

ORDINANCE NO. 571

AN ORDINANCE TO CREATE SECTION 2.165 of CHAPTER TWO (2) of the GENERAL ORDINANCES OF THE VILLAGE OF RIVER HILLS REGARDING ASH TREES

The Village Board of the Village of River Hills, Milwaukee County, Wisconsin, does ordain as follows:

Section I. Section 2.165 **CONTROL OF ASH TREES** of Chapter 2 of the General Ordinances of the Village of River Hills is hereby created to read as follows:

“Section 2.165. CONTROL OF ASH TREES.

(1) Duties of Village Manager. The Village Manager of the Village of River Hills is hereby invested with the power and authority to carry out the terms and provisions of this Ordinance in such manner as in their discretion they believe to be most appropriate and equitable, including the power to retain additional Village employees if that is found to be necessary, the power to delegate to the Superintendent of Public Works the carrying out of the terms and provisions of this Ordinance and the further power to determine whether any or all work to be done hereunder shall be performed by Village personnel or independent contractors; the exercise of these powers to be subject to review at all times by the Village Board.

(2) Inspection and Reports. The Village Manager is to cause periodic inspections and reports to be made of all ash trees within fifty (50') feet of the public right-of-way and/or the boundaries of property within the Village for the purpose of discerning wherever possible the existence of infected, diseased or dead ash trees. The Superintendent of Public Works and/or any other Village employee designated by the Village Manager shall have the authority to enter upon private property at reasonable times with advance notice to the resident for the purpose of carrying out any of the provisions of this Ordinance.

(3) Removal of Diseased, Weak, or Dead Ash Trees. The Village Manager, with the aid and assistance of the Superintendent of Public Works, shall direct, supervise and control the removal of weak, diseased, or dead ash trees and/or dead ash wood found within the Village by removal, burning, or by any other means determined to be necessary to prevent as fully as possible the spread of disease or the insect pests or vectors known to cause such infestation.

(4) Removal of Diseased, Weak, or Dead Ash Wood on Private Property. Whenever the Village Manager shall determine with reasonable certainty that diseased, weak, infected, or dead ash trees exist upon private premises within fifty (50') feet of the public right-of-way and/or the boundaries of the property, they are authorized to serve or cause to be served personally or by certified mail upon the owner of such property, a written notice of the existence of such nuisance and of the action necessary to be taken to abate such nuisance. Such notice shall describe the nuisance and recommend procedures for its abatement and shall further state that unless the owner shall abate the nuisance in the manner specified in the notice within thirty (30) days after service of such notice, the Village Manager shall proceed to abate the nuisance and cause the full cost thereof to be assessed against the property in accordance with the procedures provided in this Ordinance. The Village Manager may extend the time allowed the

property owner for abatement work, but not to exceed an additional thirty (30) day period.

(5) Cost of Tree Care; Special Assessments.

[a] The Village's full costs of abating such nuisance shall be charged to the property on which such nuisance, tree or wood is located as follows:

(1) The Village Manager shall keep a strict account of the cost of such work and the amount chargeable to each parcel and shall report such work, charges, descriptions of the lands to which charged and the names and addresses of the owners to the Village Clerk as the work is completed.

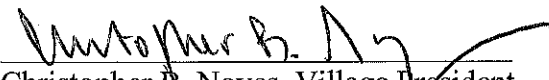
(2) The Village Clerk shall thereupon mail notice of the amount of such costs to each owner of property charged at his last known address, stating that unless paid within thirty (30) days of the date of notice, such charges shall bear interest at the rate of six (6%) percent per annum from the due date and shall be entered on the tax roll as a delinquent tax against the property and all proceedings for delinquency in relation to the collection and return of real estate taxes shall apply.”

Section II. If any subsection, section or portions of this article or the sections of this ordinance as enacted hereunder is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

Section III. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are to such extent repealed.

Section IV. This ordinance shall be in full force and effect after its passage and publication as provided by law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 8th day of March, 2023.


Christopher B. Noyes, Village President

Countersigned:


Tammy LaBorde, Village Clerk