

ORDINANCE NO. 22-1000

AN ORDINANCE AMENDING TITLE 8, CHAPTER 1 OF THE CODE OF ORDINANCES RELATING TO REGULATION OF LENGTH OF LAWN AND GRASSES

SECTION 8-1-6

The Common Council of the City of Verona, Dane County, Wisconsin, does ordain that Section 8-1-6 of the Code or Ordinances of the City of Verona are amended to read as follows (~~language deleted~~/language added):

Sec. 8-1-6 Regulation of Length of Lawn and Grasses

- (a) **Purpose.** This Section is adopted due to the unique nature of the problems associated with lawns, grasses and noxious weeds being allowed to grow to excessive length in the City of Verona.
- (b) **Public Nuisance Declared.**
 - (1) The Common Council finds that lawns, grasses and noxious weeds on nonagricultural lots or parcels of land, as classified under the Zoning Code, which exceed eight (8) inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interfere with the public convenience, and adversely affect property values of other land within the City. For that reason, any lawn, grass or weed on a nonagricultural lot or other parcel of land (including all terraces) that exceeds eight (8) inches in length is declared to be a public nuisance, except for property located in a designated floodplain area or wetland area or where the lawn, grass or weed is part of a natural lawn pursuant to Section 8-1-5 above.
 - (2) All unimproved lots or parcels of land which have a stockpile of soil must seed, mulch and maintain the stockpile within the parameters of this Section. The stockpile of soil must be graded with no greater than four-to-one (4:1) slopes. Failure to comply with this Subsection (2) is declared a public nuisance.
 - (3) All unimproved lots or parcels of land shall be cleared of box elder, cottonwood, honeysuckle, buckthorn, dogwood or any woody vegetation. The failure to clear unimproved lots or parcels of land of box elder, cottonwood, honeysuckle, buckthorn, dogwood or any woody vegetation is declared a public nuisance.
- (c) **Nuisances Prohibited.** No person shall permit any public nuisance, as defined in Subsection (b) of this Section, to remain on any premises owned or controlled by such person within the City.
- (d) **Inspection.** The Weed Commissioner or his or her designee shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance, as defined in Subsection (b) of this Section, exists.
- (e) **Abatement of Nuisance.** If, during any April 1 through October 30 period, an owner of a nonagricultural lot or parcel permits or allows any lawn, grass or weed on the lot or parcel to exceed eight (8) inches in length, the Director of Public Works may provide written notice to the owner directing that the lawn, grass or weed be cut so as

to conform with this Section and with Sections 8-1-4 and 8-1-5 no later than fifteen (15) days following the issuance of the notice. The notice may be hand delivered or mailed to the last known address of the owner of the property. The notice shall state that the City may, during the remainder of the April 1 through October 30 period, and without further notice, cut any lawn, grass or weed on the lot or parcel that exceeds eight (8) inches in length, that the cost of such work shall be charged to the owner, and that the cost of such work may become a charge against the parcel or lot. If the owner fails to cut the lawn, grass or weed within the time required by the notice, then the Director of Public Works may cause the lawn, grass or weed to be cut. If a property owner has received at least one (1) written notice pursuant to this Section during an April 1 through October 30 period, and has permitted a lawn, grass or weed on a parcel or lot to exceed eight (8) inches in height, then the Director of Public Works may cause the lawn, grass or weed to be cut without further notice. In all circumstances, the cost of cutting the lawn, grass or weed shall be charged to the owner, and may be assessed against the lot or parcel pursuant to Sec. 66.0627, Wis. Stats.

- (f) **Remedy From Notice.** Any person affected by a notice issued pursuant to Subsection (e) of this Section may, within ten (10) days of service of the notice, apply to the circuit court for an order restraining the City from abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.
- (g) **Exemptions.** For the duration of the month of May each year, the City shall suspend enforcement of Section 8-1-6, regulation of length of lawn and grasses, or any other section that regulates the length of grass until June 1. This exemption will allow pollinators species to emerge and early flowering grasses to establish, which may result in groundcover exceeding established ordinance height restrictions and weed growth. Enforcement of this section will commence on June 1 of each year. This delayed enforcement only pertains to items listed in above b (1).

All other sections shall remain as previously adopted.

The foregoing ordinance was duly adopted by the Common Council of the City of Verona at a meeting held on January 24, 2022.

CITY OF VERONA

(seal)

Luke Diaz, Mayor

Holly Licht, City Clerk

ADOPTED: 1/24/2022

PUBLISHED: 2/3/2022