

**CITY OF JEFFERSON  
PROPOSED ORDINANCE #1-05**

An Ordinance to Create Section 12.19 of the City of Jefferson Municipal Code Establishing Prairies within the City's Municipal Boundary.

**THE COMMON COUNCIL OF THE CITY OF JEFFERSON, WISCONSIN DO  
ORDAIN AS FOLLOWS:**

**Section 1.** Section 12.19 is hereby created to allow Natural Landscaping within the City of Jefferson City Limits.

**12.19 NATURAL LANDSCAPE MANAGEMENT PERMIT.**

(1) **Definitions.** Natural landscape as used in this Section shall include common species of grass and wild flowers native to Wisconsin and/or ornamental plantings, which are designed and purposely cultivated to exceed eight (8) inches in height. Specifically excluded in natural landscapes are the noxious grasses and weeds identified in this ordinance and in the "Public Nuisances Affecting Health, Section 10.03(6)(b) of this ordinance. The growth of natural landscapes in excess of eight (8) inches in height shall be prohibited within the City, unless a natural landscape management plan is approved and a permit is issued by the City as set forth in this Section.

(2) **Natural Landscape Management Plan Defined.**

(a) Natural Landscape Management Plan as used in this Section shall mean a written plan relating to the management and maintenance of a landscape which meets the following requirements:

1. Proposed natural landscape is being requested.
2. A statement of intent and purpose for the landscape.
3. A detailed description of the types of plants and plant succession involved.
4. Specific management and maintenance techniques to be employed.
5. Proposed landscaping is to be confined to property owned by the applicant according to current City Assessor's Records.
6. Natural landscaping on any City owned property within any street right

of way, is strictly prohibited. This shall include the property between the sidewalk and street and not less than ten (10) feet adjacent to the street where there is no sidewalk.

7. Natural landscapes shall not be permitted within three (3) feet of the abutting property unless waived in writing by the abutting property owner on the side or sides affected. Such waiver shall be affixed to the landscape management plan.
8. The property owner shall submit to the Planning Commission a drawing, plot plan and/or survey which will show the location of the natural landscape area on the applicant's property.
9. In addition to those identified in Section 10.03(6)(b) of this ordinance, the following noxious grasses or weeds will not be allowed in a natural landscape area:

<b>COMMON NAME(S)</b>	<b>LATIN NAME(S)</b>
Buckthorn	Rhamnus Cathartica Rhamnus Frangula
Burdock (Yellowdock)	Artium Lappa
Field Bindweed (Wild Morning Glory)	Convolvulus Arvensis
Garlic Mustard	Alliaria Petiolata
Goatsbeard (Oyster Plant, Salsify)	Tragopogon Porrifolius
Leafy Spurge	Euphorbia Esula
Marijuana	Cannabis Sativa
Nettle	Urtica Dioica
Oxeye Daisy	Chrysanthemum Leucanthemu
Pigweed (Lambs Quarters)	Chenopodium Album
Pigweed (Amaranth)	Amaranthus Retroflexus
Poison Ivy	Rhus Radicans
Purple Loosestrife	Lythrum Salicaria
Quackgrass	Bromus Brizaeformis
Ragweed (Common)	Ambrosia Artemisifolia
Ragweed (Great)	Ambrosia Trifida
Spotted Knapweed	Centaurea Maculosa
Thistle Bull	Cirsium Vulgare
Thistle Canada	Cirsium Arbense
Thistle Musk or Nodding	Carduus Nutans
Thistle Star (Caltrops)	Centaurea Calicitrappa
Thistle Sow (Field)	Sonchus Arvensis
Thistle Sow (Common)	Sonchus Oleraceus
Thistle Sow (Spiny Leaved)	Sonchus Asper
Sweet Clover (Yellow)	Melilotus Officinalis

Sweet Clover (White)                      Melilotus Alba  
Yellow Mustard (Yellow Rocket      Barbarea Vulgaris  
   Winter Cress)  
Japanese Bamboo  
Wild Mustard

(b) All Property Owners who currently have natural landscapes must file for a permit and submit a plan as to be covered by this ordinance.

(c) Natural Landscapes may constitute a fire or safety hazard, due to weather conditions or other conditions. Street Department, Weed Commissioner may order natural landscapes cut due to such conditions. As a condition of receiving approval of the natural landscape permit, the property owner shall be required to cut the natural landscape within three (3) days upon receiving a written letter from the City of Jefferson's Weed Commissioner.

(3) **Landscape Committee.** The Mayor, subject to the approval of the Common Council, shall appoint a landscape committee consisting of three (3) persons who have expertise in the area of natural landscapes. The initial committee members shall be appointed for one, two and three year terms respectively, and thereafter all committee persons shall be selected to serve for a three year term.

(4) **Application for Natural Landscape Permit.** Property Owners interested in applying for a natural landscape permit shall submit a natural landscape management plan to the Street Department, Attention Weed Commissioner. All plans received will be reviewed by the Weed Commissioner and the Landscape Committee for permit approval. The property owner will be notified in writing by the City of Jefferson of approval or denial. If no notification is received within forty-five (45) days of property owners initial submittal, the plans shall be deemed approved. The plan, permit and letter of notification will remain on file at the Street Department Weed Commissioner's Office for future reference.

(5) **Application for Appeal.** The property owner may appeal a decision to deny or revoke the natural landscape permit request to the Board of Appeals at an open meeting. All applications for appeal shall be submitted within fifteen (15) calendar days of the notice of denial of the natural landscape management plan. The decision rendered by the Board of Appeals shall be final and binding.

(6) **Penalty.** Enforcement will be upon written complaint by at least one adjoining owner and filed with the Jefferson Weed Commissioner. Upon receipt of a written complaint, the permitted property will be inspected by the Landscape Committee. If permitted property is determined to be in violation of the Natural Landscape Ordinance, the property owner shall be notified by the Landscape Committee and City of Jefferson Weed Commissioner by written notice to correct

specific violations within fifteen (15) days upon receipt of letter. If the property owner does not correct the violations described in the written notice, the City of Jefferson shall order the property mowed and property owner will be billed, at the current rate for every hour worked, and the permit shall be revoked.

*(Note: This ordinance is substantially taken from Sec. 9.09(d) of the City of Watertown's Municipal Ordinance.)*

**Section 2.** This ordinance shall take effect upon passage and publication as required by law.

**First Reading:        January 18, 2005**  
**Second Reading:    February 1, 2005**  
**Passed By A Vote of 8 to 0**

**PUBLISH ASAP**  
**NOT IN LEGAL SECTION**  
**NEED AFFIDAVIT**