

CHAPTER 6

ZONING CODE

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CHAPTER 6

ZONING CODE

6.01 INTRODUCTION.

(1) Statutory Authorization: The Town of Bridgeport has been granted village powers pursuant to s. 60.18(12), Wis. Stats. Section 60.74(7) authorizes Town Boards that have been granted village powers to adopt town zoning ordinances in the manner provided in 61.35 of the Wisconsin Statutes, and s. 61.35 of the Wisconsin Statutes grants the Town Board the powers and duties granted to a city under s. 62.23 of the Wisconsin Statutes. Section 62.23, Wis. Stats., includes the power to enact zoning ordinances.

(2) Purpose: The zoning ordinance of the Town of Bridgeport is adopted for the following purposes:

- (a) To promote the health, safety, morals, prosperity, aesthetics and general welfare of this Town.
- (b) To retain the present rural nature of the town, preserve important recreational and natural resources, permit anticipated growth of present residential areas, and insure that important agricultural land will be maintained.
- (c) To insure the proper placement of services, utilities, and transportation routes.
- (d) To insure town growth without unnecessary conversion of valuable farmland into home sites, and the loss of its natural appearance, high tourist and recreational potential.
- (e) To secure safety from fire, panic and other dangers.
- (f) To provide adequate standards of light, air and open space.
- (g) To prevent the overcrowding of land.
- (h) To facilitate the adequate provision of public parks and recreational space.
- (i) To insure the adequate layout of roads and streets, to avoid traffic hazards and to coordinate adequate development.
- (j) To provide requirements for private road construction that will allow adequate access for emergency vehicles.

- (k) To preserve a desirable degree of openness and attractiveness by preventing overcrowding and overuse of the land.
- (l) To insure against erosion and to encourage conservation practices.
- (m) To provide adequate but limited areas for business uses.
- (n) To discourage scattering of central commercial uses.
- (o) To require businesses to provide adequate parking and loading facilities.
- (p) To regulate street entrances to commercial establishments to promote safety.
- (q) To provide for at least one area suitable for future industrial growth.
- (r) To avoid excessive or poorly planned industrial sites.

(3) Intent. It is the intent of this ordinance to divide the Town into districts of such number, shape, and area as are deemed best suited to carry out the purposes of this ordinance.

(4) Title: This ordinance shall be known as, referred to, or cited as “AN ORDINANCE PROVIDING FOR ZONING FOR THE TOWN OF BRIDGEPORT, LOCATED IN THE COUNTY OF CRAWFORD, STATE OF WISCONSIN.”

(5) Interpretation: In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. It is not the intent of this ordinance to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

(6) Severability: If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

(7) Repeal: All other ordinances or parts of the ordinances of the Town inconsistent or conflicting with this ordinance, shall be repealed and superseded to the extent of such conflict.

(8) Jurisdiction: The jurisdiction of this ordinance shall include all lands and waters within the legal boundaries of the Town of Bridgeport.

(9) Flood Plain Zoning: It is hereby provided that this ordinance in no way affects the rules and regulations established by the Flood Plain Ordinance of Crawford County, Wisconsin,

and is hereby declared that it is the intention of this Town Board to comply with regulations under the terms of the flood plain ordinance of Crawford County and that the flood plain mapping will be as an overlay over the basic zoning map to be provided by the Town of Bridgeport under this ordinance. All land use and structures subject to Crawford County regulations in the Flood Plain Districts shall also be subject to the provisions of this ordinance. If land use and structures are regulated by both the Crawford County Flood Plain Ordinance and this ordinance, separate permits must be obtained from each jurisdiction.

a. Lower Wisconsin State Riverway.

It is hereby provided that this ordinance in no way affects the rules and regulations established by statute, the Lower Wisconsin State Riverway Board and/or Crawford County, Wisconsin, and it is hereby declared that it is the intention of this town Board to comply with the Lower Wisconsin State Riverway regulations under the terms and conditions established by state statute, Crawford County and/or the Wisconsin State Riverway Board. All land use and structures subject to said regulations shall also be subject to the provisions of this ordinance. If land use and structures are regulated by Lower Wisconsin State Riverway standards and this ordinance, separate permits must be obtained from each jurisdiction.

(10) Effective Date: This ordinance shall be effective after a public hearing, adoption by the Town Board and posting as provided by law.

6.02 DEFINITIONS.

For the purposes of this ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

(1) Accessory Use or Structure: A use or structure subordinate to and serving the principal use or structure on the same lot and customarily incidental thereto.

(2) Automobile Repair: General repair and overhaul of automobiles and trucks including body work, framework and painting service. Auto reduction yards and junk yards or salvage yards shall not be operated as a part of this use.

(2a) Adult Family Home: A private residence to which all the following apply:

- (a) Care and maintenance above level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom ha a developmental disability, as defined in Wis. Stat. sec. 51.01(5), or, if the residence is licensed as a foster home, care and maintenance are provided to children, the combined total of adults and children so served being no more than 4,

or more adults and children if all of the adults or all of the children are siblings.

- (b) The private residence was licensed under Wis. Stat. sec. 48.62 as a foster home for the care of the adults specified in paragraph (a) at least 12 months before any of the adults attained 18 years of age.

(2b) Bed and Breakfast Establishment: Any place of lodging that provides 4 or fewer rooms for rent to tourists or other transients for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast; and for which a permit has been obtained in the manner required by law.

(3) Building: Any structure having a roof which may provide shelter or enclosure of persons, animals or chattel, and when said structure is divided by party walls without openings, each portion of such building so separated shall be deemed a separate building.

(4) Building Height: The vertical distance from: (a) the average elevation of the adjoining ground level or (b) the established grade, whichever is lower to the top of the cornice of a flat roof, to the deck line of a mansard roof, to a point of the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof, to the mean distance of the highest gable on a pitched or hip roof.

(4a) Community Living Arrangement: any of the following facilities licensed or operated, or permitted under the authority of the Department of Social Services: child welfare agencies under Wis. State. sec. 48.60, group homes for children under Wis. Stat. sec. 48.02(7) and community based residential facilities under Wis. Stat. sec. 50.01; but does not include adult family homes, as defined in Wis. Stat. sec. 50.01, day care centers, nursing homes, general hospitals, special hospitals, prisons and jails.

(5) Conditional Use: A use of land, water or building which is allowable only after the issuance of a special permit by the Town Plan Commission under conditions specified in this ordinance.

(6) Dwelling: A building or one or more portions thereof occupied or intended to be occupied exclusively for residence purposes, but not including rooms in motels, hotels, nursing homes, boardinghouses, nor trailers, tents, cabins or trailer coaches. A dwelling shall not be interpreted to include lodging rooms or mobile home units.

(7) Family: An individual, or two or more persons each related by blood, marriage or adoption living together as a single housekeeping unit, or a group of not more than four persons not so related, maintaining a common household.

(8) Frontage: All property abutting on one side of a road or street between two intersecting roads or streets or between an intersecting street and the dead end of a road or street.

(9) Garage - Private: A detached accessory building or portion of the principal building, including a carport, which is used primarily for storing not more than two passenger vehicles, trailers or one truck of a rated capacity not in excess of one and one-half tons.

(10) Home Occupation: Any gainful occupation meeting all of the following requirements:

- (a) The occupation must be engaged in only by persons residing in the dwelling. No more than two persons who are not residents in the main building or dwelling shall be employed by the resident or occupant of the main building or dwelling as part of the professional or home occupational use.
- (b) Under this section a professional person may use his residence for consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession when such general practice will involve the need for more than three parking spaces for the occupant and visitors. The following occupations may be considered as a use under this section: doctors, dentists, chiropractors, attorneys, clergymen, registered land surveyors, artists, authors, musicians, insurance salesmen, real estate salesmen and accountants.
- (c) No more than 30% of the total floor area of the main building or dwelling unit shall be used for any of the above occupations. If an accessory building is used for such home occupations the area used for the home occupation must not be more than 30% of the total floor area of the principal building.
- (d) If a main building or dwelling unit or accessory building is used for a professional office or home occupation two uncovered offstreet parking spaces shall be provided in addition to the spaces required for the residential use.

