



P.O. Box 352 • 150 S. Bridge St. • Markesan, WI 53946 • P: (920) 398-3031 • F: (920) 398-3991

KEEP MARKESAN GRAND COMMITTEE

March 17, 2022
4:00 p.m.

Markesan City Hall
150 S Bridge Street

Agenda

Call to Order

Roll Call By Sign-in

Appointment of Recording Secretary

Review of Committee's Purpose & Objectives

Discussion and Action - Implementation of Program

Distribute Copies of Code Relating to Property Maintenance

Discussion and Action - Specific Areas of Concern

Adjourn

A quorum of the Markesan Common Council may be in attendance at this meeting to gather information about a subject over which they have decision making responsibility. Under Wisconsin Open Meeting Law, this may constitute a meeting of the Common Council pursuant to the Badtke Decision, however, the Council will not take action at this meeting.

Any person requiring special assistance to participate in this meeting should contact the Clerk-Treasurer at 920-398-3031 at least 24 hours prior to the meeting so appropriate accommodations can be made.

Posted: City Hall Horicon Bank
Post Office ERGO Bank www.markesanwi.gov

Dated March 16, 2022
Elizabeth Amend, Clerk-Treasurer

KEEP MARKESAN GRAND COMMITTEE

The Keep Markesan Grand Committee is created for the purpose of promoting the aesthetic appeal while maintaining a safe environment in the City of Markesan by:

- 1) Assessing the Public and Private properties within the City of Markesan to ascertain whether they are being kept free from trash and refuse;
- 2) Advocating for a high standard of community cleanliness, maintenance, and attractiveness;
- 3) Encouraging and promoting partnership, participation and pride of residents in improving our community;
- 4) Recommending to the City Council methods by which the City can improve Public properties;
- 5) Serving as a liaison and resource for residents, schools, churches, businesses, organizations and city government to work cohesively to improve our community;
- 6) Coordinating groups and individuals to connect with those in need of assistance with property maintenance tasks.

Committee Members:

William Pflum, Chairman
Patricia Prill, Ex Officio Member
Elizabeth Amend, City Clerk-Treasurer
Rachel Heiling, Deputy Clerk-Treasurer

Chapter 273. Property Maintenance

[HISTORY: Adopted by the Common Council of the City of Markesan by Ord. No. 148 (Ch. 15 of the 1991 Municipal Code). Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 115.

Littering — See Ch. 224.

Nuisances — See Ch. 252.

§ 273-1. Applicability.

Every building, structure and premises shall conform to the requirements of this chapter, irrespective of the class to which such building, structure and premises may otherwise belong, and irrespective of when such building may have been constructed, altered or repaired.

§ 273-2. Interpretation.

This chapter shall be known as the "Property Maintenance Chapter" and establishes minimum standards for maintenance of buildings, structures and premises and does not replace or modify standards otherwise established for the construction, replacement or repair of buildings and structures, except such as are in conflict with the provisions of this chapter. Any consistency or conflict between the provisions of this chapter and any other existing chapter shall not repeal such provisions or chapter, but the provisions of this chapter shall be cumulative thereto.

§ 273-3. Definitions.

A. The terms used herein shall be defined as follows:

ACCESSORY STRUCTURE

A structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

BASEMENT

That portion of a building, the floor line of which is below the surface of the ground immediately adjoining it and its ceiling not more than four feet above lot grade.

BUILDING

A combination of materials to form a construction adapted to permanent or temporary use for residence, business or storage.

DETERIORATION

The condition or appearance of a building or structure or part thereof, characterized by breaks, holes, rot, crumbling, cracking, peeling, rusting, inadequate paint or other evidence of decay or neglect.

DWELLING

Any structure designed for use by human occupants for sleeping and living purposes, whether occupied or vacant.

EXTERMINATION

The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods approved by the Health Commissioner or County Health Department.

FENCE

An independent structure forming a barrier at grade or between lots, between a lot and a street or any alley, or between portions of a lot or lots and includes a wall or latticework screen, but excludes a hedge or natural growth, or a barrier of less than 18 inches in height which is used to protect plant growth.

GARBAGE

All waste, animal, fish, fowl or vegetable matter incident to and resulting from the use, preparation and storage of food for human consumption.

INFESTATION

The presence of insects, rodents, vermin or other pests on the premises which constitute a health hazard.

NUISANCE

- (1) Any public nuisance known at common law or in equity jurisprudence, or as provided by the statutes of the state, or this Code.
- (2) Any attractive nuisance which may prove detrimental to the health or safety of children in a building, on the premises of a building, or upon an unoccupied lot. This includes, but is not limited to, basements, excavations, open wells and other dangerous openings, abandoned iceboxes, refrigerators, motor vehicles, any structurally unsound fences or structures, lumber, trash, fences, debris or vegetation such as poison ivy, oak, sumac, which may prove a hazard for inquisitive minors.
[Amended 4-14-2015 by Ord. No. 233]

OCCUPANT

Any person occupying or having use of a building, structure, premises or any part thereof.

