wilting the previous year, shall be declared hazardous the following year from April 1 until October 1.

b. Any hazardous oak wood to be used as fuel wood or to be salvaged for other purposes must be debarked or else completely covered by heavy plastic (4 mil or greater) from April 1 to October 1 of the year following the appearance of symptoms. After this time there is no danger of spore production, and the wood does not need to be covered.

c. Any branch greater than 3" in diameter of the red oak group determined to be hazardous and not salvaged shall be disposed of by burning, chipping or removal to an authorized dump site prior to April 1 of the year following the appearance of symptoms. Dead standing red oaks that have advanced beyond the potential for spore production need not be removed except where they constitute a hazard to life and/or property.

d. As provided for in Section 12 of this ordinance, trees or parts there of not removed on or before April 1 by the property owner shall be removed by the municipality within 20 days after notification and the cost there of assessed against the property.

e. Stumps of trees of the red oak group removed due to oak wilt shall be completely covered, removed or debarked to the ground line to eliminate all possibilities of spore formation and overland disease spread.

**SECTION 8 - ROOT GRAFT DISRUPTION (BARRIERS) AT PROPERTY BOUNDARIES.**

a. If the Town Forester finds that oak wilt threatens to cross property boundaries or disease control area boundaries, the Town Forester may require root graft disruption to prevent the spread of disease in this manner. If plowing or trenching is not possible due to terrain, location, or buried utilities, the Town Forester may require chemical root graft disruption. These barriers will be placed in accordance with current technology.

b. The charge, or any portion thereof, for any necessary root graft barriers may be assessed against the property on which the root barriers are placed.

c. Because oak wilt is a community problem and because oak wilt control may benefit an entire neighborhood, the tree inspector shall recommend and encourage neighborhood participation and cooperation, including cost sharing, in root graft disruption and other control efforts, especially where oak wilt is in danger of spreading across property boundaries.

**SECTION 9 - PERMIT PROCEDURE.** a. The Town Forester or appointed officials are authorized to issue permits for the cutting, pruning and trimming of living oaks and transport of oak wilt infected wood or bark or transport infected wood or bark in the Town of Wescott burnsite between April 1 to October 1 shall submit a written statement of a certified forester stating that the oak tree(s) proposed to be trimmed, cut or pruned are not infected with oak wilt fungus or in the proximity of any oak trees which are infected with oak wilt fungus which would promote the spread of the disease. The written statement must be dated within 15 days of application to the town clerk.

b. Permits for trimming or pruning of oaks shall not be given except in emergency situations, such as severe weather damage to oaks, which would require immediate attention to prevent oak wilt infection or damage to structures, power lines, and the like. If an emergency situation prevents an individual from getting a permit before cutting, pruning or trimming oak trees, within 10 days the individual must give written notification to the Town Forester regarding the circumstances of the emergency.

c. The Town shall provide a standard permit for all authorized officials to use. All permits shall include the following information:

1. The dates during which the permit is in effect.
2. Name, address and telephone number of the permittee.
3. The legal or plat description (or fire number) of the property where the activity is to take place.

4. An explanation of why the cutting, pruning, trimming or transport is required.

5. The requirement that all pruning or trimming wounds or stumps be immediately sealed with a tree wound dressing.

6. A statement explaining the liability on the part of the property owner to take abatement action if the permittee's actions result in oak wilt fungus infecting the permitted lands.

7. A statement of the potential liability of the permittee and landowner for control efforts and damages to neighboring properties in the event oak wilt fungus infects the permitted lands or the neighboring properties.

8. Signatures of the permittee, property owner (if different from permittee) and the issuing authority.

d. Permits for cutting of oaks shall include a description of the number and location of all oaks to be removed.

e. Permits for the transport of oak wilt infected wood must list the destination and method of destruction of the wood and the requirement that the Town Forester, upon demand, be given proof of the manner in which the wood was disposed.

f. Permits shall be issued for a period of up to 20 days.

g. The person doing the cutting, pruning, trimming or transporting shall have a copy of the permit at all times while doing the activity and shall provide this copy for inspection upon demand by the Town Forester or any official empowered to enforce this ordinance.

**SECTION 10 - PERMIT ISSUANCE.** Upon application for a permit with property written statement of the Town Forester, the clerk may issue a permit to trim, cut or prune and/or transport to the Town of Wescott burnsite, the specific oak tree(s) named in the application. The permit shall allow trimming, cutting or pruning within 20 days of issuance of the permit. Any person trimming, cutting or pruning oak tree(s) as authorized by permit under this ordinance shall properly seal the wood including the stump.