(11) Hotel: A building containing eight or more guest rooms in which lodging is provided with or without meals for compensation and which is open to transient or permanent guests or both, and where no provision is made for cooking in any guest room, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge.

(12) Junk Yard: An area where used, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to scrap iron, and other metals, automobiles, trucks, paper, rags, rubber products, bottles and lumber. Storage of such material in connection with a permitted manufacturing process when within an enclosed area or building shall not be included.

(13) Lot: A parcel of land having a width and depth sufficient to provide the space necessary for one main building and accessory building together with the open space required by this ordinance and on a public road or street.

(14) Lot Line-Front: The boundary of a lot which abuts an existing road or dedicated public street, and in the case of an existing road or dedicated public street, and in the case of a corner lot it shall be the shortest dimension on a public road or street except that a corner lot in a non-residential area shall be deemed to have frontage on both roads or streets.

(15) Lot Line-Rear: The boundary of a lot which is opposite the front lot line.

(16) Lot Width: The shortest distance between side lot lines measured at the building set back line.

(16a) Manufactured Home: A structure certified and labeled as a manufactured home under 42 U.S.C. sec. 5401 to 5426, which, when placed on the site:

- (a) Is set on an enclosed foundation in accordance with sec. 70.043(1), Stats., and subchapters III, IV and V of ch. ILHR 21, Wis. Admin. Code, or is set on a comparable enclosed foundation system approved by the Town Zoning Administrator. The Town Zoning Administrator may require a plan to be certified by a registered architect or engineer to ensure proper support for the home.
- (b) Is installed in accordance with the manufacturer's instructions.
- (c) Is properly connected to utilities.
- (d) Is at least 24 feet wide by 36 feet long.

(17) Mobile Home: That which is, or was as originally constructed, designed and built to be transported by any motor vehicle upon a public highway, and designed, equipped and used primarily for sleeping, eating and living quarters or is intended to be so used. A single unit includes any additions, attachments, annexes, foundations and appurtenances or any parts that may be folded, collapsed or telescoped when being towed, and expanded later to provide additional cubic capacity. A mobile home is not considered a mobile home if the assessable value of such additions previously enumerated equals or exceeds 50% of the assessable value of the mobile home.

A mobile home should not be confused with a travel trailer which is towed by an automobile, can be operated independently of utility connections, is limited in width to eight feet, in length to 45 feet, and is designed and use primarily as a temporary vacation dwelling.

(18) Mobile Home Park: A parcel of land which is owned by an individual, a firm,

trust, partnership, public or private association or corporation, and has been developed for rental of lots and provision of facilities and services to tenants with mobile homes.

(19) Motor Court, Motor Hotel, or Motel: A building or group of buildings other than a hotel used primarily as a temporary residence of a motorist.

(20) Motor Fuel Station: A retail place of business engaged primarily in the sale of motor fuels, but also may be engaged in supplying goods and services generally required in the operation and maintenance of motor vehicles. These may include sale of petroleum products, sale and servicing of tires, batteries, automotive accessories, and replacement items, washing and lubrication services; and the repair of minor automotive maintenance and repair.

(21) Non-Conforming Structure: Any structure which is existing upon the effective date of this ordinance, which would not conform to the applicable regulations if the structure were to be erected under the provisions of this ordinance.

(22) Non-Conforming Use: Use of land, buildings or structures existing at the time of adoption of this ordinance which does to comply with all the regulations of this ordinance or any amendments thereto governing the zoning district in which such use is located.

(23) Performance Standard: Criterion established to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

(24) Principal Building: The building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the district in which it is located.

(25) Setback: The minimum horizontal distance between the street, or roadside or rear line and the nearest point of building or any projection thereto.

(26) Sign: Any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, or product and which is visible from any public street or highway.

(27) Structure: Anything constructed or erected, the use of which requires permanent location on the ground.

(28) Structural Alteration: Any change in the supporting members of a building or any substantial change in the roof or in the exterior walls.

6.03 ZONING DISTRICTS.

(1) Establishment: The following zoning districts are hereby established:

Residential District
Agricultural District
Commercial District
Industrial District
Conservancy District

(2) Establishment of Boundaries and Zoning Map: Boundaries of said districts are hereby established by the "Official Map" of the Town of Bridgeport, Crawford County, Wisconsin dated _____, 1978, and said map with all written legends or other written material on said map is hereby incorporated by reference as part of this ordinance as if fully included herein. Said map shall be identified and certified as the Official Zoning Map of the Town of Bridgeport as part of this ordinance by proper legends or references on the face of said map and shall bear by its face the attestation and certification by the Town Chairman and the Town Clerk. The attestation and certification by the Town Chairman and the Town Clerk shall be made simultaneously with the signing of this ordinance by said officers and such attestation and certification shall bear date of the approval of this ordinance. The official map shall at all times be available to the public with this ordinance. Changes thereafter to the district shall not be effective until entered and attested on the certified map.

Where the designation on the map indicates that the various districts are approximately bounded by the centerline of a highway or a street, said highway or street centerline shall be construed to be the district boundary line. Where the district boundaries are not otherwise indicated, the district boundary shall be construed to be the lot, property or section lines. Where there is a dispute as to the interpretation of the district boundary lines on the Zoning Map, the location of the line on the map shall be defined by the Town Plan Commission.

(3) The Following are the Zoning Districts for the Town of Bridgeport:

(1) Residential District.

(a) Permitted Uses and Structures.

Single family dwellings and manufactured homes as defined in this ordinance.

(b) Conditional Uses and Structures.

(i) Two family dwellings and multiple dwellings which includes any dwelling or units accommodating more than a two family dwelling.

(ii) Churches, schools, and buildings used exclusively for governmental purposes.

(iii) Farms, market gardens, privately owned non-commercial

nurseries or greenhouses except that the following are not permitted: chicken, fur and stock farms operated for the disposal of garbage, rubbish or offal.

- (iv) Utility and gas lines, tree cutting of more than five trees (a permit is not required for the cutting of five trees or less) and a solid tank privy.
- (v) More than two accessory uses on a lot with a principal structure.
- (vi) A swimming pool, either portable or permanent. The yard size of a pool larger than 1600 square feet must be greater than the minimum yard size by 2 additional feet for every 30 square feet of additional pool space in the direction of the increase.
- (vii) Home occupations as defined in the definition section of this ordinance.
- (viii) Bed and breakfast establishments as defined in this ordinance.

(c) Permitted Accessory Uses. *(ix) Condom 2006 - next page added*

Any buildings and structures necessary for normal farm operations. Any accessory structure customarily considered to be accessory to the foregoing permitted uses including private garages and parking spaces and recreational areas intended for the primary use of the occupants of the dwelling located on the same site. There shall be a limit of two accessory uses for each lot unless a conditional permit is granted for more than two accessory uses.

(d) Requirements.

REVISED 7/16/01
Lot Size: Lots which are served by the municipal sewer system shall be a minimum of 80 feet in width and a minimum total of 10,000 square feet. Lots which are not served by the municipal sewer system shall be a minimum of 100 feet by 150 feet or the size needed to comply with regulations required for sewage disposal, whichever is greater.

Setbacks: 1. Highway or street setbacks: 63 feet from the centerline of the highway or 30 feet from the right-of-way line, whichever is greater.

ORDINANCE NO. 101 6.03(3)(1)(b)(ix)

AN ORDINANCE TO CREATE SECTION 6.03(3)(1)(b)(ix) OF THE CODE OF ORDINANCES OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, RELATING TO CONDOMINIUMS.

WHEREAS, the Town Board of the Town of Bridgeport, Crawford County, Wisconsin, has determined to consider proposed amendments to the zoning code of the Town; and

WHEREAS, the Town Plan Commission has reviewed the proposed amendments and has made a recommendation concerning said amendments; and

WHEREAS, notice of a public hearing on said proposed amendments was published during the weeks of Feb 22, 2006 and Mar 1, 2006, 2006 in the Courier Press; and

WHEREAS, a public hearing was held on mar 8, 2006 with respect to said proposed amendments;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.03(3)(1)(b)(ix) of the Code of Ordinances of the Town of Bridgeport is hereby created to read as follows:

“(ix) Condominiums. The side lot setback requirement for the residential district set forth below shall not be applicable to condominiums. All other requirements shall apply to condominiums.”