OPERATOR

Any person who has charge, care or control of a building, structure or premises or a part thereof.

OWNER

Any person who, alone, jointly or severally with others, shall hold title to a building, structure or premises, or who shall be in actual possession of, or have charge, care or control of a building, structure or premises as an employee or agent of the title holder, or who shall be trustee or guardian of the estate or person of the title holder.

responsible for the extermination of rodents and vermin from that part of the premises under their exclusive control, except where more than one unit is infested at the same time and, in this instance, the owner shall also be responsible for extermination of the infestation.

- J. Every building shall have adequate refuse, garbage or rubbish storage facilities. No occupant shall accumulate rubbish, boxes, lumber, metal refuse or other materials which may provide a harborage for rodents or vermin.
- K. The exterior of every structure or accessory structure, residential and nonresidential, including fences, shall be maintained in good repair and all surfaces thereof shall be kept painted where necessary for purposes of preservation and appearance. The same shall be maintained free of broken loose shingles, crumbling stone or brick, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance.
- L. Every dwelling and accessory structure, exterior walls, siding and roofs shall be kept structurally sound and in a state of good repair to avoid safety, health or fire hazards and shall be so maintained as to be weather- and watertight. (The above applies to residential and nonresidential properties.)
- M. This chapter applies whether or not the premises are temporarily or continuously occupied or unoccupied, inhabited or uninhabited, commercial or noncommercial, and whether or not there is a structure, building or other improvement upon the premises.

§ 273-6. Inspection by Building Inspector.

[Amended 4-14-2015 by Ord. No. 233]

The Building Inspector or his designated representative is authorized and, upon receipt of complaint, shall make exterior inspections to determine whether the buildings, structures and premises located within this City conform to the requirements of this chapter. For the purpose of making exterior inspections, the Inspector is authorized to enter, examine and survey, at all reasonable times, the exterior portions of all buildings, structures or premises. Every owner or occupant shall give the Inspector free access to any said premises. The Inspector or his delegated representative, having probable cause to believe a violation of this chapter exists, shall have authority to enter any of such premises after written notice has been given to the owner, occupant or his agent. If, after such notice is given, access is denied to the Building Inspector, he may apply to the Lakeside Municipal Court for a special inspection warrant.

§ 273-7. Administrative provisions.

- A. The Building Inspector is hereby made responsible for the enforcement of this chapter. All inspections, enforcement, orders or matters relating to violations of this chapter shall be under his direction and supervision. He may appoint or designate such other public officials or employees of the City to perform duties as may be necessary to the enforcement.
- B. The Building Inspector shall be supplied with official identification and, upon request, shall exhibit such identification when entering any premises subject to this chapter. The Inspector shall conduct himself as to avoid intentional embarrassment or inconvenience to occupants.

§ 273-8. Notice.

Whenever the Building Inspector determines that there are reasonable grounds to believe that there

has been a violation of any provision of this chapter, notice of such alleged violation shall be given to the person responsible therefor which shall:

- A. Be in writing.
- B. Indicate the nature of the violation.
- C. Indicate the time for the correction of the violation in accordance with this chapter.
- D. Be served upon the owner or his agent or the occupant or operator, as the case may require. Such notice shall be deemed to be properly served upon such owner or his agent or occupant or operator if a copy thereof is:
 - (1) Served upon him personally;
 - (2) Sent by registered or certified mail to his last known address;
 - (3) Posted in a conspicuous place in or about the building or structure affected by notice; or
 - (4) Served upon a member of the family of the owner, operator or occupant 14 years of age or older.
- E. State a reasonable amount of time, not to exceed 30 days, to correct or abate the violation.
- F. Advise the person served of the right to request a hearing before the Common Council or Committee and that the notice shall become an order of the Building Inspector five days after service unless such a hearing is requested.

§ 273-9. Placard building.

