



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
REGULAR MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE
Weston Municipal Center - Board Room
4747 Camp Phillips Road, Weston, WI 54476

Monday, April 7, 2025, at 5:00 p.m.

Some or all of the members of the Committee, applicants, or members of the public, may participate in the meeting remotely by teleconference or videoconference via the Zoom links listed below.

Join Zoom Meeting by Computer:

<https://zoom.us/j/5445915099>

Join Zoom Meeting by Phone:

+1 312 626 6799 US (Chicago)

Meeting ID: 544 591 5099

CALL TO ORDER/ROLL CALL

1. Meeting called to order by CLPS Chair & Village Trustee Pinsonneault.
2. Pledge of Allegiance to the Flag.
3. Roll Call and declaration of quorum by Secretary – Jim Pinsonneault {c}, Barb Ermeling {vc}, Katrina Clark, John Czerwonka, Kirk Kamke, Luis Lopes-Serrao, and Brent Olson
4. Reading of Mission Statement: *The Community Life and Public Safety Committee evaluates and makes recommendations to the Village Board on matters related to safety, welfare, and livability within the Village and their impact upon Village of Weston residents.*

PUBLIC COMMENT

(Please be advised per State Statute Section 19.84(2), the information will be received from the public. It is the policy of the Village that there be a five-minute time-period, per person, with time extension, per the Chair's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comment.)

MINUTES FROM PREVIOUS MEETINGS

5. [Minutes from March 3, 2025, Regular Meeting](#)

WRITTEN COMMUNICATIONS RECEIVED

ACKNOWLEDGE REPORTS FROM DEPARTMENTS

6. [Code Enforcement Update](#)

UNFINISHED BUSINESS

7. Discussion and/or action on any further updates regarding Future Exploration of Commercial Building Inspections Program
8. [Discussion and/or action on proposed amendments to Chapter 42 Law Enforcement](#)

NEW BUSINESS

9. Update on Raze or Repair Order for Aspen Street Apartments located at 4911, 5003, 5007, 5011, 5013 & 5107 Aspen Street
10. [Discussion and/or action on proposed amendments to Chapter 90 Vegetation](#)



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
OFFICIAL MEETING AGENDA OF THE REGULAR MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE

ANNOUNCEMENTS

REMARKS FROM COMMITTEE MEMBERS

ITEMS FOR NEXT AGENDA

- a. Next Regular Meeting Date – Monday, May 5, 2025, at 5:00 pm

ADJOURNMENT

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may/might attend the above-noticed meeting to gather information. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). No official actions other than those of the Community Life & Public Safety Committee shall take place.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Village will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the Village Clerk at 715-359-6114 or clerks@westonwi.gov to discuss your accessibility needs. We ask your request to be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the Village will make a good faith effort to accommodate your request.

This Agenda was posted at the Village Municipal Center, on www.westonwi.gov and transmitted to media partners on 04/02/2025. Questions can be directed to the Administrator at 715-359-6114

**Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE
VILLAGE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE MEETING**
held on Monday, March 3, 2025, at 5:00 p.m., in the Board Room, at 4747 Camp Phillips Road

AGENDA ITEMS.

1. Meeting called to order by CLPS Chair and Village Trustee, Jim Pinsonneault, at approximately 5:00 p.m.

2. Pledge of Allegiance to the Flag.

3. Roll Call and Declaration of Quorum by Secretary Parker.

Roll call indicated 6 CLPS members present.

<u>Member</u>	<u>Present</u>
Pinsonneault, Jim {Chair}	YES
Ermeling, Barbara {Vice Chair}	EXCUSED
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	YES
Lopes-Serrao, Luis	YES
Olson, Brent	YES

Village Staff in attendance, in-person: Gebert, Higgins, Maguire, Hunt, Finke, and Parker.

Village Staff in attendance, via Zoom: None

Board of Trustees Members Present, in-person: None

Board of Trustees Members Present, via Zoom: None

Audience Members in attendance, in-person: There were three audience members present, in-person.

Audience Members in attendance, via Zoom: There were no audience members present, via Zoom.

4. Reading of Mission Statement.

Pinsonneault read the Mission Statement of CLPS.

Introductions were made by everyone for the two new CLPS members.

PUBLIC COMMENT [0:03:45 Zoom Meeting Recording]

None.

MINUTES FROM PREVIOUS MEETINGS [0:4:09 Zoom Meeting Recording]

5. Approve Minutes from February 3, 2025, CLPS Meeting.

Motion by Lopes-Serrao, second by Czerwonka: to approve the February 3, 2025, CLPS meeting minutes.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Pinsonneault, Jim {Chair}	YES
Ermeling, Barbara {Vice Chair}	-----
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	YES
Lopes-Serrao, Luis	YES
Olson, Brent	YES

WRITTEN COMMUNICATIONS RECEIVED [0:4:27 Zoom Meeting Recording]

None.

ACKNOWLEDGE REPORTS FROM DEPARTMENTS [0:4:32 Zoom Meeting Recording]

6. Code Enforcement Update

Gebert pointed out the information provided in the packet.

Maguire stated he was able to display, in the report, some more data related to the cases.

Gebert stated there is also updated information on the Leduc Street case. Maguire explained he has been in contact with the property owner of this property, and how they are working with property owners to bring their property issues into compliance. Gebert stated that all the dogs on this property are now vaccinated and licensed. On April 10th, there is a follow-up visit set to review the property compliance status.

Christopher Maloney, owner of 4408 Leduc Street, was present, and requested to be notified right away of any issues that need to be corrected.

Pinsonneault questioned some of the other outstanding code violations, and Maguire explained the status on those.

Motion by Lopes-Serrao, second by Olson: to acknowledge the Code Enforcement Update Report.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Pinsonneault, Jim {Chair}	YES
Ermeling, Barbara {Vice Chair}	-----
Clark, Katrina	YES
Czerwonka, John	YES

Kamke, Kirk	YES
Lopes-Serrao, Luis	YES
Olson, Brent	YES

UNFINISHED BUSINESS

7. Discussion and/or action on further updates regarding Future Exploration of Commercial Building Inspections Program [0:12:03 Zoom Meeting Recording]

Maguire stated there are no updates or status change at this time.