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 8th day of mar, 2006.

TOWN OF BRIDGEPORT BY:

John Karnoff
Board Member

Chris Barr
Board Member

Miky Steiner
Board Member

COUNTERSIGNED:

Linda Smrcina
Linda Smrcina, Town Clerk

Date Adopted: March 8, 2006
Date Recorded: March 8, 2006
Date Published: March 13, 2006
Effective Date: April 13, 2006

AN ORDINANCE TO REPEAL AND RECREATE SECTION 6.03(3)(d) OF THE ZONING CODE OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, RELATING TO LOT SIZE REQUIREMENTS.

WHEREAS, the Town Board of the Town of Bridgeport, Crawford County, Wisconsin, has determined to consider proposed amendments to the Zoning Code of the Town; and

WHEREAS, the Town Plan Commission has recommended that the following described amendments be approved; and

WHEREAS, notice of a public hearing on said proposed amendments was published on July 2 + July 8 in the Courier Press; and

WHEREAS, a public hearing was held on July 16, 2001 with respect to said proposed amendments;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.03(3)(d) of the Code of Ordinances of the Town of Bridgeport is hereby repealed and recreated to read as follows:

“(d) Requirements.

Lot Size: Lots which are served by the municipal sewer system shall have a minimum frontage of 100 feet in width and a minimum total of 12,000 square feet. Lots which are not served by the municipal sewer system shall have a minimum frontage of 100 feet in width and a minimum total of 17,000 square feet.

- Setbacks:
1. Highway or street setbacks: 63 feet from the centerline of the highway or 30 feet from the right-of-way line, whichever is greater.
 2. Rear and side setbacks: 8 feet minimum between the rear lot line and the side lot line and the nearest part of any accessory or principal structure.

Sewers: Each family dwelling must have its own sewer.”

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 16th day of July, 2001.

TOWN OR BRIDGEPORT BY:

John Karnopp
Bob Beneker
Nick Jones

COUNTERSIGNED:

Julie Wachter
Julie Wachter, Village Clerk

Date Adopted:

July 16, 2001

Date Recorded:

July 16, 2001

Date Published:

July 2, 2001

Effective Date:

Aug. 9, 2001

ORDINANCE NO. ~~6.03(3)(B)~~ 6.03(3)(b)

AN ORDINANCE TO AMEND SECTION 6.03(3)(3)(b) OF THE CODE OF ORDINANCES OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, WHICH ADDS THE CUTTING AND PROCESSING OF LUMBER AS A CONDITIONAL USE IN THE COMMERCIAL DISTRICT.

WHEREAS, the Town Board of the Town of Bridgeport, Crawford County, Wisconsin, has determined to consider a proposed amendment to the zoning code of the Town; and

WHEREAS, the Town Plan Commission has reviewed the proposed amendment and has made a recommendation concerning said amendment; and

WHEREAS, notice of a public hearing on said proposed amendment was published during the weeks of May 23 and May 30, 2005 in the Courier Press; and

WHEREAS, a public hearing was held on June 8, 2005 with respect to said proposed amendment;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.03(3)(3)(b) of the Code of Ordinances of the Town of Bridgeport is hereby amended to add the following as a conditional use in the Commercial District:

“the cutting and processing of lumber.”

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 8th day of June, 2005.

TOWN OF BRIDGEPORT BY:

John Karnoff
Board Member

Christe Barry
Board Member

Mike Steiner
Board Member

COUNTERSIGNED:

Linda Smrcina

Linda Smrcina, Town Clerk

Date Adopted:	<u>June 08, 2005</u>
Date Recorded:	<u>JUNE 08, 2005</u>
Date Published:	<u>JUN 23, 2005</u>
Effective Date:	<u>JUNE 14, 2005</u>

2. Rear and side setbacks: 8 feet minimum between the rear lot line and the side lot line and the nearest part of any accessory or principal structure.

Sewers: Each family dwelling must have its own sewer.

(2) Agricultural District.

(a) Permitted Uses and Structures.

- (i) General farming on land which is 40 acres or more including dairying, livestock and poultry raising, nurseries, cutting of trees, greenhouses or other similar enterprises or uses, except farms operated for the disposal and reduction of garbage, sewage, rubbish or offal.
- (ii) Animal husbandry, present commercial crop production, and present orchards; provided all is located on land which is 40 acres or more and buildings, structures and yards for the housing, feeding or confinement of fowl or animals, all manure disposal sites, and all heavy or noisy machinery, farm operations, are not less than 200 feet from any dwelling nor less than 100 feet from any on the same premises.
storage and
excluding normal
from any neighboring
property line or dwelling
- (iii) Governmental buildings and public buildings.
- (iv) A farm home on a single farm homestead to be used as a residential dwelling for the farm operator or farm owner.

(b) Conditional Uses and Structures.

- (i) Specialized animal husbandry such as raising, propagation, or boarding of dogs, foxes, mink, pheasants, quail, rabbits, ponds for raising fish, and alike; provided that particular lot or property is not less than four acres in area; and all building structures and yards for the housing, feeding, exercise or confinement of such birds and animals, all manure storage and disposal sites, and all heavy or noisy machinery excluding normal farm operations, are not less than 300 feet from the neighboring dwelling nor less than 200 feet from any dwelling on the same premises nor less than 150 feet from any property line.

- (ii) Establishment or opening of any open pit, mining or quarrying operations; sand or gravel excavations; aggregate crushing, screening, drying or stockpiling operations; airports; mobile home parks; home occupations; cemeteries; taverns; farm related retail outlets; roadside stands for agricultural products; junkyards; transmission, utility and gas lines; and utility structures.
- (iii) Livestock sale barns, stockyards, agricultural machinery outlets, sod farming, machinery and motor repair shops, and feed lots; provided particular lot or property is not less than four acres in area and all of the principal structures and uses are not less than 300 feet from any neighboring dwelling or not less than 150 feet from any property line nor less than 100 feet from any dwelling on the same premises.
- (iv) The number and size of accessory structures for residents and solid tank privies.
- (v) Specialty crops such as commercial orchards, Christmas trees, and other crops not normally grown in present agricultural areas and any processing facilities and retail outlets associated with these crops.
- (vi) All general farming, commercial crop production and orchards located on less than 40 acres.
- (vii) Trailer and camp grounds.
- (viii) One additional dwelling on a single farm homestead in addition to the dwelling for the farm operator or farm owner. The additional dwelling includes a mobile home.
- (ix) The rental of existing farm homes and dwellings.
- (x) Churches and schools.
- (xi) Present residential uses - is the stated intent of this ordinance to permit the continuation of present residential uses within this district and to permit such extension, alteration and restoration as reasonably necessary to permit the users to provide for additional amenities.

(3) Commercial District.

(a) Permitted Uses and Structures.

(3) COMMERCIAL DISTRICT

(a) PERMITTED USES AND STRUCTURES

Restaurants, gas stations, fire stations, garden supply stores, food stores, motels and hardware stores.

(b) Conditional Uses and Structures.

All permitted and conditional uses as listed in the agricultural district in this ordinance, taverns, farm related retail, public buildings, professional offices, veterinary clinics and hospitals, veterinary offices, general contractors, retail and wholesale establishments, personal and business service shops, theaters, clubs, churches, building material stores, equipment storage and repair, retail outlets that require highway access, mobile home parks and mobile home courts, car repair services, liquor stores, auto dealers, repair services and livestock sale barns, business offices, stockpiling, entertainment centers, and amusement parks and truck terminals. It is the stated intent of this ordinance to permit the continuation of present residential uses within the commercial district and to permit such extension, alterations and restoration as reasonably necessary to permit the users to provide for additional amenities. It is also the intent of this ordinance to permit some additional new

residential use if for future commercial residential uses or nuisance which would customarily commercial enterprises permitted within the permitted and the enlargement thereof.

in so doing unreasonable restrictions are not created use. Any such conditional use for present encroachment or other alleged items of or reasonably be a part of the area or conditionally

addition to 6-8-03

(4) Industrial Districts.

(a) Permitted Uses and Structures.

There are no permitted uses and structures in the industrial district. (No specific area for such development is proposed on the Zoning Map at this time.) It is the intent of this ordinance to permit only those industrial uses which are given in conditional use permit by the Town Commission.