**SECTION 11 - NOTIFICATION OF NEW PROPERTY OWNERS.** At the time of sale or transfer of real property, the grantor(s) or his agent bears an affirmative obligation to disclose terms of this ordinance regulation to the grantee(s). The Clerk will circulate a copy of this ordinance free of charge to local Realtors currently known at time of passage, and provide information on future requests.

**SECTION 12 - ABATEMENT OF NUISANCES: DUTY OF FORESTER.** a. The forester shall order, direct, supervise and control the abatement of public nuisances as defined in this ordinance by spraying, removal, burning or by other means which he determines to be necessary to prevent as fully as possible the spread of the injurious insects or disease.

b. (1) When the Forester shall determine with reasonable certainty that a public nuisance exists upon private premises he shall immediately serve or cause to be served personally or by registered mail upon the owner of such property, if he can be found, or upon the occupant thereof, a written notice of the existence of such nuisance and of a time and place for a hearing, not less than 14 days after service of such notice, on the abatement action to be taken. Such notice shall describe the nuisance and recommended procedures for its abatement, and shall further state that unless the owner shall abate the nuisance in the manner specified in this notice, or shall appear at the hearing to show that such nuisance does not exist or does not endanger the health of trees, shrubs or plants in the Town, the Forester shall cause the abatement thereof at the expense of the property served. If the owner cannot be found, such notice shall be given by publication in a newspaper of general circulation in the Town.

(2) If after hearing held pursuant to this subsection it shall be determined by the Forester that a public nuisance exists, he shall forthwith order the immediate abatement thereof. Unless the property owner abates the nuisance with the time period specified the Forester shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property in accordance with the procedures provided in this ordinance. The Forester may extend the time allowed the property owner for abatement work.

**SECTION 13 - PENALTY.** Any person who shall trim, cut or prune any oak tree in the Town between April 1 and October 1 without a permit or shall transport into or through the Town any oak wood or bark infected with oak wilt fungus shall upon conviction thereof forfeit not less than \$50.00 nor more than \$500.00 together with costs of prosecution as allowed and in default of payment shall be imprisoned in county jail until both costs and forfeiture are paid, but not exceeding 60 days. Each tree or portion thereof cut in violation of this ordinance constitutes a separate offense. Whenever a complaint is filed on behalf of the town and the court deems it appropriate, an injunction may be authorized to prohibit future conduct in violation of this ordinance.

The cost of abating a public nuisance located on private premises when done at the direction and under the supervision of the Town Forester shall be assessed to the property on which such nuisance, tree or wood is located, in accordance with the provisions of Sec. 66-60, Wisconsin Statutes, which is adopted by reference and incorporated herein.

**SECTION 14 - ENFORCEMENT BY CITATION PROCEDURE.** This ordinance may be enforced by means of the citation procedure set forth in Town of Wescott Ordinance 2-81, or its successor. Any designated town enforcement officer may issue citations. The schedule of deposits for violation of this ordinance is as follows:

First violation (within three years)	\$75.00 plus court costs
Second violation (within three years)	\$125.00 plus court costs

An additional \$25.00 for each tree directly involved in violation is added.

**SECTION 15 - SEVERABILITY.** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

**SECTION 16 - EFFECTIVE DATE.** This ordinance shall take effect upon its passage and publication as required by law. (Drafter's note - this is an integrated ordinance, and hence became effective in part in 1987, 1991 and 1994.)

*passed 3-0*

# TOWN OF MENOMINEE/WESCOTT OAK WILT PREVENTION PERMIT

This permit is issued for (check one): ☐ Cutting, trimming or pruning of oak trees between April 1 and October 1.

☐ Transport of wood known to be infected with oak wilt.

Name and address of permittee: \_\_\_\_\_ Phone #: \_\_\_\_\_

Is permittee the property owner(Yes or No)? ☐ If "No", owner must also sign below).

