

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

100 North Appleton Street  
Appleton, WI 54911  
Phone (920) 832-6411

TO: Municipal Services Committee

FROM: Peter Neuberger, Deputy Director of Public Works / City Engineer  
Kurt W. Craanen, Inspections Supervisor

SUBJECT: Fee Waiver Request – 311 N Superior St.

DATE: August 26, 2024

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The owner of 311 N. Superior St. is requesting a waiver of the \$160 administrative fee for violation of 12-58 of the Municipal Code.

A notice was sent to the owner on June 13, 2024. A warrant was obtained and posted on the property on July 3, 2024. The owner cut the grass before the City's contractor got to the site.

**The Department of Community Development recommends denial of the appeal to waive the \$160 administrative fee for high weeds.**



**ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT**  
 Inspection Division  
 100 North Appleton Street  
 Appleton, WI 54911  
 Phone (920) 832-6411

No. 240872  
 Date Rec'd: 06/12/24

"... meeting community needs... enhancing quality of life."

## Neighborhood Service Form

311 SUPERIOR LLC  
 123 HIGHLAND CT  
 NEENAH WI 54956

Tax Key Number(s) 31-2-0641-00		Location of Complaint 311 N SUPERIOR ST APPLETON WI
Map Number Q52	Lot Size 22380 sq ft	

### Complaint:

Long weeds on property.

### Inspection Report:

This complaint was investigated on June 13, 2024 by CADEN KERRIGAN and was found to be:

- in violation letter sent
- in violation hang tag left
- in violation letter and hang tag

YOU ARE HEREBY ORDERED to abate the above confirmed violation(s) of the nuisance ordinance by the following corrective action:

Please cut all long grass and weeds to be under 8 inches.

Such correction is to be completed no later than 4:00 pm on June 23, 2024

Assessment charged: There is a minimum \$50 assessment charged for all owners who received this weed notice. Should the owner fail or refuse to complete corrective action by the time given, the City may enter upon subject property and abate the nuisance. The additional cost of such abatement will be charged to the property owner.

\*\*\*\*\*Office Use Only\*\*\*\*\*

Date Notice Mailed: June 13, 2024 Re-inspection Date: \_\_\_\_\_ Result: Uncut

Warrant Served: \_\_\_\_\_ Return of Officer: \_\_\_\_\_

Called Contractor: \_\_\_\_\_ Contractor Cut: \_\_\_\_\_

SPECIAL INSPECTION WARRANT

STATE OF WISCONSIN )  
 ) ss  
COUNTY OF OUTAGAMIE )

THE STATE OF WISCONSIN, to the Sheriff or any constable or any peace officer of said County:

WHEREAS, City of Appleton Inspector, CADEN KERRIGAN, has this day complained in writing to the said court upon oath that on the July 3, 2024, in said County, in and upon certain premises in the City of Appleton and more particularly described as follows:

LOCATION: 311 N SUPERIOR ST  
APPLETON WI  
LEGAL OWNER: 311 SUPERIOR LLC  
TAX KEY: 31-2-0641-00

THERE NOW EXISTS a necessity to enter upon, inspect, remove in compliance with sections 12-30(17) and 12-32(c) of the ordinances of the City of Appleton. The affiant prays that a Special Inspection Warrant be issued for the purpose to inspect and remove items from the premise :

"to cut or remove the accumulation or growth of weeds, grass, brush, or other rank or offensive vegetation", which has grown to a height beyond that allowed by the 12-58(b) of the Appleton Municipal Code.

NOW THEREFORE, in the name of the State of Wisconsin, you are commanded forthwith to enter the said premises for said purposes.

Dated this 3 day of July, 2024.

By: [Signature]

ENDORSEMENT ON WARRANT

Received by me on July 3rd, 2024, at 1:23 o'clock P M.

