

Proposed Lawn/Weed Ordinance for City of Fountain City
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Definitions (Taken from Zoning Ordinance Booklet for City of Fountain City)

Yard. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

Yard, Front. A yard extending the full width of a lot between the nearest wall of the main building and the front lot line or the right-of-way line of a proposed street on the official map, whichever requires the greater front yard depth.

Yard, Side. A yard extending from the front yard to the rear yard, between the side lot line and the nearest wall of the main building.

Yard, Rear. A yard extending the full width of the lot line between the rear lot line and the nearest wall of the main building. In the case of irregular or triangular lots, where none of the lines bounding the rear of the lot are parallel or approximately parallel to the front lot line, the rear lot line for the purposes of this ordinance shall be a line 15 feet long, wholly within the lot, parallel to the front lot line or the main chord thereof, and at the maximum distance from the front lot line.

Section I: Yard/Sidewalk Area Maintenance

A. Grass, Weeds, and Vegetation Control

1. No person shall allow grass, weeds, or vegetation to attain a height of ten (10) inches or more within their yard.
2. No vegetation of any kind will be allowed to grow on sidewalks.
3. This section shall not apply to cultivated flowers, gardens, bushes, trees or agricultural use.
4. The City shall cause to be served a notice requiring the grasses, weeds, or vegetation to be cut.

B. Landscaping

1. All premises shall be kept landscaped. Hedges and bushes shall be kept trimmed and shall not be permitted to become overgrown onto sidewalks.

Section II: Enforcement of Maintenance

I. Penalties:

1. The penalty for a violation of Section (III) above shall be Seventy-Five and No/100 (\$75.00) Dollars and in addition, the violator shall be held liable for the payment of expenses incurred by the City of Fountain City, Wisconsin in removing the litter. Each individual action of violating this ordinance shall constitute a separate violation and may give rise to a separate forfeiture.
2. The penalty for a second and subsequent violation of section (III) above shall be One-Hundred Fifty and No/100 (\$150.00) Dollars and in addition, the violator shall be held liable for the payment of expenses incurred by the City of Fountain City, Wisconsin in removing the litter. Each individual action of violating this ordinance shall constitute a separate violation and may give rise to a separate forfeiture.
3. Additional costs and penalties: in addition to the basic penalties listed in (V)(1) above, the violator shall pay a penalty assessment imposed by Sic. Stats. Sec. 165.87, a jail assessment imposed by Wis. Stats. Sec. 302.46(1), and all court costs and assessments.
4. Where penalties and costs paid: all penalties and costs imposed as a result of a violation of any provision of this ordinance and all deposits shall be paid to the Buffalo County Clerk of Court, Courthouse, 407 South Second Street, Alma, WI 54610.
5. Receipts for cash deposits: all persons who make cash deposits to cover payment for penalties and costs imposed for violations of this ordinance shall be given a receipt therefore.

II. Enforcement by Citation:

1. Enforcement of this ordinance can be done wither by formal arrest of the violator, or by the issuance of municipal citation with the choice of which method to use to be left up to the police officer. The City Council hereby adopts and authorizes the use of a citation to be issued for all violations of this ordinance.
2. Form of citation: the form of citation shall provide for the following:
 - i. The name and address of the alleged violator.
 - ii. The factual allegations describing the alleged violation.
 - iii. The time and place of offense.
 - iv. The section of the ordinance violated.
- v. A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so.
- vi. The time at which the alleged violator may appear in court. The court of record shall be the Buffalo County Court, Civil Branch, Courthouse, Alma, Wisconsin.
- vii. A statement which in essence informs the alleged violator:
 1. That the alleged violator may make a cash deposit of a specific amount to be mailed to Buffalo County Clerk of Court, Courthouse, 407 South Second Street, Alma, WI 54610, prior to the assigned appearance date.
 2. That if the alleged violator makes such a deposit, he or she need not appear in court unless subsequently summoned.
 3. That if the alleged violator makes a cash deposit and does not appear in court, either he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, and penalty assessment imposed by Wis. State. Sec. 165.87 and a jail assessment imposed by Wis. Stats. Sec. 302.46(1) not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the pleas of no contest.
 4. That if alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture, the penalty

assessment imposed by Wis. Stats. Sec. 165.87 and the jail assessment imposed by Wis. Stats. Sec. 302.46(1).

3. Who may issue citations: law enforcement officers of the City of Fountain City, Wisconsin, are authorized to issue citations for all violations of this ordinance.