- A. The Building Inspector shall cause to be placed upon a building, structure or premises a placard which will state the determinations of the Inspector as to the building, structure or premises being unfit for use or occupancy whenever all of the following occur:
 - (1) Any building, structure or premises does not substantially comply with the requirements of this chapter.
 - (2) The Building Inspector has given notice of the violations involved as provided for in § 273-8 of this chapter.
 - (3) If the owner, occupant or operator has failed to correct the violations set forth in said notice.
 - (4) The Building Inspector has further determined that the building, structure or premises are so damaged, decayed, dilapidated, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public and is therefore unfit for use or occupancy.
- B. The form of the placard placed under the provisions of this section shall be determined by the Building Inspector, but shall also substantially state the specific violations of this chapter.
- C. No person shall deface or remove the placard from any building, structure or premises which has been placed by the Building Inspector until removal of such placard is authorized by the Inspector.
- D. Any building, structure or premises which has been determined by the Building Inspector as being so damaged, decayed, dilapidated, unsafe or vermin-infested that it creates a serious

hazard to the health and safety of the occupants or of the public and is therefore unfit for use or occupancy and which said building, structure or premises has been placarded by the Inspector shall be vacated within such reasonable time as is determined and ordered by the Inspector.

- E. No building, structure or premises which has been determined by the Building Inspector as unfit for use or occupancy and placarded as provided herein shall again be used or occupied until written approval is secured from and such placard is removed by the Inspector. The Inspector shall grant such approval and remove such placard in the event that the violations have been corrected and the Inspector determines that the building, structure or premises are now fit for use or occupancy.

§ 273-10. Noncompliance; remedy of defects.

- A. The owner, occupant or operator of any building, structure or premises shall have the time as specified in the notice under § 273-8 of this chapter to remedy the violation specified in such notice.
- B. In the event the Building Inspector shall determine, in his discretion, that the owner, occupant or operator is, within said time, making a good faith effort to correct the violations, he may extend the time for compliance.
- C. If the owner, occupant or operator of the building, structure or premises shall fail or refuse, after notice and order of the Building Inspector, to remedy the violations specified in such notice, then the Inspector may cause such work to be done and certify the cost thereof to the Clerk-Treasurer who shall extend such cost against the property upon the next tax roll of the City.

§ 273-11. Transfer of ownership of noncomplying building.

It shall be unlawful for the owner of any building, structure or premises who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish to the Building Inspector a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

§ 273-12. Violations and penalties.

- A. A violation of any section or subsection of this chapter shall be subject to the penalties provided in § 1-3.
[Amended 4-14-2015 by Ord. No. 233]
- B. Each day a violation exists after the notice of violation has been received and which becomes an order of the Building Inspector shall constitute a separate violation of this chapter.
- C. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs whether existing under this chapter or otherwise.



Clean Sweep

The application period for 2022 Clean Sweep grants is closed. Applicants will be contacted regarding the results of their applications and grant awards once the review process is complete.

Final Report Documents

All final report documents can be accessed by visiting the Clean Sweep Final Report Materials webpage.

Changes to the Clean Sweep Grant Application Timeline

Starting with 2022 Clean Sweep grant applications, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) will be moving up the grant application period by approximately four months. The new timeline spreads the process more evenly throughout the calendar year, and we also will be able to let you know your approved allocation around July or August to help with your budgeting for the year ahead.

Timeline:

Grant solicitation/application request:	April
Grant review and scoring:	June/July
Allocate and announce funding:	August
Contracts out:	September/October
Final reports from current year:	Fall through winter

The changes above involve a shift in the application window.

Final Reports

Final reports are still due within 60 days of your Clean Sweep project completion and reimbursements will be processed within 60 days of receipt of your complete final report.

Beginning with 2021 Clean Sweep grant final reports, recipients must provide itemized invoices or receipts for all expenses - except salaries, continue to use the labor worksheet for any salary expenses.

2021 Clean Sweep Grant Recipients

Remember to complete your final report for your 2021 Clean Sweep project. Final reports must be received within 60 days of your project's completion in order to be eligible to receive 2021 grant funds.

Program Information

Wisconsin Clean Sweep is a grant program that provides reimbursement to communities that collect and dispose of household hazardous wastes, agricultural pesticides, and prescription drugs. Grants may be awarded to counties, towns, villages, cities, tribes, sanitary and sewerage districts, or regional planning commissions. Grants can support collection and disposal of these products. Prescription drug grants can also be used to buy drop boxes.

Businesses that generate very small quantities of hazardous waste may also use these collections. Collections may be one-day events or may be year-round sites.

Some communities have collections, but do not receive Clean Sweep funding from DATCP.

Resources

Clean Sweep Collections (household hazardous waste, agricultural hazardous waste and very small quantities of hazardous waste generated by businesses)

Unwanted Prescription Drug Collections

(Dose of Reality: Wisconsin Department of Justice Drug Take-Back)

Transporting Pesticides in Your Car

Wis. Admin. Code ch. ATCP 34

Wisconsin Department of Natural Resources:

- Wisconsin registered sharps collection stations
- Hazardous waste information
- Prescription drug information

Bureau of Agrichemical Management:

- Video library
- Annual report

Contact

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