



Department of Public Works
City Engineering Division

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Financial Officer

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Hydrogeologist

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July 8, 2013

Margaret Weiser
4506 Hamlet Circle
Madison, WI 53714

RE: Prohibited Use of Public Greenway

Dear Ms. Weiser,

A field inspection conducted of the greenway abutting your property at 4506 Hamlet Circle revealed that a fence and yard waste has been placed in the public greenway directly behind your property. Please be advised that the fence and yard waste are not allowed in the current locations. In accordance with Madison General Ordinance Section 8.15 (*see attached*), such encroachments into publicly-owned greenways are not permitted.

Please remove or relocate these items from the greenway by August 9, 2013. After August 9th, we will re-inspect the area to confirm that the encroachment has been eliminated. If at that time the fence and yard waste have not been removed from the public greenway, the encroachments will be considered a violation of public land use and a citation shall be issued.

In an effort to assist you in properly disposing of yard waste materials, I have enclosed information regarding the City's yard waste and brush drop off sites as well as those operated by the County. Please note that composting is also an option for disposing of yard waste. Visit the City of Madison website at <http://www.cityofmadison.com/streets/compost/> and <http://www.cityofmadison.com/streets/yardWaste/> for more detailed information.

Per MGO 8.15, you have fifteen (15) days, after the mailing of this Notice of Violation, to appeal the allegation of violation to the Board of Public Works. Such appeal must be in writing and must inform the Board of the reasons why the person aggrieved believes the order has been issued in error.

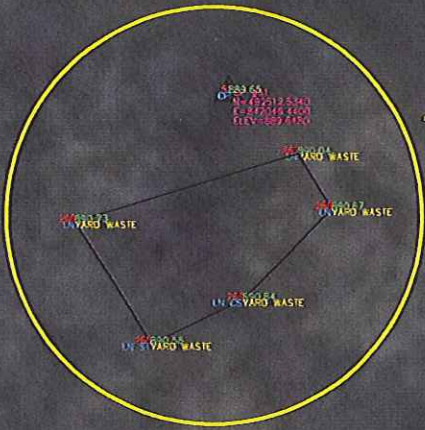
If you have any questions or need additional information please contact Eric Dundee, of my staff, at (608) 266-4913. We appreciate your cooperation and understanding as we work to improve our City-owned property and protect our water quality.

Sincerely,

Robert F. Phillips, P.E.,
City Engineer

RFP:can
Cc: Mike Dailey, P.E., Assistant City Engineer
Kathy Cryan, Operations Manager
David Ahrens, Alderperson – District 15

ENCROACHMENTS TO BE REMOVED



0710-032-0108-6
4506 HAMLET CIRCLE

CLE



8.15 REGULATION OF PRIVATE USE OF GREENWAYS AND PARK LANDS.

- (1) Public Nuisance. Private use of City-owned or leased greenways and park lands including, but not limited to, fences, retaining walls, outbuilding sites, dog runs, play equipment and gardens, storage of piers, boat hoists, or other private personal property, planting or pruning of trees and shrubs, mowing of grass on park lands, or mowing of grass on greenways when posted for no mowing is a public nuisance and is prohibited unless approval to use City-owned or leased greenways is obtained pursuant to Subsection (2). (Am. by Ord. 12,992, 1-25-02; Ord. 13,177, 11-5-02)
- (2) The City Engineer may approve planting native grasses and/or forbs or removal of invasive species in a City-owned or leased greenway, provided that:
 - (a) the applicant is the owner of land abutting the greenway where the use is proposed;
 - (b) the City's ability to maintain the greenway is not adversely impacted by the proposed use;
 - (c) the applicant pays to the City Treasurer a fee of one hundred twenty-five dollars (\$125);
 - (d) the applicant agrees to indemnify, defend, and hold harmless the City and its officers, employees and agents against all loss or expense by reason of any claim or suit, or of liability imposed by law upon the City or its officials, agents, or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damage to property, including loss of use thereof, arising from, in connection with, caused by or resulting from activities related to an approved use of a greenway, whether caused or contributed to by the negligent acts of the City, its officials, employees, or agents.

The approval may contain conditions, including but not limited to, the duration of the approval and the geographic limits for the proposed use. The applicant shall notify all property owners within one hundred (100) feet of the greenway where the proposed use is located at least three (3) days prior to the date the proposed use begins. (Cr. by ORD-06-00175, 12-8-06)

