

TITLE 8

Health and Sanitation

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Title 8 – Chapter 1

Health and Sanitation

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Sec. 8-1-1 Rules and Regulations.

The Common Council, acting as 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 Common Council shall be subject to the general penalty provided for in this Code.

Sec. 8-1-2 Public Safety and Health Hazards / Nuisances Regulated.

- (a) **Purpose.** No person, company or corporation shall erect, contrive, cause, continue, maintain or permit to exist any public health or safety hazard within the City of Westby. The Common Council, acting as the Board of Health, shall abate health nuisances pursuant to Ch. 823, Wis. Stats., which is adopted by reference and made part of this Section, or pursuant to the procedures of this Section.
- (b) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Health and Safety Hazard.** A public health and safety hazard or nuisance is an object, act, occupation, condition or use or property which shall continue for such length of time as to:
 - a. Substantially annoy, injure or endanger the comfort, health, repose or safety of the public; or
 - b. In any way render the public insecure in life or in the use of property.
 - (2) **Public Hazards Affecting Health.** The following acts, omissions, places, conditions and objects are hereby specifically declared to be hazards and nuisances, but such enumeration shall not be construed to exclude other health hazards coming within the definition of Subsection (b)(1):
 - a. Accumulation of decayed animal or vegetable matter, trash, rubbish, or any material whatsoever in which flies, mosquitoes, disease-carrying insects, rats or

other vermin may breed.

(3) **Safety Hazards.**

- a. The following acts, omissions, places and conditions are hereby declared safety hazards and nuisances. However, such enumeration shall not be construed to exclude other hazards affecting public safety coming within the provisions of Subsection (b)(1):
 1. All buildings and structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use or occupancy.
 2. All abandoned or non-operational refrigerators, freezers, and iceboxes from which the doors and other covers have not been removed or are not equipped with a device for opening the door from the inside.
 3. Fire code or safety violations found when the required state fire inspections are performed.
- b. Time to repair or correct fire code or safety violations will be on an individual basis granted upon notice of violation.

(4) **Public Safety and Other Hazards.** The following acts, omissions, places and objects are hereby specifically declared to be public safety or health hazards and nuisances offending the health, comfort, repose or safety of City residents, but such enumeration shall not be construed to exclude other hazards within Subsection (b)(1):

- a. All property owners within the City who allow their property to accumulate trash, litter or rubbish shall be in violation of this Subsection.
 1. Litter as used in this Subsection includes but is not limited to trash and/or wastepaper lying scattered about.
 2. Trash, as used in this Subsection, includes but is not limited to some thing or object worth little or nothing or is in a crumpled or broken inoperable condition.
 3. Rubbish, as used in this Subsection, includes but is not limited to waste materials, garbage and refuse of every character and kind collected and/or accumulated.

(c) **Abatement of Public Hazards.**

- (1) **Inspection of Premises.** Whenever a person residing within five hundred (500) feet or adjacent to a hazard makes a written complaint to the City office or to a City enforcement officer that a public health or safety hazard exists within the City of Westby, the enforcement officer shall promptly and forthwith inspect or cause to be inspected the premises complained of and shall make a written report of his/her findings to the Common Council. Whenever practicable, the enforcement officer shall cause photographs to be made of the premises and shall file the same in the office of the City Clerk-Treasurer. The enforcement officer shall be that employee or agent of the City authorized by the Common Council to perform compliance and enforcement responsibilities under this Section (examples: law enforcement officers; Building Inspector).

(2) **Summary Abatement.**

- a. **Notice to Owner.** If the enforcement officer shall determine that a public health or safety hazard exists within the City and that there is great and immediate danger to the public health, safety, peace, morals or decency upon a person, company, or corporation causing, permitting, or maintaining such a hazard, whether an owner or occupant of the premises where such hazard is caused, permitted, or maintained. If immediate personal service cannot be made, a copy of such notice shall be

posted on the premises in a location likely to attract the attention of the owner or occupant thereof, as well as direct mail notice to the last known owner of said property. Such notice shall direct the person, company or corporation causing, permitting, or maintaining such hazard, or owner or occupant of the premises to start abatement within twenty-four (24) hours and complete such abatement within thirty (30) days, and shall state that unless such hazard is so abated, the City may cause the same to be abated and will charge the cost thereof to the owner, occupant, or person causing, permitting or maintaining the hazard.

- b. *Abatement by City.* If the health or safety hazard is not abated within the time provided or if the owner, occupant or person causing the hazard cannot be found, the enforcement officer in the case of health hazards and other causes shall cause the abatement or removal of such public hazards.
- c. *Abatement by Court Action.* If the enforcement officer shall determine that a health or safety hazard exists on private premises but that the nature of such hazard is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he/she shall file a written report of his/her findings with the Common Council who shall cause an action to abate such hazard to be commenced in the name of the City in the Circuit Court of Vernon County in accordance with the provisions of Ch. 823, Wis. Stats. In the alternative, the Common Council may direct the enforcement officer to issue one or more citations for each day of violation for said time period, and to report back whether compliance has occurred.
- d. *Other Methods Not Excluded.* Nothing in this Section shall be construed as prohibiting the abatement of the health or safety hazards by the City of Westby or its officials in accordance with the laws of the State of Wisconsin.

(d) **Enforcement.**

- (1) **Penalty.** Any person who shall violate this Section shall, upon conviction thereof, be subject to a forfeiture as prescribed in Section 1-1-7. Enforcement under this Section may be in addition to other appropriate City ordinances.
- (2) **Separate Violations.** Each day of violation of this Section shall constitute a separate offense.

State Law Reference: Ch. 823, Wis. Stats.

Cross-Reference: Title 11, Chapter 6, Public Nuisances; Title 15, Chapter 4, Minimum Housing Code

Sec. 8-1-3 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/her 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. 8-1-4 Destruction of Noxious Weeds.

