

Landscaping Ordinance
Madison, Wisconsin

27.05 SAFE AND SANITARY MAINTENANCE OF PROPERTY.

(1) The purpose of this subsection is to recognize the private and public benefits resulting from the safe, sanitary and attractive maintenance of residential and nonresidential buildings, structures, yards, or vacant areas. Attractive and well maintained property will enhance the neighborhood and City and provide a suitable environment for increasing physical and monetary values.

(2) Every owner or operator shall improve and maintain all property under his control to comply with the following minimum requirements:

(a) All courts, yards, or other areas on the premises shall be properly graded to divert water away from the building. Adjacent ground surface shall be sloped away from the structure with a grading of at least one-half (1/2) inch per foot for a minimum of five (5) feet where possible or by other means such as eaves troughs and downspout extensions. (Am. by Ord, 6251, 5-18-78)

(b) All exterior property areas shall be kept free from noxious weeds as defined in Sec. 23.29(1) of these ordinances. (Am. by Ord. 11,298, 7-11-95)

(c) The interior of all vacant buildings and structures and all exterior property areas shall be properly maintained in a clean and sanitary condition free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation, and animal feces. All animal feces shall be removed within twenty-four (24) hours. Compost piles shall be maintained in accordance with Section 7.361. (Am. by Ord. 11,168, 2-14-95)

(d) Fences, structures, minor construction, walks, driveways, parking areas and similar paved areas shall be properly maintained in a safe, sanitary and substantial condition. Approved walks shall provide convenient all weather access to buildings. (Am. by Ord. 10,377, Adopted 2-4-92)

(e) Exterior surfaces of buildings and structures not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative which will provide adequate resistance to weathering and maintain an attractive appearance. In addition, all surfaces except floors of exterior porches, balconies, decks and similar structures constructed of treated lumber shall be treated with paint or pigmented stain, if any part of the structure is located between the principle building and a street lot line. Any structure or surface constructed of new treated lumber shall not be required to be painted or stained under this paragraph for the first eighteen (18) months after said lumber was installed. Any exterior surface treated with paint, stain, or other preservative shall be maintained so as to prevent chipping, cracking or other

deterioration of the exterior surface or the surface treatment and to present an attractive appearance. All paint, stain, or other preservative shall be applied in a workmanlike fashion. (R. & Recr. by Ord. 4289, 8-13-73; Am. by Ord. 13,288, 3-21-03)

(f) Landscaping, plantings and other decorative surface treatments, including common species of grass, shall be installed if necessary and maintained to present an attractive appearance in all court and yard areas. Except with prior application to and approval of a land management plan from the Department of Planning and Development of the City of Madison, lawns shall be maintained to a height not to exceed eight (8) inches in length. 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 City.

1. Application for Natural Lawn. Any owner or operator of land in the City of Madison may apply for approval of a land management plan for a natural lawn, one where the grasses exceed eight (8) inches in height, with the Department of Planning and Development.

2. A Land Management Plan@ means a written plan relating to management of the lawn which contains a legal description of the lawn upon which the grass will exceed eight (8) inches in length, a statement of intent and purpose for the lawn, a general description of the vegetational types, plants, and plant succession involved, and the specific management and maintenance techniques to be employed. The management plan must include provisions for cutting at a length not greater than eight (8) inches the terrace area, that portion between the sidewalk and the street or a strip not less than four (4) feet adjacent to the street where there is no sidewalk, and at least a three (3) foot strip adjacent to neighboring property lines unless waived by the abutting property owner on the side so affected.

All lawn and grass areas shall be cut between June 30 and October 15 when the Fire Chief, in his discretion, so orders consistent with his powers as granted in Chapter 34 of the Madison General Ordinances.

3. Revocation of the Land Management Plan.

The Land Management Plan may be revoked for failure to comply with the requirements of Sec. 27.05(2)(f)2. Notice of intent to revoke a Land Management Plan shall be appealable to the Urban Design Commission. All applications for appeal shall be submitted within fifteen (15) days of Notice of Intent to revoke a Land Management Plan.

4. Application Requirements. Each application for a Land Management Plan shall be on a form provided by the Director of the Department of Planning and Development. A copy of the application shall be mailed by the applicant or given personally by the applicant to each of the owners of record, as listed in the Office of the City Assessor, who are owners of the property situated in whole or in part within two hundred (200) feet of the boundaries of the properties affected. The Director of the Department of Planning and Development shall provide the list of the property owners who are to be notified of the application. The applicant shall certify, under oath, on a form to be furnished by the Director of the Department of Planning and Development, that such owners have been duly notified and the manner in which they have been notified. If, within fifteen (15) days of receipt of a copy of the application, at least fifty-one percent (51%) of such property owners file written objections to the application with the Director of the Department of Planning and Development, the Director of the Department of Planning and Development shall refer the application to the Urban Design Commission for hearing and decision.

5. Application for Appeal. The owner or operator of land in the City of Madison may appeal from a decision of the Director of the Department of Planning and Development refusing to grant a Land Management Plan. All appeals shall be to the Urban Design Commission of the City of Madison which shall hear such appeals once a month, March through September. All applications for appeal shall be submitted within fifteen (15) days of notice of denial of the Land Management Plan.