Location of property where oaks are located: \_\_\_\_\_

Reason for the activity: \_\_\_\_\_

Dates during which this permit is in effect: \_\_\_\_\_

Description and map of the specific trees to be cut, trimmed or pruned or the destination and method of destruction of all infected wood being transported through the Town: \_\_\_\_\_

1. All wounds made in any living oak tree as a result of the above-described cutting, trimming or pruning and any stumps left after cutting of oaks, shall be immediately covered with tree wound dressing.
2. If any trees on the above-described property, or any neighboring property, become infected with oak wilt as a result of the cutting, trimming or pruning activities described, the property owner shall be liable for abatement actions necessary to control the spread of the oak wilt, as required under respective Town Ordinances. The owner and permittee may also be liable to neighboring property owners for damages occurring as a result of the oak wilt infection, as allowed under Wisconsin Statutes.
3. Any person doing any cutting, trimming or pruning of oaks or transporting of oak wilt infected wood shall have a copy of this permit with him/her at all times and shall provide the permit for inspection upon demand of the Town Forester or any official empowered to enforce Town Ordinance.
4. Any permittee who obtains a permit for transport of oak wilt infected wood must provide to the Town Forester, upon demand, proof of the manner in which the wood was destroyed, or be subject to penalties under Town Ordinance.

Signature of Permittee: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Authorized Permit Issuer: \_\_\_\_\_ Date: \_\_\_\_\_

**THERE WILL BE A FOLLOW-UP INSPECTION OF THE PROPERTY BY THE TOWN FORESTER**

The Wescott town board, following consultation with the town forester, does ordain as follows:

PURPOSE. This ordinance amends ordinance 87-1, as was previously amended, and as codified in 4.02, so the sections named read as follows:

3.a. **C. fagacearum** is a fungus that causes the disease known as oak wilt. It is a disease of oak trees carried overland by way of insect vectors carrying spores and underground by grafted root systems between healthy and infected trees.

7.d. As provided for in section 12 of the ordinance, trees or parts thereof not removed on or before April 1 by the property owner may be removed by the municipality after notification with the cost thereof assessed against the property.

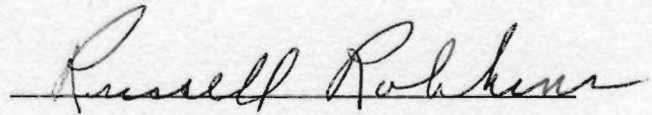
13. The maximum forfeiture penalty is amended from \$500 to \$1,000, together with costs of prosecution as allowed, and in default of payment the violator may be imprisoned in county jail until both costs and forfeiture are paid, not exceeding 60 days or the rate conversion currently used by the county circuit court.

Passed April 13, 1998.

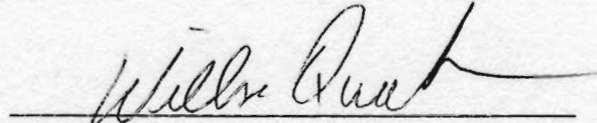
Vote for: 3 against: 0



Chairperson Michel Schuler

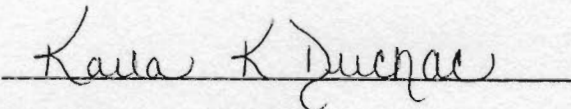


Supervisor Russell Robbins



Supervisor Willis Qualheim

Published in The News within  
30 days of passage.



Clerk Karla Duchac

TOWN OF WESCOTT ORDINANCE DEFINING  
AND PROHIBITING PUBLIC NUISANCES AND  
REPEALING ORDINANCE 6-81 AS AMENDED  
DECEMBER 1991, ORDINANCE 2000-05 AND  
ORDINANCE 2002-7

NO. 2019-03

WHEREAS, it is in the interests of the public that certain nuisances be defined as public nuisances

WHEREAS, the Town Board of the Town of Wescott has power under village Powers pursuant to Section 60.22(3), to enact ordinance defining and prohibiting public nuisances,

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of the Town of WESCOTT, SHAWANO COUNTY, Wisconsin

**Public nuisances defined.**

- A. A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:
- (1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.
  - (2) In any way render the public insecure in life or in the use of property.
  - (3) Greatly offend the public morals or decency.
  - (4) 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.
- B. 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 coming within the definition of "public nuisance" of this section:

- (1) All decayed, harmfully adulterated or unwholesome food or drink sold or offered for sale to the public.
- (2) 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.
- (3) 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.
- (4) Privy vaults and garbage cans which are not flytight.
- (5) Noxious weeds, as defined in § 66.0407(1)(b) and § 23.235(1)(a), Wis. Stats., invasive species as defined in Ch. NR 40, Wis. Adm. Code, and rank growth of other vegetation, that exceed eight inches in height. Rank growth of vegetation and noxious weeds adversely impact public health and safety and can decrease adjacent property values. This subsection applies to properties zoned or used for residential, commercial and industrial purposes, including vacant lots in platted subdivisions. Exceptions include gardens, cultivated flower beds, environmentally sensitive areas, and natural landscaping,
- (6) All domestic animals running at large.
- (7) The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash, industrial dust or other atmospheric pollutants within the Town 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 in the Town.
- {9) 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.
- (10) Any use of property, substances or things within the Town of Wescott emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stench extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of

persons within the Town.