- (a) The City Clerk-Treasurer shall annually on or before May 15th publish as required by state law a notice that every person is required by law to destroy all noxious weeds on lands in the City which he/she owns, occupies or controls. A joint notice with other towns or municipalities may

be utilized.

- (b) If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the City 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 the five (5) day 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 Sec. 66.0407, Wis. Stats. In case the owner or occupant shall further neglect to comply within 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 bed collected as a special tax thereon.
- (c) As provided for in Sec. 66.0407, Wis. Stats., the City shall require that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of eight (8) inches in height from the ground surface shall be prohibited within the City of Westby corporate limits. Noxious weeds shall include any weed, grass or similar plant growth which, if allowed to pollinate, would cause or produce hayfever in human beings or would cause a skin rash through contact with the skin. Noxious weeds, as defined in this Section and in Section 8-1-6, shall include but not be limited to the following:

- Cirsium Arvense (Canada Thistle)
- Ambrosia artemisiifolia (Common Ragweed)
- Ambrosia trifida (Great Ragweed)
- Euphorbia esula (Leafy Spurge)
- Convolvulus arvensis (Creeping Jenny) (Field Bind Weed)
- Tragopogon dubius (Goat's Beard)
- Rhus radicans (Poison Ivy)
- Cirsium vulgaries (Bull Thistle)
- Pastinaca sativa (Wild Parsnip)
- Arctium minus (Burdock)
- Xanthium strumarium (Cocklebur)
- Amaranthus retroflexus (Pigweed)
- Chenopodium album (Common Lambsquarter)
- Rumex Crispus (Curled Dock)
- Cannabis sativa (Hemp)
- Plantago lanceolata (English Plantain)

Noxious grasses, as defined in this Section and in Section 8-1-6, shall include but not be limited to the following:

- Agrostia alba (Redtop)
- Sorghum halepense (Johnson)
- Setaria (Foxtail)

Noxious weeds are also the following plants and other rank growth:

- Ragweed
- Thistles
- Smartweed
- Dandelions (over 8 inches in height)

State Law Reference: Sec. 66.0407, Wis. Stats.

Sec. 8-1-5 Regulation of Natural Landscapes.

- (a) **Natural Lawn/Landscape Defined.** "Natural lawn" or "natural landscape" as used in this Section shall include common species of grass and wild flowers native to North America which are designed and purposely cultivated to exceed eight (8) inches in height from the ground. Specifically excluded in natural lawns are the noxious grasses and weeds identified in Section 8-1-4 of this Chapter and areas part of a designated stormwater detention/retention area with its own City-approved management plan. The growth of natural landscaping in excess of eight (8) inches in height from the ground surface on non-agricultural lots or parcels of land three (3) acres or under (as classified under the City Zoning Code) shall be prohibited within the City of Westby corporate limits unless a Natural Lawn Management Plan is approved and a permit is issued by the City as set forth in this Section. Natural landscaping shall not contain litter or debris and shall not harbor undesirable wildlife, vermin or pests.
- (b) **Natural Landscape Management Plan Defined.**
- (1) Natural Landscape Management Plan as used in this Section shall mean a written plan relating to the management and maintenance of a natural landscape which contains the street address or a legal description of the property where the proposed natural landscape is being requested, and which would exceed six (6) weeks, a statement of intent and purpose for the lawn, a detailed description of the vegetational types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.
 - (2)
 - a. Property owners who wish to plant and cultivate a natural landscape must submit their written plan and related information to the City. "Property Owner" shall be defined to include the legal title holder and/or the beneficial owner of any such lot according to most current City records. Natural Landscape Management Plans shall only indicate the planting and cultivating of natural landscapes on property legally owned by the property owner.
 - b. Applicants are strictly prohibited from developing a natural landscape on any City-owned property including street rights-of-way. This shall include at a minimum property located between the sidewalk and the street or a strip not less than ten (10) feet adjacent to the street where there is no sidewalk whether the area is under public or private ownership.
 - (3) Natural landscapes shall not be permitted within five (5) feet of the side or rear setback to an abutting property owner's land unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the Lawn Management Plan filed with the City Clerk-Treasurer. Such waiver may be revoked, in writing, by the abutting property owner at a later time, a copy to be filed with the permittee and the City Clerk-Treasurer.
 - (4) All drainage swales shall be free of plantings and maintained in accordance with Section 8-1-4 above. In addition, a five percent (5%) area exclusive of the setback area shall be left open for maintained paths. The setback area shall have a height of no more than eight (8) inches, excluding trees and shrubs.
 - (5) Any subsequent property owner who abuts an approved natural landscape may revoke the waiver thereby requiring the owner of the natural landscape to remove the natural lawn that is located in the five (5) foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the City Clerk-Treasurer by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Common Council shall contact the owner of the approved natural landscape and direct the owner to remove the natural landscape located in the ten (10) foot

section abutting the neighboring property owner. The Common Council shall revise the approved Natural Lawn Management Permit accordingly. The owner of the approved landscape lawn shall be required to remove the five (5) foot section abutting the neighboring property owner within twenty (20) days of receipt of the written notification from the City provided the notification is received sometime between May 1 and November 1. Property owners who receive notification from the City between November 1 and April 30 shall be required to remove the ten (10) foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.

(c) **Application Process.**

- (1) Property owners interested in applying for permission to establish a natural landscape shall file an application with the City Clerk-Treasurer. The completed application shall include a Natural Landscape Management Plan. Upon submitting a completed application, a fee as prescribed in Section 1-3-1 will be assessed by the City. Upon receiving payment, copies of the completed application shall be mailed by the City to each of the owners of record, as listed in the Office of the City Assessor, who are owners of the property situated wholly or in part within three hundred (300) feet of the boundaries of the properties for which the application is made. If within fifteen (15) calendar days of mailing the copies of the complete application to the neighboring property owners the City receives written objections from fifty-one percent (51 %) or more of the neighboring property owners, the City shall deny the application. Neighboring property owners shall be defined as all those property owners who are located within three hundred (300) feet of the proposed natural landscape site.
- (2) If the property owner's application is in full compliance with the Natural Landscape Management Plan requirements and less than fifty-one percent (51%) of the neighboring property owners provide written objections, the Common Council may issue permission to install a natural landscape. Such permit shall be valid for two (2) years. Permit renewals shall follow the procedures in this Section.