(b) Conditional Uses and Structures.

Manufacturing, processing, assembling, repairing, wholesaling, storage operations, and junkyards.

(5) Conservancy District.

(a) Permitted Uses and Structures.

Fishing; preservation of scenic, historic and scientific areas; public fish hatcheries, soil and water conservation, sustained yield forestry, water retention, wildlife preserves, nonresident buildings used solely in conjunction with the raising of water fowl or fish, hiking trails and bird paths, public or private parks, and picnic areas, greenways and open spaces and golf courses.

(b) Conditional Uses and Structures.

Drainage, water measurement and water control facilities, accessory buildings for agriculture, grazing, orchards, truck farming, utilities, buildings related to operation of golf courses, tennis courts and recreational facilities in conjunction with the conservancy area.
other

6.035 COMMUNITY AND OTHER LIVING ARRANGEMENTS.

For the purpose of this ordinance, the location of a community living arrangement, a foster family home or an adult family home shall be subject to the following criteria:

(1) No community living arrangement may be established within 2,500 feet of any other such facility. Agents of a facility may apply for an exception to this requirement in the same manner as if applying for a conditional use permit, and such an exception may be granted at the discretion of the Town Board. Two community living arrangements may be adjacent if the Town Board authorizes that arrangement and if both facilities comprise essential components of a single program.

(2) Community living arrangements are permitted in the Town of Bridgeport without restriction as to the number of facilities, so long as the total capacity of the community living arrangements does not exceed 25 or one percent (1%) of the Town's population, whichever is greater. If the capacity of the community living arrangements in the Town reaches such total, additional community living arrangements are prohibited from locating in the Town except that agents of a facility may apply for an exception to this requirement in the same manner as if applying for a conditional use permit, and such permit may be granted at the discretion of the Town Board.

(3) A foster family home which is the primary domicile of a foster parent and which is licensed under Wis. Stat. sec. 50.035(1)(b) shall be permitted use in all residential areas and is not subject to subsections (1) and (2) except that foster homes operated by corporations, child welfare agencies, churches, associations or public agencies shall be subject to subsections (1) and (2).

(4) If the community living arrangement has capacity for 8 or fewer persons being served by the program, meets the criteria listed in subsections (1) and (2), and is licensed, operated or permitted under the authority of the department of health and social services, the community living arrangement is entitled to locate in any residential zone, without being

AN ORDINANCE TO AMEND SECTION 6.04 OF THE ZONING CODE OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN RELATING TO THE ESTABLISHMENT OF A LOCAL ROAD ADMINISTRATOR AND REQUIRING ROAD PERMITS.

WHEREAS, the Town Board of the Town of Bridgeport, Crawford County, Wisconsin has determined to consider proposed amendments to the zoning code of the Town; and

WHEREAS, the Town Plan Commission has recommended that the following described amendments be approved; and

WHEREAS, notice of a public hearing on said proposed amendments was published on May 22, May 29, 2000 in the Courier Press; and

WHEREAS, a public hearing was held on June 7, 2000 with respect to said proposed amendments;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.04 of the code of ordinances of the Town of Bridgeport is hereby amended to read as follows:

"6.04 GENERAL ENFORCEMENT PROVISIONS.

(1) Compliance: No structure or land shall hereafter be used and structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a zoning permit without full compliance with the provisions of this ordinance and all other applicable local regulations. **In addition, anyone laying a road upon property in the Town of Bridgeport shall obtain a road permit before construction may begin.**

(2) Administration and Enforcement: The Town Board of the Town of Bridgeport shall appoint a Zoning Administrator. The Town Clerk of the Town of Bridgeport may be appointed as the Zoning Administrator. The Zoning Administrator is hereby designated as the administrator of the provisions and requirements of this ordinance. It is hereby provided that it is the duty of the Zoning Administrator, to investigate all complaints, give notice of violations, and enforce the provisions of this ordinance. The Zoning Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make zoning inspection. **The Town Board shall also appoint a Local Road Administrator who shall administer the granting or denial of road permits. The Local Road Administrator may enter at reasonable times onto any public or private lands to make inspections.**

(3) Zoning and Road Permits: Applications for a zoning permit shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator.

Appeals and the One Hundred Fifty Dollar (\$150.00) fee for the conditional use permit are to be paid in addition to the required fee for the zoning permits. **A road permit fee of Fifty Dollars (\$50.00) shall be paid for each road permit. In addition, each applicant for a road permit shall also pay a Five Hundred Dollar (\$500.00) retainer fee to be retained by the Town in order to insure compliance with the provisions of this ordinance. Once construction of the road is complete and in compliance with the provisions of this ordinance, the retainer fee shall be returned in full to the applicant. Should the applicant fail to comply with the provisions of this ordinance, the retainer fee may be used by the Town toward the cost of achieving compliance. If the retainer does not cover the complete cost of achieving compliance, the applicant shall remain responsible for the remainder of that cost. Any retainer fee unused shall be returned to the applicant.**

(4) Zoning and Road Permit Granted or Denied: The zoning permit shall be granted or denied in writing by the Zoning Administrator **and Local Road Administrator** within 30 days except if said matter involved the conditional use the same shall be referred to the Town Plan Commission or if said matter involves an exception or variance the same shall be referred to the Zoning Board of Appeals. If, however, it appears to the Zoning Administrator **or Local Road Administrator** that the applicant should have applied for a conditional use or a variance he shall return the application to the applicant and advise him to apply for a conditional use or variance. If it is not clear to the Zoning Administrator **or Local Road Administrator** whether the application should have been for a permissible use, a conditional use or a variance he may refer the same to the Town Plan Commission for a decision. The permit shall expire within six months unless substantial work has been commenced. No permit shall be issued by the Zoning Administrator **or Local Road Administrator** if it is the determination of the Zoning Administrator **or Local Road Administrator** that the granting of the permit would violate or be in conflict with the restrictions hereinafter set forth in this section and if the Zoning Administrator **or Local Road Administrator** is uncertain as to making a determination as to a violation or conflict he may refer the same to the Town Plan Commission.

(5) Violations: It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this ordinance. In case of any violation, the Town Board, the Zoning Administrator, **the Local Road Administrator**, the Town Plan Commission or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this ordinance.

(6) Penalties: Any person, firm or corporation who fails to comply with the provisions of this ordinance shall upon conviction thereof, forfeit not less than Ten Dollars (\$10) nor more than One Hundred Dollars (\$100) and cost of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof not exceeding ten days. Each and every day during which such illegal erection, construction or reconstruction continues shall be deemed a separate offense.”

Applications for a road permit shall be made in duplicate to the Local Road Administrator. All zoning and road applications shall include the following where applicable:

- (a) Names and Addresses of the applicant, owner of the site, architect, professional engineer or contractor.
- (b) Description of the Subject Site by lot and recorded subdivision or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the zoning district within which the subject site lies.
- (c) Plat of Survey prepared by registered land surveyor showing the location, boundaries, dimensions, elevations, uses, and the size of the following: subject site, existing and proposed structures; existing and proposed easements, roads, streets and other public ways, off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat or survey shall show the location, elevation, and use of any abutting lands and their structures within 40 feet of the subject site. In case of simple extensions, alterations, repairs or restorations, the **Zoning Administrator or Local Road Administrator** may waive any or all of the requirements hereunder and accept in lieu thereof a simple sketch by the applicant with sufficient explanatory data found sufficient by the **Zoning Administrator or Local Road Administrator** to adequately identify and explain the proposed construction and use.
- (d) Additional Information as may be required by the Town Planning Commission, Zoning Administrator, **or Local Road Administrator**.
- (e) Fee Receipt from the Town Clerk in the amount of Twenty-five Dollars (\$25.00) shall be paid for each zoning permit in the residential, agricultural, and conservancy districts. The fees for zoning permits in the commercial and industrial districts shall be One Hundred Fifty Dollars (\$150.00). For projects in the commercial and industrial districts exceeding 10,000 square feet, there shall be an additional fee of Seventy-five Dollars (\$75.00) plus an additional Seventy-five Dollars (\$75.00) for each additional 10,000 square feet. In other words, the fee for a 12,000 foot project shall be Two Hundred Twenty-five Dollars (\$225.00) and the fee for a 22,000 square foot project would be Three Hundred Dollars (\$300.00). There shall be a One Hundred Fifty Dollar (\$150.00) fee for each appeal to the Town Board of Appeals and said amount shall be paid to the Town Clerk at the time of the application for the appeal. There shall be a One Hundred Fifty Dollar (\$150.00) fee for a conditional use application and the One Hundred Fifty Dollar (\$150.00) fee shall be paid at the time that application is made for a conditional use permit. Both the One Hundred Fifty Dollar (\$150.00) fee for the appeal to the Board of

Section II: This ordinance shall take effect upon its passage and publication as required by law.

