

AGENDA
MEETING OF THE PLAN COMMISSION
of the City of Platteville
Monday, October 4, 2021 at 7:00 p.m.

Council Chambers – City Hall
75 N. Bonson Street

1. ROLL CALL
2. APPROVE MINUTES – September 7, 2021
3. CODE AMENDMENT – Chapter 24: Fire Prevention and Protection (PC21-CA04-10)
Consider an ordinance that makes changes to the regulations concerning the structure, organization, and duties of the Fire Department.
4. CODE AMENDMENT – Chapter 5 (PC21-CA03-12)
Consider a draft ordinance that makes changes to the regulations concerning weed and tall grass enforcement and other property maintenance issues.
5. CODE AMENDMENT – Sections 22.061 and 22.062 of the Zoning Ordinance (PC21-CA02-06)
Consider proposed amendments to the zoning ordinance to implement sidewalk policy recommendations for commercial and multi-family projects.
6. REVISIONS TO INTERGOVERNMENTAL PLANNING AGREEMENT (PC21-MI01-11)
Status update and discuss task force/working group.
7. ADJOURN

If you have concerns or comments related to an item on this agenda, but are unable to attend the meeting, please send the comments to carrollj@platteville.org or call 608-348-9741 x 2235.

PLAN COMMISSION
Tuesday, September 7, 2021

The regular meeting of the Plan Commission of the City of Platteville was called to order by Council President Barbara Daus at 7:00 PM in the Common Council Chambers of the Municipal Building.

ROLL CALL:

Present: Amy Seeboth-Wilson, Barbara Daus, Robert Vosberg, Isaac Shanley, Bill Kloster, Ellen Stelpflug, and Evan Larson.

Excused: Mark Meyers and Jennifer Collins.

APPROVAL MINUTES – August 2, 2021

Motion by Kloster, second by Larson to approve the August 2, 2021, minutes as presented. Motion carried 6-0 on a roll call vote.

PRELIMINARY PLAT & PLANNING MAP – Southwest Health Development (PC21-PP02-13) –

The Plan Commission considered a preliminary plat and planning map for a potential development adjacent to the Southwest Health property. The plat would create five lots at this time with the understanding that the larger lots would be further divided as needed when the land is developed. The anticipated uses may include commercial office space, health-related business, elderly housing, and residential care facilities. Staff recommends approval of the proposed preliminary plat for the Southwest Health Development with the following conditions: a. The design of the future street should be altered to reduce the length of the cul-de-sac and provide street connectivity to the west. Motion by Kloster, second by Vosberg to recommend approval of the Preliminary Plat & Planning Map for the Southwest Health Development. Motion carried 6-0 on a roll call vote.

CERTIFIED SURVEY MAP – Estates at Keystone (PC21-CSM02-14) –

The Plan Commission considered a Certified Survey Map to combine Lots 12 and 13 of the Estates at Keystone Subdivision. The applicant owns both parcels and is requesting to have them combined to form one larger lot to be used for the construction of a single-family home. Staff recommends approval of the proposed lot consolidation, with the following condition: a. The Certified Survey Map shall be recorded with the Grant County Register of Deeds, and a copy shall be provided to the City. Motion by Shanley, second by Seeboth-Wilson to recommend approval of the Certified Survey Map to combine lots 12 and 13 of the Estates at Keystone Subdivision. Motion carried 6-0 on a roll call vote.

REZONING – 860 Mason Street (PC21-RZ02-15) –

The Plan Commission considered a proposal to rezone the property at 860 Mason Street from M-1 Heavy Commercial/Light Industrial to B-1 Neighborhood Business. The applicant is requesting a zoning change that would allow some residential use of the property, in addition to the storage use. Staff recommends approval of the request to rezone the property at 860 Mason Street to B-1 Neighborhood Business. Motion by Shanley, second by Kloster to recommend approval to rezone the property at 860 Mason Street to B-1 Neighborhood Business. Motion carried 6-0 on a roll call vote.

CODE AMENDMENT – Chapter 5: Health –

The Plan Commission considered draft changes to the regulations focusing on two areas – list of noxious/nuisance weeds and lawn maintenance regulation. Charlie Chamberlain spoke on issues within the City concerning weeds and tall grass. There were discussions on what plants should be listed under noxious/nuisance weeds that should be restricted/eradicated/or otherwise controlled. The DNR provides a list of invasive plants, and it was discussed that this would be a good list to use to determine what plants should be listed as noxious/nuisance weeds. The second topic of discussion was the regulations related to lawn and turf maintenance. No action was taken. This item will appear back before the Plan Commission at the next scheduled meeting.

REVISIONS TO INTERGOVERNMENTAL PLANNING AGREEMENT (PC21-MI01-11) – The Plan Commission considered proposed amendments to the City and Town of Platteville Intergovernmental Planning Agreement, which is slated to expire in November. This item will appear back before the Plan Commission at the next scheduled meeting.

ADJOURN:

Motion by Kloster, second by Seeboth-Wilson to adjourn. Motion carried 6-0 on a roll call vote. The meeting was adjourned at 8:58 PM.

Respectfully submitted,

Candace Klaas, City Clerk

DRAFT

STAFF REPORT
Community Planning &
Development Department



Meeting Date: October 4, 2021

From: Joe Carroll, Community Development Director

Re: Proposed Amendments to Chapter 24 – Fire Protection and Prevention

Applicant: Staff submitted

Attached is a draft ordinance that includes potential amendments to Chapter 24 – Fire Protection and Prevention. The ordinance is based primarily on recommendations that came from the Platteville Fire Department Comprehensive Analysis project, which was completed in February. The analysis included some recommended changes related to the governance and oversight, and organizational structure of the department. There are also changes to provide better and updated references to State and National fire codes, and also to better reflect the current functions and duties of the department. This version also includes modifications based on comments received at the August Plan Commission meeting.

Chapter 24 Municipal Code Update 2021

New Title – CHAPTER 24 - FIRE PREVENTION AND PROTECTION

24.01 DEFINITIONS. Terms used in this section have the following meanings:

- (a) City: City of Platteville, Wisconsin
- (b) Council or Common Council: The Common Council of the City of Platteville
- (c) Department: Platteville Fire Department or the Fire Department of the City of Platteville
- (d) Fire District: Geographical area where the Platteville Fire Department has the responsibility for providing fire protection services by ordinance or through contracted fire service agreements.
- (e) Authority having Jurisdiction (AHJ) - Means an individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or procedure. The AHJ as it pertains to this section refers to the fire chief or the fire chief's designee.
- (f) "Chief" - Means the fire chief of the department.
- (g) "Key Box" - Means a key vault of a type approved by the department, installed by the property owner, in an accessible location approved by the AHJ, for the purpose of containing keys or other access devices for the department use only, to gain quick access to all areas of the premises without having to damage property.
- (h) "Public Building" - Means any structure, including the exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part, as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by three or more tenants except for one and two family dwellings.
- (i) Open Fire - Means any fire involving any type of combustible material, whether for cooking, pleasure, or any other purpose, located anywhere within the City of Platteville, on public or private property.
- (j) Outdoor Cooking Apparatus - Means a charcoal grill, gas grill, camping stove, or similar apparatus designed exclusively for cooking food.
- (k) Recreational Fire - Means any noncommercial burning of materials other than rubbish for pleasure, religious, ceremonial, cooking, or similar purposes in which the fuel burned is not contained in an incinerator, a barbecue grill, or a barbecue pit.
- (l) Waste and Refuse - Means all rubbish, garbage and residual matter of any kind, including grass trimmings and leaves.
- (m) Outdoor Solid or Liquid Fuel Heating Device - Means any outdoor device or structure designed for solid or liquid fuel combustion and for the purpose of providing indoor heat including, but not limited to, combination fuel furnaces or boilers which burn solid or liquid fuel.

24.05 FIRE DEPARTMENT ESTABLISHED

The City of Platteville fire department, known as Platteville Fire Department, shall be recognized as the fire department of the City of Platteville and shall be responsible for the duties of firefighting, rescue, fire prevention and education, and preserving life and property for the citizens and property within the Platteville Fire Department fire district.

24.06 FIREFIGHTER ASSOCIATION

The City of Platteville recognizes the Platteville Fire Department, Inc., a non-stock non-profit 501(c)(3) corporation, and their mission to support the volunteer firefighters in their mission to provide rapid, professional, and humanitarian fire and rescue services essential to the protection of property, safety, and well-being of the citizens they protect.

The Platteville Fire Department, Inc. agrees to provide a copy of their annual report to the Common Council upon its completion or no later than April 1st of the succeeding year.

24.10 ORGANIZATION

- (a) *General.* The fire department shall consist of a full-time fire chief, and fire inspector as well as a further compliment of full-time paid members as determined by the Common Council. ~~There shall be a further complement of~~ volunteer members or -paid-on-call and/or volunteer-paid members of the ~~fire department~~ as authorized by the Common Council.
- (b) *Regulation.* The organization and internal regulation of the fire department shall be governed by the provisions of this chapter and by policies and procedures adopted by the fire department and reviewed by the Police and Fire Commission, except as otherwise provided by law or ordinance.
- (c) *Chief of the Fire Department.* The Police and Fire Commission shall appoint the fire chief of the fire department, who shall hold office during good behavior, subject to suspension or removal by the commission for cause. The city manager shall be the supervisor of the fire chief and the day to day operations of the fire department.
- (d) *Selection of Officers.* Officers of the fire department shall be appointed by the fire chief subject to approval by the Police and Fire Commission.
- (e) *Subordinates.*
 - (1) Volunteer members of the fire department shall be ~~appointed~~ authorized by the fire chief subject to approval by the Police and Fire Commission.
 - (2) Full-paid members of the fire department shall be ~~appointed by the fire chief~~ hired by the City subject to approval by the Police and Fire Commission as prescribed in Section 62.13, Wis. Stats.

24.15 APPROPRIATIONS

The Common Council shall appropriate funds for, but not limited to, department operations, apparatus, equipment, training, ~~and~~ fire prevention, and any fire station/facilities for the fire department to perform its duties.

24.20 COMPENSATION

The officers and members of the fire department shall receive such compensation from the City as is fixed annually by the Common Council within the fire department budget.

24.25 POWERS AND DUTIES OF FIRE CHIEF

- (a) *General Supervision.* The fire chief shall have command of the fire department and provide general supervision of the department, which shall be subject to and not conflict with this chapter and the department policies and procedures and shall enforce ~~a rigid~~ observance of this chapter, the department policies and procedures, and SPS 314 of the Wisconsin Administrative Code. The fire chief shall be responsible for the members and overall operation of the fire department.
- (b) *Presiding Officer.* The fire chief, or designee, shall preside at department meetings, call special meetings, preserve order, and decide all points of order that may arise.
- (c) *Command at Incidents.* The fire chief or officer in command, shall have complete command of, and ~~entire~~ responsibility for all fire department operations, plan the control of the same, direct the action of the fire department when it arrives at an incident and observes that the department does its duty.
- (d) *Additional Resources.* The fire chief, or designee, shall have the authority to request any additional resources from other jurisdictions under mutual aid or Mutual Aid Box Alarm System (MABAS) agreements.
- (e) *Enforcement of Fire Prevention Ordinances.* The fire chief, or designee, shall enforce all fire prevention ordinances of the City, state laws, and regulations pertaining to fire prevention.
- (f) *Incident Reporting.* The fire chief, or designee, shall prepare an incident report of every incident to which the department was called and shall enter in the report the information required by National Fire Incident Report System (NFIRS) and submit such completed report as required to the NFIRS reporting system.
- (g) *Apparatus and Equipment Inventory, Maintenance, and Use.* The fire chief shall:
 - (1) Keep an inventory of all apparatus and equipment.
 - (2) Order the repair of apparatus and equipment.
 - (3) Have control of the use of all apparatus used by the fire department and approve the use of apparatus or equipment that it may be used for responding to incidents, training, fire prevention, or other activities as deemed appropriate.

