

Sec. 18-578. Lawn and yard maintenance.

- (a) *Definitions.* The terms used herein are defined as follows.
- (1) *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.
 - (2) *Natural lawn.* Any land managed to preserve or restore native Wisconsin grasses and foliage, native trees, shrubs, wildflowers and aquatic plants.
- (b) *General requirements.* ~~Except as provided in subsection (c) below, T~~the owner or occupant of any lot or parcel in the city ~~which is five 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 court and yard areas in accordance with generally accepted landscaping practices in south central Wisconsin. Lawns shall be maintained to a height not to exceed ~~12~~ 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.
- (c) *Natural law exception—Registration and fee.* Any owner or occupant of a lot or parcel subject to subsection (b) above and desiring a natural lawn may register with the city clerk for a natural lawn as defined in subsection (a)(2) above where grasses and foliage exceed 8 inches in height provided that such plantings meet the requirements of this subsection. Applications for registered natural lawns shall be available from the office of the city clerk and the fee for a registered natural lawn will be set by the City of Columbus Common Council.
- (d) *Maintenance of setbacks and drainage swales.* A ten-foot setback on any street frontage and a five-foot side and rear setback of all natural lawns shall be maintained in accordance with subsection (b) above. In addition, all drainage swales shall be free of plantings and maintained in accordance with subsection (b) above. Adjacent neighbors may agree to waive setbacks for encroachment on setbacks outside drainage swales; such waivers shall be in writing and filed with the weed commissioner. In addition, a five percent area exclusive of the setback area shall be left open for maintained paths. The setback area shall have a height of no more than 12 inches, excluding trees and shrubs.
- (e) *Weeds and plants prohibited.* The owners and occupants of all properties with properly registered natural lawns shall destroy all of the following weeds and plants:
- (1) Canada thistle and all other thistle varieties.
 - (2) Leafy spurge.
 - (3) Field bindweed (Creeping Jenny).
 - (4) Purple Loosestrife.
 - (5) Multiflora rose.
 - (6) Burdock.
 - (7) Ragweed.
 - (8) Garlic mustard.
 - (9) All weeds enumerated in §§ 66.955 and 66.96, Wis. Stats.
 - (10) Turf grass, except in setback areas and designated paths.

(f) ~~Exemptions. The lawn height requirement of this section shall not apply to the following:~~

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(1) Wetlands.

(2) Zoned rural development or agriculture and used exclusively for agriculture purposes (not residential).

(3) Permit from DNR to grow wild grasses for wildlife.

(4) Special characteristics of land and location.

(5) Environmentally sensitive areas.

(6) Storm water management ponds

(g) Natural Area Exception. Any owner of a lot or parcel over five acres subject to subsection may register with the city clerk for a natural area as defined in subsection above where grasses and foliage exceed 8 inches in height provided that such plantings meet the requirements of this subsection. Applications for registered natural areas shall be available from the office of the city clerk and the fee for a registered natural area will be set by the City of Columbus Common Council. Natural areas are areas that include native plants including grasses, shrubs, and trees.

Review and approval of land management plans. The weed commissioner shall review all applications for registered natural lawns and within 30 days of submittal of an application respond in writing to the applicant. The weed commissioner shall annually review the list of all registered natural lawn properties visit each site to check for compliance with this section and, within 30 days of the visit notify in writing the owner or occupant of any noncompliance of this subsection. The person receiving such notice of noncompliance shall comply with the requirements of this subsection within ten days of such notifications.

(hg) *Enforcement.* In the event any previously approved natural lawn fails to comply with the requirements of this subsection, such premises shall be deemed a nuisance under this chapter and the weed commissioner may order the nuisance abated within seven days.

(ih) *Appeal.* Any person aggrieved by the written determination of the weed commissioner to revoke such registration or to abate a nuisance thereto may file a written appeal within seven days of receiving such written determination with the judiciary committee. The appeal shall state the reasons for reviewing the determination of the weed commissioner. After giving a Class I notice, the committee shall hold a hearing and decide the matter within 30 days. The committee may reverse, affirm or modify the determination of the weed commissioner and issue an order accordingly.

(Ord. No. 570-03, § 8, 6-17-03; Ord. No. 745-19 , § 3, 3-5-19)

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