- (11) All abandoned wells not securely covered or secured from public use.
- (12) 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 Town.
- (13) Failure of a property owner or tenant to keep a structure or exterior property free from rodent infestation. Where rodents are found, approved processes shall promptly exterminate them, which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

C. 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 coming within the definition of "public nuisance" of this section:

- (1) 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 or gambling.
- (2) 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 the ordinances of the Town of Wescott.
- (3) Any place or premises within the Town of Wescott where Town ordinances or state laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.
- (4) Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of the laws of the State of Wisconsin or ordinances of the Town.

D. 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 coming within the definition of "public nuisance" of this section:

- (1) All unauthorized signs, signals, markings 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 such device, sign or signal.
- (2) All trees, hedges, 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. All limbs of trees which project above the surface of a public sidewalk or street or above any other public place shall be kept trimmed to a reasonable height to allow for safe use and passage.
- (3) All use or display of fireworks except as provided by the laws of the State of Wisconsin and ordinances of the Town.
- (4) All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
- (5) All wires over streets, alleys or public grounds which are strung less than 15 feet above the surface thereof.
- (6) loud, discordant and unnecessary noises or vibrations of any kind.  
Quiet time is observed between the hours of 11p and 7a. During this time, all loud activities including, but not limited to music, bands, and use of loud equipment is expected to cease.
- (7) 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 Town.
- (8) All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same except as permitted by the ordinances of the Town or which, although made in accordance with such ordinances, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished.
- (9) All open and unguarded pits, wells, excavations or unused basements freely accessible from any public street, alley or sidewalk.
- (10) All abandoned refrigerators, iceboxes or other appliances from which the doors and other covers have not been removed or which are not equipped with a device for opening from the

inside.

- (11) Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.
- (12) Repeated or continuous violations of the ordinances of the Town or laws of the State of Wisconsin relating to the storage of flammable liquids.
- (13) Any violation of the ordinances of the Town of Wescott and the laws of the State of Wisconsin and the Administrative Code of the State of Wisconsin adopted by reference under Chapter 291, Fires and Fire Prevention, of this Code, particularly but without limitation Ch. Comm 10, Wis. Adm. Code, as relates to the storage of flammable liquids, etc.
- (14) Any construction debris or materials. unsightly debris, trash, wood, brick, washing machines, refrigerators or junk such as may tend to depreciate property values or be detrimental to the appearance, neatness and cleanliness of the neighborhood, provided that nothing in this subsection shall prohibit reasonable storage of construction materials during the construction of any building or structure.
- (15) No person may keep any undomesticated or wild animal which poses a threat to the public health or safety. Any such animal that is within the town at any time shall be safely and properly caged and restrained so that the animal cannot escape confinement onto property of another or attack any person validly on the owner's property.
- (16) Any outdoor swimming pool that has at least three feet of water must have at least a four-foot-high fence, or a solid structural cover which is locking. Such covers shall be in place whenever the pool is not in use and/or supervised by an adult.

### **Junked vehicles.**

A. Definitions. Terms used in this section shall have the following meanings:

#### **OWNER**

Includes owner, owners, tenants, lessees and/or occupants.

#### **JUNKED VEHICLE**

All junked, disassembled, inoperable or wrecked motor vehicles, or parts thereof, unless otherwise allowed by Chapter 18 of the Zoning Code.

