

CHAPTER 10
PUBLIC NUISANCES

(Adopted 9/14/21)

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10.01 PUBLIC NUISANCES PROHIBITED. No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village.

10.02 PUBLIC NUISANCE DEFINED. 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.

10.03 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 definitions of sec. 10.02 of this chapter:

- (1) **ADULTERATED FOOD.** All decayed, adulterated or unwholesome food or drink sold or offered for sale to the public.
- (2) **UNBURIED CARCASSES.** Carcasses of animals, birds or fowl not intended for human consumption, or foods which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
- (3) **BREEDING PLACES FOR VERMIN, ETC.** 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) **STAGNANT WATER.** All stagnant water in which mosquitoes, flies or other insects can multiply.
- (5) **PRIVY VAULTS AND GARBAGE CANS.** Privy vaults and garbage cans which are not fly tight.
- (6) **AIR POLLUTION.** The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash or industrial dust within the Village limits 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.
- (7) **NOXIOUS WEEDS.** All noxious weeds, as defined in §66.0407, Wis. Stats. In addition, other rank growth of vegetation, and all weeds, grasses and plants over 12 inches in height, excluding trees and shrubs, which:
 - (a) Detract from the surrounding area and properties.
 - (b) Become a possible fire hazard, as determined by the Fire Chief.
 - (c) Become a health hazard due to their pollen or a potential cover for disease-carrying rodents and other small animals.
 - (d) Are of infectious or poisonous nature in or adjacent to a populated area, regardless of height.
 - (e) Become a potential hazard to vehicular traffic in vision clearance triangles.
- (8) **WATER POLLUTION.** 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.
- (9) **NOXIOUS ODORS, ETC.** Any use of property, substances or things within the Village emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stench repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the Village.
- (10) **STREET POLLUTION.** 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 Village.
- (11) **PESTICIDE APPLICATION.** The application, or causing of the application, of any pesticide, as defined in §946.67(25), Wis. Stats., in such a manner as to endanger the health of persons within the Village.

10.04 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 sec. 10.02 of this chapter.

- (1) **DISORDERLY HOUSES.** 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) **GAMBLING DEVICES.** All gambling devices and slot machines.
- (3) **UNLICENSED SALE OF LIQUOR AND BEER.** 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 this Code.
- (4) **CONTINUOUS VIOLATION OF VILLAGE ORDINANCES.** Any place or premises within the Village where Village ordinances or State laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.
- (5) **ILLEGAL DRINKING.** Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of State laws or this Code.

10.05 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 sec. 10.02 of this chapter:

- (1) **SIGNS, BILLBOARDS, ETC.** All signs and billboards, awnings and other similar 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) **ILLEGAL BUILDINGS.** All buildings erected, repaired or altered in violation of the provisions of this Code relating to materials and manner of construction of buildings and structures within the Village.
- (3) **UNAUTHORIZED TRAFFIC SIGNS.** All unauthorized signs, signals, markers 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 device, sign or signal.
- (4) **OBSTRUCTION OF INTERSECTIONS.** All trees, hedges, billboards 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.
- (5) **TREE LIMBS.** All limbs of trees which project over and less than 10 feet above any public sidewalk or less than 15 feet above a street or other public place.
- (6) **DANGEROUS TREES.** All trees which are injurious to public health or safety because of a diseased or damaged condition, and the storage of cut elm wood, unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide.
- (7) **FIREWORKS.** All use, possession or display of fireworks except as provided by the laws of the State and ch. 9 of this Code.
- (8) **DILAPIDATED BUILDINGS.** All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
- (9) **WIRES AND CABLES OVER STREETS.** All wires and cables over streets, alleys or public grounds which are strung less than 15 feet above the surface thereof.
- (10) **NOISY ANIMALS OR FOWL.** 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 Village.

- (11) **OBSTRUCTIONS OF STREETS; EXCAVATIONS.** All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this Code or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished, or do not conform to the permit.
- (12) **SNOW, ICE AND DEBRIS REMOVAL.** All debris not removed, and all snow and ice not removed or sprinkled with salt, ashes, sawdust or sand, as provided in ch. 8 of this Code.
- (13) **REFRIGERATORS.** 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.
- (14) **OPEN PITS, BASEMENTS, ETC.** All open and unguarded pits, wells, excavations and basements.
- (15) **FLAMMABLE LIQUIDS VIOLATIONS.** Repeated or continuous violations of this Code or the laws of the State relating to the storage of flammable liquids.

