

TITLE 6
Health and Sanitation

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CHAPTER 1
Health and Sanitation

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SEC. 6-1-1 HEALTH OFFICER• DUTIES AND POWERS.

(a) GENERAL DUTIES. The Health Officer under the supervision of the District State Health Officer shall:

- (1) Make an annual sanitary survey and maintain continuous sanitary supervision over his territory.
- (2) Make a periodic sanitary inspection of all school buildings, restaurants, dairies, grocery stores, and meat markets, and places of public assemblage and report thereon to those responsible for the maintenance thereof.
- (3) Promote the spread of information as to the cause, nature and prevention of prevalent diseases and the preservation and improvement of health.
- (4) Enforce the health laws, rules and regulations of the State Board of Health, the State and the Village, including the laws relating to contagious diseases contained in Chapter 143, Wis. Stats., and Chapter H45, Wis. Adm. Code.
- (5) Take steps necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.
- (6) Keep and deliver to his successor a record of all his official acts.
- (7) Make an annual report to the State Board of Health and to the Village Board and such other report as they may request.

(b) MATERIALS AND SUPPLIES. The Health Officer shall have authority to procure at the expense of the Village all record books, quarantine cards and other materials needed by the Board of Health, except such as are furnished by the State Board of Health.

State Law Reference: Section 141.015 and Chapter 143, Wis. Stats.

SEC. 6-1-2 RULES AND REGULATIONS.

The Board of Health may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention of the creation of health nuisances and the protection of the public health and welfare, and may, where appropriate, require the issuance of licenses and permits. All such regulations shall have the same effect as ordinances and any person violating any of such regulations and any lawful order of the Board shall be subject to the general penalty provided for in this Code.

SEC. 6-1-3 HEALTH NUISANCES; ABATEMENT OF.

(a) DEFINED. A health nuisance is any source of filth or cause of sickness.

(b) DUTY TO ABATE. The Health Officer, the Board of Health and the Village Board shall abate health nuisances pursuant to Section 146.14, Wis. Stats., which is adopted by reference and made a part of this section.

State Law Reference: Section 146.14, Wis. Stats.

SEC. 6-1-4 COMPULSORY CONNECTION TO SEWER AND WATER.

(a) NOTICE TO CONNECT. Wherever sewer and water become available to any building used for human habitation, the Building Inspector or his designee shall notify in writing the owner, agent or occupant thereof to connect all facilities thereto required by the Building Inspector. The notice required by this Section shall direct the owner or his agent to connect the building to such main or mains in the manner prescribed by the Section 5-4-4 to install such facilities and fixtures as may be reasonably necessary to permit passage of sewage incidental to such human habitation into the sewerage system and to furnish an adequate supply of pure water for drinking and prevent creation of a health nuisance. If such person to whom the notice has been given shall fail to comply for more than ten (10) days after the notice, the Building Inspector shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property. The owner may within thirty (30) days after receipt of an invoice for work completed, file a written option with the Village Clerk-Treasurer stating that he cannot pay the cost of connection in one sum and electing that such sum be levied in five (5) equal annual installments, with interest on the unpaid balance at the current interest rate.

(b) ABATEMENT OF PRIVIES AND CESSPOOLS. After connection to a water main and public sewer no privy, privy vault or cesspool shall be constructed or maintained upon such lot or parcel and shall be abated upon ten (10) days written notice for such

abatement by the Building Inspector. If not so abated, the Building Inspector shall cause the same to be done and the cost thereof assessed as a special tax against the property.

(c) EXTENSION OF TIME. The Board of Health or Village Board may extend the time for connection hereunder or may grant other temporary relief where strict enforcement would work an unnecessary hardship without corresponding public or private benefit.

SEC. 6-1-5 KEEPING OF LIVESTOCK.

(a) SANITARY REQUIREMENTS. All structures, pens, buildings, stables, coops or yards wherein animals or fowl are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors.

(b) ANIMALS EXCLUDED FROM FOOD HANDLING ESTABLISHMENTS. No person shall take or permit to remain any dog, cat or other live animal on or upon any premises where food is sold, offered for sale or processed for consumption by the general public. This subsection shall not prohibit the use of guide dogs for the visually handicapped.

(c) FARM ANIMALS. Farm animals and fowl, such as cattle, hogs, sheep, horses, chickens, geese, etc., are prohibited within the Village of Plainfield except that they may be permitted on those properties zones "A" Agricultural as a conditional use, provided that a conditional use permit has been issued by the Village.

SEC. 6-1-6 DEPOSIT OF DELETERIOUS SUBSTANCES PROHIBITED.

No person shall deposit or cause to be deposited in any public street or on any public ground or on any private property not his own, any refuse, garbage, litter, waste material or liquid or any other objectionable material or liquid. When any such material is placed on the person's own private property, it shall be properly enclosed and covered so as to prevent the same from becoming a public nuisance.