8. Discussion and/or action on proposed amendments to Chapter 34 Fire Prevention and Protection [0:12:18 Zoom Meeting Recording]

Gebert pointed out the updated draft is in the packet. Gebert explained the changes, which consisted of adding that tent permits are required with a Temporary Use Permit along with the added exemption to the tent permit requirement for fire watchers, if open on three sides, with an expected crowd of less than 10,000. She explained, with regard to Knox Box requirements the change in language along with the Fire Department's recommendation. She also pointed out the Door, Floor, and Stairway Identification section to only require the door markings at the sprinkler rooms.

Lopes-Serrao questioned Finke, with regard to the amendment on the Knox Box requirement section, if Finke is okay with the proposed language. Finke stated he would have preferred it stay the way it was, as he anticipates a lot of angry business owners, requesting reimbursement from the Fire Department for their damaged doors.

Motion by Czerwonka, second by Clark: to recommend approval of the ordinance amendments to Chapter 34 Fire Prevention and Protection to the Board of Trustees. Lopes-Serrao voted "no". Motion carried.

Yes Vote: 5 No Votes: 1 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member (PC)</u>	<u>Voting</u>
Pinsonneault, Jim {Chair}	YES
Ermeling, Barbara {Vice Chair}	-----
Clark, Katrina	YES
Czerwonka, John	YES
Kamke, Kirk	YES
Lopes-Serrao, Luis	NO
Olson, Brent	YES

9. Discussion and/or action on proposed amendments to Chapter 38 Health & Sanitation [0:15:38 Zoom Meeting Recording]

Gebert summarized the changes drafted, which included changing the word “Rat” to “Rodent”, adding verbiage in the Solid Waste section regarding using best management practices and making every possible effort to minimize, dust, dirt, debris, etc.

Motion by Lopes-Serrao second by Olson: to recommend approval of the ordinance amendments to Chapter 38 Health & Sanitation to the Board of Trustees.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS
Voting

Member (PC)

Pinsonneault, Jim {Chair} YES
 Ermeling, Barbara {Vice Chair} -----
 Clark, Katrina YES
 Czerwonka, John YES
 Kamke, Kirk YES
 Lopes-Serrao, Luis YES
 Olson, Brent YES

10. Discussion and/or amendments to Chapter [0:17:28 Zoom Meeting

action on proposed 42 Law Enforcement Recording]

Gebert stated she does not have a formal update on this yet, as she is still in communication with Attorney Yde on this, who has shared with her some comments. However, she needs to discuss this further with Attorney Yde. Gebert stated this will come back next month for discussion and review. Gebert stated she may reach out to Sandra Bates, of MBMPD, to see if it is necessary for the additional ordinance on Municipal Court, as none of the member communities have one. Hunt stated he will ask the Municipal Clerk her thoughts.

Motion by Clark, second by Czerwonka: to defer action until a future meeting.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS
Voting

Member (PC)

Pinsonneault, Jim {Chair} YES
 Ermeling, Barbara {Vice Chair} -----
 Clark, Katrina YES
 Czerwonka, John YES
 Kamke, Kirk YES
 Lopes-Serrao, Luis YES
 Olson, Brent YES

NEW BUSINESS

11. Update on Raze or Repair Order for Aspen Street Apartments located at 4911, 5003, 5007, 5011, 5013, & 5107 Aspen Street [0:19:45 Zoom Meeting Recording]

Maguire referred the Committee to the meeting packet, and explained these are six apartment complex properties all under the ownership of NASV (Glen Witter who passed away April of 2024). Maguire stated that the properties are still going through probate. There is a management company (ABC Rental Management / Thrifty Apartments) associated with the properties

Maguire explained that three months ago, they met the representative of Witter's estate (James Speckhard). He, Christiansen, Tatro, the representative, and the maintenance company met and did a walk-through of the property. Notes had been taken and shared with the representative and management company so that they could start making corrections. Maguire stated that a follow-up inspection will take place sometime after March 17th.

Maguire stated that through their initial inspection, the conditions at these properties are not worse enough to warrant a raze order, instead if they fail to correct the issues, they will be issued a repair order.

Maguire then described all the circumstances related to the pictures that were included in the packet. He summarized that this is a complex that has been neglected for a long time, and they will learn more, later in the month, as to how the progress is going, and then from there put together a determination that will either deem the buildings unfit for human habitation or put the repair orders on them.

Maguire explained to Pinsonneault that he issued the buildings a 90-day raze or repair order notice on December 17, 2024. He stated that following their March 17th re-inspection, if repairs have not been made, then he will have to take the raze order route, which ultimately means all tenants of the building(s) would need to vacate. Pinsonneault suggested that we issue them a reminder of the upcoming inspection and the repercussions that will be faced if they have not made the required repairs.

Higgins clarified that there is a formal process that will need to be taken, if the raze order is given, where tenants would not be required to vacate on March 18th. She stated that following the inspection, there will be an internal discussion and we will have to figure out which way (raze or repair) we want to go. There is a required procedure we would have to go through with the Court system if a raze order is issued. She stated as far as a repair order, we have never gone through this process, so we will need to refer to State Statutes to be sure we are following all of the correct legal procedures, along with a formal inspection report. Higgins stated if we go there and they appear to be making progress towards the corrective work, we would work with them.

Pinsonneault questioned the timeline, as far as the original directive from the Board of Trustees being on October 21, 2024. Higgins explained that directive was for staff to start the process, which included working with Attorney Yde to make sure we were following the proper procedures, and needed assistance in finding out who the trustee of Witter's properties was, which we learned in November was Jim Speckhard.

Olson questioned what the response was of the Trustee, as far as what the intentions are with these apartments. It was stated the Trustee's intention is to sell the properties. Maguire believes the plan is to fix the buildings; however, the management company (who is collecting all the rent checks) has been doing as very little as possible until someone put pressure on them. Maguire stated that it is not the Village's intention to see all the residents there lose their homes. He stated while things aren't moving as fast as we'd like, they are moving in the right direction.