10.06 JUNK, CERTAIN VEHICLES AND FIREWOOD.

- (1) **PUBLIC NUISANCES DECLARED.** The following are hereby declared to be public nuisances wherever they may be found within the Village.
 - (a) Any motor vehicle, truck body, tractor or trailer as enumerated in subs. (3) and (4) below and defined in sub. (2)(a) and (b) below.
 - (b) Any junk stored contrary to sub. (5) below.
 - (c) Any firewood used or stored contrary to sub. (6) below.
- (2) **DEFINITIONS.** The words, phrases and terms used in this section shall be interpreted as follows:
 - (a) Disassembled, Inoperable, Junked or Wrecked Motor Vehicles, Truck Bodies, Tractors, Trailers. Motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.
 - (b) Unlicensed Motor Vehicles, Truck Bodies, Tractors or Trailers. Motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.
 - (c) Motor Vehicle. As defined in §340.01(35), Wis. Stats.
 - (d) Junk. Worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, machinery and equipment or parts thereof, vehicles or parts thereof, tools, discarded building materials or any other unsightly debris, the accumulation of which has an adverse effect upon the neighborhood or Village property values, health, safety or general welfare.
 - (e) In the Open. Land which may be viewed from public streets or adjoining property.
- (3) **STORAGE OF INOPERABLE VEHICLES, ETC.**
 - (a) Restricted. No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors or trailers in the open upon any public or private property in the Village for a period exceeding 10 days.
 - (b) Exceptions.
 - 1. Any business engaged in automotive sales or repair located in a properly zoned district may retain no more than 3 disassembled or wrecked vehicles, including vehicles under repair, in the open for a period not to exceed 30 days, after which such vehicles shall be removed.
 - 2. Junk yards licensed under ch. 12 of this Code.
- (4) **STORAGE OF UNLICENSED VEHICLES, ETC.**
 - (a) Restricted. No person shall accumulate, store or allow any unlicensed motor vehicle, truck body, tractor or trailer in the open upon any public or private property in the Village for a period exceeding 10 days.
 - (b) Exceptions.

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1. Any business engaged in the sale, repair or storage of such unlicensed vehicles in a properly zoned district.
 2. Garden tractors and mowers may be stored in the rear yard not less than 10 feet from any property line.
- (5) **STORAGE OF JUNK PROHIBITED.** No person, except a junk dealer licensed under ch. 12 of this Code, shall accumulate, store or allow any junk outside of any building on any public or private real estate located in the Village.
- (6) **STORAGE OF FIREWOOD.**
- (a) Regulated. No person shall store firewood on any residential premises except for use on the premises. No firewood pile may be located within the front setback.
 - (b) Exception. Any firewood pile located contrary to the provisions of par. (a) above on the effective date of this subsection need not be moved to a place of compliance until June 1, 2003.
- (7) **ISSUANCE OF CITATION; ACTION TO ABATE.** Whenever a police officer shall find any such vehicle or junk, as defined in sub. (2) above, accumulated, stored or remaining in the open upon any property within the Village contrary to the provisions of subs. (3), (4) and (5) above, or firewood stored contrary to sub. (6) above, he shall notify the owner of said property on which such vehicle, junk or firewood is located of the violation of this section. If such vehicle, junk or firewood is not removed within 10 days, the police officer shall cause a citation to be issued to the property owner or the occupant of the property upon which such vehicle, junk or firewood is located. In addition, action to abate such nuisance may be commenced, as provided in sec. 10.07 of this chapter.
- (8) **PENALTY.** Any person who shall be adjudicated to have violated any of the provisions of this section shall be subject to a forfeiture as provided in sec. 25.04 of this Code plus the costs of said prosecution and, upon default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not to exceed 10 days. Each day that a violation of this section continues shall be deemed a separate offense.

10.07 ABATEMENT OF PUBLIC NUISANCES.

- (1) **ENFORCEMENT.** It shall be the duty of police officers, the Fire Chief and the Zoning Administrator to enforce those provisions of this chapter that come within the jurisdiction of their respective offices and they shall make periodic inspections and inspections upon complaint to insure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does, in fact, exist.
- (2) **SUMMARY ABATEMENT.**
- (a) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the Village and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village President may direct a police officer to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Village shall cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.
 - (b) Abatement by Village. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.
- (3) **ABATEMENT BY COURT ACTION.** If the inspecting 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 serve notice on the person causing or maintaining the nuisance and the owner of the property to remove the same within 10 days. If such nuisance is not removed

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within 10 days, he shall report such fact to the Village President, who may direct the Village Attorney to commence an action in Circuit Court for the abatement of the nuisance.