Adopted and approved this 7th day of June, 2000.

TOWN OF BRIDGEPORT BY:

John Karnopp
Town Board Member

Gale Bonaker
Town Board Member

Nike Stano
Town Board Member

COUNTERSIGNED:

Julie Wachter
Julie Wachter, Town Clerk

Dated Adopted:

June 7, 2000

Date Recorded:

June 7, 2000

Date Published:

June 8, 2000

Effective Date:

June 9, 2000

required to obtain special zoning permission except as provided under subsection (7).

(5) In all cases where the community living arrangement has capacity for 9 or more persons, meets the criteria listed in subsections (1) and (2), and is licensed, operated or permitted under the authority of the department of health and social services, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The Town Board may grant such special zoning permission at its discretion.

(6) In this section, "special zoning permission" includes but is not limited to the following special exceptions, special permit, conditional use, zoning variance, conditional permit and words of similar intent. Whenever any person applies for special zoning permission under this section, he or she may apply in the same manner as if applying for a conditional use permit.

(7) No less than 11 months nor more than 13 months after the first licensure of a community living arrangement and every year thereafter, the Town Board may make a determination as to the effect of the community living arrangement on the health, safety or welfare of the residents of the Town. The determination shall be made according to the procedures under subsection (8). If the Town Board determines that a community living arrangement's existence in the Town poses a threat to the health, safety or welfare of the residents of the Town, the Town Board may order the community living arrangement to cease operation unless special zoning permission is obtained. The order is subject to review under Wis. State. sec. 68.13, except that a free copy of the transcript may not be provided to the community living arrangement. The community living arrangement must cease operation within 90 days of the date of the order, or the date of final judicial review of the order, or the date of the denial of special zoning permission, whichever is latest.

(8) A determination made under subsection (7) shall be made after a hearing before the Town Board. The Town Board shall provide at least 30 days' notice to the community living arrangement that such a hearing will be held. At the hearing, the community living arrangement may be represented by counsel and may present evidence and call and examine witnesses and cross-examine other witnesses called. The Town Board may call witnesses and may issue subpoenas. All witnesses shall be sworn by the Town Board. The Town Board shall take notes of the testimony and shall mark and preserve all exhibits. The Town Board may, and upon request of the community living arrangement shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the Town. Within 20 days after the hearing, the Town Board shall deliver to the community living arrangement its written determination stating the reasons thereof. The determination shall be a final determination.

6.04 GENERAL ENFORCEMENT PROVISIONS.

(1) Compliance: No structure or land shall hereafter be used and structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without a zoning permit without full compliance with the provisions of this ordinance and all other applicable local regulations. In addition, anyone laying

a road upon property in the Town of Bridgeport shall obtain a road permit before construction may begin.

(2) Administration and Enforcement: The Town Board of the Town of Bridgeport shall appoint a Zoning Administrator. The Town Clerk of the Town of Bridgeport may be appointed as the Zoning Administrator. The Zoning Administrator is hereby designated as the administrator of the provisions and requirements of this ordinance. It is hereby provided that it is the duty of the Zoning Administrator, to investigate all complaints, give notice of violations, and enforce the provisions of this ordinance. The Zoning Administrator and his duly appointed deputies may enter at any reasonable time onto any public or private lands or waters to make zoning inspection. The Town Board shall also appoint a Local Road Administrator who shall administer the granting or denial of road permits. The Local Road Administrator may enter at reasonable times onto any public or private lands to make inspections.

(3) Zoning and Road Permits: Applications for a zoning permit shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator. Applications for a road permit shall be made in duplicate to the Local Road Administrator. All zoning and road applications shall include the following where applicable:

- (a) Names and Addresses of the applicant, owner of the site, architect, professional engineer or contractor.
- (b) Description of the Subject Site by lot and recorded subdivision or by metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the zoning district within which the subject site lies.
- (c) Plat of Survey prepared by registered land surveyor showing the location, boundaries, dimensions, elevations, uses, and the size of the following; subject site, existing and proposed structures; existing and proposed easements, roads, streets and other public ways, off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat or survey shall show the location, elevation, and use or any abutting lands and their structures within 40 feet of the subject site. In case of simple extensions, alterations, repairs or restorations the Zoning Administrator or Local Road Administrator may waive any or all of the requirements hereunder and accept in lieu thereof a simple sketch by the applicant with sufficient explanatory data found sufficient by the Zoning Administrator or Local Road Administrator to adequately identify and explain the proposed construction and use.
- (d) Additional Information as may be required by the Town Planning Commission or Zoning Administrator, or Local Road

Administrator.

- (e) Fee Receipt from the Town Clerk in the amount of Twenty-five Dollars (\$25.00) shall be paid for each zoning permit in the residential, agricultural, and conservancy districts. The fees for zoning permits in the commercial and industrial districts shall be One Hundred Fifty Dollars (\$150.00). For projects in the commercial and industrial districts exceeding 10,000 square feet, there shall be an additional fee of Seventy-five Dollars (\$75.00) plus an additional Seventy-five Dollars (\$75.00) for each additional 10,000 square feet. In other words, the fee for a 12,000 foot project shall be Two Hundred Twenty-five Dollars (\$225.00) and the fee for a 22,000 square foot project would be Three Hundred Dollars (\$300.00). There shall be a One Hundred Fifty Dollar (\$150.00) fee for each appeal to the Town Board of Appeals and said amount shall be paid to the Town Clerk at the time of the application for the appeal. There shall be a One Hundred Fifty Dollar (\$150.00) fee for a conditional use application and the One Hundred Fifty Dollar (\$150.00) fee shall be paid at the time that application is made for a conditional use permit. Both the One Hundred Fifty Dollar (\$150.00) fee for the appeal to the Board of Appeals and the One Hundred Fifty Dollar (\$150.00) fee for the conditional use permit are to be paid in addition to the required fee for the zoning permits. A road permit fee of Fifty Dollars (\$50.00) shall be paid for each road permit. In addition, each applicant for a road permit shall also pay a Five Hundred Dollar (\$500.00) retainer fee to be retained by the Town in order to insure compliance with the provisions of this ordinance. Once construction of the road is complete and in compliance with the provisions of this ordinance, the retainer fee shall be returned in full to the applicant. Should the applicant fail to comply with the provisions of this ordinance, the retainer fee may be used by the Town toward the cost of achieving compliance. If the retainer does not cover the complete cost of achieving compliance, the applicant shall remain responsible for the remainder of that cost. Any retainer fee unused shall be returned to the applicant.

(4) Zoning and Road Permit Granted or Denied: The zoning permit shall be granted or denied in writing by the Zoning Administrator and Local Road Administrator within 30 days except if said matter involved the conditional use the same shall be referred to the Town Plan Commission or if said matter involves an exception or variance the same shall be referred to the Zoning Board of Appeals. If, however, it appears to the Zoning Administrator or Local Road Administrator that the applicant should have applied for a conditional use or a variance he shall return the application to the applicant and advise him to apply for a conditional use or variance. If it is not clear to the Zoning Administrator or Local Road Administrator whether the

application should have been for a permissible use, a conditional use or a variance he may refer the same to the Town Plan Commission for a decision. The permit shall expire within six months unless substantial work has been commenced. No permit shall be issued by the Zoning Administrator or Local Road Administrator if it is the determination of the Zoning Administrator or Local Road Administrator that the granting of the permit would violate or be in conflict with the restrictions hereinafter set forth in this section and if the Zoning Administrator or Local Road Administrator is uncertain as to making a determination as to a violation or conflict he may refer the same to the Town Plan Commission.