(d) **Application for Appeal.** The property owner may appeal the City Clerk-Treasurer's decision to deny the natural lawn permit request to the Common Council at an open meeting. All applications for appeal shall be submitted within fifteen (15) calendar days of the notice of denial of the Natural Lawn Management Plan. The decision rendered by the Common Council shall be final and binding.

(e) **Prohibited Plant Species.** The following noxious grasses or weeds will not be allowed in a natural landscape area:

Common Name(s)	Latin Name(s)
Buckthorn	Rhamnus Cathartica
	Rhamnus Frangula
Burdock (Yellowdock)	Artium Lappa
Field Bindweed (Wild Morning Glory)	Convolvulus Arvensis
Garlic Mustard	Alliaria Petiolata
Goatsbeard (Oyster Plant, Salsify)	Tragapogon Porrifolius
Leafy Spurge	Euphorbia Esula
Marijuana	Cannabis Sativa
Nettle	Urtica Dioica
Oxeye Daisy	Chrysanthemum Leucanthemu
Pigweed (Lamps Quarters)	Chenopodium Album
Pigweed (Amaranth)	Amaranthus Retroflexus
Poison Ivy	Rhus Radicans
Quackgrass	Bromus Brizaeformis

Ragweed (Common)	Ambrosia Artemisifolia
Ragweed (Great)	Ambrosia Trifida
Spotted Knapweed	Centaurea Maculosa
Thistle Bull	Cirsium Vulgare
Thistle Canada	Cirsium Arbense
Thistle Musk or Nodding	Carduus Nutans
Thistle Star (Caltrops)	Centaurea Calicitraba
Thistle Sow (Field)	Sonchus Arvensis
Thistle Sow (Common)	Sonshus Oleraceus
Thistle Sow (Spiny Leaved)	Sonshus Asper
Sweet Clover (Yellow)	Melilotus Officinalis
Sweet Clover (White)	Melilotus Alba
Yellow Mustard (Yellow Rocket Winter Cress)	Barbarea Vulgaris
Japanese Bamboo	
Wild Mustard	

(f) **Safety Precautions For Natural Grass Areas.**

- (1) When, in the opinion of the Fire Chief of the Department serving the City of Westby, the presence of a natural landscape may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting of natural landscapes to a safe condition. As a condition of receiving approval of the natural landscapes permit, the property owner shall be required to cut the natural lawn within the three (3) days upon receiving written direction from the Fire Chief.
- (2) Natural landscapes shall not be removed through the process of burning unless stated and approved as one of the management and maintenance techniques in the Landscape Management Plan, and appropriate City open burning permits have been obtained. The Fire Chief shall review all requests to burn natural landscapes and shall determine if circumstances are correct and all applicable requirements have been fulfilled to insure public safety. Burning of natural landscapes shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural landscapes, thereby insuring the public safety. In addition, the property owner requesting permission to burn the natural landscapes shall produce evidence of property damage and liability insurance identifying the City as a party insured. A minimum amount of acceptable insurance shall be Three Hundred Thousand Dollars (\$300,000.00).

(g) **Revocation Of An Approved Natural Landscape Management Plan Permit.** The Weed Commissioner, Building Inspector, City Clerk-Treasurer or law enforcement officer shall have the authority to revoke an approved Natural Landscape Management Plan Permit if the owner fails to maintain the natural landscape or comply with the provisions set forth in this Section. Notice of intent to revoke an approved Natural Landscape Management Plan Permit shall be appealable to the Common Council. All applications for appeal shall be submitted within fifteen (15) calendar days of receipt of the written Notice of Intent to revoke the approved Natural Landscape Management Plan. Failure to file an application for appeal within the fifteen (15) calendar days shall result in the revoking of the Natural Landscape Management Plan Permit. All written applications for appeal filed within the fifteen (15) calendar day requirement shall be reviewed by the Common Council in an open meeting. The decision rendered by the Common Council shall be final and binding.

(h) **Public Nuisance Defined - Abatement After Notice.**

- (1) The growth of a natural landscape as defined in this Section shall be considered a public

nuisance unless a Natural Landscape Management Plan has been filed and approved and a permit is issued by the City as set forth in this Section. Violators shall be served with a notice of public nuisance by certified mail to the last-known mailing address of the property owner.

- (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within ten (10) days, the Enforcement Officer may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within ten (10) calendar days from receipt thereof. Within sixty (60) days after such costs and expenses are incurred and remain unpaid, the City Clerk-Treasurer shall enter those charges onto the tax roll as a special tax as provided by state statute.
- (3) The failure of the City Clerk-Treasurer to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the City expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this Section.

(i) **Penalty.**

- (1) Any person, firm or corporation which does not abate the nuisance within the required time period or who otherwise violates the provisions of this Section shall be subject to the general penalty found in Section 1-1-7.
- (2) In addition to any penalties herein provided, the City may issue stop work orders upon owners of lots where work is unfinished under a previously issued permit for any violation of this Section.

Sec. 8-1-6 Regulation of Length of Lawn and Grasses.

(a) **Purpose.**

- (1) **General Intent.** 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 City of Westby. Except as provided in Section 8-1-5 governing natural landscapes, the owner or occupant of any lot or parcel in the City which is three (3) acres or less in area shall install and maintain landscaping, plantings and other decorative surface treatments, including turf grass, so as to present an attractive appearance in all yard areas in accordance with generally accepted landscaping practices in Wisconsin. Lawns shall be maintained to a height not to exceed eight (8) inches. Plantings shall be maintained so as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways and shall be maintained so as to enhance the appearance and value of the property on which located and thereby the appearance and value of the neighborhood and the City of Westby.