Maguire stated to Lopes-Serrao that the orders separated by each building. He confirmed to Olson that the last two (most northern) buildings are under different ownership.

Pinsonneault questioned why we do not have individual violations for each unit with the material on the outside of balconies and patio screen doors laying loose. Maguire stated the issue with the patio doors is on the management company. As far as cleaning up each unit's balconies, that is on the tenants. He stated we can inform them that they need to clean those areas up, but we have directed the management company to get

that taken care of. Gebert stated there is also an issue of our not knowing if the stuff sitting out is abandoned or actual stuff owned by the tenant.

Gebert stated that the MBMPD has been there and having conversations with tenants. She stated we are trying to be sure the tenants have resources to help with their needs.

Maguire commented that we have had tenants contact us regarding the mold in the building. He stated that when it comes to mold, Marathon County Health Department (MCHD) does not want to deal with it. He stated as far as whether the mold is toxic or not, MCHD is the only entity in the area that can test it. However, he said that everyone has different levels of sensitivity to different mold spores. He stated that mold is addressed through the Nuisance Code, since it is treated as "unsanitary".

Clark stated that any levels of mold, regardless of what kind of mold it is, can be toxic to people. She explained her own current battles with mold, and how it is making her family sick. She stated that all mold is toxic and does not belong in buildings, and pointed out the comment about certain molds not being toxic is misinformation.

Lopes-Serrao commented that while we don't want to enable people to live under those conditions (with the mold) we also do not want to kick out people under short notice, especially when we are still dealing with a housing issue.

Maguire explained to Olson that the apartments are between 65% to 85% occupied.

Motion by Olson, second by Lopes-Serrao, to acknowledge the report, as presented in the packet.

Yes Vote: 6	No Votes: 0	Abstain: 0	Not Voting: 1	Result: PASS
			<u>Voting</u>	
	<u>Member (PC)</u>			
	Pinsonneault, Jim {Chair}		YES	
	Ermeling, Barbara {Vice Chair}		-----	
	Clark, Katrina		YES	
	Czerwonka, John		YES	
	Kamke, Kirk		YES	
	Lopes-Serrao, Luis		YES	
	Olson, Brent		YES	

12. Discussion and/or action on proposed amendments to Chapter 66 Solid Waste [0:40:10 Zoom Meeting Recording]

Gebert stated this is the next ordinance in our list of ordinances to review.

Higgins stated this ordinance was last updated before we did our last contract for services. She stated this was recently looked at when we changed from EMPD to MBMPD.

It was stated there is no action needed. The ordinance will not return to a future meeting.

ANNOUNCEMENTS [0:41:57 Zoom Meeting Recording]

None.

REMARKS FROM COMMITTEE MEMBERS [0:42:05 Zoom Meeting Recording]
None.

ITEMS FOR NEXT AGENDA [0:42:34 Zoom Meeting Recording]

a. Next Regular Meeting Date – Monday, April 7, 2025, at 5:00 p.m.

Pinsonneault stated we will get an update on the Aspen Street Apartments in April.

Gebert will continue to include an agenda item for updates to the Commercial Inspections program.

ADJOURNMENT

Motion by Clark, second by Lopes-Serrao: to adjourn at 5:43 p.m.

Jim Pinsonneault, Village Trustee and CLPS Chair
Jami Gebert, Village Administrator
Valerie Parker, Recording Secretary

DRAFT

REQUEST FOR CONSIDERATION

Public Mtg/Date: CLPS, April 7, 2025

Description: Monthly Code Enforcement Report

From: Jennifer Higgins, Planning & Development Director/Zoning Administrator
 Roman Maguire, Building Inspector
 Travis Meverden, Building Inspector/Property Inspector
 Mountain Bay Metro Police Department

Question: Item is on the agenda for informational purposes only as an update to Code enforcement case progress over the past month.

BACKGROUND

As of today, 4/2/25, there are 44 open and active code enforcement cases (See attached list).

The new cases for March 2025 are listed below.

March 2025 New Cases									
SR_Number	Column1	SR_Type	SRDate	SR_Status	CompletedDate	SR_AssignedTo	SR_ComplaintSo	SR_UseType	SR_Complainant
CV-202500025	5500 SCHOFIELD AV, WESTON	Nuisances	3/13/2025	No Violation	3/13/2025	tmeverden	Phone		Neighbor
CV-202500026	No Address	Zoning-Signs	3/12/2025	In Compliance	3/14/2025	jhiggins	Email		Trustee
CV-202500027	2106 SCHOFIELD AV, WESTON	Zoning-Signs	3/14/2025	In Compliance	4/1/2025	jhiggins	Email	Non Residential	Trustee
CV-202500028	7007 CAMP PHILLIPS RD, WESTON	Zoning-Signs	3/14/2025	In Compliance	4/1/2025	jhiggins	Email	Non Residential	Trustee
CV-202500029	6103 CONNIE LN, WESTON	Zoning-Signs	3/14/2025	In Compliance	3/18/2025	jhiggins	Email	Single Family	Trustee
CV-202500030	5206 RIVERFRONT PL, WESTON	Zoning-Signs	3/14/2025	In Compliance	4/1/2025	jhiggins	Email	Single Family	Trustee
CV-202500031	4032 CAMP PHILLIPS RD, WESTON	Zoning-Signs	3/14/2025	In Compliance	4/1/2025	jhiggins	Email	Single Family	Trustee
CV-202500032	4803 ROSS AV, WESTON	Zoning-Signs	3/14/2025	In Compliance	4/1/2025	jhiggins	Email	Non Residential	Trustee
CV-202500033	9805 Siberian Drive	Parking	3/17/2025	No Violation	3/21/2025	CodeEnforcement	Online		Neighbor
CV-202500035	5703 JAMAR ST, WESTON	Zoning-Signs	3/21/2025	In Compliance	4/1/2025	jhiggins	Drive By	Non Residential	Staff
CV-202500036	5503 CHERYL DR, WESTON	Business Licensing	3/24/2025	In Compliance	3/31/2025	CodeEnforcement	Phone		Neighbor
CV-202500037	4804 FULLER ST, WESTON	Building Code	3/27/2025	In Violation		rmaguire	In Person		Staff
CV-202500038	7205 SCHOFIELD AV, WESTON	Animals	3/27/2025	In Violation		jzwicky	Online		Neighbor
CV-202500039	6502 CONNIE LN, WESTON	Business Licensing	3/28/2025	Pending		rmaguire	Phone	Single Family	Neighbor
CV-202500040	2215 SCHOFIELD AV, WESTON	Zoning-Land Use	3/28/2025	Pending		rmaguire	Drive By	Non Residential	Staff

Staff continue to meet in person with MBMPD monthly to discuss cases. Officers Zwicky and Loveless provide weekly updates on cases they are helping us with.