24.30 AUTHORITY OF FIRE DEPARTMENT AT INCIDENTS

- (a) *Command at Incidents.* The fire department shall operate under the incident command system and the fire chief or officer in command shall have complete command of, and ~~entire~~ the responsibility for all department operations, plan the control of the same, direct the action of the department when it arrives at an incident, and observe that the department does its duty.
- (b) *Police Powers at Incidents.* The fire department officers in command at any incident shall have full and complete police authority at incidents. Any fire department officer may order the arrest of any person who fails to give the right-of-way to the department in responding to an incident.
- (c) *Control at Incidents.* The fire department officers in command may prescribe certain limits in the vicinity of any incident within which no person except emergency personnel and others authorized by the officer in command may be within those limits. The officer in command may also cause the removal of any property whenever it becomes necessary for the preservation of property from an incident, or to prevent the spread of fire or damage, or to protect the adjoining property. During the progress of any incident, the officer in command may order the removal or destruction of any property necessary to prevent the further spread of fire or damage. The officer in command may also cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impedes the work or safety of the department during the progress of an incident.

(d) *Entering Premises.*

- (1) Any firefighter acting under the direction of the officer in command may enter upon the incident premise, premises adjacent to or in the vicinity of any building or other property on fire to extinguish such fire, and if any person hinders, resists, or obstructs a firefighter in the discharge of their duty, the person so offending may be charged with obstructing a firefighter in the discharge of their duties. This also applies to other types of emergency incident calls.
- (2) When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or firefighting purposes, the fire chief, or designee, may require a key box to be installed as per Section 24.70 of this code.

(e) *Damage to Equipment.* No person shall willfully damage any hose, hydrant, fire apparatus, or any other equipment belonging to the fire department or City. Furthermore, no vehicle shall be driven over any unprotected hose of the fire department when laid down on any street, private driveway, or other place to be used at any incident without consent of the fire department office in command.

24.35 RESPONSIBILITY

The responsible party for every new and existing building, structure or premises shall construct, arrange, equip, maintain, and operate in accordance with this chapter to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions. Compliance with this chapter does not relieve the responsible party from compliance with other ordinances or Wisconsin Statutes and Administrative Rules.

24.40 ENFORCEMENT AND PENALTY.

- (a) *Enforcement.* The ~~A~~ authority having ~~J~~ jurisdiction (AHJ) shall be authorized to ascertain and cause to be corrected any condition liable to cause fire or any violation of any law or order relating to the fire hazard or to the prevention of fire. This chapter shall be administered and enforced by the ~~fire department~~ fire chief, fire officers and fire inspectors.
- (b) *Notice of violations.* Whenever the AHJ determines violations of this chapter, a written notice shall be issued to confirm such findings.
- (c) *Serving Notice of Violation.* Any order or notice of violation issued pursuant to this chapter shall be served upon the owner, operator, occupant, registered agent, or other person responsible for the condition or violation by one of the following means:
 - (1) Personal service.
 - (2) Emailed to last known address of the owner, operator, or registered agent or other person responsible for the condition or violation.
 - (3) Mailed to last known address of the owner, operator, or registered agent or other person responsible for the condition or violation.
- (d) *For Unattended or Abandoned Locations.* A copy of such order or notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice shall be disseminated in accordance with one of the following:
 - (1) Emailed to last known address of the owner, operator or registered agent, or other person responsible for the condition or violation.

- (2) Mailed to last known address of the owner, operator or registered agent, or other person responsible for the condition or violation.
 - (3) Published in a newspaper of general circulation wherein the property in violation is located.
- (e) *Duty to Correct.* Upon notification of a violation, the responsible party shall have the duty to correct the violation(s) within the time specified by the AHJ.
- (f) *Failure to Comply.* Any person who fails to comply with the provisions of this chapter, fails to carry out an order made pursuant to this chapter, or violates any condition attached to a permit, approval or certificate shall be subject to the penalties established by the AHJ.
- (g) *Penalty.*
- 1) The fire chief, fire officers, and fire inspectors are authorized to issue citations for violations of the provisions of this chapter. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time as determined and set by the AHJ. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. Each day upon which a provision of this chapter shall be violated shall constitute a separate offense.
 - 2) The penalty for violation of any provisions of this chapter shall be a forfeiture as hereinafter provided, together with the costs of prosecution and any penalty assessment. The penalty for violation of any provision of this chapter shall be set forth in the forfeiture schedule adopted by Section 1.10 of city code.
 - 3) Any person maintaining a fire deemed by the fire chief or fire chief's designee to be in violation of this ordinance shall immediately extinguish such fire. In addition to the forfeiture provided herein, in the event of a fire department response to the location of the fire, the person responsible ~~shall~~ may be assessed a charge equal to the then current charge for a fire department response.

24.45 COST RECOVERY FOR SPECIAL SERVICES AND MATERIALS

- (a) ~~All~~ eCosts for special services associated with an incident response including, but not limited to, firefighting foam, absorbents, and private vendor services, that exceed \$500.00, shall be recoverable by the City against the property owner of record.
- (b) When, in the opinion of the Authority ~~Having~~ having Jurisdiction (AHJ), a danger exists, the AHJ shall be authorized to order the occupants to vacate, or temporarily close for use or occupancy, a building, the right-of-way, sidewalks, streets, adjacent buildings, or nearby areas. The AHJ shall be authorized to employ the necessary resources to perform the required work in order to mitigate the danger. Costs incurred by the AHJ in the performance of emergency work shall be the responsibility of the property owner of record or other responsible party creating such danger.

24.50 HAZARDOUS MATERIALS INCIDENT RESPONSE REIMBURSEMENT

- (a) *Prohibited Discharges.* No person, firm, or corporation shall discharge or cause to be discharged, leaked, leached, or spilled on any public or private street, alley, public or private property, or unto the ground, surface waters, subsurface waters or aquifers, or within the City, except those areas specifically licensed for waste disposal or landfill activities and licensed to receive such materials, explosives, flammable or combustible solid, liquid or gas, any radioactive material at or above Nuclear

Regulatory Restriction levels, etiologic agents or any solid, liquid or gas creating a hazard, potential hazard or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

- (b) *Containment, Cleanup, and Restoration.* Any person, firm, or corporation in violation of Section 24.50 (a), shall so notify the fire department and begin immediate actions to contain, cleanup, and remove to an approved repository the offending material(s) and restore the site to its original condition, with the offending person, firm, or corporation being responsible for all expenses incurred. Should any person, firm, or corporation fail to engage the necessary personnel and equipment to comply or complete the requirements of this section, the fire chief or the office of emergency government director may order the required actions to be taken by public or private sources, ~~and~~ allow the recovery of any and all costs incurred by the City as action imposed by Section 24.50(c).
- (c) *Emergency Services Response.* Emergency services response includes, but is not limited to, fire service, emergency medical service, law enforcement, and public works. A person, firm, or corporation who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this chapter. Actual and necessary expenses may include, but are not limited to, replacement of equipment damaged by the hazardous substance, cleaning, decontamination and maintenance of the equipment specific to the incident, costs incurred in the procurement and use of specialized equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, clean up, medical surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agency's medical advisor.
- (d) *Site Access.* Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to fire department personnel, law enforcement personnel, and office of emergency government personnel for the purpose of evaluating the threat to the public and monitoring containment, clean up and restoration activities.
- (e) *Public Protection.* Should any prohibited discharge occur which threatens the life, safety, or health of the public at, near, or around the site of a prohibited discharge, and the situation is so critical that immediate steps must be taken to protect the health, safety, and welfare of the community, life and limb, ~~the~~ fire chief, their designee, or the senior law enforcement official on the scene of the emergency may order an evacuation of the area or take other appropriate steps for a period of time until the emergency government director or Common Council can take appropriate action.
- (f) *Enforcement.* The fire chief, fire chief designee, and-or emergency government director shall have authority to issue citations or complaints under this chapter.
- (g) *Civil Liability.* Any person, firm, or corporation in violation of this chapter shall be liable to the City for any expenses incurred by the City for loss or damage sustained by the City by reason of such violations.

24.55 CODES ADOPTED

- (a) *Adoption of National Fire Protection Association Code (NFPA 1), Fire Code.* The provisions of the NFPA 1, Fire Code, the referenced publications of NFPA 1 Chapter 2 and the Annexes, as published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein.

Note: A copy of National Fire Protection Code (NFPA) 1, Fire Code, is on file in the offices of the fire department and the legislative reference bureau. Copies of NFPA 1, Fire Code, may be purchased from the

National Fire Protection Association at 11 Tracy Drive, Avon, MA 02322; and may be purchased or accessed free of charge at www.nfpa.org.

- (b) *Adoption of International Fire Code (IFC)*. The provisions of the International Fire Code (IFC), the referenced publications of IFC Chapter 45 and the Appendixes, as published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein.

Note: A copy of the International Codes (ICC) adopted is on file in the offices of the fire department and the legislative reference bureau. Copies of the International Codes may be purchased from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, (708) 799-2300, website www.iccsafe.org.

- (c) *Adoption of Wisconsin Department of Safety and Professional Services Codes*. The provisions of Wisconsin Administrative Codes, published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein. The following Wisconsin Administrative Codes in effect on the date of adoption of this chapter, or as they may be amended or renumbered from time to time, are adopted by reference, enforced and incorporated into this chapter as if fully set forth herein:

SPS 305	Licenses, Certification and Registration
SPS 307	Explosive Materials and Fireworks Manufacturing
SPS 314	Fire Prevention
SPS 316	Electrical
SPS 318	Elevator Code
SPS 320-325	Uniform Dwelling Code
SPS 326	Manufactured Home Communities
SPS 328	Smoke Detectors and Carbon Monoxide Detectors
SPS 330	Fire Department Safety and Health Standards
SPS 334	Amusement Rides and Attractions
SPS 340	Gas Systems
SPS 343	Anhydrous Ammonia
SPS 361-366	Wisconsin Commercial Building Code
SPS 371	Solar Energy Systems
SPS 375-379	Buildings Constructed Prior to 1914

- (d) *Adoption of the Wisconsin Agriculture, Trade and Consumer Protection Codes*. The provisions of Wisconsin Administrative Codes, published on or before the effective date of this chapter, or as they may be amended or renumbered from time to time, are hereby adopted by reference and the rules and regulations contained therein are hereby made a part of this chapter as though they were fully set forth herein. The following Wisconsin Administrative Codes in effect on the date of adoption of this chapter, or as they may be amended or renumbered from time to time, are adopted by reference, enforced and incorporated into this chapter as if fully set forth herein:

ATCP 93 Flammable and Combustible Liquids

ATCP 94 Petroleum Products

Note: Copies of the Wisconsin Department of Safety and Professional Services Codes and the Wisconsin Agriculture, Trade and Consumer Protection Codes respectively are available from: <https://docs.legis.wisconsin.gov/code/toc/sps> and <https://docs.legis.wisconsin.gov/code/toc/atcp>

- (e) *Conflicting Provisions.* In case of a conflict between the provisions of this section or between this section and existing city ordinances, the strictest provisions shall apply.
- (f) *Penalty.* The failure or refusal of any person to obey the requirements of the Wisconsin Administrative Code provisions incorporated in this section by reference shall subject that person to penalties in the form of monetary forfeitures expressed therein or, if none, to the general penalty provisions under Chapter 1.10 of city code.