- (2) **Definitions.** The terms used in this Section and Section 8-1-5.

- a. **Turf Grass.** Grass commonly used in regularly cut lawns or play areas such as, but not limited to, blue grass, fescue and rye grass blends.
- b. **Natural Lawn.** Any land managed to preserve or restore native Wisconsin grasses and forbes, native trees, shrubs, wildflowers and aquatic plants.

- (b) **Public Nuisance Declared.** The Common Council finds that lawns, grasses and noxious weeds on non-agricultural lots or parcels of land three (3) acres or under, as classified under the City Zoning Code, within the City of Westby which exceed twelve (12) 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 City. For that reason, any non-agricultural lawn, grass or weed on a lot or other parcel of land three (3) acres or under in size 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, where the lawn, grass or weed is part of a natural lawn/landscape approved pursuant to Section 8-1-5 above, or areas part of a designated stormwater detention/retention area with its own City-approved management plan.

- (c) **Nuisances Prohibited.** No person, firm or corporation shall permit any public nuisance as defined in Subsections (a) or (b) above to remain on any premises owned or controlled by him/her within the City.
- (d) **Inspection.** The Weed Commissioner or his/her designee shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance as defined in Subsections (a) or (b) above exists.
- (e) **Abatement of Nuisance.**
 - (1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsections (a) or (b) above exists, the Weed Commissioner shall immediately cause written notice to be served that the City proposes to have the lot grass or lawn cut so as to conform with this Section and Section 8-1-5.
 - (2) The notice shall be mailed or served on the owner of the lot or parcel of land or, if he/she is not known and there is a tenant occupying the property, then to the tenant.
- (f) **Due Process Hearing.** If the owner believes that his/her grasses or weeds are not a nuisance, he/she may request a hearing before the Common Council. To be eligible, the request for said hearing must be made in writing to the City 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 make a deposit as prescribed in Section 1-3-1. If a decision is rendered in the property owner's favor, the deposit 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 City personnel abating the nuisance, if necessary. When a hearing is requested by the owner of the property, a hearing by the Common Council, or committee thereof, shall be held within seven (7) days from the date of the owner's request. The property in question will not be mowed by the City until such time as the hearing is held by the Common Council. At the hearing, the owner may appear in person or by his/her attorney, may present witnesses in his/her own behalf and may cross-examine witnesses presented by the City as well as subpoena witnesses for his/her own case. At the close of the hearing, the Common Council shall make its determination in writing specifying its findings, facts, and conclusions. If the Common Council, or committee thereof, determines that a public nuisance did exist, the Common Council 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 Common Council'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) **City'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 City 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/her failure to abate the nuisance within the prescribed time, the City shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.

- (2) The City 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 the Common Council, with a minimum charge of Fifty Dollars (\$50.00). The charges shall be set forth in a statement to the City 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 City 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 Sec. 66.0627, Wis. Stats.

Sec. 8-1-7 Compulsory Connection to City Sewer and Water System.

(a) When Required.

- (1) Whenever a sewer or watermain becomes available to any building used for human habitation, the owner of the property upon which the building is located shall connect the building to such main or mains in the manner prescribed by law, except the Common Council may defer connection to such water or sewer main or mains for those properties which have existing operable septic systems or wells at the time of annexation, or whose construction was permitted by the City of Westby due to exceptional circumstances unique to the property.
- (2) In the event other municipal ordinances also address this subject, the most restrictive provision shall be applicable. It is a policy of the City of Westby that the general health and welfare of its citizens is best protected through the citizens' use of a municipal sewer and water system, and that the operational and economic viability of such a system depends on the use and fiscal support by such users.

(b) Notice; Payment.

- (1) The owner of any parcel of land adjacent to a water or sewer main upon which there exists a need for water supply, or sewer service, whether now or in the future, and for whatsoever reason, or in a block through which such system is extended shall connect the available water or sewer main/system within one hundred eighty (180) days of notice in writing from the City to so connect. Upon failure to do so, the City may cause such connection to be made and billed to the property owner for such costs. Such costs may include, without limitation, the cost of disconnecting any private wells so as to provide for adequate cross-connection controls within the municipal water system. If such costs are not paid within thirty (30) days of billing to the property owner by the City, such costs shall be assessed as a special tax lien against the property; however, that the owner may, within thirty (30) days after the completion of the work, file a written option with the City Clerk-Treasurer stating that he/she cannot pay such amount in one (1) sum and ask that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of twelve percent (12%) per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats.
- (2) In lieu of the above, the City, at its sole option, may impose a penalty for the period that the violation continues, after ten (10) days written notice to any owner failing to make a connection to the municipal water or sewer system in a penalty amount to be as great as the current average residential user cost plus ten percent (10%) interest for administrative cost per month for each residential unit equivalent for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06, Wis. Stats.

- (3) This Section ordains that the failure to connect to the water or sewer system is contrary to the minimum health standards of said City and fails to assure preservation of public health, comfort, and safety of said City.
- (c) **City May Cause Connection at Expense of Owner.** In the alternative to Subsection (b), the owner or his/her agent fails to comply with the notice of the City within ten (10) days of service or mailing thereof, the Building Inspector or Public Works Director may cause connection to be made and the expense thereof shall be assessed as a special charge against the property.
- (d) **Privies, Cesspools, Etc., Prohibited After Connection With Sewer.** After connection of any building used for human habitation to a sewer main, no privy, cesspool or waterless toilet shall be used in connection with such human habitation.

Sec. 8-1-8 Unhealthy, Hazardous or Unsightly Materials on Public or Private Property.