- (3) Abatement. If the City determines that a public nuisance exists pursuant to (1), notice to remove such public nuisance shall be sent to the owner, occupant, or person causing, maintaining, or permitting the public nuisance. If the public nuisance is not removed within the time specified in the notice, the City shall remove the public nuisance or cause it to be removed. The cost of abatement shall be assessed as a special charge to the owner, occupant, or person causing, maintaining, or permitting the public nuisance. Any property held by the City after removal is subject to disposal thirty (30) days after a notice of removal is mailed to the owner, occupant or person causing, maintaining, or permitting the public nuisance. (Renumbered by ORD-06-00175, 12-8-06)
- (4) Appeal. Any person aggrieved by a determination that a public nuisance exists may appeal within fifteen (15) days of the mailing of the notice to remove the public nuisance. Appeal shall be to the Board specified on the notice and will be either the Board of Public Works or the Board of Park Commissioners, depending on which Board has the control and management of the public property at issue. All requests for appeal shall be filed with the City Clerk and must inform the Board of the reasons for the appeal. Within thirty (30) days, the Board shall hold a hearing at which the parties may offer testimony and documents. Within twenty (20) days of the hearing, the Board shall affirm, modify, or reverse the determination that a public nuisance exists. Appeal from the action of the Board shall be to Circuit Court within thirty (3) days of the determination of the Board. (Renumbered by ORD-06-00175, 12-8-06)
- (5) Penalty. Any person violating this ordinance shall, upon conviction thereof, be subject to a forfeiture of not less than ten dollars (\$10) nor more than five hundred dollars (\$500) Each day such violation continues shall be considered a separate offense. In addition to any other penalty imposed by this ordinance, the City Attorney may maintain an action pursuant to Ch. 823, Wis. Stats. to abate the nuisance. (Cr. by Ord. 5672, 11-17-76; Am. by Ord. 12,836, 6-26-01; Renumbered by ORD-06-00175, 12-8-06)



City of Madison

Yard Waste Disposal

All Three Yard Waste Sites Accept the Following...

- Leaves
- Grass clippings
- Garden debris
- Flowers and other plant waste
- Shrub trimmings shorter than 18"
Tree and shrub trimmings longer than 18" are considered brush. Brush is accepted at the 1501 W. Badger Road and 4602 Sycamore Ave. sites only. Do not bring brush to 402 South Point Road.
- Small amounts of sod, 4-5 five-gallon pails/day
Larger amounts of sod must be taken directly to the Dane County Compost Sites
- Garlic Mustard should be placed in the trash

Yard Waste Sites

1501 W. Badger Road (South)
4602 Sycamore Avenue (East)
402 South Point Road (West)

Open seven days a week 8:30 a.m. to 4:30 p.m.
Tuesday and Thursday evenings until 8 p.m.

Dane County Composting Sites

Dane County operates 3 compost sites. All sites accept non-woody yard waste to be composted. Bush, dirt, rocks, or trash of any sort is not accepted at the compost sites. To find out more information about Dane County Compost Sites, please call 608.267.1502 or visit <http://www.countyofdane.com>.

Dane County Composting Site Locations and Hours

Westport Site (Located at 5254 Sth 19, across from Sparby's Garden Center and Christmas Barn)
Mon.-Fri. 8:00 a.m.-3:30 p.m., Saturday 7:00 a.m.-11:30 a.m.
Verona Site (Located adjacent to old landfill at Badger Prairie Park)
Mon.-Sat. 8:00 a.m.-3:30 p.m.
Rodefeld Site, *Drop-off only* (Located at 7102 Hwy. 12 & 18)
Mon.-Fri. 7:00 a.m.-2:45 p.m., Saturday 8:00 a.m.-10:45 a.m.

Home Composting How-To

Home composting is also an acceptable way to dispose of yard waste and allows you to create usable compost at home. The following information, along with more information regarding home composting, can be found on the City of Madison Streets Department's website at <http://www.cityofmadison.com/streets/compost/howto.cfm>.

- 1) **Use a bin.** A bin keeps your pile neat and helps retain heat and moisture—two key elements of the compost process. You may also wish to purchase a ready-made bin or research how to build your own. The City of Madison hosts a compost bin sale every spring.
- 2) **Keep a 50-50 Ratio.** The key to a good working compost pile is a balance of green materials, such as grass clippings or food waste that is high in nitrogen and brown material, such as leaves, that are high in carbon. A good rule of thumb is to maintain a 50-50 ratio by weight of green and brown material.
- 3) **Compost only vegetable and fruit waste.** Do not compost meat, fats, gravy, or pet waste.
- 4) **Don't forget moisture.** A compost pile should be damp so be sure to add water to dry material as you build your pile. Don't over water. Materials should be as damp as a wrung out sponge.

Building a Compost Pile

- 1st layer: 3-4" of chopped brush or other coarse material on top of the soil surface allows air circulation around the base of the heap.
- 2nd layer: 3-6" of "green" material, such as grass clippings, food waste, or fresh plant waste.
- 3rd layer: 4-8" of "brown" material, such as leaves. Add water as needed.
- 4th layer: 1" of soil serves as an inoculate by adding microorganisms to the pile.
- 5th layer: Repeat steps 2-4 until the bin is almost full. Top off the heap with a layer of leaves or straw and scoop out a "basin" at the top to catch rainwater.

Maintaining Your Compost Pile

A properly made compost pile will reach temperatures of 140-160° F in 4-5 days. At this time pile will "settle"—a good sign that your pile is composting properly. After 4-5 weeks, turn the pile, putting material from the outside of the pile into the center of the new pile. Add water if necessary. Compost should be ready in 3-4 months.

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