



Legislation Details (With Text)

File #: 48163 **Version:** 1 **Name:** Terrace maintenance responsibility
Type: Ordinance **Status:** Passed
File created: 7/24/2017 **In control:** BOARD OF PUBLIC WORKS
On agenda: 9/19/2017 **Final action:** 9/19/2017
Enactment date: 9/28/2017 **Enactment #:** ORD-17-00098

Title: Amending Sections 27.03(2), 27.05(1) and 27.05(2)(f) of the Madison General Ordinances to clarify a property owner’s responsibility over the adjoining terrace.

Sponsors: Samba Baldeh, Mark Clear, Denise DeMarb, Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/19/2017	1	COMMON COUNCIL	Adopt	Pass
9/6/2017	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/15/2017	1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	Return to Lead with the Recommendation for Approval	Pass
8/1/2017	1	BOARD OF PUBLIC WORKS	Refer	
8/1/2017	1	COMMON COUNCIL	Refer	Pass
7/24/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No Appropriation Required

Title

Amending Sections 27.03(2), 27.05(1) and 27.05(2)(f) of the Madison General Ordinances to clarify a property owner’s responsibility over the adjoining terrace.

Body

DRAFTER'S ANALYSIS: Property owners are generally responsible for mowing and maintaining the terraces adjoining their property. This ordinance change would clarify that responsibility by adding the terrace to the property maintenance code. In addition, this amendment specifically would require soil and surfaces to be maintained in a safe and sanitary manner. This would clarify the City’s authority to require a property owner to ensure that property under his or her control is not a hazard.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled “Definitions” of Section 27.03 entitled “Rules and Definitions” of the Madison General Ordinances is created to read as follows:

“Terrace. “Terrace” shall have the same meaning as set forth in Section 10.25(1)(e), MGO.”

2. Subsection (1) of Section 27.05 entitled “Safe and Sanitary Maintenance of Property” of the Madison General Ordinances is amended to read as follows:

“(1) The purpose of this subsection is to recognize the private and public benefits resulting from the safe, sanitary and attractive maintenance of residential and nonresidential buildings, structures, yards, and terraces or vacant areas. Safe, attractive and well maintained property will enhance the neighborhood and City and provide a suitable environment for increasing physical and monetary values as well as preserve the health, safety and welfare of the public.”

3. The introductory paragraph of Subdivision (f) of Subsection (2) of Section 27.05 entitled “Safe and Sanitary Maintenance of Property” of the Madison General Ordinances is amended to read as follows:

“(f) Landscaping, plantings, soil and other decorative surface treatments, including but not limited to common species of grass, shall be installed if necessary and maintained to present a safe condition and attractive appearance in all court, ~~and~~ yard and terrace areas. Except with prior application to and approval of a Land Management Plan for a Natural Lawn from the Department of Planning and Community and Economic Development of the City of Madison, or as allowed by Secs. 10.25 and 27.05(2)(f)7, MGO₁ and except for natural areas in City parks, all lawns, lawn areas, terraces and natural landscape areas comprised of grasses shall be maintained to a height not to exceed eight (8) inches in length. All vegetation, soil and surfaces shall be maintained so as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways and shall be maintained so as to enhance the appearance and value of the property on which located and thereby the appearance and value of the neighborhood and City.”