- (a) **Inspections.**
 - (1) Whenever the Building Inspector, Fire Inspector or other authorized City official shall, upon inspection of any premises within the City of Westby find that there is deposited, placed, stored or remaining on said premises any garbage, junk, rubbish, rubble, trash, abandoned, construction materials, rotting yard and orchard waste, merchandise or parts, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or any other unhealthy, hazardous or unsightly materials or thing which create a fire or health hazard, or which is detrimental to the appearance, neatness and cleanliness of the immediate neighborhood or the City of Westby in general, such official shall issue his/her written order to the owner and/or occupant of the premises to remove said garbage, junk, rubbish, rubble or trash, abandoned, outmoded, or non-salable merchandise or parts, construction materials, rotting yard and orchard waste, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or other unhealthy, hazardous or unsightly materials or things.
 - (2) Said written order shall provide that such removal shall be accomplished within ten (10) days after service of said order upon the owner or occupant of the premises involved. Such written order, in addition to specifying and describing the material or things to be removed, shall also set forth on the face thereof the provisions of Subsection (b).
 - (3) Prosecution of violators under this Section shall not preclude other enforcement actions allowed by law, including other actions under this Code of Ordinances.
- (b) **Appeal.** Any person aggrieved by an order of a City official under this Section may, within thirty (30) days from the date of such order, request a hearing before the Board of Appeals. The request for said hearing must be made in writing to the City Clerk-Treasurer's office within thirty (30) days of the date of said order. The Board of Appeals shall hold a hearing within seven (7) days from the date of the aggrieved party's request. The City shall take no abatement action until such time as the requested hearing is held, except when necessary to remove a human health hazard in accordance with Subsection (g). At the hearing, the person aggrieved may appear in person and/or by attorney and may subpoena, present and cross-examine witnesses. At the close of the hearing, the Board of Appeals shall make its determination in writing specifying its findings of facts and conclusions. If the Board of Appeals determines that a public nuisance did exist, the Board of Appeals may order the City to proceed under Subsections (e), (f) and/or (h) of this Section.

- (c) **Exceptions.** Nothing contained in this Section shall be construed to prohibit the depositing of rubbish, rubble, junk, trash, abandoned, outmoded or nonsalable merchandise or parts or unsightly materials or things which are:
- (1) Lawfully sited pursuant to the City Zoning Code and operated in a manner not constituting a nuisance; or
 - (2) Temporarily deposited due to an emergency; or
 - (3) Materials during construction; or
 - (4) Collected and piled for immediate pickup and disposal by the City or by private means.
- (d) **Nonconforming Uses.** It shall not be a defense to the provisions of this Section that the owner or occupant of the premises involved has a nonconforming use under the provisions of the City Zoning Code, but the provisions of this Section shall be complied with notwithstanding that the owner or occupant of any given premises is using or occupying such premises under a valid nonconforming use.
- (e) **Abatement by City.** If the inspecting officer determines that said nuisance is a human health hazard, as defined in Sec. 254.01, Wis. Stats. and Section 8-1-2 of this Code of Ordinances, and is not abated within the time provided in Subsection (a), and there has been no appeal as set forth in Subsection (b), the officer shall file a written report of his/her findings with the Common Council, and the Common Council may abate the nuisance pursuant to Section 8-1-2.

Cross-Reference: Sections 8-1-2 and 10-5-8; Title 11, Chapter 6; Title 15, Chapter 4.

Sec. 8-1-9 Rodent Control.

- (a) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Owner or Manager.** Whenever any person or persons shall be in actual possession of or have charge, care or control of any property within the City, as executor, administrator, trustee, guardian or agent, such person or persons shall be deemed and taken to be the owner or owners of such property within the true intent and meaning of this Section and shall be bound to comply with the provisions of this Section to the same extent as the owner, and notice to any such person of any order or decision of the Building Inspector or his/her designee shall be deemed and taken to be a good and sufficient notice, as if such person or persons were actually the owner or owners of such property, except that whenever an entire premises or building is occupied as a place of business, such as a store, factory, warehouse, rooming house, junk yard, lumber yard or any other business under a single management, the person, firm or corporation in charge of such business shall be considered the owner or manager.
 - (2) **A Rodent-Proof Container** shall be a container constructed of concrete or metal, or the container shall be lined with metal or other material that is impervious to rodents, and openings into the container such as doors shall be tight-fitting to prevent the entrance of rodents.
 - (3) **Rodent-Proofing** shall consist of closing openings in building foundations and openings under and around doors, windows, vents and other places which could provide means of entry for rodents, with concrete, sheet iron, hardware cloth or other types of rodent-proofing material approved by the City.
 - (4) **Rodent Harborage.** Any place where rodents can live and nest without fear of frequent molestation or disturbance.
 - (5) **Hardware Cloth.** Wire screening of such thickness and spacing as to afford reasonable protection against the entrance of rodents.

- (b) **Elimination of Rodent Harborage.** Whenever accumulations of rubbish, boxes, lumber, scrap metal, car bodies or any other materials provide rodent harborage, the person, firm or corporation owning or in control of such materials shall cause the materials to be removed or the materials shall be stored so as to eliminate the rodent harborage. Lumber boxes and similar materials shall be neatly piled. These piles shall be raised at least a foot above the ground. When the owner of the materials cannot be found after a reasonable search, the owner or manager of the premises on which the materials are stored shall be responsible for disposal, or proper piling, of the materials.
- (c) **Elimination of Rodent-Feeding Places.** No person, firm or corporation shall place, or allow to accumulate, any materials that may serve as a food for rodents in a site accessible to rodents. Any waste material that may serve as food for rodents shall be stored in rodent-proof containers. Feed for birds shall be placed on raised platforms, or such feed shall be placed where it is not accessible to rodents.
- (d) **Extermination.** Whenever rodent holes, burrows or other evidence of rodent infestation are found on any premises or in any building within the City, it shall be the duty of the owner or manager of such property to exterminate the rodents or to cause the rodents to be exterminated. Within ten (10) days after extermination, the owner or manager shall cause all of the rodent holes or burrows in the ground to be filled with earth or other suitable material.
- (e) **Rodent-Proofing.** It shall be the duty of the owner or manager of any building in the City of Westby to make such building reasonably rodent-proof, to replace broken basement windows and, when necessary, to cover the basement window openings with hardware cloth or other suitable material for preventing rodents from entering the building through such window openings.