24.60 FIRE INSPECTIONS

- (a) *Statute Adopted.* Wis. Stats. 101.14 is hereby adopted by reference.
- (b) *Inspection Fees.*
 - 1) A fire inspection fee is hereby established according to the fee schedule as established from time to time by a resolution of the Common Council.
 - 2) An additional inspection fee shall be charged if a premise is required to be inspected more than once in a calendar year.
- (c) *Exemption From Fees.* All buildings, structures, and premises in the Platteville Fire Department fire district coverage area of the fire department that is owned by the Platteville School District, University of Wisconsin – Platteville, Townships, and any other units of government, shall be exempt from initial inspection fee and first re-inspection fee. Fees charged for second and subsequent re-inspections shall apply. Furthermore, all buildings, structures, and premises owned by the City of Platteville and United States Government shall be exempt from any fees for fire inspections.
- (d) *Special Charge.* The fire inspection fee shall constitute a special charge against the real property for services rendered under Wis. Stats. § 66.0627. Any fees remaining overdue and unpaid as of November 1 of each year shall be placed on the annual tax roll for collection as a special charge together with an administrative charge per parcel in the amount according to the fee schedule as established from time to time by a resolution of the Common Council.

24.65 FREQUENCY OF FIRE PREVENTION INSPECTIONS

In accordance with Wis. Adm. Code Section SPS 314.01(13)(b)7, fire prevention inspections of all public buildings and places of employment within the Platteville Fire Department fire district fire department protection area shall be conducted at least once per calendar year or more often as is ordered by the fire chief, provided the interval between such inspections shall not exceed fifteen (15) months.

24.70 KEY BOXES

~~(a) Definitions. The following definitions shall govern this section:~~

~~—“Authority having Jurisdiction (AHJ)” means an individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or procedure. The AHJ as it pertains to this section refers to the chief or the chief’s designee.~~

~~“Chief” means the fire chief of the department.~~

~~“Department” means the Platteville Fire Department.~~

~~“Key Box” means a key vault of a type approved by the department, installed by the property owner, in an accessible location approved by the AHJ, for the purpose of containing keys or other access devices for the department use only, to gain quick access to all areas of the premises without having to damage property.~~

~~“Public Building” means any structure, including the exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part, as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by three or more tenants except for one and two family dwellings.~~

(ab) *Requirements for Access by the Department.* As required in Section 24.30(d)(2), when access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or firefighting purposes, the fire chief may require a key box to be installed in an accessible location as approved by the AHJ. The key box shall be of a type approved by the AHJ and shall contain master key(s) as required by the AHJ to gain necessary access. The type, number of, and location of key boxes shall be approved by the AHJ.

(eb) *Contents of Key Boxes.* The key box shall contain master key or keys or other devices to allow access as required by the AHJ.

(ec) *Notification in Event of Change in Means of Access.* If keys or devices for access are changed, new keys or devices shall be provided to the fire dDepartment within three business days.

(ed) *Key Boxes Required.* The AHJ shall require key boxes in the following instances:

- 1) In all public buildings that are locked for security reasons that have common corridors serving individuals.
- 2) All buildings having an automatic fire alarm system or equipped with an automatic fire suppression system, except one, ~~two or three~~ and two family residential structures.
- 3) All multiple family residential structures containing 3 or more living units, whether rental or condominiums.
- 4) All commercial and industrial buildings not openly accessible 24 hours a day.
- 5) The size or construction of a building, or the physical barriers or terrain around the building may dictate more than one key box at the discretion of the AHJ.

(fe) *Inspections.* During a fire safety inspection, the keys or other devices stored in a key box may be accessed to ensure access to all areas of the structure.

(gf) *Exception.* Any building or structure having on-site 24-hour security personnel may be exempted from the requirements of this section by the fire chief.

(hg) *New Construction.* All new construction subject to the requirements of this section shall have a key box installed prior to the issuance of a certificate of occupancy.

(ih) *Penalty.* Failure or refusal to comply may result in assessment of penalty in accordance with Section 1.10 of city code.

24.75 SMOKE DETECTORS AND FIRE PROTECTION DEVICES

- (a) Any building or structure occupied for sleeping purposes shall have smoke detectors installed and maintained in accordance with the laws of this state. Reference Wis. Admin. Code § SPS 321.09, § SPS 328, and § SPS 351.245.
- (b) No unauthorized person shall tamper with, alter, or remove any detector, fire extinguisher, fire protection apparatus, or alarm system from any building, structure, or unit as required by this section or required by the laws of this state, except for necessary testing or maintenance.

24.80 BUILDING NUMBERING REQUIRED

- (a) All buildings in the City shall be numbered in accordance with the following:
 - 1) Numbers shall be easily seen from the street the building is addressed.
 - 2) Numbers shall contrast with their background, be of Arabic numbers or letters with a minimum of 4 inches in height with a minimum stroke width of 0.5 inch.
 - 3) Where access is by private road and/or the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.
 - 4) Multiple dwelling units shall have each individual apartment identified with Arabic numbers or letters with a minimum height of 3 inches.
 - 5) When practical, the required numbers shall be placed as close to the main entry door as possible but are not to be placed on garage doors or in similar locations on a building that may become covered or nonvisible.
- (b) All new buildings shall meet the minimum requirements of this section prior to occupancy being granted.
- (c) All existing buildings shall meet the minimum requirements of this section.

24.85 REQUIRED ACCESS FOR FIRE APPARATUS

- (a) General Requirements
 - 1) *Suitable Access.* All premises, public or private, which the fire department may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided with access roads and/or fire lanes with suitable gates so that all buildings on the premises are accessible for fire apparatus and/or firefighters.
 - 2) *Fire Lanes.* Fire lanes shall be provided on public or private property devoted to fire department use for all buildings used for human habitation or occupancy ~~which~~with are set back more than 100 feet from any roadway access or exceed 30 feet in height and are set back more than 50 feet from a roadway. Fire lanes may also be designated on those private roadways where it is found by the fire chief that such access is necessary for fire apparatus and/or firefighters.
 - 3) *Width.* Fire lanes shall be at least 20 feet in width with the closest edge of the lane at least 10 feet and no more than 30 feet from the building.
 - 4) *Dead-End Roads.* Any dead-end road more than 300 feet long shall be provided a turnaround at the closed end of the roadway.
 - 5) *Turning Radius.* Curves and turnarounds shall be designed for a 45-foot turning radius.

- 6) *Designation, Marking and Maintenance of Fire Lanes.* The designation, marking and maintenance of fire lanes shall be accomplished as specified by the fire department. The current department of transportation standards for roadway marking shall be used as guidelines in designating and marking any fire lanes.
- 7) *Accessibility.* Fire lanes and access roadways shall remain accessible to the fire department at all times of the year. During winter months, fire lanes shall be maintained by the property owner or occupant to include proper and timely snow and ice removal.

(b) Designated Fire Lanes

- 1) Designated fire lanes shall be marked with signs within 5 feet of the beginning and end of the fire lane, with spacing between signs not to exceed 75 feet. The curb shall be painted red; if there is no curb, a 4-inch wide stripe shall be painted the full length of the fire lane. Fire lane signs shall be affixed to a stationary pole or object and be plainly visible.
- 2) Roadways identified exclusively as fire lanes shall be identified with approved fire lane signs on each side facing forward and the pavement area between the signs shall be striped with 4-inch wide red stripes.
- 3) It shall be unlawful for any person or firm to post a fire lane sign without the approval of the fire department. Vehicles parked in a fire lane shall be cited with a notice of violation using a City parking violation. This citation may be issued by a member of the police department or fire department who have been granted citation authorization.
- 4) Vehicles will be permitted to temporarily stop in a fire lane while actively loading or unloading provided the driver is present. When this requirement is met, a reasonable amount of time may be allowed for the completion of loading or unloading of a vehicle.

~~4) —~~

(c) Fire Lane Parking Regulated

- 1) *Removal of Parked Vehicle.* Any vehicle that is parked within a fire lane designated and marked in accordance with Section 24.85(b) shall be removed at the vehicle owner's expense. Vehicles will be towed away under the following circumstances:
 - a. When a vehicle repeatedly violates fire lane regulations by habitually parking in a fire lane.
 - b. When a vehicle blocks the ingress/egress of a building such as, but not limited to, a business, theater, nightclub, apartment complex, gymnasium, or place of public assembly.
 - c. When the vehicle's presence threatens the safety of the public by impeding the ability of fire apparatus and/or emergency medical services to respond to an emergency.
 - d. Removal of a vehicle under such circumstances may be authorized by the person in lawful possession of the property or by the fire chief or their designee. The police department may order the towing of a vehicle at any time that the above conditions exist.
- 2) *Obstructions other than Vehicles.* An inspection report with warning notice shall be issued to the property owner, occupant or responsible party requiring that if the obstruction is not removed within the specified time period, the fire department may cause the removal of the obstruction with the cost of removal billed to the person or firm responsible for the obstruction.

- 3) *Obstruction of a Fire Lane for Construction, Remodeling or Repair.* When it becomes necessary to obstruct a fire lane for construction, remodeling or repair, site approval shall be required and permission obtained from the fire department.

24.90 FIRE HYDRANTS

- (a) *Required.* When a municipal water system is available in any portion of a commercial, residential, or industrial area in which the building is set back more than 400 feet from the municipal fire hydrants, the owner shall install at their expense approved fire hydrants. The setback distance shall be determined by measuring the travel distance from the municipal hydrant, along the centerline of a municipal street, private road suitable for travel by fire apparatus, or fire lane.
- (b) *Location.* Hydrants determined to be necessary in accordance with Section 24.90(a) shall be freestanding and in compliance with the standards of the City water utility. A hydrant shall be located at the main entryway to such building or complex and additional hydrants shall be provided around the perimeter of the building or complex, so no hydrant is more than 400 feet from any other approved hydrant. No hydrant shall be placed within 25 feet of the building.
- (c) *Approval.* All water mains, hydrants and locations shall be approved by the fire department and City utility director and installed in compliance with the standards of the City and City water utility specifications.
- (d) *Maintenance.* All owners of private property who have private fire hydrants located upon their property which are not serviced, maintained, flushed, or tested by the City water utility shall on an annual basis service, flush, test, repair and maintain the private fire hydrant to ensure that the hydrant is in proper working order in the event of emergency use. Records of all annual service, testing, flushing, maintenance, and repairs shall be made available to the fire department upon request.

24.95 OPEN BURNING

~~(a) Definitions.~~

~~“Open Fire” means any fire involving any type of combustible material, whether for cooking pleasure, or any other purpose, located anywhere within the City of Platteville, on public or private property.~~

~~“Outdoor Cooking Apparatus” means a charcoal grill, gas grill, camping stove, or similar apparatus designed exclusively for cooking food.~~

~~“Recreational Fire” means any noncommercial burning of materials other than rubbish for pleasure, religious, ceremonial, cooking, or similar purposes in which the fuel burned is not contained in an incinerator, a barbecue grill, or a barbecue pit.~~

~~“Waste and Refuse” means all rubbish, garbage and residual matter of any kind, including grass trimmings and leaves.~~

~~(b) Prohibited Open Burning.~~

- 1) No person shall burn or cause to be burned any leaves, grass, wood, rubbish, or other combustible material on any street, alley, or sidewalk within the City at any time.
- 2) The use of drums, barrels, or any containers used to burn leaves, yard waste, rubbish, garbage, other household wastes or hazardous materials upon any premises within the City is prohibited.