Attached Docs: Active Enforcement Case List

Committee Action: None

Fiscal Impact: TBD.

Recommendation: Staff recommend the Committee acknowledge the report and place on file.

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I acknowledge the report as presented and direct staff to place the report on file.

ADDITIONAL ACTION: None

Open Cases as of 4/2/2025

ID	Complaint Date	Case Address	Case Number	Type	Status	Assigned To	Created On	Created By
6471	3/31/2025	5602 MESKER ST, WESTON	CV-202500041	Nuisances	Pending	tmeverden	3/31/2025	rmaguire
6470	3/28/2025	2215 SCHOFIELD AV, WESTON	CV-202500040	Zoning-Land Use	Pending	rmaguire	3/28/2025	vparker
6469	3/28/2025	6502 CONNIE LN, WESTON	CV-202500039	Business Licensing	Pending	rmaguire	3/28/2025	vparker
6468	3/27/2025	7205 SCHOFIELD AV, WESTON	CV-202500038	Animals	In Violation	jzwicky	3/27/2025	Code Enforcement
6467	3/27/2025	4804 FULLER ST, WESTON	CV-202500037	Building Code	In Violation	rmaguire	3/27/2025	rmaguire
6450	2/17/2025	1818 HIGHLAND AV, WESTON	CV-202500020	Nuisances	In Violation	tmeverden	2/17/2025	Code Enforcement
6445	1/31/2025	5602 MESKER ST, WESTON	CV-202500015	Zoning-Motorized Vehicle Storage	In Violation	tmeverden	1/31/2025	tmeverden
6442	1/31/2025	4702 AUGUSTINE AV, WESTON	CV-202500012	Zoning-Motorized Vehicle Storage	In Violation	tmeverden	1/31/2025	tmeverden
6440	1/31/2025	4607 STERNBERG AV, WESTON	CV-202500010	Parking	In Violation	tmeverden	1/31/2025	tmeverden
6439	1/30/2025	4408 LEDUC ST, WESTON	CV-202500009	Nuisances	In Violation	rmaguire	1/30/2025	jhiggins
6438	1/27/2025	5311 JEAN ELLEN ST, WESTON	CV-202500008	Parking	In Violation	tmeverden	1/27/2025	pbrehm
6436	1/27/2025	4509 STERNBERG AV, WESTON	CV-202500006	Parking	In Violation	tmeverden	1/27/2025	pbrehm
6434	1/22/2025	3020 MOUNT VIEW AV, WESTON	CV-202500004	Building Code	In Violation	rmaguire	1/22/2025	rmaguire
6433	1/16/2025	3613 SCHOFIELD AV, WESTON	CV-202500003	Zoning-Permits/Approvals	In Violation	rmaguire	1/20/2025	jhiggins
6432	1/16/2025	4507 TWIN PINES LN, WESTON	CV-202500002	Zoning-Permits/Approvals	In Violation	mloveless	1/16/2025	tmeverden
6430	12/31/2024	4717 MESKER ST, WESTON	CV-202400208	Nuisances	In Violation	mloveless	12/31/2024	vparker
6426	12/18/2024	4002 SCHOFIELD AV, WESTON	CV-202400204	Refuse and Recycling	In Violation	vparker	12/18/2024	vparker
6425	12/18/2024	3806 SCHOFIELD AV, WESTON	CV-202400203	Refuse and Recycling	In Violation	vparker	12/18/2024	vparker
6424	12/18/2024	3910 SCHOFIELD AV, WESTON	CV-202400202	Refuse and Recycling	In Violation	vparker	12/18/2024	vparker
6422	12/13/2024	6406 HUBERT AV, WESTON	CV-202400200	Nuisances	In Violation	tmeverden	12/13/2024	Code Enforcement
6415	11/18/2024	4911 ASPEN ST, WESTON	CV-202400193	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6414	12/11/2024	5003 ASPEN ST, WESTON	CV-202400192	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6413	11/18/2024	5007 ASPEN ST, WESTON	CV-202400191	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6412	11/18/2024	5011 ASPEN ST, WESTON	CV-202400190	Building Code	In Violation	rmaguire	12/11/2024	rmaguire
6411	11/18/2024	5103 ASPEN ST, WESTON	CV-202400189	Building Code	In Violation	rmaguire	12/10/2024	rmaguire
6410	11/18/2024	5107 ASPEN ST, WESTON	CV-202400188	Building Code	In Violation	rmaguire	12/10/2024	rmaguire
6407	11/21/2024	5011 ASPEN ST, WESTON	CV-202400185	Building Code	Pending	rmaguire	11/21/2024	Code Enforcement
6405	11/15/2024	4020 SCHOFIELD AV, WESTON	CV-202400183	Refuse and Recycling	In Violation	vparker	11/15/2024	Code Enforcement
6400	11/11/2024	3404 STERNBERG AV, WESTON	CV-202400178	Zoning-Accessory Buildings	In Violation	mloveless	11/11/2024	tmeverden
6397	11/1/2024	5912 BUSINESS HIGHWAY 51, WESTON	CV-202400175	Building Code	In Violation	rmaguire	11/6/2024	rmaguire
6396	11/4/2024	5310 JACOB ST, WESTON	CV-202400174	Building Code	In Violation	tmeverden	11/4/2024	cedmondson
6350	8/16/2024	1310 Post Avenue	CV-202400128	Nuisances	In Violation	jzwicky	8/16/2024	Code Enforcement
6313	7/16/2024	4501 RIVER BEND RD, WESTON	CV-202400091	Right-of-Way	In Violation	tmeverden	7/16/2024	tmeverden
6287	6/20/2024	3913 ROSS AV, WESTON	CV-202400065	Building Code	In Violation	tmeverden	6/20/2024	jhiggins
6286	6/20/2024	7804 SERVICE LN, WESTON	CV-202400064	Zoning-Parking Lot	In Violation	tmeverden	6/20/2024	cedmondson
6264	6/4/2024	4506 HOLLY AV, WESTON	CV-202400042	Zoning-Driveways	In Violation	tmeverden	6/4/2024	tmeverden
6255	5/17/2024	9840 SANDHILL DR, WESTON	CV-202400033	Building Code	In Violation	tmeverden	5/17/2024	Code Enforcement
6240	3/28/2024	1323 EVEREST AV, WESTON	CV-202400018	Zoning-Permits/Approvals	In Violation	rmaguire	3/28/2024	aanklam
6223	1/4/2024	4104 SHOREY AV, WESTON	CV-202400001	Building Code	In Violation	rmaguire	1/4/2024	aanklam
6217	12/5/2023	3609 WESTON AV, WESTON	CV-202300157	Zoning-Motorized Vehicle Storage	In Violation	mloveless	12/5/2023	aanklam
6123	6/27/2023	5902 STELLA AV, WESTON	CV-202300063	Zoning-Permits/Approvals	In Violation	jhiggins	6/27/2023	aanklam
6118	6/16/2023	5810 BUSINESS HIGHWAY 51, WESTON	CV-202300058	Building Code	In Violation	tmeverden	6/16/2023	aanklam
6067	2/14/2023	1710 ROSSENBAACH AV, WESTON	CV-202300007	Nuisances	In Violation	tmeverden	2/14/2023	aanklam
5971	9/8/2021	6202 ROSS AV, WESTON	CV-202100084	Nuisances	In Violation	tmeverden	9/8/2021	Code Enforcement