- (4) **OTHER METHODS NOT EXCLUDED.** Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State, nor as prohibiting an action to be commenced in the Circuit Court seeking a forfeiture as provided in sec. 10.15 of this chapter.
- (5) **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 Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

10.08 DISEASED AND INFECTED TREE CONTROL. See sec. 8.12 of this Code.

10.09 WEED CONTROL.

- (1) **NOXIOUS WEEDS AND RANK GROWTH PROHIBITED.** No owner or occupant of any lot or parcel shall allow such property to become overgrown with any weeds or grass so as to constitute a public nuisance, as defined in sec. 10.03(7) of this chapter.
- (2) **NOTIFICATION.** The Village President shall annually, on or before May 15, publish a Class 2 notice, under Ch. 985, Wis. Stats., that every person is required by law to destroy all noxious weeds and other rank growth of vegetation, as defined in sec. 10.03(7) of this chapter, on land in the Village which he owns, occupies or controls.
- (3) **ENFORCEMENT.** If a property owner fails to control the growth of such weeds or rank growth of vegetation on his property, the Weed Commissioner shall serve upon him notice as to this fact. If such owner fails to abate this nuisance within 5 days after service of the notice, the Weed Commissioner shall take action to abate such public nuisance.
- (4) **COSTS.** If the Village causes a nuisance to be removed as provided in sub. (3) above, the actual cost thereof, together with an administrative fee equal to 10% of the actual cost, shall be charged to the property owner. If such charges are not paid by November 15 of the year in which they are billed, such charges, together with an additional administrative fee for collection equal to 10% of the total of such charges and fees, shall be extended on the next succeeding tax roll as a tax charged against the property affected and collected in the same manner as are other taxes, pursuant to §66.0517, Wis. Stats.

10.10 LAWN CARE.

- (1) **OCCUPIED LOTS.** Every owner or occupant of any premises having a lawn consisting of conventional grasses such as Blue Grass, Creeping Fescue, Rye Grass, etc., shall cut and maintain such lawn on such premises as well as the boulevard in front of or along such premises.
- (2) **VACANT LOTS.** All vacant lots in all residential, business and manufacturing districts shall be kept free of unhealthy and unsightly debris and shall be reasonably maintained. This shall also include the boulevard in front of or along such vacant lot.

10.11 OUTDOOR WOOD BOILERS REGULATED

- (1) Outdoor wood boilers may be permitted only on Agricultural zoned properties and shall be located 300 feet or more from an existing neighboring residential dwelling.

10.12 BUSINESS DISTRICT RULES

- (1) **SUMMARY-** Due to the Unique nature of our Village Business District, the Village feels it necessary to apply some very direct code enforcement to ensure the safety, security and value of all the properties affected. The Ordinances and Rules and regulations of the Village apply to all properties within the Village limits, however specifically for our

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Business district the below ordinances apply and shall be enforced. In some cases, the interconnectivity of the properties requires a more multi-family enforcement rather than the stand-alone property atmosphere. The reliance on interconnect water, sanitation, roofing, power requires strict safety and security checks and enforcement to ensure a safe environment. The ability to attract and maintain prosperous business customers require a uniform, aesthetically appealing, safe and attractive environment that maintains the Village Values and small-town atmosphere.

(2) Definition of the Village of Port Edwards Business District:

- a. Properties in the Port Plaza market Ave building
(Parcels #2700243B, 2701007, 2701006, 2701005, 2701004, 2701003, 2701002, 2701001, 2700243, 27002243AB, 2700258A, 2700247)
- b. The US Post office Building, (Parcel #2700206A)
- c. The Adjoining Kennel club and vacant storefront (parcel #2700206)
- d. The Nekoosa Port Edwards Bank Building (Parcel #2700220, #2700219)
- e. The Port Auto Automotive shop (Parcel #2700225)
- f. Current Technology (#2700223)
- g. Simply Incredible foods (#2700208, 2700209, 2700210)
- h. Rental properties (# 2700259, 2700211)

(3) INSPECTION OF DWELLINGS AUTHORIZED The chief housing official is hereby authorized to make inspections to determine the condition of dwellings, dwelling units, and premises located within the city in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and the general public. All inspections and investigations of residential property must be conducted in compliance with the requirements for a reasonable search. Initially this means consent or a warrant must be obtained in order to enter the premises. For the purpose of making such inspections and to perform any duty imposed upon him by this code, the chief housing official is hereby authorized according to law to enter, examine, and survey at all reasonable times all such premises.