Sec. 8-1-10 Composting Regulations.

- (a) **Purpose and Intent.** The purpose of this Section is to promote the recycling of yard wastes and certain kitchen wastes through composting and to establish minimum standards for proper compost maintenance.
- (b) **Definitions.** "Composting" shall mean the organic waste produced from the growing, trimming, and removal of grass, branches [not exceeding one (1) inch in diameter] bushes, shrubs, plants, leaves and garden debris. Kitchen waste shall be any uncooked plant matter not contaminated by or containing meat, fish and/or dairy products.
- (c) **Maintenance.** All compost piles shall be maintained using approved composting procedures to comply with the following requirements:
 - (1) All compost piles shall be enclosed in a free standing compost bin. Each compost bin shall be no larger in volume than one hundred twenty-five (125) cubic feet, and shall be no taller than forty-two (42) inches.
 - (2) All compost bins shall be so maintained as to prevent the attraction or harborage of rodents and pests. The presence of rodents in or near a compost bin shall be cause for the City to proceed under Section 8-1-9.
 - (3) All compost bins shall be so maintained as to prevent unpleasant odors.
 - (4) No compost bin shall be allowed to deteriorate to such condition as to be a blighting influence on the surrounding property or neighborhood or the City in general.
 - (5)
 - a. All compost bins shall be located not less than three (3) feet from a property line or principal building or dwelling and three (3) feet from any detached accessory building.
 - b. A variance from these setback requirements may be applied for if the property owner(s) can show a hardship exists which prohibits compliance. In addition, any variance application must include a signed written approval of the variance request

from the adjacent property owner(s). Variances can be granted by the Building Inspector on an annual basis upon the proper application being submitted by the property owner(s). Screening and/or fencing of compost bins may be required as a condition of a variance being granted.

- (6) No compost bin shall be located in any yard except a rear yard, as defined in the City Zoning Code. A compost bin may be located in a side yard as defined in the City Zoning Code subject to the annual variance procedure contained in Subsections (c)(5)(b) and must be screened from view to the street.
- (7) Those composting bins which existed prior to the adoption of this Section shall be given one (1) year to comply with the requirements set forth herein.

(d) **Ingredients.**

- (1) No compost bin shall contain any of the following:
 - a. Lakeweeds;
 - b. Cooked food scraps of any kind or type;
 - c. Fish, meat or other animal products;
 - d. Manures;
 - e. Large items that will impede the composting process.
- (2) Permitted ingredients in a compost bin shall include the following:
 - a. Yard waste;
 - b. Coffee grounds and used tea leaves;
 - c. Uncooked plant matter not contaminated by or containing meat, fish, and/or dairy products;
 - d. Commercial compost additives.

(e) **Owner Responsibility.** Every owner or operator shall be responsible for maintaining all property under his or her control in accordance with the requirements of this Section.

(f) **Municipal Exception.** Any municipal composting site maintained by the City shall be exempt from the provisions of this Section.

Sec. 8-1-11 Discharge of Clear Waters.

- (a) **Discharge.** No person shall cause, allow or permit any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises owned or occupied by said person to discharge into a sanitary sewer.
- (b) **Nuisance.** The discharge into a sanitary sewer from any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises is hereby declared to be a public nuisance and a hazard to the health, safety and well-being of the residents of the City and to the protection of the property.
- (c) **Groundwater.** Where deemed necessary by the Common Council, every house shall have a sump pump installed for the purpose of discharging clear waters from foundation drains and ground infiltration and where the building is not serviced by a storm sewer shall either discharge into an underground conduit leading to a drainage ditch, gutter, dry well or shall discharge onto the ground surface in such other manner as will not constitute a nuisance as defined herein.

- (d) **Storm Water.** All roof drains, surface drains, drains from any mechanical device, gutters, pipe, conduits or any other objects or things used for the purpose of collecting, conducting, transporting, diverting, draining or discharging storm waters shall be discharged either to a storm sewer, a dry well, an underground conduit leading to a drainage ditch or onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (e) **Storm Sewer Lateral.** Where municipal storm sewers are provided and it is deemed necessary by the property owner and/or the City to discharge clear waters from a parcel of land, a storm sewer lateral shall be installed and connected to the storm sewer main at the expense of the owner.
- (f) **Conducting Tests.** If a designated City agent suspects an illegal clear water discharge as defined by this Chapter or by any other applicable provision of the Wisconsin Administrative Code as it may, from time to time, be amended, he/she may, upon reasonable notice and at reasonable times, enter the private premises where such illegal clear water discharge is suspected and conduct appropriate tests to determine whether such suspected illegal clear water discharge actually exists. In addition, City inspectors may inspect for illegal clear water discharges as a part of a routine inspection without cause.
- (g) **Sump Pump Inspection Upon Property Sale.** Upon the sale of a property, City representatives may inspect the property to determine whether sump pumps are installed to discharge into the sanitary system, which is prohibited by this Section.

Sec. 8-1-12 Disturbance of Refuse Containers.

- (a) No person shall open or disturb any refuse bag or container in a manner that would cause or contribute to litter.
- (b) No person shall scavenge or remove refuse, recyclables or other items placed for collection and/or disposal without the prior express authorization of the party placing such items for collection/disposal.

Sec. 8-1-13 Fencing of Anhydrous Ammonia Tanks.

