May All Your Weeds Be Wildflowers

All about weed ordinances, and why they are applied to natural landscapes (Part 2).

By Bret Rappaport

One person's weed is another's wildflower: that difference in perception has led to "weed wars" as natural landscapers strive to convince others to go natural and go native. For more than a century, proponents of natural, native landscaping have advocated its ecological and spiritual aspects. Far too often, however, efforts to create a more natural landscape have met with resistance resulting from ignorance or misinformation. The weapon most often used to try to bring natural landscapers into conformity with the American lawn ethic is the local weed ordinance.

Weed Laws

What are weed ordinances and why are they applied to natural landscapes? Weed laws, sometimes referred to as "vegetation control statutes," are not inherently bad. Quite the contrary. Correctly written and appropriately enforced, weed laws protect the environment and the public's health and safety. For example, the Federal Noxious Weed Act outlaws scores of exotic plants that pose a threat to livestock, native ecosystems, navigable waterways, and aquatic habitats. Similar state laws regulate plants such as Canada thistle, ragweed, and purple loosestrife.

In contrast, many local weed laws are not plant-specific. Local laws generally prohibit so-called weeds (undefined) in excess of an arbitrary height. For example, Chicago's weed law prohibits landowners from having "weeds in excess of an average height of 10 inches." In a suburban culture in which a lush carpet of green grass is the norm, ambiguous weed laws have been used by neighbors and village officials to prosecute those who choose to "grow" versus those who argue that all in the town must "mow." A big difference exists, however, between a yard full of noxious, invasive weeds and an intentionally planted natural landscape. The first step is to educate yourself so you can tell your neighbor the difference between monarda and chickory.

Avoiding Disputes

Strong legal and factual arguments can be marshaled against neighbors who use weed ordinances to create problems for natural landscapers. But the best way to win a weed battle is not to fight one in the first place. Weed laws are generally "complaint-driven" statutes; that is, someone must file a complaint to activate them. Police are not on the lookout for people who are growing weeds; rather, nearly all weed ordinance prosecutions are rooted in neighbor-to-neighbor disputes that often are initially unrelated to natural landscaping. Following are five simple steps to minimize potential conflicts with neighbors. They can be remembered by using the acronym **BRASH**, which stands for: **B**order, **R**espect the rights of others, **A**dvertise, **S**tart small, and **H**umanize.

Borders. Start by putting a border around the area you want to landscape with natives to create a sense of order and purpose. People like to see hems on skirts and molding around doorways. We like curbs on streets and frames around pictures. Although borders don't change the content of what they frame, they do change our perception of that content. We are likely to accept something that looks intended, yet reject the same thing if it looks unintended.

A border can be curved, straight, or a little of both. It can be a low fence, a hedge, a path, a strip of low-growing ground cover. Whatever you use, keeping the border low and well kept sends a signal to your neighbors that the area inside the border also is the result of effort and intent.

Respect the rights of others. Aretha Franklin was right on when she told us to have R-E-S-P-E-C-T. Remember that although you have a right to your purple coneflowers and little bluestem grass, your neighbor has the right to a clipped lawn, plastic pink flamingoes, and tidy rows of color spots. Arrogance and self-righteousness only breed conflict. Remember that you are a pioneer trying to win converts, not a martyr willing to go down in a flood of litigation and neighborhood contempt.

Recently, Germantown, Tennessee, resident Mary Cour Burrows prevailed over the objections of some of her neighbors who complained that her meadow was nothing but weeds. Burrows' intent was to create a "magical place" for her children by having her yard designated by the National Wildlife Federation as a Certified Backyard Habitat. When neighbors complained and city officials confronted her about her "weeds," Burrows undertook a public-relations campaign. Her strategy was to meet hostility with kindness and generosity. Burrows gave wildflower bouquets to city officials and brought more to the library to put on the checkout desk. She also visited the local paper and asked to submit articles about her naturally landscaped yard, the dangers of pesticides, and other related topics. To date, Burrows has had seven articles published. When the time came for a hearing before the zoning board, her battle had already been won in the court of public opinion. The weed law citation was dropped.

Advertise. Let your neighbors know what you are intending to do and update them periodically as your improved yard takes shape. If neighbors know why you're tearing up the lawn, planting prairie

plants, or constructing a water garden, chances are they will accept it. Educating your neighbors is essential. Education increases understanding and reduces apprehension. One way to educate neighbors is to place small signs in strategic locations. The National Wildlife Federation will provide a recycled aluminum sign once your yard is designated a Backyard Wildlife Habitat.