(4) FREQUENCY OF INSPECTIONS The chief housing official shall cause a periodic inspection to be made of every multiple dwelling or leased dwelling unit. Such inspection shall include a thorough examination of all parts of such dwelling and the premises connected therewith. The chief housing official is also empowered to make similar inspections of all dwellings as frequently as may be necessary or convenient.

(5) AERIELS. NO radio or Television aerial or satellites shall be installed, except with the Village approval. Any aerials/satellite dishes erected on the roof or exterior walls of the building without the consent of the village, in writing, is liable to removal without notice.

(6) STORAGE OF VEHICLES. No recreational vehicles, including but not limited to trailers, campers, boats, boat trailers and snowmobiles may be parked on the Market Ave premises. This includes the front parking areas along the Port Plaza or the alley directly behind the building. In operative, immobile or junked cars and other vehicles may remain in the parking areas for no longer than 4 days without prior approval of the Village. These may be subject to removal by the Village at a cost to the owner /occupant.

(7) DISPOSING OF REFUSE. All Business District owner/occupants should have adequate trash containers and garbage and refuse must be placed in the same. No storing of refuse and misc. supplies external to the building will be acceptable and will be subject to removal by the Village at a cost to the owner /occupant.

(8) FACADES- Will retain the original design of the building. Any adjustments or proposals will be submitted to the Public Works Committee for discussion and approval. No facades will be extreme in design or color choices. No facades will protrude further than 12" from the building front.

(9) SIGNS- No signs will be larger than 3'x 6'. They will all require a Village Sign permit and approved by the Village before installation.

(10) INSURANCE- Due to the in connectivity of the majority of the buildings in the Business district, basic coverage per state rules will be required for Fire, Water and Wind damage. The coverage will replace the structure and interiors to at a minimum the current standard. Internal coverage for personal items will be at the discretion of the owner.

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(11) **WINDOWS-** Windows will be kept clean and at least have 50% of open line of sight on the total square footage of the window. On the interior, moveable shades and shutters may be maintained but nothing permanent in structure can be installed. Window designs, signs and graphics will be approved by the Village thru the Public Works committee.

(12) **SIDEWALKS-** Will be maintained per Village ordinances and cleared of debris and snow as per ordinances.

(13) **ALLEYS-** Will be free of debris and maintained by the Village as part of the transportation network. Trash and debris collection will be per Village ordinances.

(14) **SAFETY:** Fire inspections shall be conducted on a more frequent basis due to the composition of the Business district and the impact on the functioning of our local government. The Village will have the right to quarterly inspect all the properties in the Business district at no cost to the occupants. However, violations and corrective actions once noted will be conducted at the expense of the occupant/owner in 30 days, with a follow up check to validate.

a. **ENTERING ON PREMISES.** No person shall deny the Fire Inspector or the Deputy Inspector free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspectors in the performance of duties or refuse to observe any lawful direction given by the Inspector or Deputies

b. **CORRECTION OF FIRE HAZARDS.** When any inspection by the Fire Chief or Deputy Inspector reveals a fire hazard, the Chief or the Deputy Inspector may serve a notice in writing upon the owner of the property giving the owner a reasonable time in which to remove the hazard. If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief or the Deputy Inspector may have the same removed by the Village, and the cost of such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.

c. **INSPECTION DUTIES.** Fire Inspectors shall inspect, according to State regulations, all buildings, premises and public thoroughfares within the Village limits for the purpose of noting and causing to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. The Inspector shall also investigate the storage and handling of all explosives and inflammable liquids within the Village.

d. **WRITTEN RECORD OF INSPECTIONS.** The Chief shall keep a written record of each property inspected, which shall conform to the requirements of the State Department of Commerce and shall make a report of such inspections available upon request.

