

Revised lawn law softens crackdown on city parkways

Written by KRISTYN HALBIG ZIEHM
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Ordinance tones down restrictions that had banned plantings in public areas

A revised lawn law that allows plantings in the parkway while still requiring properties to be maintained was approved Tuesday by the Port Washington Common Council.

The three-page ordinance not only accomplishes the city's original intent of cracking down on unkempt lawns but also gets rid of a clause in the existing law requiring parkways to be planted only with grass.

The new ordinance also allows hillsides, ravines and bluffs to be kept natural, noting that in these areas the plantings typically serve to control erosion.

City Administrator Mark Grams referred to the ordinance as a scaled down version of a draft presented a month ago, noting he and City Attorney Eric Eberhardt "pared it down to focus on the issues that need to be addressed."

The original intent, he said, was to make it easier for the city to crack down on property owners who allow their yards to grow unchecked.

The past ordinance did not allow the city to require a property owner to cut the lawn unless it was 12 inches long. The owner then had 10 days to mow.

The new ordinance shortens the allowable length to 8 inches and gives property owners five days to cut the grass.

While few people questioned this change in the ordinance, many were upset about the continued prohibition on plantings in the parkways.

Mary Enright, 126 S. Spring St., told aldermen Tuesday that she and others who have planted flowers in the parkways have done so to beautify their properties.

"The only thing that grows there are the dandelions because of the amount of salt (spread in winter)," she said. "I am caring for the plants I put there. I think it's much better than the dandelions that otherwise grow there."

Grams said the former parkway law was in place "for umpteen years" and was never enforced, even when people landscaped the parkways.

"We let it go because nobody complained," he said.

The ordinance approved Tuesday says that parkways "should be mowed and maintained as a lawn," a change from the previous draft that said the areas "shall" be planted with grass.

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“Shall imposes a duty,” Eberhardt explained. “Should implies a duty.”

The revised wording “strikes a nice balance,” he said.

“We felt that was the best way to give the city a little wiggle room if we get a complaint,” Grams added.

Ald. Paul Neumyer said the ordinance makes it clear that the city is “not going to track people down who have plantings in their parkways. We’re not coming out with weed-whackers and mowers.”

Grams also noted that the city does not want to encourage every property owner to fill their parkway with shrubs or plants.

“I don’t think you want every parkway in the city to have flowers and large bushes,” he said. “Then it’s going to become a problem for people parking and trying to get out of their cars.”

Ald. Mike Ehrlich questioned whether the new language would give the ordinance enough teeth in case of problems, such as plantings in the parkway blocking the view of motorists.

Other portions of the city code address those issues, Grams said.

Ald. Jim Vollmar said he still believed the ordinance was too confusing.

“I really think this can be redone to be a much simpler ordinance,” he said, adding that the city should draw up a separate ordinance to deal with vacant properties.

But Ehrlich disagreed, saying, “Addressing just vacant homes doesn’t make sense.” Neglected homes also need to be regulated, he said.