- (a) **Purpose.** The Common Council has determined that anhydrous ammonia storage tanks located within the City pose a threat to public health and safety if access to such tanks is not restricted through appropriate fencing. Specifically, public health and safety may be at risk if tampering or vandalism to the tanks results in unauthorized release of the tanks' dangerous contents into the atmosphere; furthermore, anhydrous ammonia is known to be a substance used in the illicit manufacture of prohibited controlled substances, and that persons engaged in such illegal activity may tamper with unsecured storage tanks. This ordinance is adopted pursuant to the municipality's police powers, which are to be liberally construed in favor of the municipality's authority to enact measures to protect public health and safety.
- (b) **Requirements.** Within sixty (60) days of the effective date of this Section, the owners of all parcels on which anhydrous ammonia storage tanks are located, either presently or proposed, shall erect adequate fencing enclosing such tanks. The fencing shall be of a design approved by the Common Council prior to construction. Such fencing shall be kept locked and be properly maintained.
- (c) **Penalty.** Persons found to be in violation of this ordinance shall be subject to the general penalty provisions of Section 1-1-7 of the Westby Code of Ordinances. Each day shall constitute a separate violation.

Sec. 8-1-14 Burial of Animal Carcasses.

- (a) No person, firm or corporation shall bury or cause to be buried on or in any public street or on any public ground or on any private property belonging to said person, firm or corporation any dead animal, animal carcass or any parts thereof within the City of Westby, except that a resident of the City of Westby, upon receiving authorization from the Director of Public Works, may bury a domestic household pet on said person's, firm's or corporation's own private property.
- (b) Any person, firm or corporation who violates this Section shall be subject to the general forfeiture provisions of this Code of Ordinances in Section 1-1-7. In addition, said person, firm or corporation shall be required to remove any animal or animal carcass buried in violation of this Section.

Title 8 – Chapter 2

Pollution Abatement

- 8-2-1 Cleanup of Spilled or Accidentally Discharged Wastes
- 8-2-2 Storage of Polluting Substances

Sec. 8-2-1 Cleanup of Spilled or Accidentally Discharged Wastes.

- (a) **Cleanup Required.** All persons, firms, or corporations delivering, hauling, disposing, storing, discharging or otherwise handling potentially polluting substances, solid or liquid, such as, but not limited to, the following: fuel oil, gasoline, solvents, industrial liquids or fluids, milk, grease trap and septic tank wastes, sewage sludge, sanitary sewer wastes, storm sewer catch-basin wastes, oil or petroleum wastes, shall immediately clean up any such spilled material to prevent its becoming a hazard to health or safety or directly or indirectly causing pollution to the lakes and streams under the jurisdiction of the City.
- (b) **Notification.** Spills or accidental release of hazardous materials or pollutants at a site or of a quantity or nature that cannot adequately be cleaned up by the responsible party or parties shall be immediately reported to the Fire Department so that assistance can be given. by the proper agency.
- (c) **Financial Liability.** The party or parties responsible for the release, escape or discharge of wastes shall be held financially liable for the cost of any cleanup or attempted cleanup deemed necessary or desirable and undertaken by the City, or its designated agent, in an effort to minimize the pollutional effects of the discharged waste.
- (d) **Reimbursement for Hazardous Material Emergency Action.**
 - (1) Any person who possessed or controlled a hazardous substance that was discharged or who caused the discharge of a hazardous substance shall reimburse the City of Westby for actual, reasonable and necessary expenses incurred by the City of Westby for any emergency action taken under, and consistent with, Sec. 166.22(3), Wis. Stats., whether such action be taken by the City of Westby or another entity on its behalf or direction.
 - (2) Reimbursement as provided under Subsection (d)(1), above, will be accomplished as provided by Sec. 166.22(5), Wis. Stats., by the Vernon County Board of Supervisors, or by local emergency government officials.
 - (3) Terms not defined above shall have the meaning referred to in Sec. 166.22(1), Wis. Stats.

Sec. 8-2-2 Storage of Polluting Substances.

It shall be unlawful for any person, firm or corporation to store any potentially polluting substances unless such substances are stored in such manner as to securely prevent them from escaping onto the ground surface and/or into any street, sewer, ditch or drainageway, lake or stream within the jurisdiction of the City of Westby.

Title 8 – Chapter 3

Refuse Collection and Recycling

8-3-1	Basic Recyclable Materials
8-3-2	Non-Recyclable Items
8-3-3	Collection Schedules
8-3-4	Items Recyclable at County Recycling Center
8-3-5	Miscellaneous Provisions
8-3-6	Grass Clippings and Leaves; Brush Collection

Sec. 8-3-1 Basic Recyclable Materials.

The following items are accepted for recycling:

- (a) **Glass.**
 - (1) **Recyclable Types.**
 - a. Bottles and jars (clear, green, brown).
 - (2) **Preparation.**
 - a. Rinse thoroughly.
 - b. Remove label or as much of label as possible.
 - c. Remove caps and put in regular garbage.
 - d. Separate by colors.
 - e. Each color shall be in separate containers.
- (b) **Plastics.**
 - (1) **Recyclable Types.**
 - a. Any plastic that has a one (1) or two (2) inside a triangle (milk bottles, laundry soap, food containers, etc.).
 - (2) **Preparation.**
 - a. Rinse thoroughly.
 - b. Remove label or as much of label as possible.
 - c. Remove caps and put in regular garbage.
 - d. Flatten if possible.
 - e. Plastics one (1) and two (2) shall be in separate containers.
- (c) **Tin/Metals.**
 - (1) **Recyclable Types.**
 - a. Tin cans.
 - b. Aluminum.
 - (2) **Preparation.**
 - a. Rinse thoroughly.
 - b. Remove label or as much of label as possible.
 - c. Remove ends and flatten. (When one end doesn't come off - step on open end, step on can bottom and push towards floor).
 - d. Tin and aluminum shall be in separate containers.
- (d) **Paper.**
 - (1) **Recyclable Types.**
 - a. Corrugated boxes.
 - b. Magazines.

- c. Newspapers.
 - d. Low-grade paper - office paper, cereal boxes, pop/beer cartons, etc.
- (2) **Preparation.**
- a. Flatten and tie in bundles.
 - b. Must be kept clean and dry.
 - c. Remove shiny sheets and put with magazines.
 - d. Newspapers tied separately.
 - e. Magazines and shiny sheets can be tied together.

