

State of Misconsin 2023 - 2024 **LEGISLATURE**

LRB-0038/1 EVM:skw

2023 SENATE BILL 376

August 9, 2023 - Introduced by Senators Jacque, Cabral-Guevara, Knodl and Tomczyk, cosponsored by Representatives Sortwell, Goeben, Bodden, Brandtjen, Myers, Schutt and Wichgers. Referred to Committee on Transportation and Local Government.

AN ACT to create 66.04075 of the statutes; relating to: local regulation of 1 2 vegetable gardens.

Analysis by the Legislative Reference Bureau

This bill prohibits a political subdivision from requiring a permit for or prohibiting the cultivation of a vegetable or flower garden on residential property not owned by the political subdivision.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **Section 1.** 66.04075 of the statutes is created to read:
- 66.04075 Vegetable and flower gardens. (1) In this section: 4
 - (a) "Political subdivision" means a city, village, town, or county.
- (b) "Vegetable garden" means a plot of ground or elevated soil bed that is located on a residential property and in which any of the following are grown: 7
- 8 1. Vegetables, herbs, fruits, leafy greens, or other edible plants.
- 9 2. Flowers.

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species.

1	3. Pollinator plants.
2	(2) A political subdivision may not require a permit for or prohibit the
3	cultivation of a vegetable garden on property not owned by the political subdivision.
4	(3) This section does not affect the power of a municipality to do any of the
5	following if the regulation does not specifically regulate vegetable gardens:
6	(a) Enact a zoning ordinance.
7	(b) Regulate the use of water or fertilizer.
8	(c) Control noxious weeds, as defined under s. 66.0407 (1) (b), or invasive

(END)