3) No person shall burn or cause to be burned any leaves, grass, wood, rubbish, structure, or other combustible material outdoors on any lot or parcel of land within the City at any time without a burning permit. The provisions of this subsection, however, shall not apply to controlled outdoor burning as set forth in paragraph (4) below, and to subsections (eb) and (dc) below.

~~4) A burning permit may be issued by the Fire Chief for prescribed vegetation management purposes subject to reasonable conditions to mitigate fire hazards. The fee for a prescribed vegetation management burn shall be as set forth in the City of Platteville Fee Schedule. If inspection or supervision is required, inspection and supervision costs shall be billed to the owner of the property. If not paid within 60 days of billing, said costs shall be assessed against the property as a special charge pursuant to Wis. Stats. § 66.0627. Burning permits shall apply to individual parcels or occupancies and are not transferable from person to person, parcel to parcel, or occupancy to occupancy; however, burning permits may encompass multiple parcels under common ownership if part of a common vegetation management project.~~

4) .

(eb) *Outdoor Cooking Apparatus and Open Fires used for Cooking* are allowed only under the following circumstances:

- 1) Outdoor cooking apparatuses are allowed but are limited to charcoal and gas grills, freestanding fireplaces (clay or metal) or fire pits.
- 2) Fire pits used for cooking must comply with all requirements of recreational fires.
- 3) Use of outdoor cooking apparatuses on decks is only allowed for one or two-family dwellings ~~decks is prohibited.~~

(dc) *Recreational Fires* are allowed only under the following circumstances:

1) Natural gas or propane burning fire pits, fire tables or similar devices must be Underwriter Laboratory (UL) listed, have at least 36 inches of clearance from the perimeter of the unit to any combustible sidewalls, ceilings, or materials, and shall adhere to the recommended clearances and use as listed by the manufacturer.

~~2)~~2) Only clean and clear (unpainted, unfinished, untreated) wood, split firewood, tree limbs or charcoal may be burned. No rubbish, yard waste, leaves, garbage, household wastes or hazardous materials may be burned.

~~2)~~3) No recreation fire shall be in area larger than three feet in diameter (three feet by three feet).

~~3)~~4) Only one recreational fire or fire area may be constructed or maintained upon any premises.

~~4)~~5) Shall be a minimum of 15 feet from any structure and/or other combustible material ~~or~~ and at least 10 feet of any lot line unless approved by the fire chief.

~~5)~~6) No accelerants such as gasoline, kerosene, or any other accelerant may be used, with the exception of charcoal lighter fluid.

~~6)~~7) A fire extinguisher or water hose shall be available nearby at all times until the fire is completely extinguished.

~~7)~~8) When burning, all burning material must be completely contained within the freestanding fireplace or fire pit and shall not extend beyond the confines of such container and the flame height shall not exceed 4 feet from the base of the fire.

~~8)9)~~ If a fire pit is used, the construction and use of the fire pit shall, in addition to the above requirements, comply with the following requirements:

- a. The diameter of the pit shall not exceed three feet.
- b. The depth of the pit shall be a minimum of six inches.
- c. The rim of the pit shall be lined with rock, concrete, brick or steel.

~~9)10)~~ The smoke from the fire shall not create a nuisance for other properties or obstruction of vehicle travel due to decreased or diminished visibility.

~~10)11)~~ Any open fires shall be attended by at least one person eighteen (18) years old or older when lighting the fire and at all times until the fire is completely extinguished.

~~11)12)~~ Open flames and embers must be completely extinguished before the open fire is vacated.

~~(ed)~~ Fires set by the Platteville Fire Department for practice and instruction of firefighters are allowed with authorization from the fire chief.

~~(fe)~~ The fire chief is granted the authority to issue burning permits at a fee established according to the fee schedule as established from time to time by a resolution of the Common Council. Such permit shall allow open burning other than those authorized in Sections 24.95(eb-dc). The fire chief shall not issue a permit to burn any material that could result in a health hazard. Each permit shall indicate what material will be burned, when the material can be burned, where it will be burned, where it can be burned, under what wind and other climatic conditions and shall include such other or further restrictions that the fire chief may require to protect the health and safety of the public.

~~(gf)~~ The fire chief is granted the authority as a delegation of power by the Common Council under Section 323.11, Wis. Stats., to declare a fire emergency in the City, during which open flames are prohibited, for such period of time during which the emergency conditions exist or are likely to exist.

~~(hg)~~ *Extinguishment.* The fire department may extinguish any fire ignited or maintained contrary to this section on authority of the fire chief or their designee.

~~(ih)~~ *Liability.* Persons utilizing and maintaining open fires shall be responsible for any liability resulting from damage caused by such fires.

~~(ji)~~ *Penalty.* Violations of this section are punishable under Chapter 1.10 of city code and citations for such violations may be issued by the fire chief or their designee as well as the police department.

24.100 COST RECOVERY FOR NUISANCE FIRE DEPARTMENT RESPONSES

Any person, industry, commercial property, apartment complex or other who shall cause for the response of the fire department that is deemed a nuisance to include, but not limited to, illegal burning, multiple false alarms, disorderly act, shall forfeit to the City the sum of all costs incurred for the response to the reported nuisance. The person, industry, commercial property, apartment complex or other entity responsible for the nuisance may also be assessed a charge equal to the current charge for a fire department response as established according to the fee schedule established from time to time by a resolution of the Common Council.

-24.105 OUTDOOR SOLID OR LIQUID FUEL HEATING DEVICES

Draft: ~~July 22, 2021~~September 16, 2021

~~(a) *Definitions.* For purposes of this section, an outdoor solid or liquid fuel heating device shall include any outdoor device or structure designed for solid or liquid fuel combustion and for the purpose of providing indoor heat including, but not limited to, combination fuel furnaces or boilers which burn solid or liquid fuel.~~

~~(b)~~(a) All outdoor solid or liquid fuel fired heating devices constructed or installed after February 2, 2017, including replacements of outdoor solid or liquid fuel fired heating devices constructed prior to that date, shall be considered a public nuisance within the City of Platteville and are hereby banned.

STAFF REPORT
Community Planning &
Development Department



Meeting Date: October 4, 2021
From: Joe Carroll, Community Development Director
Re: Proposed Amendments to Chapter 5
Applicant: Staff submitted

At the October Plan Commission meeting, we would like to continue the discussion of potential amendments to Chapter 5 related to weeds and lawn maintenance. Like last month we will be focusing on a few areas – list of noxious/nuisance weeds, lawn maintenance regulations, and invasive plants. Attached is a portion of Chapter 5 with suggested revisions to these areas.

CHAPTER 5

HEALTH AND PROPERTY MAINTENANCE

5.01 WEEDS, LAWN MAINTENANCE AND INVASIVE PLANTS.

1) PURPOSE. It is the purpose of this Section to prohibit the uncontrolled growth of vegetation and to control noxious weeds, while permitting the planting and maintenance of planned landscaping that adds diversity and richness to the quality of life. There are reasonable expectations regarding the proper maintenance of vegetation on any lot or parcel of land. It is in the public's interests to provide standards regarding the maintenance of vegetation because vegetation which is not managed can decrease the value of nearby properties and threaten the public health and safety. It is also in the public's interests to encourage diverse landscaping treatments, particularly those that encourage the reservation, restoration, and management of native plant communities which can be economical, low-maintenance and effective in soil and water conservation. The City enacts this Section to balance these competing interests.

(2) DEFINITIONS.

- a) Destroy. Means the complete killing of weeds or the killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, or any or all of these in effective combination, at a time and in a manner as will effectually prevent the weed plants from maturing to bloom or flower stage.
- b) Lawn/turf grass. An area of soil-covered land near buildings that is primarily planted with a mixture of grasses consisting of Kentucky bluegrass, ryegrass and fescues, and that is regularly mowed and used for aesthetic and recreational purposes.

(3) WEED COMMISSIONER. The Office of Weed Commissioner is hereby created. The powers and duties of the Weed Commissioner as set forth in this section are hereby conferred upon and combined with the Director of Public Works.

- a) The Weed Commissioner shall enforce this section of the Municipal Code, and if any person shall fail to comply herewith, the Weed Commissioner shall, after five (5) days written notice to the owner, cause the property to be mowed and/or noxious weeds destroyed, and report the cost thereof in writing to the City Clerk. The cost thereof shall be placed on tax rolls as a tax on the lands upon which such weeds, grasses, lawns or noxious weeds were cut, as set forth in Section 66.0517 of the Wisconsin Statutes.

Draft: September 27, 2021

a)b) An administration charge, as set by resolution by the Common Council, shall be added to bills where the property owner fails to mow his property and thereby causes the City to perform the work and that any amount not paid within thirty (30) days shall bear interest at the rate of one percent (1%) per month until fully paid.

(4) ADOPTION OF STATUTES. The provisions of Sections 66.0407 and 66.0517, as amended, of the Wisconsin Statutes relating to the regulation and control of weeds are hereby adopted by reference.

(5) CONTROL OF NOXIOUS WEEDS

a) A person owning, occupying, or controlling property in the City shall destroy all noxious weeds on the land.

b) The term "noxious weeds" as used herein shall include the following and shall also include any plants identified in Wis. Stats. Sections 23.235 and 66.407:

Commented [JC1]: The list of noxious weeds kept the current list from Chapter 5, which already included the plants from Wis Stats. 66.407, added the plants from Wis. Stats. 23.235, and added plants that have been identified as being poisonous or toxic. More information on the added poisonous/toxic plants are attached.

Common Name - Scientific Name

Black nightshade - *Solanum nigrum*

Bittersweet nightshade - *Solanum dulcamara*

Bull thistle - *Cirsium vulgare*

Burdock - *Articum*

Canada thistle - *Cirsium arvense*

Common cocklebur - *xanthium strumarium*

Field bindweed or creeping jenny - *Lysimachia nummularia*

Giant hogweed - *Heracleum mantegazzianum*

Grecian foxglove - *Digitalis lanata*

Jimsonweed - *Datura stramonium*

Leafy spurge - *Euphorbia esula*

Lesser celandine or fig buttercup - *Ranunculus ficaria*

Multiflora rose - *Rosa multiflora*

Nettles - *Urtica dioica*

Poison ivy - *Toxicodendron radicans*

Poison oak - *Toxicodendron diversilobum*

Poison hemlock - *Conium maculatum*

Purple loosestrife - *Lythrum salicaria*

Ragweed- common - *Ambrosia artemisiifolia*

Ragweed - Giant - *Ambrosia trifida*

Spotted knapweed - *Centaurea biebersteinii*, *Centaurea maculosa* or *Centaurea stoebe*

Tansy or common tansy - *Tanacetum vulgare*

Water hemlock - *Cicuta maculata*

Whorled milkweed - *Asclepias verticillate*

Wild hemp or marijuana - *Feral cannabis*

Wild parsnip - *Pastinaca sativa*

Yellow star thistle - *Centaurea solstitialis*

(6) LAWN MAINTENANCE. No person shall permit or maintain any growth of lawns, turf grasses or weeds over eight (8) inches in height, measured from the ground surface, except those areas designated as follows:

Commented [JC2]: There was some discussion related to changing this to 6 inches.

- a) Those areas more than 100 feet from property containing a residential dwelling unit.
- b) All other areas more than 100 feet from a parcel containing a structure in use.

Commented [JC3]: This is a proposed reduction from the current 400.

(7) CONTROL OF INVASIVE PLANTS. Invasive plants are non-native to the local ecosystem, and their existence in the ecosystem causes or is likely to cause harm to the economy, environment, or human health. If left unchecked, invasive species can threaten native species, biodiversity, ecosystem services, recreation, water resources, agricultural and forest production, cultural resources, economies and property values, public safety, and infrastructure.

