

Petition Requesting a Hearing with the Health, Welfare and Sustainability Committee

Members of the Committee,

We are requesting a hearing seeking review of an abatement order received by us as it relates to natural prairie planting we have made in the Boulevard in front of our home. *See Attachment 1*. For the following reasons, we believe this notice is in error and seek the Committee to withdraw the notice under Ordinance Chapter 24-3(j).

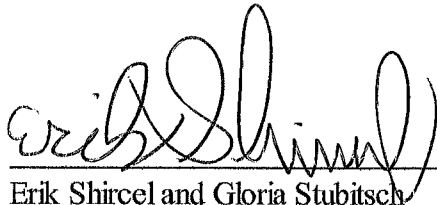
The Notice primarily cites Chapter 32-8. This chapter is relatively short. Section 32-8(a) requires that grass be cut not longer than eight inches in height. Section 32-8(c) indicates that no trees or shrubs can be planted in the boulevard without prior approval of the city. It is these sections that the Notice relies on. Specifically stating, "while that subsection specifically identifies trees and shrubs, the City has determined that the prairie planting currently located within the boulevard/right-of-way is inconsistent with the boulevard maintenance requirements because the vegetation has grown beyond the permitted height."

We believe this is wrong on a few counts. First, Section 32-8(a) specifically references that grass must be cut and maintained at no more than eight inches. What has been planted in the boulevard is not grass, but plantings of natural prairie plants native to Wisconsin. Section 32-8(c) which is titled "Plantings" does not prohibit plantings of any kind. It only puts a limitation on planting shrubs or trees without written permission first. If the intent was that nothing can be planted in the boulevard then that section would not be needed. Likewise, if the height limitation were to apply to all plantings, as practically all trees and shrubs will grow in excess of eight inches, they would also be prohibited based on height. The most internally consistent reading of this section would be that any boulevard in which only grass is located must be maintained to eight inches or less, and while plantings are permitted, any larger planting like a tree or shrub needs city approval. If no plantings were allowed, then property owners would not need to get permission to plant a tree or shrub, as they would already be prohibited.

This is also consistent with other sections of the city ordinances. Section 24-57 goes into greater detail on the expectations of maintaining property. Section 24-57(2) directs that properties will be kept clear of noxious weeds. Section 24-57(6) directs that lawns shall be maintained at a height not to exceed eight inches and that plantings are to be maintained so as not to present hazards. Given the similar language in both of these sections read together, we believe that the city ordinances do not prohibit plantings like the ones we have put in the boulevard so long as they are maintained consistently with Section 24-57, which shares similar language to Section 32-(c). We are maintaining the boulevard by engaging in weeding of the area, and have also applied mulch. This is not a section of boulevard that has been allowed to grow long because of neglectful ownership. This area is being intentionally cultivated. Many of these plants can take up to three years to become fully established and this is the first year of

the plantings. Eventually the boulevard will look different than it does now, once these plants fully take root.

Beyond the reading of the ordinances, we also believe that it is good policy on behalf of the city to allow such plantings. This committee's title includes the word "sustainability" and that is exactly what we are trying to practice here on our property. These plants are all native "wild" flowers. *See Attachment 2.* These are plants that are better for the local environment than grass. Many of these plants are pollinators, and are often surrounded by bees and other pollinating insects, helping to maintain those important insect populations. These plants also create local biodiversity as opposed to monoculture grass while also being plants that are native to the area, as opposed to so many of the flowers that people plant in their yards. These plants also have deep roots, which will help with water retention and prevent soil erosion, both of which will be helpful in maintaining the boulevard and aid in the rain and winter melt seasons. We have been actively attempting to utilize sustainability practices in the boulevard and would ask this Committee to allow us to continue with the project, rather than having to remove the plants from the boulevard and leave grass there instead.

A handwritten signature in black ink, appearing to read "Erik Shircel and Gloria Stubitsch", written over a horizontal line.

Erik Shircel and Gloria Stubitsch

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MAUSTON POLICE DEPARTMENT

303 Mansion Street
Mauston Wisconsin, 53948

Chief Michael D. Zilisch
Sgt. Eric Sanner
Sgt. Brandon Arenz
608-847-6363 or 608-847-6339
FAX 608-847-4989

Re: Boulevard Maintenance Violation and Required Abatement

Dear Gloria,

The City of Mauston has received and observed concerns regarding vegetation planted and maintained within the boulevard area adjacent to your property. For purposes of this letter, the boulevard generally refers to the City right-of-way area located between the improved street and the private property line.

Section 32-8 of the City of Mauston Code of Ordinances requires the owner and occupant of each parcel or lot that fronts upon or abuts a boulevard to keep the grass cut on such boulevard in conformity with surrounding property, but not to exceed eight inches in height. The ordinance also prohibits the boulevard from being littered with rubbish, dirt, stone, wire, trash, glass, waste, paper, garbage, or similar materials.

In addition, Section 32-8(c) provides that no trees or shrubs may be planted in the boulevard without written permission from the Director of Public Works and City Forester. While that subsection specifically identifies trees and shrubs, the City has determined that the prairie planting currently located within the boulevard/right-of-way is inconsistent with the boulevard maintenance requirements because the vegetation has grown beyond the permitted height and is not being maintained in conformity with surrounding property.

You are hereby directed to abate the violation immediately by cutting and maintaining the vegetation within the boulevard/right-of-way to a height not exceeding eight inches and by removing any plantings, materials, or growth that are not permitted or that interfere with required boulevard maintenance.

Please complete this corrective action no later than August 19th, 2026. If the violation is not corrected by that date, the City may take further action as allowed by ordinance, including causing the work to be completed and assessing any applicable costs, fees, or penalties as permitted by law.

If you believe you have written authorization for the planting or have questions regarding this notice, please contact the Mauston Police Department at 608-847-6363 as soon as possible.

Professionally,

Officer Aaren Weinke #112
Mauston Police Department

"To Protect and Serve"

Attachment 2

Plantings in smaller west section:

1. Prairie spiderwort
2. Ohio spiderwort
3. Smooth penstemon
4. White false indigo
5. Blue false indigo
6. Purple coneflower
7. Great Blue Lobelia
8. Flame Grass

These plants were selected due to the poor sandy soil in that section of the boulevard. They were also selected so that when the flowers do bloom it is staggered throughout the season with purple and white color palette.

Plantings in larger east section:

1. Pearly Everlasting
2. Butterfly weed
3. Cream wild indigo
4. Spotted bee balm
5. Purple prairie clover
6. Purple love grass
7. Blue sage
8. Prairie coreopsis
9. Blazing star
10. Purple coneflower
11. Lavender hyssop
12. Sullivant's milkweed
13. Prairie sunflower
14. Great blue lobelia
15. Anise hyssop
16. Yarrow
17. Self-heal
18. Columbine
19. Jacob's ladder
20. Common milkweed

These plants started with a kit from Prairie Moon Nursery designed for city planting among easements. (<https://www.prairiemoon.com/easy-street-patch-garden-kit>) This section is primarily low growing, flowering plants that support a variety of pollinators. We have added additional plants to the kit for additional diversity and to include a few accent plants. This makes sure that flowering is staggered throughout the growing season.