

VILLAGE OF NEW GLARUS
APPLICATION FOR NATURAL LAWN MANAGEMENT PLAN PERMIT

TODAY'S DATE: _____

PROPERTY OWNERS NAME: _____

ADDRESS: _____

TELEPHONE: _____

EMAIL: _____

ADDRESS FOR WHICH PERMIT IS REQUESTED: _____

ZONING OF LOT: _____

REQUIRED INFORMATION:

Please fully review section 179-5 – Natural Lawns of the village code of ordinances prior to submitting the application. Attach a written natural lawn management plan for the natural lawn proposed at the above address, including plot plan and any other pertinent information in accordance with Section 179-5. Incomplete applications will be denied.

Please note, 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 lawns shall not be permitted within 10 feet of the abutting property owner's property unless waived in writing by the abutting property owner. The waiver is to be affixed to the plan.

Property owners within 300' of the boundary of the property where natural lawn management plan will be implemented will be notified by the village. The Clerk-treasurer must deny an application if 51% of property owners within 300' of proposed natural lawn management plan permit application object in writing within 15 days of notification of plan.

Applicant Signature

PRESENTED TO CLERK-TREASURER: _____
Date

APPROVED: _____
Date

DENIED: _____ DATE NOTICE SENT: _____
Date

Clerk-Treasurer

APPEAL §179-5(D)

[Written request must be filed within 15 days of the notice of denial of the permit]

PRESENTED TO VILLAGE BOARD: _____

DETERMINATION: APPROVE / DENY

DATE: _____
Village President

Village of New Glarus, WI
Wednesday, April 20, 2022

Chapter 179. Health and Sanitation

§ 179-5. Natural lawns.

- A. Defined. "Natural lawn," as used in this section, shall include common species of grass and wild flowers native to North America which are designed and purposely cultivated to exceed 12 inches in height from the ground. Specifically excluded in natural lawns are the noxious grasses and weeds identified in § 179-4 of this chapter. The growth of a natural lawn in excess of 12 inches in height from the ground surface shall be prohibited within the Village corporate limits unless a natural lawn management plan is approved and a permit is issued by the Village as set forth in this section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife.
- B. Natural lawn management plan.
- (1) Defined. "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 12 inches in length, a statement of intent and purpose for the lawn, a detailed description of the vegetation 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 titleholder 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 lawns shall not be permitted within 10 feet of the abutting property owner's property unless waived in writing by the abutting property owner on the side so affected. Such waiver is 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. 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 the notification is received sometime between May 1 and November 1. Property owners who receive notification from the Village between November 1 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.
- C. Application process.

- (1) Property owners interested in applying for permission to establish a natural lawn shall obtain and complete an application form from the Village Clerk-Treasurer. The completed application shall include a natural lawn management plan. Upon submitting a completed application, a nonrefundable filing fee as set by the Village Board will be assessed by the Village. Upon receiving payment, copies of the completed application shall be mailed by the Village to each of the owners of record, as listed in the office of the Village Assessor, who are owners of the property situated wholly or in part within 300 feet of the boundaries of the properties for which the application is made. If, within 15 calendar days of mailing the copies of the complete application to the neighboring property owners, the Village receives written objections from 51% or more of the neighboring property owners, the Village Clerk-Treasurer shall immediately deny the application. "Neighboring property owners" shall be defined as all those property owners who are located within 300 feet of the proposed natural lawn site.
 - (2) If the property owner's application is in full compliance with the natural lawn management plan requirements and less than 51% of the neighboring property owners provide written objections, the Village Clerk-Treasurer shall issue permission to install a natural lawn.
- D. Application for appeal. The property owner may appeal the Clerk-Treasurer's decision to deny the natural lawn permit request to the Village Board at an open meeting. All applications for appeal shall be submitted within 15 calendar days of the notice of denial of the natural lawn management plan. The decision rendered by the Village Board shall be final and binding.
- E. Safety precautions for natural grass areas.
- (1) When, in the opinion of the Fire Chief of the Fire Department serving the Village of New Glarus, the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit, the property owner shall be required to cut the natural lawn within three days upon receiving written direction from the Fire Chief.
 - (2) Natural lawns shall not be removed through the process of burning, unless stated and approved as one of the management and maintenance techniques in the lawn management plan. The Fire Chief shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to ensure public safety. Burning of natural lawns shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural lawns, thereby ensuring the public safety. In addition, the property owner requesting permission to burn the natural lawn shall produce evidence of property damage and liability insurance identifying the Village as a party insured. A minimum amount of acceptable insurance shall be \$300,000.
- F. Revocation of an approved natural lawn management plan permit. The Village President, upon the recommendation of the Weed Commissioner, shall have the authority to revoke an approved natural lawn management plan permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this section. Notice of intent to revoke an approved natural lawn management plan permit shall be appealable to the Village Board. All applications for appeal shall be submitted within 15 calendar days of receipt of the written notice of intent to revoke the approved natural lawn management plan. Failure to file an application for appeal within the 15 calendar days shall result in the revoking of the natural lawn management plan permit. All written applications for appeal filed within the fifteen-calendar-day requirement shall be reviewed by the Village Board in an open meeting. The decision rendered by the Village Board shall be final and binding.
- G. Public nuisance.
- (1) The growth of a natural lawn as defined in this section shall be considered a public nuisance unless a natural lawn management plan has been filed and approved and a permit is issued by the Village as set forth in this section. Violators shall be served with a notice of public nuisance by certified mail to the last-known mailing address of the property owner.

- (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within 10 days, the Weed Commissioner may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within 10 calendar days from receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the Village Clerk-Treasurer shall enter those charges onto the tax roll as a special tax as provided by state statute.
- (3) The failure of the Village Clerk-Treasurer to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the Village expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this section.

H. Penalty.

- (1) Any person, firm or corporation who or which does not abate the nuisance within the required time period or who otherwise violates the provisions of this section shall be subject to the general penalty found in Chapter 1, General Provisions, § 1-5 of this Code.
- (2) In addition to any penalties herein provided, the Village may issue stop-work orders upon owners of lots where work is unfinished under a previously issued building permit for any violation of this section.