- a) Purpose. The purpose of this chapter is to identify, control and limit the spread of invasive plant species in the City.
- b) Definition. The term "Invasive Plant" as used herein shall include the following and shall also include any plants identified in Wisconsin Administrative Code, Chapter NR 40:

Common Name - Scientific Name

Amur cork tree - *Phellodendron*

amurense

Amur honeysuckle - *Lonicera maackii*

Amur maple - *Acer tataricum* subsp.

ginnala

Anchored water hyacinth - *Eichhornia*

azurea

Aquatic forget-me-not - *Myosotis*

scorpioides

Asian loeseneri bittersweet - *Celastrus*

loeseneri

Asian marshweed - *Limnophila*

sessiliflora

Australian swamp crop or New Zealand

pygmyweed - *Crassula helmsii*

Autumn olive - *Elaeagnus umbellata*

Balfour's touch-me-not - *Impatiens*

balfourii

Bell's or showy bush honeysuckle -

Lonicera x bella

Bishop's goutweed - *Aegopodium*

podagraria

Black (European) alder - *Alnus glutinosa*

Black knapweed - *Centaurea nigra*

Black locust - *Robinia pseudoacacia*

Black or Louise's swallow-wort -

Vincetoxicum nigrum or *Cynanchum*

louiseae

Bohemian knotweed - *Fallopia x*

bohemicum or *F. x bohémica* or

Polygonum x bohémicum

Brazilian waterweed or wide-leaf

anacharis - *Egeria densa*

Brittle naiad, or lesser, bushy, slender,

spiny or minor naiad or waternymph -

Najas minor

Brown knapweed - *Centaurea jacea*

Burning bush - *Euonymus alatus*

Butterfly dock - *Petasites hybridus*

Canada thistle - *Cirsium arvense*

Celandine - *Chelidonium majus*

Chinese wisteria - *Wisteria sinensis*

Chinese yam - *Dioscorea batatas* or

Dioscorea polystacha

Colt's foot - *Tussilago farfara*

Common barberry - *Berberis vulgaris*

Common buckthorn - *Rhamnus cathartica*

Common teasel - *Dipsacus sylvestris* or

Dipsacus fullonum

Creeping bellflower - *Campanula*

rapunculoides

Draft: September 27, 2021

Crown vetch - *Coronilla varia*
Curly-leaf pondweed - *Potamogeton crispus*
Cut-leaved teasel- *Dipsacus laciniatus*
Cypress spurge - *Euphorbia cyparissias*
Dalmatian toadflax - *Linaria dalmatica*
Dame's rocket - *Hesperis matronalis*
Diffuse knapweed - *Centaurea diffusa*
Ducklettuce - *Ottelia alismoides*
Eurasian watermilfoil - *Myriophyllum spicatum*
European frogbit - *Hydrocharis morsus-ranae*
European marsh thistle - *Cirsium palustre*
Fanwort, Carolina Fanwort - *Cabomba caroliniana*
Field scabiosa - *Knautia arvensis*
Fiveleaf akebia or Chocolate vine - *Akebia quinata*
Floating marsh pennywort - *Hydrocotyle ranunculoides*
Flowering rush - *Butomus umbellatus*
Garden heliotrope or Valerian - *Valeriana officinalis*
Garden yellow loosestrife - *Lysimachia vulgaris*
Garlic mustard - *Alliaria petiolata*
Giant hogweed - *Heracleum mantegazzianum*
Giant knotweed - *Fallopia sachalinensis* or *Polygonum sachalinense*
Giant reed - *Arundo donax*
Giant Salvinia - *Salvinia herzogii*
Giant Salvinia - *Salvinia molesta*
Glossy buckthorn- *Rhamnus frangula* or *Frangula alnus*
Graceful cattail - *Typha laxmannii*
Grecian foxglove - *Digitalis lanata*
Hairy willow herb - *Epilobium hirsutum*
Hawaii arrowhead - *Sagittaria sagittifolia*
Helleborine orchid - *Epipactis helleborine*
Hemp nettle, brittlestem hemp nettle - *Galeopsis tetrahit*
Hill mustard - *Bunias orientalis*
Himalayan blackberry - *Rubus armeniacus*
Hound's tongue - *Cynoglossum officinale*
Hybrid cattail - *Typha x glauca*
Hydrilla - *Hydrilla verticillata*
Indian Swampweed - *Hygrophila polysperma*
Indian yam - *Dioscorea oppositifolia*
Japanese barberry - *Berberis thunbergii*
Japanese chaff flower - *Achyranthes japonica*
Japanese hedgeparsley or erect hedgeparsley - *Torilis japonica*
Japanese honeysuckle - *Lonicera japonica*
Japanese hops - *Humulus japonicus*
Japanese knotweed - *Fallopia japonica* or *Polygonum cuspidatum*
Japanese stilt grass - *Microsteqium vimineum*
Japanese wisteria - *Wisteria floribunda*
Java waterdropwort or Vietnamese parsley - *Oenanthe javanica*
Johnsongrass - *Sorghum halepense*
Kudzu - *Pueraria montana* or *P. lobata*
Leafy spurge - *Euphorbia esula*
Lesser celandine - *Ranunculus ficaria*
Lyme grass or sand ryegrass - *Leymus arenarius* or *Elymus arenarius*
Medusahead - *Taeniatherum caput-medusae*
Mile-a-minute vine - *Polygonum perfoliatum* or *Persicaria perfoliata*
Moneywort - *Lysimachia nummularia* (or *L. nummelaria*)
Morrow's honeysuckle - *Lonicera morrowii*
Mosquito fern - *Azolla pinnata*
Mudmat - *Glossostigma cleistanthum*
Multiflora rose - *Rosa multiflora*
Musk thistle or Nodding thistle - *Carduus nutans*
Narrow leaf bittercress - *Cardamine impatiens*
Narrow-leaf cattail - *Typha angustifolia*
Oriental bittersweet - *Celastrus orbiculatus*
Oxygen-weed, African elodea or African waterweed - *Laqarosiphon major*
Pale or European swallow-wort - *Vincetoxicum rossicum* or *Cynanchum rossicum*
Parrot feather - *Myriophyllum aquaticum*
Perennial or broadleaved pepperweed - *Lepidium latifolium*
Phragmites or Common reed non-native ecotype - *Phragmites australis non-native ecotype*
Plumeless thistle - *Carduus acanthoides*
Poison hemlock - *Conium maculatum*
Policeman's helmet - *Impatiens glandulifera*
Porcelain berry - *Ampelopsis brevipedunculata*
Princess tree - *Paulownia tomentosa*
Purple loosestrife - *Lythrum salicaria*

Queen of the meadow - *Filipendula ulmaria*
Ribbon grass or gardener's garters - *Phalaris arundinacea* var. *picta*
Rose acacia or Bristly locust - *Robinia hispida*
Russian knapweed - *Centaurea repens*
Russian olive - *Elaeagnus angustifolia*
Sacred Lotus - *Nelumbo nucifera*
Sawtooth oak - *Quercus acutissima*
Scarlet pimpernel or Burnet saxifrage - *Pimpinella saxifraga*
Scotch broom - *Cytisus scoparius*
Seaside goldenrod - *Solidago sempervirens*
Sericea or Chinese lespedeza - *Lespedeza cuneata* or *Lespedeza sericea*
Siberian elm - *Ulmus pumila*
Siberian peashrub - *Caragana arborescens*
Southern cattail - *Typha domingensis*
Spiny naiad - *Najas marina*
Spotted knapweed - *Centaurea biebersteinii*, *Centaurea maculosa* or *Centaurea stoebe*
Spreading hedgeparsley - *Torilis arvensis*
Tall or reed mannagrass - *Glyceria maxima*

Tansy - *Tanacetum vulgare*
Tartarian honeysuckle - *Lonicera tatarica*
Tree of heaven - *Ailanthus altissima*
Tyrol knapweed - *Centaurea nigrescens*
Wanded loosestrife - *Lythrum virgatum*
Water chestnut - *Trapa natans*
Water hyacinth, floating - *Eichhornia crassipes*
Water lettuce - *Pistia stratiotes*
Water Soldiers - *Stratiotes aloides*
Water spinach, swamp morning-glory - *Ipomoea aquatica*
Wavy leaf basket grass - *Oplismenus hirtellus* ssp. *undulatifolius*
White bedstraw - *Galium mollugo*
White mulberry - *Morus alba*
White poplar - *Populus alba*
Wild chervil - *Anthriscus sylvestris*
Wild parsnip - *Pastinaca sativa*
Wineberry or wine raspberry - *Rubus phoenicolasius*
Woodland forget-me-not - *Myosotis sylvatica* (or *M. sylvaticum*)
Wormwood - *Artemisia absinthium*
Yellow floating heart - *Nymphoides peltata*
Yellow iris - *Iris pseudacorus*
Yellow star thistle - *Centaurea solstitialis*

- c) Restrictions. No person may possess, transport, transfer, or introduce a prohibited invasive species identified or listed in this section into or out of the City, unless a permit is obtained by the Wisconsin Department of Natural Resources.
- d) Enforcement. Under s. 23.22 (9), Wis. Stats., if the Department of Natural Resources finds that any person is violating Chapter NR 40 or a permit issued under said chapter, the Department may do one or more of the following:
- 1) Issue a citation pursuant to ss. 23.50 to 23.99, Stats.
 - 2) Refer the matter to the Department of Justice for enforcement.
 - 3) Revoke any permit issued under Chapter NR 40, after notice and opportunity for hearing.

Commented [JC4]: This language is directly from Chapter NR 40. Do we want to enforce this section for any property that has one of these plants already located on it, the "possess" portion, or just try to prevent the movement and introduction of these plants? In NR 40, "possess" means to own, maintain control over, restrain, hold, grow, raise or keep.

Commented [JC5]: This language is directly from Chapter NR 40. Local enforcement under Section 5.50 would also apply to this entire Chapter, which means a local citation could be issued for a violation.



bittersweet nightshade

Solanum dulcamara L.

USDA PLANTS Symbol: SODU
U.S. Nativity: Exotic
Habit: Vines Shrub or Subshrub

Jump to: [Resources](#) | [Images](#) | [Distribution Maps](#) | [Sources](#)

Taxonomic Rank: Magnoliopsida: Solanales: Solanaceae

Synonym(s): climbing nightshade, blue nightshade, European bittersweet, fellenwort, woody nightshade

Native Range: Eurasia

Appearance

Solanum dulcamara is a perennial vine or scrambling shrub with slender stems that can reach up to 6.6 ft. (2 m) tall, either erect or clambering.

Foliage

Leaves are dark-green to purplish, petiolate, alternate, 3 lobed (upper part of the stem), acuminate and up to 3.1 in. (7.9 cm) long.

Flowers

Flowering occurs in May to November, when purple flowers develop. Petals are recurved and up to 0.4 in. (1 cm) long. Stamens are bright yellow and fused together around the stigma.

Fruit

Mature fruits are red, shiny, round or egg-shaped, 0.4 in. (1 cm) long berries with about 30 yellow colored, flattened seeds.

Ecological Threat

Solanum dulcamara invades thickets, fence rows, pond margins, low woods and roadsides. It is native to Eurasia. All parts of the plants are toxic. Always wear gloves and protective clothing when handling this plant.