SEC. 6-1-7 DESTRUCTION OF NOXIOUS WEEDS.

(a) The Village Clerk-Treasurer shall annually on or before May 15 publish as required by state law a notice that every person is required by law to destroy all noxious weeds on lands in the Village of Plainfield which he owns, occupies or controls.

(b) If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the Village of Plainfield shall give five (5) days' written notice by mail to the owner or occupant of any lands upon which the weeds shall be growing to the effect that the said Weed Commissioner after the expiration of five (5) days' period will proceed to destroy or cause to be destroyed all such weeds growing upon said lands and that the cost thereof will be assessed as a tax upon the lands upon which such weeds are located under the provisions of Section 66.96 of the Wisconsin Statutes. In case the owner or occupant shall further neglect to comply with such five (5)

day notice, then the Weed Commissioner shall destroy such weeds or cause them to be destroyed in the manner deemed to be the most economical method and the expense thereof, including the cost of billing and other necessary administrative expenses, shall be charged against such lots and be collected as a special tax thereon.

(c) Noxious weeds are those plants designated as noxious weeds in Section 66.96, Wis. Stats., and other rank growth.

SEC. 6-1-8 REGULATION OF LENGTH OF LAWNS AND GRASSES.

(a) PURPOSE. This Section is adopted due to the unique nature of the problems associated with lawns, grasses and noxious weeds being allowed to grow to excessive length in the Village of Plainfield.

(b) PUBLIC NUISANCE DECLARED. The Village Board finds that laws, grasses and noxious weeds on lots or parcels of land which exceed eight (8) inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interferes with the public convenience and adversely affects property values of other land within the Village. For that reason, any lawn, grass or weed on a lot or other parcel of land which exceeds eight (8) inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area.

(c) NUISANCES PROHIBITED. No person, firm or corporation shall permit any public nuisance as defined in Subsection (b) above to remain on any premises owned or controlled by him within the Village.

(d) INSPECTION. The Weed Commissioner or his designee shall inspect or cause to be inspected all premises and places within the Village to determine whether any public nuisance as defined in Subsection (b) above exists.

(e) ABATEMENT OF NUISANCE.

(1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsection (b) above exists, he shall immediately cause written notice to be served that the Village proposes to have the lot grass or lawn cut so as to conform with this Section.

(2) The notice shall be served at least five (5) days prior to the date of the hearing and shall be mailed or served on the owner of the lot or parcel of land or, if he is not known and there is a tenant occupying the property, then to the tenant, of the time and place at which the hearing will be held.

(f) DUE PROCESS HEARING. If the owner believes that his grasses or weeds are not a nuisance, he may request a hearing before the Village Board or its designee. The

request for said hearing must be made in writing to the Village Clerk-Treasurer's office within the five (5) days set forth in the Weed Commissioner's notice. Upon application for the hearing, the property owner must deposit a Fifty (\$50.00) Dollar bond. If a decision is rendered in the property owner's favor, the Fifty (\$50.00) Dollars will be returned to the property owner. If the property owner fails to appear for the hearing or if the decision is rendered against the property owner, the deposit shall be forfeited and applied to the cost of Village personnel abating the nuisance, if necessary. When a hearing is requested by the owner of the property, a hearing by the Village Board shall be held within five (5) days from the date of the owner's request. The property in question will not be mowed by the Village until such time as the hearing is held by the Village Board. At the hearing, the owner may appear in person or by his attorney, may present witnesses in his own behalf and may cross-examine witnesses presented by the Village as well as subpoena witnesses for his own case. At the close of the hearing, the Village Board shall make its determination in writing specifying its findings, facts, and conclusions. If the Village Board determines that a public nuisance did exist, the Board shall order the Weed Commissioner to mow the property in question unless the property has been mowed by the owner within forty-eight (48) hours of the Village Board's decision. If the owner does not abate the nuisance within the described forty—eight (48) hours, the Weed Commissioner shall cause the same nuisance to be abated and cost in excess of the forfeited fee assessed accordingly.

(g) VILLAGE'S OPTION TO ABATE NUISANCE. In any case where the owner, occupant or person in charge of the property shall fail to cut his lawn, grass or weeds as set forth above, then, and in that event, the Village may elect to cut said lawn, grass or weeds as follows:

(1) The written notice required in Subsection (e) shall inform said person that in the event of his failure to abate the nuisance within the prescribed time, the Village shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.

(2) The Village shall cut or cause to be cut all grass and weeds from the subject's property and shall charge the expenses of so doing at a rate as established by resolution by the Village Board. The charges shall be set forth in a statement to the Village Clerk-Treasurer who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within thirty (30) days thereafter, the Village Clerk-Treasurer shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate, or as provided under Section Wis. Stats.