REQUEST FOR CONSIDERATION

Public Mtg/Date:	CLPS, April 7, 2025
Description:	Discussion and/or action on proposed amendments to Chapter 42 Law Enforcement
From:	Jami Gebert, Administrator
Question:	Review of any necessary amendments to Chapter 42 Law Enforcement?

Background

Staff is still working on the update to Chapter 42. Chief Hunt is researching with the Rothschild Area Municipal Court Clerk best practices. As noted at the March meeting, Attorney Yde suggested Chapter 42 be revised to reflect the changes from the single court to the joint court, and possibly adding those changes to Chapter 26 *Court*. The District Attorney Administrator for our region (Ninth Judicial District) said that Chapter 26 needed to match in every municipality a part of the Rothschild Area Municipal Court. The Village amended Chapter 26 on 3/18/2024 by Ord. 24-003 and adopted the same ordinance as the other five communities as a member of the area court. The other five communities do not have any additional ordinances detailing municipal court.

It is possible additional information could be shared at the CLPS meeting, but I want to provide a brief update and share staff is still working through amendment(s).

Attached Docs:	None.
Committee Action:	TBD.
FISCAL IMPACT:	None.
Recommendation:	None.

Recommended Language for Official Action

I move to

REQUEST FOR CONSIDERATION

Public Mtg/Date: CLPS, April 7, 2025

Description: Discussion and/or action on proposed amendments to Chapter 90 Vegetation

From: Jami Gebert, Administrator

Question: Review of any necessary amendments to Chapter 90 Vegetation?

Background

Continuing discussion on the ordinances that the CLPS committee has some oversight and responsibility with, attached is **Chapter 90 Vegetation** for your review. The Village's Arborist will also be available during the meeting for the discussion and/or questions regarding the chapter.

Attached Docs: Chapter 90 Vegetation

Committee Action: TBD.

FISCAL IMPACT: None.

Recommendation: None.

Recommended Language for Official Action

I move to

CHAPTER 90 VEGETATION

Sec 90.100 Penalties

Sec 90.101 Noxious Weeds

Sec 90.102 Protection Of Trees And Shrubs

Cross References—Mobile Homes, Chapter 46; Planning Commission, Chapter 62; Streets, Sidewalks and Other Public Places, Chapter 70; Subdivision Regulations, Chapter 74; Zoning, Chapter 94.

State Law References—Nuisance weeds generally, Wis. Stats. § 23.235; noxious weeds generally, Wis. Stats. § 66.0407.

Sec 90.100 Penalties

Except where other penalties have been specifically provided under other sections of this chapter, any person violating any of the provisions of this chapter or failing to perform or obstructing the performance of any duties prescribed in this chapter shall be subject to Sec. 1.111.

(Code 1982, § 6.14)

HISTORY

Amended by Ord. [15-027](#) on 11/18/2015

Sec 90.101 Noxious Weeds

1. **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Noxious weeds, includes Canada thistle, leafy spurge, field bind weed (creeping jenny) and any weed designated as a noxious weed by the department of natural resources by rule, and any other weed the governing body of the county board of any county by ordinance or resolution declares to be noxious within its respective boundaries.

Destroy means the complete killing of weeds or the killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock or any or all of these in effective combination, at a time and in a manner as will effectually prevent the weed plants from maturing to the bloom or the flower stage.

2. **Destruction of noxious weeds.** No person owning, occupying or controlling land within the Village shall permit noxious weeds to grow or pollinate upon said land. It shall be the responsibility of each person who owns, occupies or controls land within the Village to destroy all noxious weeds on said land.
3. **Exception.** This section does not apply to Canada thistle or annual noxious weeds that are located on land that the department of natural resources owns, occupies or controls and that is maintained in whole or in part as habitat for wild birds by the department of natural resources.
4. **Notice.** The Village President may annually on or before May 15, publish a class 2 notice, under Wisconsin Chapter 985, that every person is required by law to destroy all noxious weeds, as defined in this section, on lands in the Village which the person owns, occupies or controls.
5. **Destruction by Village.**