Identification, Biology, Control and Management Resources

Weed of the Week - USDA Forest Service

Selected Images from Invasive.org

[View All Images at Invasive.org](#)



Plant(s);

Steve Dewey, Utah State University, Bugwood.org
[Additional Resolutions & Image Usage](#)



Flower(s);

David Cappaert, Bugwood.org
[Additional Resolutions & Image Usage](#)



Foliage;

Mary Ellen (Mel) Harte, Bugwood.org
[Additional Resolutions & Image Usage](#)



Foliage;

Steve Dewey, Utah State University, Bugwood.org
[Additional Resolutions & Image Usage](#)



Feature(s); foliage and flowers

Steve Dewey, Utah State University, Bugwood.org
[Additional Resolutions & Image Usage](#)



Flower(s);

Jan Samanek, Phytosanitary Administration, Bugwood.org
[Additional Resolutions & Image Usage](#)



Fruit(s); immature

Ohio State Weed Lab, The Ohio State University, Bugwood.org
[Additional Resolutions & Image Usage](#)



Flower(s);

Mary Ellen (Mel) Harte, Bugwood.org
[Additional Resolutions & Image Usage](#)

Prohibited: Eradicate

Giant hogweed : *Heracleum mantegazzianum* Sommier & Levier



UGA1460060



UGA2121077



UGA5272016

Caution Use protective clothing, consider goggles or a face mask. **Caution** Phytophotodermatitis,

contacting stiff hairs or sap (i.e., phyto) followed by exposure to sunlight (i.e., photo) can cause severe blistering and swelling (i.e., dermatitis).

Identification: Compare to native [cow-parsnip](#) (*Heracleum lanatum*). See page 59.

Plant: Herbaceous, often stated to be biennial but is a monocarpic perennial (plant dies after bearing fruit), giant at 10-15 feet tall (potentially to 20 feet). When enough energy is stored, flowering will take place on a 2-4 inch diameter hollow stalk that is mottled reddish-purple and is covered with sturdy bristles.

Leaves: Alternate, up to 5 feet across, compound leaves with 3 deeply incised (cut) leaflets which may be further divided. The spotted leaf stalks, underside of leaves and stems are covered with coarse white hairs.

Flower: Flat umbels of small white florets create massive displays up to 2½ feet in diameter.

Bloom time is June to July.

Fruit and Seed: Seed is large, flattened, with visible brown resin canals.

Life History: A single flower head can produce upwards of 1500 seeds. First season basal rosette foliage can be 1-5 feet across with flower stalks typically appearing in the second season. When plants die a large bare patch of soil results which creates a good seed bed and potential erosion problems.

Habitat: Moist soils of woodlands and riparian zones with partial shade as found on woodland edges.

Management:

Manual methods including cutting and removal by hand are effective on small infestations. The focus of this method is to prevent seed production. Preferably, propagating plant parts should be disposed of onsite or when necessary contained (e.g., bagged) and removed to an approved facility. For more information on these disposal options, please read [MDA's guide on removal and disposal](#).

Root systems can be weakened by repeated cutting but consider removal for best results. After cutting, monitor sites for follow-up treatment needs.

Herbicide applications of triclopyr or glyphosate are effective when applied early season to basal rosettes. If manual methods such as cutting are used early in the season, plan on returning to chemically treat re-sprouts.

		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar
	Burn	Use fire to improve native plant community.								
Herbicide	Foliar	Before the plant flowers.							Treat rosettes	
	Mow	Mow to prevent flowering								
	Don't mow	Cut and remove roots and			or seeds by hand for disposal.					
Flowering Period										

Prohibited: Eradicate

Grecian foxglove : *Digitalis lanata* Ehrh.

Caution All plant parts contain a cardiac glycoside that is *poisonous to humans* and livestock. It is reported that the toxin can be absorbed through bare skin. Wear appropriate PPE.



Identification:

Plant: Herbaceous, perennial beginning its first year as a basal rosette with a single flowering stalk from 2-5 feet tall in subsequent years.

Leaves: Alternate, smooth, stalk-less upper leaves with toothless edges are narrow (lance-shaped). Basal leaves are more oval with rounded tips and are densely woolly.

Flower: Many tubular flowers attached to a central stalk (raceme) with bloom progression from the bottom to the top of the stalk. Flowers have a brown or purple veined upper hood and a creamy-white, elongated lower lip.

Bloom time is June to July.

Fruit and seed: Seed capsules are 2-parted and split to release tiny reddish-brown seed with 3-4 year viability. The hook (stiff, persistent style of the flower) on the seed pods are easily caught on clothing or fur and transported to new locations.

Life History: A perennial plant that blooms following its first year as a basal rosette. Each flower produces numerous seeds that are viable for up to 4 years. Small wingless seeds are easily transported by birds, animals, human activity as well as wind and water.

Habitat: Minnesota sites are in full sun to partial shade along roads, woodland edges and in open fields.

Management: Do not pull or handle this plant without protective clothing, in particular, rubber gloves and long sleeves are highly recommended.

Repeated mowing or cutting to prevent flowering throughout the year and over several years can drain plants of energy and help control an infestation. Since flowering can occur on mowed, short stems follow-up treatments with herbicide may be necessary.

Prescribed fire, there is no research information available at this time.

Herbicide applications in May and again in July are beneficial to knock down plants before flowering can occur. A fall application is also recommended to kill basal rosettes that were missed earlier or that developed during the season. Metsulfuron-methyl formulations are recommended for good control.



		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar	
		Use fire to improve native plant community.									
Herbicide	Foliar										
	Mow			Mow to prevent flowering							
	Don't mow					When seed is present					
Flowering Period											



LESSER CELANDINE

(RANUNCULUS FICARIA)



Photo credit: Robert Bierman

Herbaceous groundcover with kidney to heart-shaped leaves and showy, daisy-like yellow flowers. Rapidly reproduces vegetatively by abundant tubers and above-ground bulblets.

Overview

Identification

Control

Photos

Resources

Other names for this plant include:

- Common names: fig buttercup, pilewort, small celandine, lesser crowfoot, buttercup, dusky maiden
- Scientific names: *Ficaria verna*, *Ficaria ficaria*, *Ranunculus ficaria* var. *bulbifera*, *Ranunculus ficaria* var. *ficaria*, *Ranunculus ficaria* ssp. *chrysocephalus*

Ecological threat:

- Thrives in partial sun and moist soils, but also tolerant of drier, sunny sites.
- Invades forests, wetlands and riparian areas, as well as upland areas and disturbed areas such as lawns.
- Infestations of this plant eliminate spring ephemeral communities in woodlands, which includes sensitive native plants.
- Noted as invasive in neighboring states with similar habitats. Extremely invasive in northern Ohio. In one Cleveland park, approximately 400 acres are dominated by this plant.
- Easily reproduces and spreads into new areas through bulbils and tubers, or seed.
- Plants are poisonous to livestock and humans.



Prohibited (red) counties

Classification in Wisconsin: Prohibited

Species Assessment Groups (SAG) were assembled to recommend a legal classification for each species considered for [NR 40](#). The recommendation for lesser celandine was based upon this [literature review](#) [PDF] developed by the department.

Leaves & stems: Leaves are dark-green, shiny, and kidney to heart-shaped on short stalks. Leaves emerge from a basal rosette in early spring before the canopy trees leaf out.

Flowers: Flowers are bright butter-yellow, glossy, and usually have 8 petals (although sometimes up to 12), arranged around a central disk. Numerous 1" flowers are borne singly on stalks. Flowers open in early spring, March to April.

Fruits & seeds: This species does produce viable seed, up to 70 seeds per plant. After flowering, aerial vegetation dies back and entire plants can be dead by June.

Roots: Above-ground whitish bulblets are produced on the stem axils, usually forming after flowering. Below-ground rhizomes are thick, finger-like tubers. These storage organs keep the plant alive through summer-fall when above-ground portions of the plant have senesced.

Similar species: Lesser celandine resembles marsh marigold (*Caltha palustris*) but is much smaller. Marsh marigold is a native wetland plant found throughout the eastern United States. Marsh marigold contains 5-9 yellow "petals" (actually sepals), while lesser celandine often contains 8 petals. Marsh marigold also does not produce tubers or bulblets.

Lesser celandine varieties include 'Pencarn' and 'Buttered Popcorn.' Notable traits of these varieties are leaves variegated with silver markings and double flower heads. These varieties are considered equally as invasive.

This species is unrelated to greater celandine (*Chelidonium majus*).

Mechanical:

- Hand-dig individual plants, being careful to remove all bulblets and tubers. Hand-digging is difficult in larger populations due to the high degree of soil disturbance and abundance of small tubers.
- Monitor site in subsequent years for residual plants.

Chemical:

- Herbicide treatments must be carried out early in the spring, prior to the emergence of native spring ephemerals and amphibians.

Restricted

Multiflora rose : *Rosa multiflora* Thunb.



Identification:

Plant: Shrub with 6-13 feet long, wide arching canes reaching 6-15 feet tall. Canes armed with stiff, downward curved prickles (thorns) form an impenetrable thicket.

Leaves: Alternate, pinnately compound, 5-11 sharply-toothed leaflets. The oval leaflets are nearly smooth on the topside and are covered with short hairs below. A unique feature are fringed stipules where leaves attach to stems.

Flower: Numerous, showy flowers. Five-parted, fragrant, white to slightly pink, 1/2-1 1/2 inches across.

Bloom time is May to July.

Fruit and Seed: Numerous rose hips, 1/4 inch diameter, bright red to orange-red, hairless or smooth. Hips are on a wide branched structure and persist into winter.

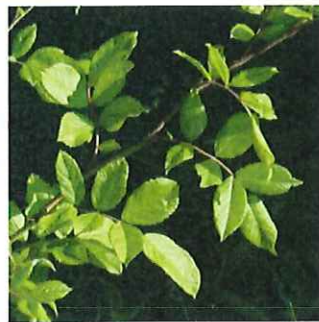
Life History: Plants reproduce by seed and by cane tips with ground contact taking root. The plants are prolific seed producers and seeds are viable in seed banks for up to 20 years.

Habitat: Readily invades disturbed areas such as woodlands, prairies, roadsides, along streams and has become a problem in pastures where the thorns discourage grazing.

Management:

Cutting or mowing frequently during the growing season (3-6 times) for 2-4 years can achieve good control of infestations. **Prescribed fire** in the spring will provide good control of small stems and seedlings.

Herbicide applications to cut stems and to resprout stems with systemic herbicides such as glyphosate have proven successful. As with most species, late season applications of herbicides are effective as plants are moving photosynthates to storage in root systems.



Images clockwise order: Iowa (IA) and Illinois (IL)
UR: White, five-parted flower (IA, 2009-6-11).
LR: Wide branched, maturing 1/4 in. hips (IL, 2015-10-16).
LL: Compound leaves (IA). Thorns, stipules and hips (IL).
UL: Fringed stipules and downward curved thorns (IA).

		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar	
Herbicide	Burn					Use fire to improve native plant community.					
	Foliar				When fully leafed out and actively growing.						
	Cut stem				Avoid period of heavy sap flow.						
	Mow	Mowing, when possible, must be repeated									
	Don't mow										
	Flowering Period										

Prohibited: Eradicate

Poison hemlock : *Conium maculatum* L.



Caution All plant parts are *poisonous to humans* and livestock. **Caution**
It is reported that toxin can be absorbed through bare skin. Wear appropriate PPE.

Identification: Compare to [wild carrot](#) and native [water hemlock](#) on pages 44 and 72. Also compare to [carrot look-alikes](#), [wild chervil](#) and [common yarrow](#) on pages 51, 52 and 73.

Plant: Herbaceous, biennial, first year as a basal rosette and second year poison hemlock is a branched, 3-7 feet tall, robust plant. Stems are smooth (no hairs), hollow, appear ridged due to veins and are light green, mottled (spotted) with purplish spots.

Leaves: Alternate, generally triangular in form. Doubly or triply pinnately compound up to 18 inches long by 12 inches wide. Leaflets are fern-like, deeply divided and typically twice as long (2 inches) as wide (1 inch). Basal leaves tend to be larger and have longer petioles than upper stem leaves. Petiole to stem attachments are covered by a sheath.

