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DEPARTMENT OF PUBLIC WORKS

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MEMO

TO: Municipal Services Committee

FROM: Ross Buetow, Deputy Director of Public Works

SUBJECT: Status Update – Resolution #7-R-22 – Modifications to Street Terrace Policy

DATE: June 29, 2022

Department of Public Works staff is currently reviewing and discussing various elements included in Resolution #7-R-22 submitted by Alderperson Del Toro, District 4.

As part of our review, we will explore the potential benefits as well as any possible unintended consequences of the proposed changes. Part of our review will also include any potential safety or maintenance concerns or conflicts with City use of, and operations within the terrace area. We will also include other appropriate City departments in our review process.

We also want to provide Director of Public Works Danielle Block an opportunity to participate in the process upon her arrival to the City.

We will report out at a future meeting with our findings and recommendations.

Thank you.

#7-R-22
Street Terrace Policy Modifications

Submitted By: Alderperson Del Toro, District 4

Date: June 15, 2022

Referred To: Department of Public Works

Whereas the city's current Street Terrace Policy prohibits planting: Plants in excess of 3 ft, Hedges, Vegetable gardens, plants within three feet of a hydrant, traffic hazards like loose stone, railroad ties, mulch and sand surfaces; and

Whereas the city's current Street Terrace Policy requires, that property owners comply with the city's weed ordinance, maintain an elevation flush with the sidewalk and that the city's restoration cost to the terrace is limited to the cost of a typical terrace; and

Whereas the city's current Street Terrace Policy requires, a \$40 annual permit and proof of insurance. And;

Whereas Street Terraces are currently occupied throughout the city without requesting formal permission, and;

Whereas Appleton's street terraces provide opportunities for communities to build gardens, beautify our streets, provide fresh food to homes in need, help control and reduce storm water runoff and provide good environmental resources for our city's biodiversity.

Therefore be it resolved that home owners who wish to develop these terraces may do so by registering the use of their terrace free of charge with the municipal department on a yearly basis. And must still be adhering to safety standards which include:

- Prohibiting planting any vegetation in excess of 48 inches in non-corner lots and 36 inches in corner lots,
- Prohibiting plants within three feet of fire hydrants
- Prohibiting traffic hazards like loose stone, or railroad ties.
- Prohibiting the planting of trees not approved by the Forestry Department,
- Prohibiting the planting of invasive and non-native species
- If terraces remain unoccupied they must continue to adhere to the city's weed ordinance and registration is not required.

Acceptable uses of terrace include the use of these spaces for

- vegetable gardens,
- the use of mulch to maintain weeds in control,
- planting native flora

Failure to register the occupied terrace may result in a city fine. The city will first issue a warning to any reported terraces that are delinquent and the property manager will have 2

weeks from the date of issue of the notice to resolve or appeal. Fines will be strictly enforced every two weeks until the problem terrace is restored to acceptable conditions. Fines will be \$40 every two weeks until the problem is resolved. If the terrace is not remediated within 6 weeks the city will mow the terrace and restore it at the expense of the property owner.