- B. Abatement by owner. The owner of any property within this Town upon which a vehicle as hereinabove defined is stored or permitted to remain and also the owner of any such vehicle shall, jointly and severally, abate said nuisance by the prompt removal of such vehicle into a completely enclosed building authorized to be used for such storage purposes, if within the limits of the Town, or otherwise remove the same to a location outside the Town.
- C. Vehicles upon private property. Whenever the Town Chairperson or his/her designee shall find any such vehicle placed or stored in the open upon private property within the limits of the Town, the owner of such property and the owner of the vehicle, if he or she can be located, may be given a three-day written notice by certified mail to remove the same. If such vehicle is not removed within the time specified, the Town may have it removed by a junk or auto salvage dealer. The owner of the property upon which the vehicle had been placed or stored and the owner of the vehicle, if he can be located, shall be jointly and severally liable for the cost of removal by such dealer.
- D. Storage costs. If such vehicles are claimed by the owner, the junk or salvage yard shall charge a reasonable fee for handling and storing.
- E. Salvage yard excepted. The provisions of Subsection B shall not apply to auto salvage yards and/or junkyards that are duly authorized under the ordinances of the Town and have been issued a permit to operate as such salvage yard and/or junkyard under this Code.
- F. Disposal of unclaimed vehicles. When any such vehicle has been removed and placed in storage by the Town as herein provided and such vehicle is not claimed within 30 days after such storage, it shall be sold by the Town. If the proceeds of such sale are insufficient to pay the costs for the removal and storage, said owners jointly and severally shall be liable to the Town for the balance of the costs. If the proceeds are in excess of costs, the balance shall be paid to said owners.
- G. Violation of this section shall be subject to a penalty as prescribed in § 175.25(5), Wis.Stats.

## PROPERTY MAINTENANCE

Maintenance duties and responsibilities of owners/occupants and operators. Every owner/occupant or operator, or if the occupant has assumed responsibility under any written lease, shall, either personally or by agent, improve and maintain all properties within the scope of this code under his, her, or its control to comply with the following requirements:

1. Every premises shall be maintained in a clean, sanitary, and safe condition and comply with all applicable legal requirements of the State of Wisconsin, county in which it is located, and the Town of Wescott.
2. Premises shall be kept clear of refuse, such as brush, weeds, broken glass, garbage, trash, animal feces, and debris. Animal feces must be removed within a reasonable amount of time.
3. Natural growth, such as dead and dying trees and limbs, or other natural growth which, by reason of rotting or deteriorating conditions, or storm damage, constitutes a hazard to persons in the vicinity shall be removed. Trees shall be kept pruned and trimmed to prevent such conditions.
4. Overhangs, such as loose and overhanging objects, which by reason of location above ground level constitute a danger of falling on persons in the vicinity, shall be repaired or removed.
5. Sources of infestation shall be removed.
6. Every foundation, roof, exterior wall, window, and floor shall be reasonably weathertight and rodentproof and shall be kept in proper repair and be capable of affording privacy. All inside and outside stairways, floors, roofs, foundations, load-bearing walls, and every porch and every appurtenance thereto shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon; and shall be maintained in sound condition and good repair.
7. All exterior surfaces of buildings and fences made of materials not inherently resistant to or chemically treated to prevent deterioration shall be periodically coated with paint or other suitable preservative which provides adequate resistance to weathering, unless a variance is otherwise granted from the Board of Appeals.
8. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair and shall be maintained free of broken glass, loose shingles or boards, crumbling stone, brick or concrete, excessive peeling paint, or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved and fire and safety hazards eliminated and adjoining properties protected from blighting influences.
9. Exterior building walls shall not have any holes, loose boards, or any broken, cracked or damaged finish, which may admit rain, cold air, dampness, rodents, or insects.
10. Neglected premises visible to the public. It shall be the duty of any person owning or controlling any premises, including vacant lots visible from any public place or private premises, to maintain such premises in a reasonably clean and orderly manner. It shall be a violation of this subsection to abandon, neglect or disregard the condition or appearance of any premises so as to permit it to accumulate litter.
11. Areas around business premises. The owner/occupant or person in control of a public place, including but not limited to restaurants, shopping centers, fast food outlets, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, gas stations, hospitals, and clinics shall at all times keep the premises clean of all litter and shall take measures, including regular cleanup of

the premises, to prevent litter from being carried by the elements to adjoining premises. It shall be a violation of this subsection to abandon, neglect, or disregard the condition or appearance of such premises so as to permit it to accumulate litter.

12. Abandoned garbage. It shall be unlawful for any person who is in control of any premises upon which is located or on whose behalf there is maintained any container of refuse, waste or garbage, which has been containerized in accordance with a contract for its removal, to allow that refuse, waste or garbage to remain uncollected for longer than seven days or, in any case, until after that refuse, waste or garbage creates any condition which is offensive to persons upon any private premises or public place.