Flower: Flat or slightly dome-shaped open compound umbels of 3-16 umbellets with 12-25 five-petaled, white florets. There are small ovate-lanceolate bracts with elongated tips under main umbels. Bracts are also present under umbellets.

Bloom time is variable - June to August.

Fruit and Seed: Paired seeds are ¼ inch tall schizocarps, these split at maturity becoming two carpels. Each carpel is a seed, flattened on 1 side and lined vertically by broken ridges described as wavy ribs. There are no hairs.

Habitat: Partial shade is tolerated but preference is full sun with moist fertile soils. Often found near water or in riparian zones. Can tolerate drier conditions.

Management:

If performed frequently **cutting** or **mowing** are effective control methods to prevent seed production. Same is true for hand pulling, however roots and root fragments remaining in soil may resprout. Monitor and plan additional treatments.

Prescribed fire as a tool should be used to improve the health of surrounding native vegetation. Fire will kill seedlings and top kill other plants; however, after the fire healthy root systems will likely resprout.

Foliar herbicide applications to plants at rosette stage or during active growth (before flowering). Herbicide formulations with 2,4-D or 2,4-D including dicamba or triclopyr have produced good results. Nonselective herbicides such as glyphosate (concentration of 41% or greater) formulations can also produce results.

Other potential herbicide choices include aminopyralid, chlorsulfuron, clopyralid, dicamba, imazapic, imazapyr, metsulfuron-methyl or 2,4-D plus picloram.



		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar	
	Burn			Use fire to improve native plant community.							
Herbicide	Foliar		Target pre-flower.			Target rosette					
	Mow		Mowing must be repeated to prevent flowering								
	Don't mow				Do not mow when seed is present						
	Flowering Period										

Prohibited: Control

Purple loosestrife : *Lythrum salicaria* L.



Listing includes European wand loosestrife (*Lythrum virgatum* L.).

Identification: Compare to native [fireweed](#) (*Chamerion angustifolium*). See page 61.

Plant: Herbaceous, wetland perennial, 4-7 feet tall with a 4 to 6 sided wood-like stem.

Leaves: Opposite, sometimes whorled, lance-shaped, and downy with a slightly wavy yet smooth edge. Leaf pairs are positioned at right angles to the leaf pairs above and below.

Flower: Each plant can have from one to many spikes of pinkish-purple flowers. Center of the flower is yellowish and surrounded by 5-7 petals that have a wrinkled appearance.

Bloom time is July to September.



Fruit and seed: Tiny seeds are released from 2-parted capsules.

Life History: Reproduction by seeds and rhizomes produce large monoculture infestations.

Habitat: Purple loosestrife can be found on upland sites but is best known as an invader of wetlands or aquatic habitats such as ditches, wet meadows, ponds, marshes, river and stream banks as well as lake shores. Purple loosestrife disrupts aquatic habitats as it displaces wetland emergent species.

Management:

Biological control agents in the form of two leaf feeding beetles of the same genus (*Galerucella calmariensis* and *G. pusilla*) have been very effective in Minnesota. For more information visit [Minnesota Dept. of Natural Resources](#).

Mowing is seldom an option due to wet environments. **Cutting** of flower spikes can be an effective control of seed production. **Hand pulling** or **digging** of plants can also be effective but care should be taken to remove entire root systems if possible. Resprouting can occur from roots and root segments left in the ground or on the site. Preferably, propagating plant parts should be disposed of onsite or when necessary contained (e.g., bagged) and removed to an approved facility. For more information on these disposal options, please read [MDA's guide on removal and disposal](#).

Herbicide formulations labeled for use on rights-of-way and near water; 2,4-D, glyphosate, imazamox, metsulfuron-methyl+aminopyralid, triclopyr, imazapyr and aminocyclopyrachlor.



	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar
	Use fire to improve native plant community.								
Herbicide	Burn								
	Foliar								
	Cut stem								
	Mow	Mow to prevent flowering							
	Don't mow				Do not mow when seed is present.				
Flowering Period									

Prohibited: Control

Spotted knapweed : *Centaurea stoebe* L. ssp. *micranthos* (Gugler) Hayek



Above: basal rosette,
Middle right:
basal foliage,
Middle Left: linear foliage
near top of plant,
Bottom right: flowers.

Caution - gloves and long sleeves are recommended, knapweeds have defenses known to irritate skin.

Identification: Compare to [knapweed complex](#) members. See pages 13 and 14.

Compare to nonnatives [alfalfa](#) and [hairy vetch](#). See page 49.

Spotted knapweed is widely established in Minnesota.

Learn to identify it and recognize when something is different.

Plant: Herbaceous, short-lived perennial living 1-4 years. Initial stage is a rosette before the plant produces 1-6 stems ranging from 1-4 feet tall.

Leaves: Simple, alternate, grayish-green basal rosette leaves up to 6 inches long have deep sinuses. Alternate leaves on mature stems vary from smaller, 1-3 inch, versions of the basal leaves to very small linear leaves near the top.

Key difference: meadow / brown knapweed - green leaves, lacking lobes.

Flower: Strongly resemble the flowers of thistles in their pink to purple color (rarely white) and multi-parted texture. Below the petals, flowers are held together by bracts that are stiff and tipped with darkened hairs (see image above).

Compare bract tips; brown - brown, tan papery edge; diffuse - rigid, sharp spines - terminal spine can be 1/2 inch long; meadow - long fringed; Russian - rounded, opaque with transparent tips; and spotted - dark tip, short fringe.

Bloom time is July to September.

Fruits and Seed: Small (1/4 inch long), brownish, tufted, seeds.

Life History: Allelopathic properties (chemicals exuded by the plant) can suppress the germination of seeds of other plants nearby. Plant removal can lead to bare patches of soil subject to erosion.

Seeds are the primary means of reproduction and a mature plant produces thousands of seeds that may remain viable for up to 5 years. Wind disperses seeds short distances while animal and human activity disperse it far and wide.

Habitat: In contrast to meadow knapweed's preference to moist sites, spotted knapweed prefers disturbed sites with gravelly or sandy dry soils. Roadsides, abandoned lots, old fields and gravel pits are habitat that support infestations.

Management:

Biological control agents approved for use in Minnesota are seedhead weevils (*Larinus minutus* and *L. obtusus*) and a root-boring weevil (*Cyphocleonus achates*). Weevils are collected July through September and released on infestation sites larger than 1/3 acre. When a combination of seedhead and root boring weevils work together, infestations can be reduced over a number of years. Contact [Minnesota Department of Agriculture](#).

While **cutting, mowing** and **prescribed fire** can encourage competition from native grasses and help reduce the extent of an infestation they will likely not eradicate it. Early spring prescribed fire is compatible with biological control.

Herbicide formulations including aminopyralid, clopyralid, glyphosate, imazapyr, aminocyclopyrachlor or picloram have demonstrated control with foliar applications.

		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar	
	Burn										
		Use fire to improve native plant community.									
Herbicide	Foliar										
		Foliar treatments target rosettes.									
	Mow										
		Mow to prevent flowering									
	Don't mow										
		Do not mow when seed is present									
	Flowering Period										



Compare flower similarities to [Canada thistle](#), page 21.

Prohibited: Control

Common tansy : *Tanacetum vulgare* L.



Caution - Alkaloids contained in common tansy are toxic to humans and livestock if consumed in quantity. Toxins are potentially absorbed through skin, gloves are recommended when handling this plant.

Identification: Compare to native [goldenrods](#) (*Solidago* spp.). See page 63.

Plant: Herbaceous, perennial reaching 2-5 feet in height. Stems appear woody, are slightly hairy to smooth and at the base are purplish-red.

Leaves: Alternate, pinnately divided, toothed on edges and 2-12 inches long, typically smaller near the top of plants. Leaves are strongly aromatic when crushed.

Flower: Single stems support multi-branched, flat clusters of bright yellow button-like flowers. Each ¼-½ inch wide button is comprised of many small florets and the flower heads, like the leaves, are strongly aromatic.

Key difference - Note the lack of ray petals surrounding the flower heads. Compare to native [goldenrods](#) which have ray petals.

Bloom time is July to October.

Fruit and seed: Small, yellowish-brown, dry, 5-toothed crowned seeds.

Life History: Reproduction is both vegetative from rhizomes and root fragments or by seed. Seeds are dispersed by wind, water and human activities such as vehicle traffic and mowing.

Habitat: Found most often in open, disturbed areas typical of stream and river banks, trail edges, roadsides, gravel pits and old farmsteads or pastures. Can be found in riparian areas, but most often in dry, well drained soils in full sun.

Management:

Mechanical methods like tilling can spread common tansy by spreading small root segments. Pulling also may leave root segments in the ground which may resprout.

Cutting or mowing to prevent seed production can be effective and should be timed just prior to flowering.

Prescribed fire can eliminate competition and create favorable conditions for common tansy by opening the canopy and preparing bare soil. Thus, fire can make an infestation worse; however, fire can be used to remove dead material to improve follow-up herbicide application providing better contact and potentially better control.

Herbicide formulations of metsulfuron-methyl, imazapyr, glyphosate or 2,4-D provide good control when applied as foliar applications in spring.



	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar
Burn	Use fire to improve native plant community.								
Herbicide Foliar	Foliar treatments target rosettes.								
Mow	Mow to prevent flowering								
Don't mow	Do not mow when seed is present								
Flowering Period									

Minnesota Native

Water hemlock : *Cicuta maculata* L.



United States Dept. of Agriculture fact sheet states: "the most violently toxic plant that grows in North America."

Caution All plant parts (foliage, seeds, stems, roots) are **poisonous to humans** and livestock. **Caution** Reported that toxin can be absorbed through bare skin! Wear appropriate PPE - gloves, long sleeves, and long pants.

Identification: Provided for comparison to [poison hemlock](#) and [wild carrot](#) on pages 17 and 44, respectively.

Plant: Herbaceous, biennial (short-lived perennial), first year as a basal rosette and second year water hemlock is a lightly branched, 3-6 feet tall, plant. Stems are smooth (no hairs), hollow (lower portion), appear ridged due to veins and are light green or pinkish or reddish purple.

Key difference - *wild carrot stems are hollow and sparingly hairy to hairy. Stems are not spotted, see poison hemlock.*

Leaves: Alternate, generally triangular in form. Compound leaves are pinnate or doubly pinnate with 3-7 leaflets. Leaflets are not fern-like. Leaflets are 1-4 inches long by ½- 1¼ inches wide. Leaflets are toothed and veins appear to terminate in the notch between teeth - not at the tip. Petiole to stem attachments are partially covered by a sheath.

Flower: Petals are notched at the tip and narrowed at the base. Flowers are five-petaled, white and held as flat or slightly dome-shaped, loose, open compound umbels. Each umbel is comprised of 10-20 domed umbellets each holding 12-15 flowers. Main branches (rays) of umbels are not subtended by bracts. Secondary branches of umbellets have lanceolate bracts with scarious (thin, dry, membranous) margins.

Key differences - *wild carrot has obvious, showy, branched bracts beneath flower umbels and umbellets.*

Bloom time is variable - June to August.

Fruit and Seed: Seeds are schizocarps splitting at maturity to two carpels (individual seeds). Seeds are ⅓ inch long and angular. There are no hairs.

Key difference - *Wild carrot seeds are also about ⅓ inch with ridges covered by stiff bristles. At maturity wild carrot folds its seed structure into what is often described as a bird's nest.*

Habitat: Partial shade is tolerated but preference is full sun with wet to moist fertile soils with organic material. Often found in wet meadows and pastures and other similar sites like moist to wet roadside ditches. Prefers more moisture than poison hemlock and typically, does not compete or occur with poison hemlock.

