

Managed Native Landscaping Ordinance Template



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Section 1. Purpose

The purpose of this ordinance is to promote and encourage the use of native plants and managed native landscaping within the **City of [City Name]**, while establishing reasonable standards for maintenance and management to prevent nuisance conditions. Native plants and managed native landscaping provide numerous environmental benefits, including stormwater management, pollinator habitat, and reduced reliance on pesticides and fertilizers. This ordinance seeks to balance these benefits with the need to maintain public safety, aesthetics, and property values.

Section 2. Definitions

For the purposes of this ordinance, the following terms shall have the meanings set forth below:

- a. "Native plants" means plant species that are indigenous to the **[local/regional area]** and adapted to the local soil and climate conditions.
- b. "Managed native landscaping" means a planned and intentional diverse planting of native plants, grasses, sedges, forbs, and shrubs designed to simulate naturally occurring plant communities. Managed native landscaping may include but is not limited to rain gardens, pollinator gardens, prairie restorations, and similar plantings.
- c. "Weeds" means any plant that is determined by the **[Weed Commissioner / Code Enforcement Officer]** to be a nuisance, including but not limited to any plant designated as a noxious weed by the **Iowa Department of Agriculture and Land Stewardship pursuant to Iowa Code Chapter 317**.
- d. "Turf grass" means any species of grass commonly used as lawn cover, including but not limited to Kentucky bluegrass, perennial ryegrass, and fescues.

Section 3. Managed Native Landscaping Standards

- a. Native plants and managed native landscaping are permitted on any privately owned lot, subject to the following standards:

Commented [DLC[E1]: The areas highlighted in yellow indicate sections that require input or decisions from local decision-makers or relevant authorities.

1. Managed native landscaping shall be set back a minimum of [2-3] feet from any public sidewalk, street, alley, or right-of-way.
2. Managed native landscaping shall be set back a minimum of [1-2] feet from any neighboring property lines unless the property is abutted by a fence or similar barrier separating it from adjoining properties.
3. Managed native landscaping shall not obstruct sightlines for vehicular traffic or otherwise create a hazard to public safety.
4. Managed native landscaping shall not encroach upon or damage any public or private utilities, drainage structures, or other infrastructure.
5. Managed native landscaping shall be maintained to prevent the spread of weeds, invasive plants, pests, or disease. Dead or diseased plant material shall be removed and replaced as necessary.
6. Managed native landscaping shall be managed through regular mowing, pruning, trimming, [prescribed burning (with appropriate permits)], or other techniques to control height and spread. The [City Council / Appropriate Department] may establish specific guidelines for management based on lot size, location, and surrounding land use.

Commented [DLC[E2]: This reference to prescribed burning can be removed or modified to align with local rules, regulations, or guidelines, as this practice may not be applicable or permitted in all areas.

b. Native swales, prairie strips, and managed native landscaping that do not alter the grading or drainage functions of easement areas shall be permitted within drainage easements. Features that involve excavation or grade changes, such as rain gardens or bioswales, shall require written approval from the [City Engineer / Appropriate Department] prior to installation.

Commented [DLC[E3]: This reference to features in drainage easements can be removed or modified to align with local rules, regulations, or guidelines, as this practice may not be applicable or permitted in all areas.

1. Property owners are responsible for maintaining any approved stormwater management features within drainage easements and shall be liable for any damage or removal that may occur due to necessary easement access or infrastructure work.

c. The provisions of this ordinance shall not apply to any land designated as a natural area, conservation easement, or similar protected open space by the City of [City Name] or any other government agency or conservation organization.

Section 4. Weed and Nuisance Vegetation

a. It shall be the duty of every property owner to remove, cut, or destroy weeds, volunteer trees, and other nuisance vegetation growing on their property.

b. The following standards shall apply to turf grass, weeds, and other unmanaged vegetation:

1. Turf grass shall not exceed [8-12] inches in height, except during designated periods such as 'no-mow May' or in managed native landscaping areas.

Commented [DLC[E4]: This reference to no-mow May can be removed or modified to align with local rules, regulations, or guidelines, as this practice may not be applicable or permitted in all areas.

2. Noxious weeds and other invasive plants shall be prohibited and shall be removed or destroyed immediately upon notice from the [City / Weed Commissioner / Code Enforcement Officer].
3. Unmanaged vegetation that harbors rodents, pests, or other nuisance conditions shall be prohibited and subject to abatement by the City of [City Name].

c. The [City / Weed Commissioner / Code Enforcement Officer] shall have the authority to inspect any property for violations of this section and to order the abatement of nuisance conditions. Failure to comply with an abatement order within [10-30] days shall constitute a violation of this ordinance and may result in fines, penalties, or other enforcement action.

Section 5. Enforcement

a. Any person who violates any provision of this ordinance shall be subject to a [fine / municipal infraction] of not less than [\$50-\$200] and not more than [\$500-\$1,000] for each offense. Each day that a violation continues shall constitute a separate offense.

b. In addition to any infractions, fines or penalties, the City of [City Name] may take action to abate any nuisance conditions or violations of this ordinance and may assess the costs of such abatement against the property owner.

c. The [Weed Commissioner / Code Enforcement Officer] shall have the authority to establish administrative rules and regulations necessary to carry out the provisions of this ordinance, subject to approval by the [City Council / Appropriate Department].

Section 6. Termination and Nuisance Conditions

a. Managed native landscapes that are not maintained in accordance with the standards set forth in Section 3 of this ordinance may be deemed a nuisance and subject to enforcement action under Section 5.

b. Managed native landscapes that contain more than [20-30] percent weeds or other non-native, invasive vegetation by area shall be deemed a nuisance. The [Weed Commissioner / Code Enforcement Officer] shall give written notice to the property owner to remove the excess weeds or non-native vegetation within [10-30] days. Failure to comply with the notice shall constitute a violation of this ordinance and may result in abatement at the owner's expense.

c. The presence of noxious weeds as defined by the Iowa Department of Agriculture and Land Stewardship, or the presence of vegetation that poses a threat to public health or safety, shall constitute a per se nuisance under this ordinance. The [Weed Commissioner / Code Enforcement Officer] may take immediate action to abate such nuisances without

prior notice to the property owner, and the costs of such abatement may be assessed against the property.

d. Managed native landscapes that are not maintained for a period of [6-12] months or more, and which show signs of neglect or abandonment, may be deemed a nuisance and subject to enforcement action under Section 5.

e. [City / Weed Commissioner / Code Enforcement Officer] may conduct a follow-up inspection to ascertain that the necessary management activities have been completed.

Section 7. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. Effective Date

This ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

Appendix A: Resources

Iowa Stormwater Education Partnership: Native Landscaping Resources

<https://iowastormwater.org/campaigns/rainscaping/native-landscaping/>

University of Northern Iowa: Tallgrass Prairie Center Resources

<https://tallgrassprairiecenter.org/resources>

Iowa Stormwater Management Manual: Chapter 11 Native Landscaping

<https://www.iowadnr.gov/Portals/idnr/uploads/water/stormwater/manual/ISWMM%2011%20Native%20Landscaping.pdf>

University of Iowa: Iowa Native Plants

<https://sustainability.uiowa.edu/iowa-native-plants>