



Legislation Details (With Text)

**File #:** 130293      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/11/2013      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 7/23/2013

**Effective date:**

**Title:** A substitute ordinance relating to the maximum permitted height of grass and weeds in the city, and charges and costs for violating the height restriction.

**Sponsors:** ALD. DAVIS, ALD. PUENTE, ALD. BOHL

**Indexes:** NUISANCES, WEEDS

**Attachments:** 1. Fiscal Impact Statement, 2. Hearing Notice List, 3. Notice Published on 8-9-13

| Date      | Ver. | Action By               | Action                  | Result | Tally |
|-----------|------|-------------------------|-------------------------|--------|-------|
| 6/11/2013 | 0    | COMMON COUNCIL          | ASSIGNED TO             |        |       |
| 6/14/2013 | 0    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/17/2013 | 0    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/17/2013 | 0    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/17/2013 | 1    | CITY CLERK              | DRAFT SUBMITTED         |        |       |
| 6/18/2013 | 0    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/18/2013 | 0    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 6/20/2013 | 1    | PUBLIC SAFETY COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 6/20/2013 | 1    | CITY CLERK              | Sponsor added           |        |       |
| 7/2/2013  | 1    | COMMON COUNCIL          | ASSIGNED TO             | Pass   | 15:0  |
| 7/3/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/3/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/3/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/3/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/8/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/8/2013  | 1    | PUBLIC SAFETY COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/11/2013 | 1    | PUBLIC SAFETY COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 4:0   |
| 7/23/2013 | 1    | COMMON COUNCIL          | PASSED                  | Pass   | 10:4  |
| 7/25/2013 | 1    | MAYOR                   | SIGNED                  |        |       |
| 8/9/2013  | 1    | CITY CLERK              | PUBLISHED               |        |       |

130293  
SUBSTITUTE 1

ALD. DAVIS, PUENTE and BOHL

A substitute ordinance relating to the maximum permitted height of grass and weeds in the city, and charges and costs for violating the height restriction.

80-17-2 am

80-17-6 am

This ordinance changes the maximum permitted height of grass and weeds in the city from 9 inches to 7 inches.

The ordinance also increases the special charges for violation of code provisions relating to the control of tall grass and noxious weeds as follows:

1. Violation of code provisions, from \$25 to \$50.
2. Failure to mow or otherwise abate any condition that remains in violation, from \$65 to \$100.
3. Subsequent failure to comply in the same calendar year, from \$100 to \$150.
4. Administrative charge on a lien placed on a subject property, from \$10 to \$25.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 80-17-2 of the code is amended to read:

**80-17. Hay Fever Weeds, etc.**

2. TO BE CUT. It shall be unlawful to permit within the city the pollenization of any turf grasses or weeds which cause or produce hay fever in human beings. In order to prevent such pollenization, no turf grass or weeds of any kind shall be permitted to grow or stand more than ~~[[9]]~~ >>7<< inches on any property in the city.

Part 2. Section 80-17-6 of the code is amended to read:

6. CHARGES AND COSTS. a. If a person is found to be in violation of the requirements of this section, the person shall be subject to a special charge of ~~[[ \$25 ]]~~ >>\$50<<. There shall be a further special charge of ~~[[ \$65 ]]~~ >>\$100<< for failure to mow or otherwise abate any condition that remains in violation of this section. Upon a subsequent failure to comply with this section in the same calendar year, the person shall be subject to a special charge of ~~[[ \$100 ]]~~ >>\$150<<. Any costs incurred by the city in abatement or remediation shall constitute additional special charges.

b. Special charges made under this subsection shall be due and payable 30 days after billing or, if not paid within that time, become a lien on the subject property as provided in s. 66.0627, Wis. Stats. The lien shall take effect as of the date of delinquency and shall include an administrative charge of ~~[[ \$10 ]]~~ >>\$25<<. The lien shall automatically be extended upon the current or next tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of the property for delinquent real estate taxes shall apply to such charge. The charge shall not be payable in installments.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

LRB147270-2

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6/12/2013