Several retail firms have created signs for native landscapes – and, of course, you can always make your own. And don't forget that Wild Ones has a specially designed, recycled aluminum sign available for purchase at The Wild Ones Store (www.for-wild.org/store).

You may also want to consider sharing your copies of the *Wild Ones Journal* with your neighbors, or any of a variety of colorful books which exist on landscaping with native plants. Information may be easier to accept and believe if it is presented to your neighbors in written form, which gives them confirmation that what you are doing is a popular trend and allows them to absorb the information at their own pace.

Start small. The fourth-century B.C. Chinese philosopher Lao Tzu taught that "the journey of a thousand miles must begin with a single step." So too, when it comes to natural landscaping, it's wise to think big and look long-term, but start small. You will reduce expense, increase your learning, enjoy your efforts more, and generate less hostility from neighbors if you proceed in small steps. Nature doesn't create landscapes overnight and you need not either. A large part of the charm of a native landscape is that it is an ever-changing panorama of color, texture, sound, and movement.

Humanize. Invite people into your natural landscape by adding elements such as benches, paths, simple trellises, and garden art. Birdbaths and feeders enhance wildlife habitat and create opportunities for up-close observation. Sundials and gazing balls can add interest. My wife, Jina, and I have a small windmill and an old wagon wheel leaning against a tree stump in our prairie landscape. One of the most important reasons for creating a native landscape is to allow us to enjoy the natural world and be a part of it, rather than to be separate from it. It's pleasant indeed to sit on a bench and watch butterflies nectaring on the coneflowers, or goldfinches savoring the seeds and water a cupplant offers.

Suburban Changes

Yard by yard, the face of suburbia is changing. Our neighbors to the north, Patty and Scott Glicksberg, have converted their yard to a natural landscape. Down the street, a 120-acre Army Corps of Engineers drainage basin has been restored using seven native plant communities.

Even neighbors who choose to have traditional lawns accept what we are doing. In 1990, when we first sowed the seeds for our prairie, retired neighbor to the south, Claus Christianson – who owns a 10-hp tractor, a leaf blower, and a weed whacker – came over to ask why we worked so hard to kill the "good lawn" and cultivate "weeds." Last year, Claus's wife, Mary, came by to ask us if they could cut some coneflower, black-eyed Susan, and queen-of-the-prairie to use in an arrangement for an elegant dinner party they were hosting that evening. She left with ample materials for beautiful bouquets. The Christiansons may have grass, but they appreciate and respect what we are doing and understand why we're doing it. That's what being neighborly is all about. ★

Note

The full content of Bret Rapapport's article entitled "Grow It! Don't Mow It," in which he introduces the BRASH concept, appeared in the March/April 2002 issue of the *Wild Ones Journal*, and is reprinted in its entirety at the Downloads link on the Wild Ones web site: www.for-wild.org/download/.

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Notes

Schmidling v. City of Chicago, 1 F.3d 494 (7th Cir. 1993). A comprehensive law review article discusses all the legal arguments raised. See Rappaport, Bret, *As Natural Landscaping Takes Root We Must Weed Out Bad Weed Laws – How Natural Landscaping and Leopold's Land Ethic Collide with Unenlightened Weed Law and What Must Be Done About It.* 26 J. Marsh L. Rev. 865 (1993), available online at www.epa.gov/grtlakes/greenacres/weedlaws/jmlrover.html. For an update to that article, see Rappaport, Bret and Horn, Bevin, *Weeding Out Bad Vegetation Control Ordinances, Restoration and Management Notes,* Vol. 16, No. 1 (1998).

An excellent discussion of natural landscaping and municipalities from an urban planning and sociological viewpoint is John Ingram's doctoral thesis, *When Cities Grow Wild – Natural Landscaping from an Urban Planning Perspective*, at http://www.for-wild.org/whenciti/whenciti.htm.

Jens Jensen, *Siftings* (Johns Hopkins Univ. Press 1990).

For a full discussion of the Natural Landscape Movement, see Andy & Sally Wasowski, *The Landscape Revolution* (Contemporary Books 2000).

Rachel Carson, *Silent Spring* (Penguin Books 1962).

The first section of Patricia Taylor's book, *Easy Care Native Plants* (Henry Holt & Company, 1996), also gives a readable review of natural landscaping with natives, and some of the controversies and politics that surround it.