- a. **Notice to Owner of Record by Certified Mail.** It shall be the duty of the Weed Commissioner to investigate the existence of noxious weeds. The Weed Commissioner and/or his/her designees are expressly authorized to enter upon private property to investigate the existence of noxious weeds. The Weed Commissioner shall send a notice of violation/abatement order by certified mail to the owner of record of any land which is in violation of this section. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to immediately destroy noxious weeds as required under this section or provide written notice to the Village Administrator of the reason for objecting to the notice of violation/abatement order by a specified date and time, not to exceed seven (7) days. If the noxious weeds are not destroyed and no timely objection is received by the Village Administrator, the Weed Commissioner shall destroy, or have destroyed the noxious weeds in the most economical manner. The Weed Commissioner and/or his/her designees are expressly authorized to enter upon the private property for such abatement purposes. All costs associated with destroying the noxious weeds shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in section 1.111.
- b. **Posting Notice on Land in Violation.** If the owner of record does not sign for the notice of violation/abatement order that is sent by certified mail, the Weed Commissioner or his/her designee shall post a notice of violation/abatement order upon the land in violation, in letters not less than one inch (1") in height. Said notice of violation/abatement order shall provide the same information as the notice of violation/abatement order described in the previous subsection. If the nuisance is not abated and no timely objection is received by the Village Administrator, the Weed Commissioner shall destroy or have destroyed the noxious weeds in the most economical manner. The Weed Commissioner or his/her designees are expressly authorized to enter upon the private property for such abatement purposes. All costs associated with mowing shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in sec. 1.111.
- c. **Due process hearing.** If the owner, occupier and/or controller of the land subject to a notice of violation/abatement order contends that the land does not contain noxious weeds as defined in this section, he/she may object to the notice of violation/abatement order and request a hearing before the Plan Commission. The objection and request for hearing must be made in writing to the Village Administrator by the specified date and time identified in the notice of violation/abatement order. The objection and request for hearing shall include payment of a one hundred-dollar (\$100) bond. If a decision is rendered in favor of the owner, occupier and/or controller of the land, the one hundred dollars (\$100) will be returned. If the owner, occupier and/or controller of the land fails to appear for the hearing, or if the decision is rendered against him/her, the deposit shall be forfeited and applied to the cost to destroy the noxious weeds. When a hearing to challenge a notice of violation/abatement order, the hearing shall be held within fourteen (14) days from the date of the objection and request for hearing is received by the Village Administrator. At the hearing, the owner, occupier and/or controller of the land may appear in person or by his/her attorney, may present witnesses and may cross-examine witnesses as well as subpoena witnesses for his/her own case. At the close of the hearing, the Plan Commission shall make its determination in writing specifying its findings of fact, and conclusions. If the Plan Commission determines that noxious weeds exist on the land at issue, the Weed Commissioner and/or his/her designee shall destroy the noxious weeds unless the owner, occupier and/or controller of the land destroys the noxious weeds within forty-eight (48) hours of the Plan Commission's decision.

(Code 1982, § 6.135; Ord. of 3-6-2000, § 1, Ord. of 3-6-2000 § 1)

HISTORY

Repealed & Reenacted by Ord. [Chapter 90 Control of Noxious Weeds](#) on 3/13/2000

Repealed & Reenacted by Ord. [Chapter 90 Destruction by Village Sec 90.101\(c\)](#), on 3/13/2000

Amended by Ord. [15-027](#) on 11/18/2015

Amended by Ord. [19-014](#) on 8/21/2019

Sec 90.102 Protection Of Trees And Shrubs

1. **Intent and Purpose.** It is the policy of the Village of Weston to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in the Village (See Village of Weston Municipal Code Chapter 94, Article 11):
 - a. Eliminate and guard against dangerous conditions which may result in injury to persons using the streets, sidewalks, or other public areas of the Village;
 - b. Promote and enhance the beauty and general welfare of the Village;
 - c. Prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas;
 - d. Guard all trees and shrubs, both public and private, within the Village against the spread of disease, insects, or pests; and
 - e. To prevent damage to any public sewer or water main, street, sidewalk, or other public property.
2. **Applicability.** This article shall apply to tree and shrubs growing or planted after the effective date of the ordinance from which this section is derived in or upon public areas and also to all trees and shrubs growing or to be planted in or upon any private premises which shall threaten the life, safety, or welfare of the public, public areas, or trees within either public or private areas.
3. **Village Board.** The Village Board or Village Arborist is empowered to require landowners to remove, prune, or treat specified trees, shrubs, or plants under certain conditions and to prohibit the planting of certain trees or tree species, shrubs, or plants on private lands within the Village (See Village of Weston Municipal Code Chapter 94, Article 11).
4. **Adoption of State Statutes.** Wis. Stats. §§ 27.09 and 86.03 are adopted and incorporated in this article by reference.
5. **Definitions.** Whenever the following words or terms are used in this article, they shall be construed to have the following meanings:
 - a. **Boulevard areas**, mean the land between the normal location of the street curbing and sidewalk.
 - b. **Curb**, means an enclosing frame, border or edging along a street.
 - c. **Dbh (diameter at breast height)**; represents the diameter in inches of a trunk cross section measured at 4 ½ above ground level; a basis for estimating or identifying tree volume, value, management needs and costs, utilization options, etc.
 - d. **Evergreen tree**, means any woody plant normally having one trunk and bearing foliage in the form of limbs with needles, which may extend from the ground level throughout its entire height.
 - e. **Flush cut**, means pruning a branch even with the trunk. This type of pruning is not suggested as the wound will not callus properly. A proper finish cut shall begin at the branch bark ridge and finish just outside of the branch collar.