(5) Violations: It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions of this ordinance. In case of any violation, the Town Board, the Zoning Administrator, the Local Road Administrator, the Town Plan Commission or any property owner who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this ordinance.

(6) Penalties: Any person, firm or corporation who fails to comply with the provisions of this ordinance shall upon conviction thereof, forfeit not less than Ten Dollars (\$10) nor more than One Hundred Dollars (\$100) and cost of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof not exceeding ten days. Each and every day during which such illegal erection, construction or reconstruction continues shall be deemed a separate offense.

6.05 CONDITIONAL USES.

(1) Permit: The Town Plan Commission may authorize the Zoning Administrator to issue a conditional use permit for conditional uses after review and a public hearing, provided that such conditional uses and structures are in accordance with the purposes and intent of this ordinance and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the Town. The conditional use permits provided neighborhood or the Town. The conditional use permits provided for in this paragraph are applicable to conditional uses and structures set forth in Section 3 and in its subsections.

(2) Application: Applications for conditional use permits shall be made in duplicate to the Zoning Administrator on forms provided by the Zoning Administrator's office. Such application shall be forwarded to the Town Plan Commission on receipt by the Zoning Administrator. Applications for the conditional use permits shall contain the same information as required for a zoning permit and any additional requested by the Zoning Administrator. The Zoning Administrator may use the same form for the zoning permit and the conditional use permits by designating on the application form that the particular application is for a conditional use.

(3) Review and Approval: The Town Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, drive-way locations, highway access, traffic generation and circulation, drainage, and agricultural land use.

The Town Plan Commission shall hold a public hearing on the proposed conditional use. Notice of the time and place of such hearing shall be posed in three public places not less than 15 nor more than 30 days preceding said hearing. Said notice is to be posted in at least 3 public places likely to give notice to persons affected. The Town Clerk shall notify all abutting or opposite property owners, as listed by the applicant in the original application of the time, date and subject matter of the hearing. Failure to comply with the provision to notify abutting or opposite property owners shall not, however, invalidate any previous or subsequent action on the application.

(4) Standards: No conditional use shall be granted by the Town Plan Commission unless the Town Plan Commission shall find:

- (a) That the establishment, maintenance or operation of the conditional use will be in strict conformance with the requirements of this ordinance.
- (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor substantially diminish and property values within the neighborhood.
- (c) That adequate access roads, drainage and/or necessary facilities have been or are being provided.
- (d) That adequate measures have been or will be taken to provide ingress or egress so designated as to minimize traffic congestion in the public roads.
- (e) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

(5) Additional Requirements: conditions such as but not limited to landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards or parking requirements, may be required by the Town Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

(6) No Application for a Conditional Use that has been denied wholly or in part shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Zoning Administrator.

(7) In Any Case Where a Conditional Use has not been established within one year after the date of granting thereof, then, without further action by the Town Plan

Commission, the conditional use or authorization shall be null and void.

6.06 NONCONFORMING USES, STRUCTURES AND LOTS.

(1) Existing Nonconforming Uses:

- be
provisions of
- (a) The lawful nonconforming use of a structure or land existing at the time of the adoption or amendment of this ordinance may be continued although the use does not conform with the provisions of this ordinance.
- (b) Only that portion of the land in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved or structurally altered except when required to do so by law or order or so as to comply with the provisions of this ordinance.
- (c) Total lifetime structural repairs or alterations shall not exceed 50% of the assessed value of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this ordinance.
- (d) Substitution of new equipment or additions to present equipment may be permitted by the Board of Zoning Appeals if such equipment does not increase the incompatibility of the nonconforming use with the neighboring uses.

(2) Abolishment or Replacement: If such nonconforming use is discontinued or terminated for a period of 12 months, any future use of the structure or land shall conform to the provisions of this ordinance. When a nonconforming use or structure is damaged by fire, explosion, flood, the public enemy or other calamity, to the extent of more than 50% of its current assessed value, it shall not be restored except so as to comply with the use provisions of this ordinance.

(3) Changes and Substitutions: Once a nonconforming use or structure has been changed to conform it shall not revert back to a nonconforming use or structure. Once the Board of Zoning Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all the conditions required by the Board of Zoning Appeals.

6.07 GENERAL RESTRICTIONS.

(1) Unsuitable Land for Use or Structure. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Town Plan Commission

by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any other feature likely to be harmful to the health, safety, prosperity, aesthetic and general welfare of this community.

(2) Erosion Control Necessary. Construction sites shall be seeded or sodded to prevent soil erosion during and after construction. This shall apply to sloping areas and others as deemed necessary by the Town Plan Commission. All quarrying and excavation sites shall be restored, seeded or sodded and all measures shall be taken to prevent soil erosion following the completion of the excavation and quarrying. All tree cutting practices and logging along roads shall maintain erosion control. Destructive farm practices if reported to the Town Zoning Administrator shall be reviewed and reported to the appropriate government regulatory agencies.

(3) Setback Requirements from Streets and Highways. All structures and buildings, whether principal or accessory, shall comply with the following setback requirements from streets and highways within the Town of Bridgeport.

(a) Class A Highways.

- (i) All state and federal highways are hereby designed as Class A Highways.
- (ii) The setback from Class A Highways shall be 110 feet from the centerline of the highway or 50 feet from the right-of-way line whichever is greater.

(b) Class B Highways.

- (i) All county trunks are hereby designated as Class B Highways. For the purpose of this ordinance any road will be considered as a county trunk after it has been placed on the county trunk system by the County Board and approved by the Division of Highway.
- (ii) The setback from Class B Highways will be 75 feet from the centerline of such highway or 42 feet from the right-of-way line, whichever is greater.

(c) Class C Highways.

- (i) All town roads, public streets and highways not otherwise classified, are hereby designated Class C Highways.
- (ii) The setback from Class C Highways shall be 63 feet from the centerline of such highway or 30 feet from the right-of-

ORDINANCE NO. 199 Sec 6.04(4)

AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 6.04(4) AND 8.09(k) OF THE CODE OF ORDINANCES OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, RELATING TO VISION TRIANGLES FOR CLASS C HIGHWAYS AND MINOR ROADS.

WHEREAS, the Town Board of the Town of Bridgeport, Crawford County, Wisconsin, has determined to consider proposed amendments to the zoning code of the Town; and

WHEREAS, the Town Plan Commission has reviewed the proposed amendments and has made a recommendation concerning said amendments; and

WHEREAS, notice of a public hearing on said proposed amendments was published during the weeks of March 22 and March 29, 2004 in the Courier Press; and

WHEREAS, a public hearing was held on April 13, 2004 with respect to said proposed amendments;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.04(4) of the Code of Ordinances of the Town of Bridgeport is hereby repealed and recreated to read as follows:

“(4) Visual Clearance Triangle at all Intersections. In each quadrant of every public road or street intersection there shall be a visual clearance triangle bounded by the road or street centerline and a line connecting point on them 300 feet from a Class A Highway intersection, 200 feet from a Class B Highway intersection and **50** feet from a Class C Highway intersection. The following objects are permitted within highway setback lines and visual clearance triangles:

- (a) Open fences
- (b) Telephone, telegraph and power transmission poles and lines.
- (c) The planting and harvesting of field crops, shrubbery and trees except that no trees, shrubbery or crops shall be planted within a visual clearance triangle so as to obstruct the view.”

Section II: Section 8.09(k) of the Code of Ordinances of the Town of Bridgeport is hereby repealed and recreated to read as follows:

“(k) **INTERSECTION VISIBILITY.** A vision triangle shall be required at the intersection of any two proposed roads. No obstructions shall be permitted within a vision triangle. The vision triangle shall consist of the area formed by the centerlines of the intersecting roads and a straight road and a straight line connecting those centerline at points on them (300)

feet from an arterial and/or highway, (200) feet from a collector road and (50) feet from a minor road.”

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 13 day of April, 2004.

TOWN OF BRIDGEPORT BY:

John Kamepp
Board Member

Chester Barve
Board Member

Michael Steiner
Board Member

COUNTERSIGNED:

Linda Smrcina
Linda Smrcina, Town Clerk

Date Adopted: April 13, 2004
Date Recorded: April 13, 2004
Date Published: April 23, 2004
Effective Date: May 23, 2004

way line, whichever is greater.