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a. **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 sec. 10.02 of the Village ordinances.

b. **DILAPIDATED BUILDINGS.** All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

(16) ABATEMENT OF PUBLIC NUISANCES.

a. **ENFORCEMENT.** It shall be the duty of police officers, the Fire Chief and the Zoning Administrator to enforce those provisions of this chapter that come within the jurisdiction of their respective offices and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does, in fact, exist.

b. SUMMARY ABATEMENT.

1) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the Village and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village President may direct a police officer to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Village shall cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

2) Abatement by Village. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.

3) ABATEMENT BY COURT ACTION. If the inspecting 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 serve notice on the person causing or maintaining the nuisance and the owner of the property to remove the same within 10 days. If such nuisance is not removed within 10 days, he shall report such fact to the Village President, who may direct the Village Attorney to commence an action in Circuit Court for the abatement of the nuisance.

4) OTHER METHODS NOT EXCLUDED. Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State, nor as prohibiting an action to be commenced in the Circuit Court seeking a forfeiture as provided in sec. 10.15 of this chapter.

5) 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 Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

(17) PENALTY. In addition to the penalties provided in this chapter, any person who shall violate any provision of this chapter, or permit or cause a public nuisance, shall be subject to a penalty as provided in sec. 25.04 of this Code.

(18) BUILDING CODE ENFORCEMENT

a. ADMINISTRATION AND ENFORCEMENT. The Village Building Inspector shall administer and enforce this chapter within the Village.

b. DEMOLITION PERMIT REQUIREMENTS FOR HIGH VALUE PROPERTIES
ENFORCEMENT AND VIOLATIONS. The Building Inspector, with the aid of the Police and Fire Departments, shall enforce the provisions of this section of the Building Code. Any person who violates, disobeys, neglects, omits or refuses to comply with any of the provisions of this section of the Building Code, shall be subject to the penalties described in Sec. 25.04 of the General Provisions including the assignment of daily penalties for each day the property is found to be in violation of the Code. Such penalties shall be in addition to any other applicable penalties that may be described in a valid development agreement between the applicant and the Village or as may otherwise be allowed by law including the Village making a claim on the applicant's performance bond.

c. ILLEGAL DUMPING PROHIBITED. It shall be illegal for any person to dump, dispose, deposit, litter or store refuse in the Village outside of a container approved by the Village Board on either private or public lands.

(19) DISPLAY OF BUILDING ADDRESS/STREET NUMBER REQUIRED.

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a. **REQUIRED.** Each principal building in the Village shall be assigned an official street number. All lots and parts of lots in the Village shall be numbered in accordance with a street numbering map on file in the office of the Village Engineer/Administrator. In the event a lot is not numbered, the Village Engineer/Administrator shall assign a number in cooperation with Wood County Emergency Management. Plats shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined on the map.

b. **DISPLAY.** The owner, occupant, or agent in charge of the premises shall cause to be affixed and to be maintained when so affixed to each principal building controlled by such person the official street number assigned to that building as provided in subsection (1) of this section. Each required number shall be affixed on the particular building in such a contrast, size, and location that it may be easily and readily seen by a person of ordinary eyesight on the public street or highway upon which the building abuts. For buildings abutting also on a public alley, the street number shall so be affixed in such location that it may be seen in like manner from such alley. Buildings set back more than 75 feet from a street or alley shall have a street number affixed to a sign in the front or rear yard in addition to the required number on the building. All signs must comply with the requirements of Chapter 17.25. Script, spelled-out, or Roman numerals are not acceptable.

c. **NONCOMPLIANCE.** If the owner or occupant of any building neglects for 20 days to duly attach and maintain the proper numbers on the building, the Village shall serve such owner or occupant a notice requiring such owner or occupant to properly number the building. If such owner or occupant neglects to do so for ten days after service, such owner or occupant shall be subject to the provisions of 11.10, Penalty.

d. **PENALTY.** Any person who shall violate any provision of this chapter shall be subject to a penalty as provided below unless State Statutes supersede.

(19) ZONING CODE VIOLATION AND PENALTIES.

a. Any person who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter, shall forfeit a sum of not less than \$200 nor more than \$500, together with the costs of prosecution, and, in case of nonpayment of such forfeiture, shall be imprisoned in the County Jail for a term of not more than 30 days or until such judgment is paid, and each day of violation shall constitute a separate offense.

10.15 PENALTY. In addition to the penalties provided in this chapter, any person who shall violate any provision of this chapter, or permit or cause a public nuisance, shall be subject to a penalty as provided in sec. 25.04 of this Code.