- f. **Hazard/Risk Tree**, means any tree or part thereof which the Village Arborist upon examination deems as being a safety concern that may endanger the public using Village property or may cause damage to Village property whether growing upon public or private premises; this shall be declared a public nuisance.
- g. **Median strip** means the dividing area that is landscaped between opposing traffic lanes within a street.
- h. **Public areas**, include all public parks and right-of-ways owned, controlled or leased by the Village.
- i. **Public nuisance**, means any tree or shrub or part thereof which, by reason of its condition, interferes with the use of any public area; is infected with a plant disease; is infested with injurious insects or pests; is injurious to public improvements; or endangers the life, health, safety or welfare of persons, plants, or property.
- j. **Public trees and shrubs**, means all trees and shrubs located or to be planted in or upon public areas.
- k. **Shrub**, means any woody vegetation or woody plant having multiple stems and bearing foliage from the ground up.
- l. **Topping**, also known as rounding over is the practice of indiscriminately cutting limbs, creating stubs regardless of branch juncture. This practice creates a momentarily reduced crown that will respond significantly with more and longer weakly attached limbs, which will create a safety concern, this practice is never acceptable.
- m. **Tree**, means any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level reaching a mature height of 12 feet or more.
- n. **Village Arborist**, means the person designated by the Village Board as authorized to carry out this article and assure that proper maintenance practices are completed to trees within the Village to create a safe and aesthetically pleasing community forest, this person shall be an International Society of Arboriculture Certified Arborist.
- o. **Vision triangle or vision setback area** is a clear sight triangle formed by a distance of 30 feet from the intersecting street rights of way and a third line connecting that distance to allow for clear views by persons traveling in vehicles or bicycles on the street.

6. Designation of Village Arborist.

- a. The Village Board may designate a municipal employee to perform the duties of the Village Arborist under Wis. Stat. § 27.09 and may authorize such Arborist to perform the duties and exercise the powers imposed on the Village Board by this section.
- b. Annually the Village Arborist shall perform a risk assessment of all Village street trees and park trees in manicured areas and provide such report and recommendations to the Village Board.

7. Abatement of nuisances.

The Village Arborist shall order, direct, supervise and control the abatement of public nuisances as defined in this section by treatment, pruning, removal, or by other means which is determined to be necessary to prevent as fully as possible the spread of deleterious tree diseases or the insect pests or vectors known to carry such diseases, thus allowing for a structurally sound and safe community forest.

- a. Trees and shrubs on private premises.
 - i. The Village Arborist, after giving advance notice to the owner or tenant, shall have the authority to enter upon and inspect all premises, at reasonable times

(7am to 5 pm), within the Village to determine whether any public nuisance exists thereon. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to Wis. Stat. § 66.0119.

- ii. **Notice to Owner of Record by Certified Mail.** The Village Arborist shall send a notice of violation/abatement order by certified mail to the owner of record of any land which is in violation of this section. Said notice of violation/abatement order shall order the owner of record, occupier and/or person in control of the land to immediately abate the nuisance or provide written notice to the Village Administrator of the reasons for objecting to the notice of violation/abatement order by a specified date and time, not to exceed fourteen (14) days. If the nuisance is not abated and no timely objection is received by the Village Administrator, the Village Arborist shall abate the nuisance. The Village Arborist or his/her designees are expressly authorized to enter upon a private property for such abatement purposes. All costs associated abating the nuisance shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in sec. 1.111.
- iii. **Posting Notice on Land in Violation.** If the owner of record does not sign for the notice of violation/abatement order that is sent by certified mail, the Village Arborist or his/her designees shall post a notice of violation/abatement order upon the land in violation, in letters not less than one inch (1") in height. Said notice of violation/abatement order shall provide the same information as the notice of violation/abatement order described in the previous subsection. If the nuisance is not abated and no timely objection is received by the Village Administrator, the Village Arborist shall abate the nuisance. The Village Arborist or his/her designees are expressly authorized to enter upon the private property for such abatement purposes. All costs associated with mowing shall be placed on the tax roll of said land as a special charge. In addition, any person who is in violation of this section shall be subject to a forfeiture as set forth in sec. 1.111.
- iv. **Due Process Hearing.** If the owner, occupier and/or controller of the land subject to a notice of violation/abatement order contends that his/her shrub(s) and/or tree(s) is/are not a nuisance, as defined in this section, he/she may object to the notice of violation/abatement order and request a hearing before the Public Works and Utility Committee. The objection and request for hearing must be made in writing to the Village Administrator by the specified date and time identified in the notice of violation/abatement order. The objection and request for hearing shall include payment of a one hundred dollar bond (\$100). If a decision is rendered in favor of the owner, occupier and/or controller of the land, the one hundred dollars (\$100) will be returned. If the owner, occupier and/or controller of the land fails to appear for the hearing, or if the decision is rendered against him/her, the deposit shall be forfeited and applied to the cost of abating the nuisance. When a hearing is requested to challenge a notice of violation/abatement order, the hearing shall be held within fourteen (14) days from the date of the objection and request for hearing is received by the Village Administrator. At the hearing, the owner, occupier and/or controller of the land may appear in person or by his/her attorney, may present witnesses and may cross-examine witnesses as well as subpoena witnesses for his/her own case. At the close of the hearing, the Public Works and Utility Committee shall make its determination in writing specifying its findings of fact and conclusions. If the Public Works and Utility Committee determines that a nuisance exists on the land at issue, the Public Works and Utility Committee shall order the Village Arborist

and/or his/her designees to abate the nuisance in question unless the owner, occupier and/or controller of the land abates the nuisance within forty-eight (48) hours of the Public Works and Utility Committee's decision.

8. Interference with Arborist. No person shall interfere with the Village Arborist and their authorized representative while they are engaged in carrying out any work or activities authorized by this article.

9. Treatment of trees. Shall be in accordance with the following:

- a. Whenever the Village Arborist determines that any tree or shrub or part thereof is infected with a deleterious or fatal tree disease or is in a weakened condition or harbors insects (elm bark beetles, gypsy moth caterpillars, emerald ash borer, etc.), the Village Arborist may cause all trees within the infected area to be treated as they see fit which, may mean injecting, spraying, severing interconnected roots, and or removing parts or whole trees along with other best practices to ensure that transfer of the insect or disease to other trees or plants does not occur.
- b. In order to facilitate the work and minimize the inconvenience to the public of any treatments conducted under this section, the Arborist shall give 2 weeks' notice to landowners and or adjacent landowners and shall also post the appropriate warning notices in the areas along the streets where trees are to be treated. The Village shall not allow any claim for damages to any vehicle caused by spraying operations.
- c. When trees on private property are to be treated, the Arborist shall notify the owner of such property and proceed in accordance with the requirements of subsection (9) (b) of this section.
- d. No resident may prune, plant or remove trees on Village property.

