

ORDINANCE NO. 2018-739

An ordinance regulating composting on residential properties in the City of Janesville, with penalties for violations thereof as set forth in J.G.O. 8.56.040 and J.G.O. 18.28.010.

THE COMMON COUNCIL OF THE CITY OF JANESVILLE DO ORDAIN AS FOLLOWS:

SECTION I. Section 18.32.030 of the Code of General Ordinances of the City of Janesville is hereby amended to read as follows:

18.32.030 Permitted Obstructions in Required Setback Areas.

A. Except as otherwise regulated herein for a specific permitted or conditional use, the following accessory buildings, structures and uses are permitted and may be allowed obstructions in required setback areas where indicated by an X:

	Front setback and corner side setback	Interior side setback	Rear setback
1. Awnings or canopies attached	x	x	x
2. Arbors or trellises	x	x	x
3. Attached air conditioning equipment	x	x	x
4. Detached air conditioning equipment		x	x
5. Balconies – no balcony may be extended beyond the setback line more than eight feet or fifty percent of the distance between the property line and the setback line, whichever is the smaller.	x	x	x
6. Bay windows – projecting not more than three feet into a setback	x		x
7. Chimneys, attached projecting not more than twenty-four inches into a setback	x	x	x
8. Eaves and gutters on principal buildings or attached accessory buildings projecting not more than four feet into a front setback and rear setback and not more than twenty-four inches into a side setback	x	x	x
9. Eaves and gutters on detached accessory buildings located in a rear setback projecting not more than eighteen inches from the building wall adjoining a lot line			x
10. Fallout shelters, attached or detached, when conforming also with other codes and ordinances of the city			x
11. Fences, walls and hedges up to 6 feet in height may be permitted in the interior side and rear setback areas. Within areas zoned R2, Limited General Residence District a fence may also be placed in the corner side setback up to halfway between the corner side of the principal building and the corner side lot line provided that it does not extend into the fence vision triangle formed by		x	x

<p>the point of intersection between any right-of-way and any alley or driveway and the two points located 15 feet from the point of intersection along the right-of-way line and the alley right-of-way line or the edge of the driveway. The structural supports of the fence shall face to the inside of the lot on which it is located. Fences within the front setback area shall comply with subsection 12. Fences shall be constructed only of material manufactured for use as residential fencing, and never opaque metal of any kind, unless approved by a building official. A plan submittal to the Community Development Department and a permit is required for each fence. The maximum height of fences in commercial and industrial districts shall not exceed twelve feet (12') in height or such height as may be approved by the site plan review coordinator for a specific fence.</p>			
<p>12. Fences, walls and hedges no greater than thirty inches in height, or picket, wire mesh or similar fences which are at least 50% open and which do not impair vision, except for fences in areas zoned R2, Limited General Residence District and are located in the corner side setback as noted in subsection 11. The structural support of the fence shall face to the inside of the lot on which the fence is located. Fences shall be constructed of material manufactured for use as residential fencing, and never opaque metal of any kind, unless approved by a building official. A plan submittal to the Community Development Department and a permit is required for each fence.</p> <p>NOTE: Opaque privacy fences are only permitted within the corner side yard setback and not within a front yard setback.</p> <p>NOTE: Sub-sections 11 and 12 shall not apply to fences which were legally non-conforming prior to 11/13/00.</p> <p>NOTE: This amendment to 11. and 12. regulates fences by: Limiting privacy fence height to a maximum of six feet except as provided; Requiring that structural supports be placed inside of the lot on which the fence is located; Requiring opaque fences to be located outside the vision triangle area; Clarifying that fences within the front setback area must be at least 50% open; Prohibiting Fences not constructed of material manufactured for use as fencing unless approved by a building official, and Requiring a permit with plan submittal to the Code Administration Department prior to construction.</p>	X	X	X
13. Fire escapes, open or enclosed may project three feet into a side setback or five feet into a rear setback		X	X
14. Flagpoles and garden ornaments	X	X	X
15. Garages or carports, detached		X	X
16. Growing of farm and garden crops in the open		X	X
17. Compost bin or compost pile – when also conforming with other codes and ordinances of the city.			X

17.18. Home occupations	Not permitted in any setback		
18.19. Laundry drying lines or rods		X	X
19.20. Ornamental light standards	X	X	X
20.21. Playground equipment			X
21.22. Playhouses, summerhouses, and boathouses			X
22.23. Sills, belt courses, cornices and ornamental features of the principal building, projecting not more than eighteen inches into a setback	X	X	X
23.24. Sheds and storage buildings for garden equipment and household items.			X
24.25. Steps, open	X	X	X
25.26. Swimming pools, private – when conforming also with other codes and ordinances of the city		X	X
26.27. Patios and outdoor fireplaces		X	X
27.28. Tennis courts, private			X
28.29. Trees, shrubs and flowers	X	X	X
29.30. Other accessory buildings, structures, or uses customarily incidental to the primary use upon approval by the building official.			X

SECTION II. The Title of Chapter 8.56 is hereby amended to read as follows:

NOXIOUS WEEDS, ~~AND~~ NATURAL LANDSCAPING, AND COMPOSTING

SECTION III. Section 8.56.035 of the Code of General Ordinances of the City of Janesville is hereby created to read as follows:

8.56.035 Residential Compost Requirements

- A. Purpose.** The purpose of this section is to promote the recycling and beneficial reuse of yard waste and organic material through composting and to establish minimum standards for proper maintenance of compost piles and bins.
- B. Composting Requirements.** The generator of compostable materials shall be responsible for maintaining compost piles and bins under his or her control as follows:
1. No compost bin shall exceed 125 cubic feet in volume and 5 feet in height.
 2. All compost piles and bins shall be so maintained as to prevent the attraction or harborage of rodents and pests.
 3. All compost piles and bins shall be so maintained as to prevent the creation of odors that would constitute a public nuisance.
 4. No compost pile or bin shall be located in any yard except a rear yard. All compost piles or bins shall be located not less than 5' from a property line or 20' from a neighboring principal structure.
 5. No compost bin shall contain any of the following:
 - a) Lake weeds, diseased plants.
 - b) Cooked food scraps, except coffee grounds and tea leaves.
 - c) Fish, meat, poultry, dairy products, oily foods, grease, foods containing animal fats, bones, dog or cat waste.
 - d) Large items or items that will impede the composting process. Examples of these items include large branches and logs, charcoal briquettes, and sawdust from treated wood.

- 6.** The following material may be placed in a compost bin:
- a) Grass clippings, dry leaves, straw, dry hay, woodchips and sawdust from untreated wood, shredded paper, egg and nut shells, hair and animal fur.
 - b) Raw vegetables and raw fruits suitable for composting.
 - c) Commercial compost additives.