Prohibited; Eradicate

Yellow starthistle : *Centaurea solstitialis* L.

Caution - Gloves and long sleeves are recommended.

Knapweeds have chemical and in some species physical defenses. These are known skin irritants.



A member of the knapweeds, genus *Centaurea*.

Identification:

Plant: Herbaceous, annual with heights of 6 to 36 inches. Plants start as a biennial or winter annual with a basal rosette the first season. Mature plants are described as bushy with a grayish or bluish cast to otherwise green color.

Leaves: Basal leaves are lobed, dandelion-like at about 8 inches. Basal leaves may not persist as plants bolt to flower. Stem leaves are alternate, narrow to oblong and an extended leaf attachment provides a winged appearance to stems.

Flower: Approximately 1 inch long flowers with substantial 3/4 inch yellowish spines emanating from bracts beneath flowers. Flowers are terminal and solitary on stems.

Bloom time is June to August.

Fruit and Seed: Each terminal flower produces between 35 to 80 plumeless or plumed seeds.

Life History: Yellow starthistle is a strong invader. Due to a lack of tufting on some seeds, reliance is on animals and humans for movement any distance from parent plants.

Habitat: Periods of summer drought favor infestations on disturbed sites such as roadsides. Also an invader of prairies, fields, woodlands and pastures where spines can cause injury to grazing animals.

Management: Limit movement of seed on grazing animals, mowing equipment and vehicles.

Eradication is the goal in Minnesota; therefore, biological control agents are not a compatible option at this time.

Mowing, monitor infestations and time mowing at early flowering stages, soon after spine development.

Herbicide formulations of aminopyralid, clopyralid or picloram applied as foliar applications early in the growing season appear to be most effective.



		April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.-Mar	
	Burn	Use fire to improve native plant community.									
Herbicide	Foliar										
	Mow			Mow to prevent flowering							
	Don't mow						Do not mow when seed is present				
Flowering Period											

STAFF REPORT
Community Development Department



Date: October 4, 2021
From: Joe Carroll, Community Development Director
Re: Chapter 22 - Zoning Ordinance Amendments
Applicant: Staff submitted

Attached a draft ordinance that would make amendments to Section 22.061 and 22.062 of the zoning ordinance related to sidewalk requirements for commercial and multi-family development projects. These changes are being proposed to implement the recommendations in the sidewalk policy. This item was tabled at the June 7th meeting until a sidewalk plan map is available from the Community Safe Routes Committee.

Also attached are two versions of the sidewalk plan map developed by the Community Safe Routes Committee, which will act as a guide in making decisions for future sidewalk installation projects.

22.061 DESIGN REVIEW

(A) PURPOSE AND INTENT. Pursuant to the authority of Section 62.23(3), Wisconsin Statutes, the purpose of this chapter is to establish requirements to guide and coordinate commercial development within the community. Specifically, the standards established by this Chapter are to insure that commercial development is compatible with surrounding land uses, contributes to the unique character and aesthetics of the City of Platteville, does not have an adverse fiscal impact on City infrastructure or services, and promotes the general health, safety and welfare of the community.

(B) APPLICABILITY.

- (1) New Construction. The following design standards and conditional use permit requirement for large developments shall apply to new buildings and uses in the City that are located within the B-2 and B-3 districts, and to non-residential buildings in the B-1 and CBT zoning district. The standards are required in addition to the general standards and requirements of the Zoning Ordinance and to all other applicable ordinances, rules, regulations, and laws. In the event of conflicting provisions, the more restrictive shall control.
- (2) Existing Buildings. Where changes or additions are proposed for buildings constructed prior to the effective date of this Ordinance and such buildings do not comply with the standards in this section, such changes and additions must comply with the standards in this section as follows:
 - (a) All building additions located between the existing building and the street must comply with the architectural standards of this section.
 - (b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

(I) SIDEWALKS AND BIKE PATHS.

- (1) Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below ~~waive this requirement if it is determined the sidewalks are not necessary to serve pedestrian traffic, or connecting sidewalks are not present or planned for on the adjacent properties~~. If sidewalks are not required to be installed as part of the project, the City maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.
 - (a) Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall

present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.

1. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
2. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
3. The area is a low-priority sidewalk area as identified by the Sidewalk Plan and Map.

(b) The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:

1. Deny the exception and require sidewalks to be installed.
2. Allow the sidewalks to be installed on one side of the street only.
3. Approve the exception.
4. Allow for a delayed sidewalk installation as part of a development agreement.
5. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.

(c) If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.

- (2) Bike paths may be required to be installed on the property as part of a Conditional Use Permit approval. If installation of bike paths is required, the developer shall grant to the City such easements as would be reasonably necessary to allow construction and use of the bike path, and pay for the costs of installation according to specifications required by the City.

22.062 MULTI-FAMILY DESIGN REVIEW.

(A) PURPOSE AND INTENT. Pursuant to the authority of Section 62.23(3), Wisconsin Statutes, the purpose of this Chapter is to establish requirements to guide and coordinate multi-family development within the community. Specifically, the standards established by this Chapter are to insure that multi-family development is compatible with surrounding land uses, contributes to the unique character and aesthetics of the City of Platteville, does not have an adverse fiscal impact on City infrastructure or services, and promotes the general health, safety and welfare of the community.

(B) APPLICABILITY.

- (1) New Construction. The following design standards shall apply to new residential buildings in the City that contain three (3) or more housing units, or existing buildings in which the exterior volume of the building is enlarged to provide additional housing unit(s), and the resulting building contains three (3) or more housing units. The standards are required in addition to the general standards and requirements of the Zoning Ordinance and to all other applicable ordinances, rules, regulations, and laws. In the event of conflicting provisions, the more restrictive shall control.
- (2) Existing Buildings. Where changes or additions are proposed for buildings constructed prior to the effective date of this Ordinance and such buildings do not comply with the standards in this section, such changes and additions must comply with the standards in this section as follows:
 - (a) All building additions located between the existing building and the street must comply with the architectural standards of this section.
 - (b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

(D) SITE DESIGN STANDARDS.

(3) Pedestrian Circulation and Access.

(a) Internal Sidewalks. Multi-family developments ~~with more than eight (8) units~~ shall provide pedestrian circulation in accordance with the following standards:

1. Internal sidewalks shall be provided to connect all abutting streets to primary building entrances, and shall connect the dwelling units to parking areas and abutting public sidewalks and pedestrian trails (if available).
2. Internal sidewalks shall be separated a minimum of five (5) feet from dwellings, measured from the sidewalk edge closest to any dwelling unit.
3. Internal sidewalks shall be at least four (4) feet wide and shall have a surface of concrete, asphalt or masonry pavers.

(b) Public Sidewalk. Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below. If sidewalks are not required to be installed as part of the project, the City maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.

1. Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.

- i. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
- ii. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
- iii. The area is a low-priority sidewalk area as identified by the Sidewalk Plan and Map.


2. The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:

- i. Deny the exception and require sidewalks to be installed.
- ii. Allow the sidewalks to be installed on one side of the street only.
- iii. Approve the exception.
- iv. Allow for a delayed sidewalk installation as part of a development agreement.
- v. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.

3. If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.

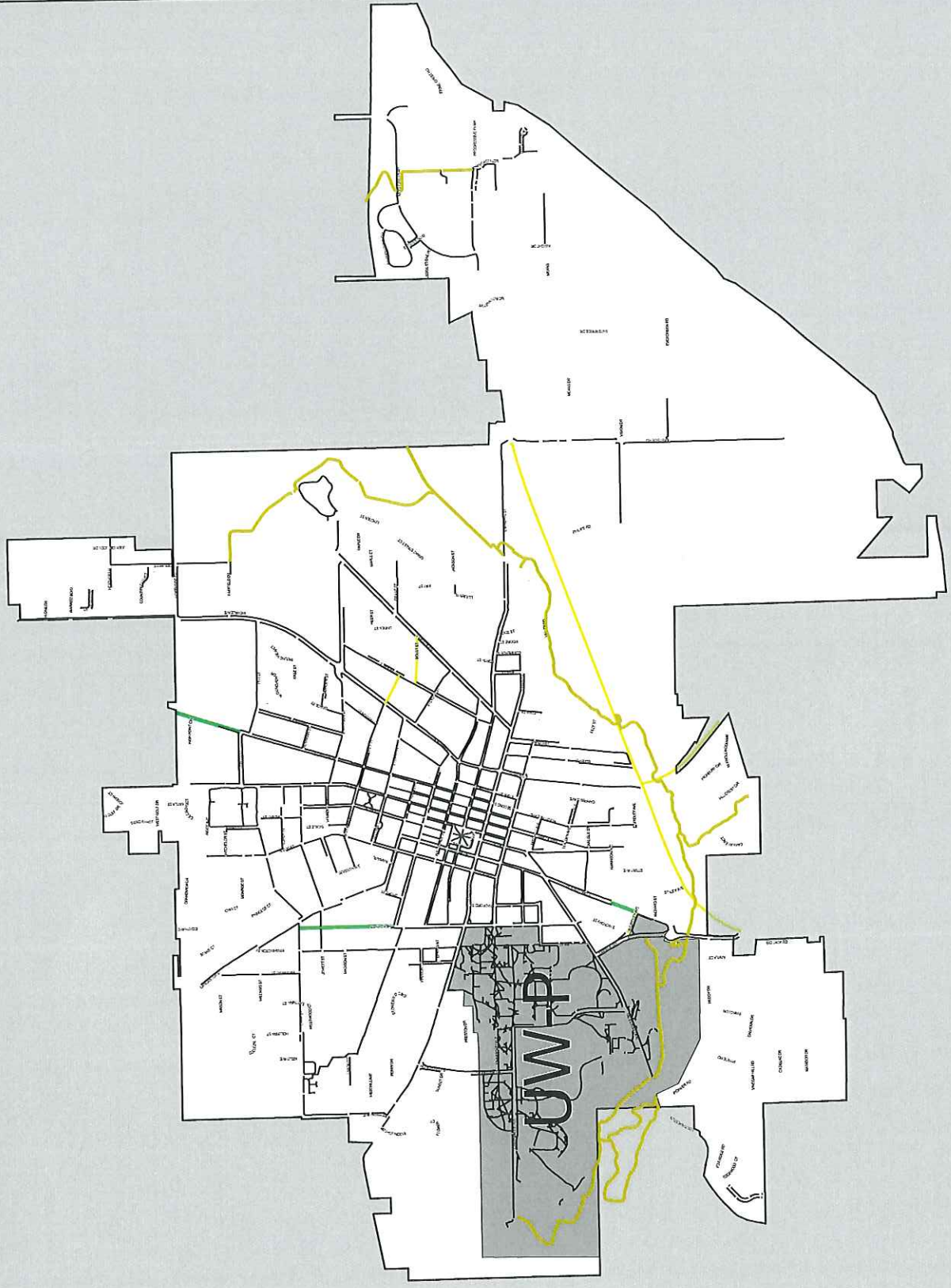


Platteville Sidewalks

- | Sidewalk Type | Priority |
|---|----------------|
|  | Tier One |
|  | Tier Two |
|  | Tier Three |
|  | Sidewalk |
|  | Park Sidewalk |
|  | Trail/Multiuse |



Map features are a representation only and do not replace a field survey or other legal documents.
Created by: City of Platteville, September 2021





Platteville Sidewalks

Sidewalk Type	Priority
Sidewalk	Tier One
Park Sidewalk	Tier Two
Trail/Multiuse	Tier Three



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