10. Assessment of costs of abatement.

- a. The entire costs to the Village plus a 25% administrative fee for abating any public nuisance or spraying trees shall be charged to and assessed against the parcel or lot abutting on the street, alley, terrace, boulevard or parkway upon or in which such tree is located on or the parcel or lot upon which such tree stands in accordance with Wis. Stat. § 66.0627. The cost of abating any such nuisance or part thereof which is located in or upon any park or right-of-way shall be borne by the village.
- b. The cost of abating a public nuisance, when done at the direction and under the supervision of the Arborist, shall be assessed to the property to which such nuisance, tree or wood is located as follows:
 - i. The Arborist shall keep a strict account of the costs of such work or treatment and invoice the lot or parcel. Failure to pay within 60 days of the date of the notice will result in the amount charged to be entered on the tax roll as a tax against the property.
 - ii. The Village declares that, in making assessments under this section, it is acting under its police power, and no damages shall be awarded to any owner for the destruction of any diseased or infested tree or wood part thereof.

11. Planting of trees and shrubs.

- a. **Purpose.** The Village Board states its determination that the planting, care and protection of the trees within the Village are desirable for the purpose of beauty, shade, comfort, noise and pollution reduction, storm water control, abatement, and economic

betterment and encourages all persons to assist in a program of tree planting, care and protection.

- b. **Tree planting program.** The Public Works and Utility Committee shall recommend to the Village Board, with approval from the Village Arborist, a program for tree planting, care and protection for the public parks and street right of way. Planting and care of trees within public right of way by adjacent property owners, consistent with the program is encouraged. The Village Board shall also encourage the planting, care and protection of trees and shrubs on private premises within the Village.

i. **General planting techniques.**

- (1) **Ball and burlap trees.** When using this type of root stock the wire basket should be removed to prevent girdling in the future width.
- (2) **Hole width.** Shall be a minimum of twice the tree's root ball width.
- (3) **Hole depth.** Trees shall be planted so the root collar is level with the soil line or slightly higher.

- ii. **Right-of-way landscaping.** Where a parcel abuts a dedicated public right-of-way, landscaping shall be provided in accordance with the requirements as specified in Section 94.11.02(3)(a) of the Zoning Ordinance.

c. **Tree types.**

- i. The use of trees listed in Section 94.11.02(5) are prohibited and discouraged species in the public right-of-way.

- d. **Unlawfully planted trees.** Trees, plants or shrubs planted within any right-of-way or vision triangle without the authorization and approval of the Village Arborist may be removed without reimbursement. The Village Arborist shall notify the owner in writing, listing the unlawfully planted trees, plants or shrubs; ordering their removal and establishing a reasonable time within which such removal shall be accomplished. If removal is not accomplished within the 2 weeks specified in writing, the Village may remove such trees, plants or shrubs and assess the costs plus administrative fee thereof to the owner.

12. Pruning.

- a. Trees and shrubs standing in or upon public area or upon any private premises adjacent to any public right-of-way or public area shall be kept pruned so that the lowest branches projecting over the public street or sidewalk provide a clearance of not less than 14 feet. The Village Arborist may waive this subsection for newly planted trees if it is determined that they do not interfere with public travel, obstruct the light of any streetlight or endanger public safety (See Sec. 50.100.).
- b. The necessity of the pruning may be determined by the Village Arborist.
- c. No cutting or pruning of oaks from April 1st through Oct. 1st is allowed, this is to prevent the initiation or spread of oak wilt prevention.

13. Removal of trees and stumps.

- a. **Hazardous, obstructive and infected trees.** Any tree or part thereof, whether alive or dead, which the Village Arborist shall find to be infected, hazardous or a nuisance as to endanger the general public or other trees, plants or shrubs growing within the Village or to be injurious to sewers, sidewalks or other public improvements, growing upon private

premises, shall be removed, pruned or treated by the owner of the property upon to which such tree or part thereof is located. If the tree is located within the public right-of-way, the property owner may remove, prune, or treat the hazardous tree as approved by the Village, otherwise the Village shall remove, prune or treat the hazardous tree. If a tree falls from private property into the public right-of-way, the Village will clear the obstruction from the right-of-way at no cost, but removal of the tree on private property is the responsibility of the adjacent property owner. When a private property owner is responsible for the cost of tree removal, the Village Arborist shall give written notice to such owner to remedy the situation which shall be served by certified letter. Such notice shall specifically state the period of time within which the action must be taken, which shall be within not less than 24 hours nor more than 2 weeks, as determined by the Village Arborist on the basis of seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or prune such tree on private property within the time limits, the Village Arborist shall cause the tree to be removed, treated or pruned and shall report the full costs thereof to the Treasurer, who shall there upon enter such costs as a special charge against the property, plus a 25% administrative fee.

- b. Tree and stump removal standards. In cutting down trees located in public areas, the tree will be removed with the root stump ground out to a depth suitable for future planting of trees or turf. All wood and debris will be removed from the street prior to the end of each working day, and all holes shall be filled to normal grade level with topsoil and seed within 2 weeks.

14. Prohibited acts.

- a. **Damage to public trees.** No person shall, without the consent of the Village, perform or cause to be performed by others any of the following acts:
- i. Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.
 - ii. Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place cement or other solid substance around the base of the tree or shrub.
 - iii. Remove any guard, stake or other device for the protection of a public tree or shrub; close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
 - iv. Attach any sign, poster, notice or other object on any tree or fasten any guy wire, cable, rope, nails, screws or other device to any tree.
 - v. Cause or encourage any fire or burning near or around any tree.
 - vi. Place or maintain upon the ground any stone, brick, cement or other impervious substance in such manner as may obstruct the free access of air or water to the roots of any tree, shrub or plant in or upon any public way or public place.

(Code 1999, § 6-4-1, Ord. 3-7-2009)

HISTORY

Adopted by Ord. [Chapter 90 Protection of Trees and Shrubs Sec 90.103](#) on 3/7/2009

Amended by Ord. [15-027](#) on 11/18/2015

Amended by Ord. [17-012](#) on 4/19/2017

Amended by Ord. [19-014](#) on 8/21/2019