Sec. 8-3-2 Non-Recyclable Items.

- (a) Regular garbage is collected on Tuesday each week on the City’s south side, and Wednesday each week on the City’s north side. The following items are not recyclable and shall be placed with or in regular garbage for disposal:
- (1) Plastic bags.
 - (2) Caps and lids [even plastic caps and lids with a one (1) or two (2) in a triangle]
 - (3) Plastic toys.
 - (4) Laundry baskets.
 - (5) Drinking glasses.
 - (6) Window glass.
 - (7) Ceramic mugs.
 - (8) China.
 - (9) Lead collars from wine or champagne bottles.
 - (10) Clay flower pots or bowls.
 - (11) Crystal.
 - (12) Mirrors.
 - (13) Ovenware.
 - (14) Dinnerware.
 - (15) Rubber.
 - (16) Styrofoam.
 - (17) Latex paint (lids removed, and paint dried).
 - (18) Oil-base paints (lids removed, and paint dried).
 - (19) Aerosol cans.
 - (20) Disposable Diapers.
 - (21) Aluminum containers (TV dinners, pie and cake, etc.).

Sec. 8-3-3 Collection Schedules.

- (a) **Collection Schedule - Standard Recyclables.** Recyclables specified in Section 8-3-1 shall be placed for collection according to the following schedule:

	<u>South Side</u>	<u>North Side</u>
Recycled Paper / Newspaper	1 st Wednesday	2 nd Wednesday
Plastics	1 st Friday	2 nd Friday
Glass / Aluminum / Tin	3 rd Friday	4 th Friday
Large Metals & Appliances	Last Friday of Each Month (call City Hall to schedule)	

- (b) **Recycled Paper / Newspaper.**
 - (1) The following types of newsprint are recyclable:
 - a. Newspaper (bundle and tie with a heavy string; office paper can be included).
 - b. Magazines (bundle and tie with a heavy string).
 - c. Ad Slicks (bundle and tie separately).
 - d. Low grade paper - office paper, cereal boxes, pop/beer cartons, etc.
 - e. Cardboard.
 - (2) The above items are collected City-wide by the City on the first Wednesday of each month on the City's south side and the second Wednesday of each month on the City's north side.
- (c) **Special City-Wide Collection Items.**
 - (1) **Appliance Pick-Up - Major Household.** Appliances will be picked up by a City truck on the last Friday of each month. A fee of Eighteen Dollars (\$18.00) each must be paid in advance at City Hall.
 - (2) **Mattresses, Box Springs.** Mattresses and box springs will be picked up by a City truck on the last Friday of each month. A fee of Twenty (\$20.00) each must be paid in advance at City Hall.
 - (3) **Metals - [Twenty-five (25) pound limit].** Small amounts of wire, steel or iron are collected at no charge on the last Friday of each month.

Sec. 8-3-4 Items Recyclable at County Recycling Center.

Items listed below may be delivered to the Vernon County Recycling Center. Residents should check with the Vernon County Recycling Center for schedule and fees.

- (a) **Major Household Appliances.**
 - (1) Stoves, refrigerators, freezers, dehumidifiers, televisions, microwaves, etc.
- (b) **Tires.**
 - (1) Automobile, pickup truck, large truck (semi), rear tractor, etc.
- (c) **Batteries.**
- (d) **Metal/Wire.**
- (e) **Oil.**
 - (1) Used engine oil is accepted at the Vernon County Recycling Center.
- (f) **Antifreeze.** Used antifreeze is accepted at the Vernon County Recycling Center.

Sec. 8-3-5 Miscellaneous Provisions.

- (a) **Agricultural and Household Hazardous Waste.** Oil base paints, solvents, chemicals, herbicides, insecticides and other hazardous chemicals must be safely stored until Vernon County has a Hazardous Waste Collection Day.
- (b) **Home Generated Medical Waste.** Syringes and needles should be treated with a fifty percent (50%) bleach solution and placed in a covered, heavy plastic or tin container before they are mixed with household trash for regular collection.
- (c) **Fluorescent Tube and PCB Ballast Collection.** Fluorescent tube and PCB ballast lights are not collected by the City. Residents should contact the Vernon County Recycling Center for pickup times and fees.

Sec. 8-3-6 Grass Clippings and Leaves; Brush Collection.

- (a) **Grass Clippings and Leaves.** The City of Westby encourages composting (See Section 8-1-10) and the use of mulching mowers to eliminate grass and leaves from filling up our landfills. For citizens who must dispose of leaves and grass there is a central collection site at the Grove Street Landfill where citizens may haul and dispose of cut grass and leaves at dates and times designated by the City. Grass and leaves must be left inside the fenced enclosure and all bags or containers must be emptied. All plastic bags or other containers must be disposed of properly. No other materials will be accepted at the collection site, and anyone who disposes of materials other than grass or leaves at the City site or deposits materials outside of the fences area must comply with Section 6-2-17 of this Code of Ordinances. The City shall collect leaves at the curbside for a short period of time each fall and spring; these times will be announced to the public.
- (b) **Brush Collection.**
 - (1) Trees on private property that are cut down or trimmed by property owners or their contractors will not be chipped or hauled away by City crews. Tree limbs broken by high winds and small bundles of twigs will be chipped and hauled by City crews as time permits. All limbs must be cut to six (6) foot lengths or less and trunks must be no larger than six (6) inches in diameter. Whole hedges will not be chipped, but City crews will collect small amounts of bundled and tied hedge branches. Hedge materials must be tied and bundled no larger than five (5) feet long by three (3) feet high by three (3) feet wide. All brush and hedges must be brought to the curb for collection with the cut ends of the brush facing the street.
 - (2) As an alternative to the above chipping/collection procedures, citizens may take their brush to the City burn-site at the Clockmaker Quarry located on County Highway P, where clean brush and wood is burned on a regular basis.