

**VILLAGE OF MAZOMANIE**

**ORDINANCE 2024-3**

**AMENDING CHAPTER 312 OF THE CODE OF ORDINANCES PERTAINING TO  
BRUSH, GRASS AND WEEDS**

WHEREAS, Village Staff recommends amending Chapter 312 of the Code of Ordinances regulating the growth of brush, grass and weeds in the Village; and

WHEREAS, the Village Board finds the recommended amendments to be in the public interest.

NOW THEREFORE, the Village Board of the Village of Mazomanie, Dane County, Wisconsin, do ordain as follows:

SECTION 1. Subsection 312-2 B of the Code of Ordinances is hereby amended as set forth in Exhibit A.

SECTION 2. Subsection 312-3 B of the Code of Ordinances is hereby amended as set forth in Exhibit B.

SECTION 3. Section 312-4 of the Code of Ordinances is hereby created as set forth in Exhibit C.

SECTION 4. All other provisions of the Code of Ordinances not specifically amended herein shall remain unmodified and in full force and effect.

SECTION 5. This ordinance shall take effect upon passage and publication as provided by law.

The above foregoing ordinance was duly adopted at a meeting of the Village Board on the \_\_\_\_ day of \_\_\_\_\_, 2024.

BY THE ORDER OF THE VILLAGE BOARD

By: \_\_\_\_\_  
Gary Harrop, Village President

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
Angie Volkman, Village Clerk/Treasurer

\_\_\_\_\_  
Date

**Incorporated by Reference:**

Exhibit A: Subsection 312-2 B

Exhibit B: Subsection 312-3 B

Exhibit C: Section 312-4

## EXHIBIT A

### **SEC. 312-2 Natural lawns.**

#### **B. Natural lawn management plan defined.**

- (1) "Natural lawn management plan" as used in this section shall mean a written plan relating to the management and maintenance of a lawn which contains a legal description of the lawn upon which the planted grass will exceed eight inches in length, a statement of intent and purpose for the lawn, a detailed description of the vegetational types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.
- (2) Property owners who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the Village. "Property owner" shall be defined to include the legal title holder and/or the beneficial owner of any such lot according to most current Village records. Natural lawn management plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any Village-owned property, including street rights-of-way. This shall include at a minimum property located between the sidewalk and the street or a strip not less than 10 feet adjacent to the street where there is no sidewalk, whether the area is under public or private ownership. In addition, natural lawn shall not be permitted within 10 feet of the abutting property owners' property unless waived in writing by the abutting property owner on the side so affected, such waiver to be affixed to the lawn management plan.
- (3) Any subsequent property owner who abuts an approved natural lawn may revoke the waiver, thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten-foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the Village Clerk-Treasurer by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Village Board shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten-foot section abutting the neighboring property owner. The Village Board shall revise the approved natural lawn management permit accordingly. The owner of the approved natural lawn shall be required to remove the ten-foot section abutting the neighboring property owner within 20 days of receipt of the written notification from the Village, provided that the notification is received sometime between May 1 and November 1. Property owners who receive notification from the Village between November 2 and April 30 shall be required to remove the ten-foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.

- (4) The growth of brush and trees in public or private stormwater drainageways shall be prohibited within the Village corporate limits.

## EXHIBIT B

### **SEC. 312-3 Length of lawn and grasses.**

**B.** Public nuisance declared. The Village Board finds that lawns, grasses and noxious weeds on lots or parcels of land which exceed eight 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 Village. For that reason, any lawn, grass or weed on a lot or other parcel of land which exceeds eight inches in length is hereby declared to be a nuisance, except for the following:

- (1) Stormwater drainageways;
- (2) Natural lawns approved pursuant to § 312-2 above; and
- (3) Property located in a designated floodplain area or wetland area.

## EXHIBIT C

### **SEC. 312-4 Maintenance of landscaping, gardens and plantings.**

- A.** Landscaping, gardens and all other plantings shall be installed and maintained in a healthy and vigorous condition so as to not adversely affect human health or safety as described in Subsection B below. Dead trees, dead bushes and all associated limbs of dead trees or dead bushes shall be removed from the property so as to not adversely affect human health or safety as described in Subsection B below. Vegetative clippings shall be removed from the property unless such clippings are being used for composting. An exception to these requirements is that portion of the property which is a wooded area of mature tree growth, as determined by the Village Forrester or his/her designee.
  
- B.** Unmanaged or overgrown landscaping, gardens and other plantings on lots or parcels of land which adversely affect human health or safety, as determined by the Weed Commissioner or his/her designee, shall be prohibited within the Village corporate limits in that they tend to emit pollen, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, and adversely affect property values of other land within the Village.