

CHAPTER 16
TOWN OF DECATUR
PUBLIC NUISANCE ORDINANCE

Section 1: Purpose

The purpose of this ordinance is to regulate activities, uses, businesses, and operations within the Town of Decatur, which adversely affect the citizenry, and aesthetics within the Town of Decatur.

Section 2: Authority

The Town Board of the Town of Decatur has the specific statutory authority, powers and duties, pursuant to its adoption of village powers under Sec. 60.10 Wis. Stats., to regulate, control, prevent and enforce against in the Town of Decatur certain uses, activities, businesses and operations by persons that may cause a public nuisance in the Town of Decatur.

Section 3:

The Town Board of the Town of Decatur has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance, regulations, controls, and enforcement against certain uses, activities, businesses and operations by persons that may cause a public nuisance in the Town of Decatur.

Section 4:

To prevent a public nuisance, no person in the Town of Decatur shall cause, allow or permit any person to allow the premises owned, leased or controlled by that person to become dangerous, unsafe, unsanitary, a fire menace or public hazard by:

- a. allowing illegal, offensive or unsafe vegetation to grow on the premises
- b. allowing bees to swarm on the premises
- c. allowing trash, debris, old lumber, furniture, freezers, stoves, refrigerators, junk motor vehicles, or waste to accumulate in unsheltered areas on the premises for more than thirty (30) consecutive days in any calendar year
- d. allowing refuse and other wastes to be disposed at commercial or industrial property except in permitted containers or in permitted facilities
- e. allowing any compost pile on the premises which has the following characteristics: offensive odor, or is within ten (10) feet of any property line or building
- f. allowing explosives on the premises without approval of the Town Board of the Town of Decatur
- g. allowing unauthorized disposal, storage, treatment or recycling of waste on the premises without the appropriate approvals from the State of Wisconsin, the County of Green, and the Town of Decatur
- h. allowing combustible rubbish, paper, oily rags, petroleum products or other highly flammable materials to be improperly secured and/or improperly stored in any building on the premises
- i. allowing waste to be disposed, stored, treated or recycled in or below a house, wharf, pier, mobile home or other building on the premises for

- more than thirty (30) consecutive days in any calendar year without approval of the Town Board of the Town of Decatur
- j. allowing any motor vehicle to be abandoned on any public highway, road, street or alley for more than thirty (30) consecutive days in any calendar year
 - k. allowing domestic animals (dangerous or otherwise) to run at large on the premises wherein they can access property of another to the substantial annoyance or substantial discomfort of persons or are allowed to cause injury to persons or property in the Town of Decatur
 - l. allowing any obstruction area where structures, hedges, trees, weed, signs, billboards, building, or equipment are installed or maintained near a public highway, road, street, alley or railroad crossing and due to the condition and location block a clean view of traffic that causes a menace or danger to public safety of persons in the Town of Decatur

Section 5: Severability

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6: Penalty and Enforcement

Any person violating this ordinance shall be fined not less than \$20.00 per day but not more than \$500.00 per day for each offense. Imprisonment in the County Jail can be ordered only for failure to pay the fine that may be imposed. If imprisonment is ordered for failure to pay the fine, it shall be limited to one day of confinement for each \$50.00 of fine or fraction thereof. The Town Board of the Town of Decatur shall have the authority to enforce this ordinance and to set the amount of the fine to be imposed with the amount to be based on the extent and severity of the violation.

Adopted this 17th day of January, 2017

By the Town Board of the Town of Decatur

Allen Schneider, Town Chairperson

Ronald L. Schwartzlow, 1st Supervisor

Robert A. Gadow, 2nd Supervisor

Attested by:

Ann L. Schwartz, Clerk/Treasurer