6.07
Feb 16 Apr 2004
(4) Visual Clearance Triangle at all Intersections. In each quadrant of every public road or street intersection there shall be a visual clearance triangle bounded by the road or street centerline and a line connecting point on them 300 feet from a Class A Highway intersection, 200 feet from a Class B Highway intersection and 150 feet from a Class C Highway intersection. The following objects are permitted within highway setback lines and visual clearance triangles:

- (a) Open fences
- (b) Telephone, telegraph and power transmission poles and lines.
- (c) The planting and harvesting of field crops, shrubbery and trees except that no trees, shrubbery or crops shall be planted within a visual clearance triangle so as to obstruct the view.

(5) Regulation of Slopes for Emergency Vehicles. All private roads and driveways entering onto any public road or highway connecting the public road or highway with any building structure cannot exceed a 12% slope at any location between the public road and the building structure, and the first 50 feet of this private road connecting a public road with a building structure must to exceed a slope of 6% from the road to the beginning of the increased slope. All driveways must be constructed in such a manner that the entire road connecting all public roads with the building or structure is accessible to all emergency vehicles at all times of the year. The purpose of this restriction is to allow adequate and safe access by all emergency vehicles to all structures in the Town of Bridgeport.

(6) Height Restrictions on Building Because of Limitations on Fire Fighting Equipment. No structure in the Town of Bridgeport shall be over 35 feet in height if the building is habitable. If the structure is not habitable, the building may be taller than 35 feet. The purpose of this restriction is to limit the height of habitable structures to a height which can be reached by all fire fighting equipment in the Town of Bridgeport.

(7) Requirements for Private Roads and Culverts.

- (a) Culverts, including all attachments, which are constructed on private roads located in a public right-of-way shall be constructed in such a manner as to meet all of the highway specification requirements and shall not exceed 30 feet in length.
- (b) All of the accesses to private roads must be a minimum of 200 feet from all public road intersections.

- (c) Private roads must be maintained so that there is no excessive runoff onto adjacent public roads.
- (d) All private roads shall meet the requirements for roads provided in Chapter 8 of the Municipal Code of the Town of Bridgeport except blacktopping or paving is not required.

(8) No Sale of Substandard Lots Allowed. No lot shall be so reduced in size that the dimensions and yard requirements imposed by this ordinance cannot be met.

(9) Sign Restrictions. All home occupation signs shall not exceed 3 square feet and shall not obstruct traffic. Any sign over 3 square feet shall not be allowed within the Town of Bridgeport unless approved by the Town Plan Commission. No sign shall obstruct the view of traffic or create a safety hazard.

(10) Parking Restrictions. The Town Plan Commission shall set out the requirements for parking for off of the road or street right-of-way all conditional use permits.

(11) Unclassified or Unspecified Uses may be permitted by the Town Plan Commission after making a review and provided that such uses are similar in character to the principal uses permitted in the district.

(12) Subdivisions. All subdivisions shall comply with all of the requirements of this ordinance and no subdivision shall be permitted in any district without prior permission from the Town Plan Commission.

(13) Fences.

Revised June 1998 - Recreated 4-10-07

1. Fences erected upon the property in the rear or side yard shall not exceed six feet in height and fences erected upon the front yard setback line shall not exceed four feet in height. Any fence erected in the agricultural district or industrial district shall not exceed ten feet in height.

2. No person shall erect any fence which will obstruct the vision of pedestrians or motorists.

3. Fences may only be constructed of wood, wire, stone, other locally recognized building material, or a combination thereof. Wire fences shall be of a mesh or woven design. No single strand wire fences are permitted. No barbed wire shall be used in fence construction, except in the agricultural district. All fences shall be kept in good repair and condition.

4. No person shall erect a fence without first obtaining the approval of the town board. This prerequisite does not apply to fences being erected in the agricultural district.

AN ORDINANCE TO REPEAL AND RECREATE SECTION 6.07(13) OF THE ZONING CODE OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, RELATING TO FENCES.

WHEREAS, The Town Board of the Town of Bridgeport has determined that the erection of certain types of fences can create hazardous and dangerous conditions for its residents; and

WHEREAS, The Town Board has determined that in order to best protect the welfare and safety of its residents, certain amendments to the Town's fence ordinance need to be considered;

WHEREAS, notice of public hearing on said proposed amendments was published in the Courier Press as a Class 2 Notice on March 28, 2007 and April 2, 2007;

WHEREAS, the proposed amendments were referred to the plan commission of the Town with the plan commission then considering the proposed amendments and making a recommendation to the Town Board;

WHEREAS, a public hearing on proposed amendments was held on April 10, 2007;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF BRIDGEPORT, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 6.07(13) is hereby repealed and recreated to read as follows:

“(13) Fences.

- (a) DEFINITION: For purposes of this section, a fence shall be considered any enclosure or barrier, solid or otherwise, made of wood, iron, stone or other approved material, as around or along a yard, walkway, field, or other area.
- (b) RESPONSIBILITY OF OWNER: Any person erecting a fence shall do so on his/her own property. The responsibility for establishing a property line shall rest with the property owner erecting the fence.
- (c) No person shall erect a fence within the corporate limits of the Town of Bridgeport unless a permit is first obtained from the Town Board. The Town Board shall consider the provisions of this ordinance before issuing any fence permit. A twenty-five dollar (\$25.00) permit fee shall be paid upon application for the permit. Failure to obtain said permit will permit the removal of the fence upon demand of the Town Board. A fence permit

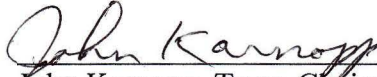
is not, however, required for fences being erected in the agricultural zoning district provided the fence does not abut property zoned other than agricultural.

- (d) **REPAIRS:** All fences shall be maintained and kept safe and in a state of good repair; the finished or decorative side of a fence shall face the adjoining property.
- (e) **HEIGHT REQUIREMENTS:** In residential or commercial zoned districts, fences may not exceed six (6) feet in height when located in the rear or side yard and shall not exceed four (4) feet in height when located in the front yard. Any fences erected in the agricultural or industrial zoning districts shall not exceed ten (10) feet in height.
- (f) **THE SETBACKS:** No fence shall be erected which will obstruct the vision of pedestrians or motorists.
- (g) **BUILDING MATERIALS:** Fences in the residential, commercial or industrial districts shall be constructed of wood, stone, chain link or other locally recognized building material, or a combination thereof. Wire fences, including single strand or barbed, as well as any type of fence which conducts electricity or is designed to electrically shock, are hereby prohibited in the residential, commercial or industrial districts except as provided below. The fences in the agricultural district shall consist of wood, stone, chain link, other locally recognized building material, or wire, including barbed wire, provided, however, that wire fences, including barbed wire, shall not be erected in the agricultural district where such fence abuts a property zoned other than agricultural unless special permission is granted by the Town Board. Special permission will only be granted if the Town Board determines that a wire fence bordering a property zoned other than agricultural does not present a danger to the adjoining property after considering the type of use of the adjoining property, the inhabitants of the adjoining property and the distance between the fence and the portion of the adjoining property actually used by the property owner.”

Section II: This ordinance shall take effect upon its passage and publication as required by law.

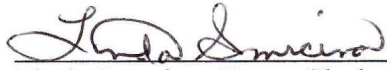
Adopted and approved this 10 day of April, 2007.

TOWN OF BRIDGEPORT BY:



John Karnopp, Town Chairman

COUNTERSIGNED:



Linda Smrcina, Town Clerk

Date Adopted:	<u>April 10, 2007</u>
Date Recorded:	<u>April 11, 2007</u>
Date Published:	<u>April 14, 2007</u>
Effective Date:	<u>April 16, 2007</u>

5. Any fence erected prior to the adoption of this section and not in compliance with the provisions of this section shall be a legal nonconforming structure. Notwithstanding Section 6.06 of this code, any nonconforming structure under this section which is extended, enlarged, reconstructed, substituted, repaired, moved or structurally altered shall no longer be considered a legal nonconforming structure and shall be removed unless any of the above referenced acts shall cause the structure to comply with the provisions of this section.