#### **Abatement of Public Nuisances.**

- A. **Inspection of Premises.** The Town may, at the discretion of the Town Board of Supervisors, make or direct periodic inspections and inspections upon complaint to ensure that the provisions of this ordinance are not violated.
- B. **Notice to Owner.** If the Town Board, or designee, determines that a public nuisance exists within the Town, it shall provide notice to the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises where such nuisance exists. The notice shall direct the person causing, permitting or maintaining the nuisance or the owner or occupant of the premises to abate or remove such nuisance within a reasonable period of time, as determined by the Town Board, or its designee.
- C. **Abatement by Town.** If the nuisance is not abated within the time provided in the written notice to the person causing, permitting or maintaining such a nuisance, or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement may cause the abatement or removal of such public nuisance.
- D. **Abatement by Court Action.** If the Town determines 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, the Town may cause an action to abate such nuisance to be commenced in the name of the Town in the Shawano County Circuit Court
- E. **Court Order.** Except where necessary under Subsection (A), no officer hereunder shall use force to obtain access to private property to abate a public nuisance, but shall request permission to enter upon private property if such premises are occupied and, if such permission is denied, shall apply to any court having jurisdiction for an order assisting the abatement of the public nuisance.
- F. **Other Methods Not Excluded.** Nothing in this Chapter shall be construed as prohibiting the abatement of public nuisances by the Town or its officials in accordance with the laws of the State of Wisconsin.

### **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 Town shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, such cost shall be assessed against the real estate as a special charge.

### **PENALTY**

- (1) Any person who shall violate any provision of this section shall, upon due conviction thereof, forfeit not less than an amount set forth in the corresponding resolution for each such offense, together with the costs of prosecution, and in default of the payment of such forfeiture and costs shall be imprisoned in the county jail until said forfeiture and costs of prosecution are paid, but not to exceed 30 days.
- (2) In addition to imposition of a fee for services constituting a special charge against the real estate imposed under this section, the Town may pursue injunctive relief against the owner in the Circuit Court for Shawano County. All legal costs and attorney fees incurred by the Town for enforcement of this section, pursuant to any remedy available, shall be payable to the Town by the owner of the premises. Judgment for such obligations may be obtained by the Town in either the Small Claims Court or Circuit Court for Shawano County.

□

### **Repeal of Previous Ordinances.**

This ordinance repeals Ordinance 6-81 amended and adopted January 4, 1991, Ordinance 2000-05 adopted June 13, 2000 and Ordinance 2000-7 adopted July 23, 2000.

If any provision of this ordinance is invalid or unconstitutional, or the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or its application.

This ordinance takes effect upon adoption and posting or publications as provided by law, pursuant to 60.80, Wis. Stat.

Brian Moesch  
Brian Moesch, Chairperson ☒ Yes No

Terry Moede  
Terry Moede, Supervisor ☒ Yes No

Vacant

Bruce "Duffy" Schultz  
Bruce "Duffy" Schultz, Supervisor ☒ Yes No

Marlene Brown  
Marlene Brown, Supervisor ☒ Yes No

Angela Vreeke  
Attest: Angela Vreeke, Clerk

Adopted this 10<sup>th</sup> day of October, 2019.

Published in the Shawano Leader on: 10-19-19

Posted in the following locations on: \_\_\_\_\_

10-13-19 1) Town Hall, Lake Drive 2) Town Office, Old Keshena Rd 3) Town  
Fire Station, Lake Drive

Resolution 2019-02- Public Nuisance Bond Schedule

STATE OF WISCONSIN

Town of Wescott

Shawano County

The Town Board of the Town of Wescott Shawano County, Wisconsin, by this resolution, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:

The following is designated the Public Nuisance Bond Schedule for the Town of Wescott authorized by Town Ordinance 2-81 to allow the town to enforce citations.

Ordinance Title	Offense	Deposits and Costs
First Violation of the Public Nuisance Ordinance	1 <sup>st</sup> : \$50.00	plus Current court costs
Second Violation of the Public Nuisance Ordinance	2 <sup>nd</sup> : \$75.00	plus Current court costs

Adopted this 10<sup>th</sup> day of October, 2019.

Voted for: 4 Against:        Absent: Vacant Supervisor #2 position

Brian Moesch

Brian Moesch, Chairperson

ATTEST TO:

Angela Vreeke

Angela Vreeke, Town Clerk

Posted on 10-15-19

Town of Wescott Office

Town of Wescott Town Hall

Town of Wescott Fire Station

Wescott Website: [www.townofwescott.com](http://www.townofwescott.com)