[Signature]  
CADEN KERRIGAN  
City of Appleton, Inspector

AFFIDAVIT FOR SPECIAL INSPECTION WARRANT

STATE OF WISCONSIN )
) ss
COUNTY OF OUTAGAMIE )

CADEN KERRIGAN, being duly sworn, says that on July 3, 2024 in said County, in and upon certain premises in the City of Appleton, and more particularly described as follows:

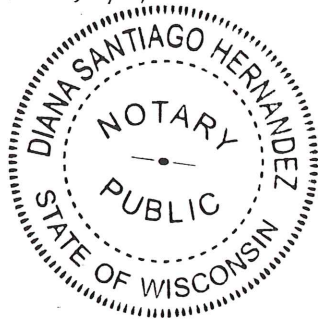
LOCATION: 311 N SUPERIOR ST
APPLETON WI
LEGAL OWNER: 311 SUPERIOR LLC
TAX KEY: 31-2-0641-00

There now exists a necessity to determine if said premise complies with Chapter 12 of the Municipal Code of the City of Appleton. The facts tending to establish the grounds for issuing a Special Inspection Warrant are as follows:

- 1. That she/he is employed by the City of Appleton in the Department of Public Works - Inspection Division, as an inspector.
2. That the City of Appleton Department of Public Works - Inspection Division has the powers and duties enumerated in Wisconsin Statutes §66.0517 concerning weed control. Additionally, the City of Appleton has adopted §12-58(b) of the Appleton Municipal Code relating to long grass.
3. On June 13, 2024 affiant personally observed a violation of the Appleton Municipal Code, §12-58 relating to the Department's authority to control accumulations of growth of weeds, grass, brush or other rank or offensive vegetation which has grown to a height beyond that allowed by the §12-58(b) of the Appleton Municipal Code.
4. On June 13, 2024 a notice was sent to the above named property owner. See Exhibit 1 attached hereto and incorporated herein by reference.
5. On July 1, 2024 the affiant observed that the premises described above still does not comply with §12-58(b), Appleton Municipal Code.

**Wherefore**, your affiant, CADEN KERRIGAN, on behalf of the City of Appleton Department of Public Works - Inspection Division, prays that a Special Inspection Warrant be issued to enter upon said premises for said purpose.

Dated this July 3, 2024



A handwritten signature in black ink that reads "Caden Kerrigan".

CADEN KERRIGAN  
City of Appleton, Inspector

Subscribed and sworn to before me this 3 day of July, 2024

Diana Santiago Hernandez

Notary Public, State of Wisconsin  
My commission is permanent/expires 2/28/27.

# Work Order for Cutting of Nuisance Grass or Weeds

Parcel No. \_\_\_\_\_

CSR No. \_\_\_\_\_

Date Issued: \_\_\_\_\_

Work Order No. 24-\_\_\_\_\_

Location: \_\_\_\_\_

Instructions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## FOR CITY USE ONLY

Date Inspected: \_\_\_\_\_

Cut       Not Cut

Inspected By: \_\_\_\_\_

Hand Cutting Required

Area Cut (up to 10,000 sq ft)

- Vacant** parcel less than or equal to 7,200 sq ft (\$65.00 per parcel)
- Vacant** parcel larger than 7,200 sq.ft. but less than or equal to 10,000 sq ft (\$85.00 per parcel)
- Parcel with **structure** less than or equal to 7,200 sq ft (\$65.00 per parcel)
- Parcel with **structure** larger than 7,200 sq ft but less than or equal to 10,000 sq ft (\$95.00 per parcel)
- All parcels greater than 10,000 sq ft** (\$55.00 per 5,000 sq ft)

Areas Cut by Hand (sq ft)

- Level One**-Up to one person-hour of hand labor (\$45.00 lump sum)
- Level Two**-Greater than one but less than or equal to two person-hours of hand labor (\$90.00 lump sum)
- Level Three**-Greater than two but less than or equal to three person-hours of hand labor \$135.00 lump sum)

**Plus:**      \_\_\_\_\_ **additional 5,000 sq ft areas**

**TOTAL:**      \_\_\_\_\_ **Sq. Ft.**