6.08 PERFORMANCE STANDARDS.

(1) General: The performance standards established in this section are designed to encourage a high standard of development by providing assurance that neighboring land users will be compatible. All users shall give evidence of ability to comply with the following standards before the issuance of a Zoning Permit. Continued compliance shall be required during the operation of such uses and activities. No use already established after the effective date of this Ordinance shall be so altered or modified as to conflict with or further conflict with the performance standards established in this section.

(2) Exterior Storage in Residential Districts: All materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following laundry drying and recreational equipment, construction and landscaping materials and equipment currently being used on the premises, agricultural equipment and materials if these are used or intended for immediate use on the premises, off street parking of passenger automobiles and pickup trucks. Boats and unoccupied trailers and other recreational vehicles less than twenty feet in length, are permissible if stored in the rear yard more than five feet from any property line. Mobile homes, vehicles and conveyances of any type which are either whole, dismantled or partially dismantled shall not be used for storage of any type in any district except the Industrial District.

(3) Refuse: All waste material, debris, refuse, unused construction materials or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse and weeds.

(4) Off Street Loading. Off street loading spaces or berths shall be provided in connection with any structure which is to be erected or substantially altered and whose use requires the receipt or dispersal of materials or merchandise by trucks or similar vehicles.

(5) Traffic Control: Traffic generated by any use shall be controlled in such a manner so as to avoid congestion or traffic hazards on the roads and streets and so as not to create excessive traffic in residential areas especially truck traffic. On site traffic shall be controlled so as to ensure safe and orderly flow throughout the area.

(6) Drainage: No land shall be developed and no use shall be permitted that results in water runoff causing flooding or erosion on adjacent properties. Such runoff shall be properly channeled into a storm drain, water course, ponding area or other facility.

(7) Maintenance: All structures and properties in all districts shall be maintained so as not to be unsightly or harmful to health, safety and the general welfare.

(8) Industrial Standards: Within any Industrial District, no structure, or premises shall fail to comply with the following performance standards:

(a) Explosives: All activities involving the storage, utilization or manufacture of materials or products such as TNT, dynamite or any other explosive material or any other materials which could decompose by detonation shall not be permitted within the Town except upon the express and specific authorization of the Town Board.

(b) Vibration: Any vibration discernible (beyond Property line) to the human sense of feeling for three minutes or more duration in any one hour and any vibration an acceleration of more than 0.1 grains or resulting in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, United States Bureau of Mines Bulletin No. 442, "Seismic Effects of Quarry Blasting," shall not be permitted within the Town except upon the express or specific authorization of the Town Board.

(c) Screening: Any industrial use abutting to a Residential District shall provide and maintain a wall, fence or planting so as to screen and reduce the noise and dust between the two uses and to inhibit eye level vision between the residential and industrial areas.

(d) Industrial Waste Material. Industrial waste disposal methods shall be approved by the Town Board. The disposal method shall not cause a detrimental effect to the adjacent land. Should the industrial waste be of a solid form rather than a fluid, the storage area shall be so located and fenced as to be removed from public view, and a maximum amount of accumulation determined along with a satisfactory method of disposal.

(e) Radioactivity: No operation shall be permitted which causes radioactivity in violation of Title 10, Chapter 1, Part 20, Code of Federal Regulations, "Standards for Protection Against Radiation" dated June 16, 1957, and any subsequent revisions or amendments.

(f) Odor: No emission of odorous gas or other odorous matter in such

quantity as to be readily detectable at any point along adjacent property or lot lines without use of instruments shall be permitted.

cause

(g) Toxic or Noxious Matter: No discharge beyond property lines of any toxic or noxious matter in such quantity as to be detrimental to or endanger the public health, safety, comfort or welfare or injury or damage to property and/or business be permitted.

(h) Glare: No direct or reflected glare shall be detectable from any residential district. If such glare is detectable, adequate buffering by fence, hedge, or wall shall be constructed to alleviate the condition.

hedge or

(i) Heat: No direct or reflected heat shall be detectable without instrument from any commercial or residential district boundaries. If such heat is detectable, adequate buffering by fence, wall shall be constructed to alleviate the condition.

(j) Dust: No solid or liquid particles shall be emitted in concentrations exceeding three tenths grains per cubic foot of the conveying gas or air.

(k) Ash: No emission of fly ash in excess of the quantity specified in the following table shall be permitted.

<u>Heat of Fuel Burned</u>	<u>Fly Ash</u>
(British Thermal Unit Per Hour)	Rate of Emission (Lbs. Per Hour)

1,000,000	1
100,000,000	100
400,000,000	330
1,000,000,000	750
2,000,000,000	1,365
3,000,000,000	1,850
4,000,000,000	2,260
5,000,000,000	2,640

6,000,000,000	2,950
7,000,000,000	3,200
8,000,000,000	3,410
10,000,000,000	3,750

For heat content between any two consecutive heat contents given in the table, the fly ash limitations shall be determined by means by interpolation.

- (l) Smoke: No emission of smoke from any source as measured in the Ringlemann Chart published by the United States Bureau of Mines shall be permitted in excess of:
 - (a) In commercial districts a density described as Ringlemann No. 3 may be emitted for not more than three minutes in any fifteen consecutive minutes.
 - (b) In an industrial district a density described as Ringlemann No. 3.
- (m) Sound: At no point on or beyond the boundary of any property in an industrial district shall be the sound pressure level resulting from any use of activity whether open or enclosed, (except noises not directly under control of the property user, noises resulting from the construction and maintenance of buildings and facilities including site preparation and the noises of safety signals, warning devices, railroads and airports), exceed the maximum permitted decibel levels for the designated octave band as set forth in the table below:

Octave Band,
Frequency in
Cycles, Per Second

Sound Pressure
Levels in Decibels

0-74	79
75-149	74
150-299	66
300-599	59
600-1199	53

1200-2399	47
2400-4799	41
4800 and over	39

Where an industrial district abuts a district permitting residences, the maximum permitted decibel levels at any point on or beyond the district boundary shall be reduced by six decibels from the maximum permitted level in the table.

(9) Private Swimming Pools: A private swimming pool, as regulated herein, shall be any pool, pond, lake or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half feet. No such swimming pool shall be allowed in any residence except as an accessory use and unless it complies with the following conditions and requirements:

- (a) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- (b) All yard requirements of the district in which it is located shall apply.
- (c) The swimming pool, or the entire property on which it is located, shall be so walled or fenced as to prevent uncontrolled access by children from the street or road or from adjacent properties; said wall or fence to be not less than six feet in height and maintained in good condition.

(10) Animal Hospital and Veterinary Clinic: Animal hospitals shall be located no closer than one hundred feet to any residential district, and shall show that adequate measures and controls shall be taken to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises. All animals must be kept inside the building if animals are to be kept at the clinic or hospital from 6 o'clock p.m. to 6 o'clock a.m.

(11) Agricultural Processing Plants: Agricultural processing plants within one hundred feet of any residence district which processes agricultural products produced on the premises or within a contiguous area shall be so located as to provide convenient trucking access with a minimum of interference to normal traffic; shall provide parking and loading spaces; shall show that adequate measures shall be taken to control odor, dust, noise and waste disposal as not to constitute a nuisance and shall show that the proposed source of water will not deprive other of normal supply.

(12) Drive-in Theaters shall provide ingress and egress so designed as to minimize traffic congestion, shall be located sufficiently distant from any residence district or

existing dwelling and so screened from such district or dwelling that any noise shall not disturb residents and shall maintain lighted signs and other lights only in such a way as not to disturb neighboring residents. If at all possible the movie screen should be designed in such a manner as not to be visible to nearby residents.

(13) Fertilizer Plants and yards shall provide automobile parking and truck loading area together with ingress and egress so designed to minimize traffic hazards and congestion and shall show that odor, dust, noise, and drainage shall not constitute a nuisance to surrounding properties.

(14) Inflammable Liquid Storage in the Industrial Districts. Above ground storage of materials or products rated as fast burning, or which produce flammable or explosive vapors or gases in quantities over one thousand gallons will only be permitted in the Industrial Districts provided that such storage area is not less than three hundred feet distant from any residential or commercial district. Such storage area must be provided with adequate safety devices against the hazard of fire and explosion and adequate fire suppression and fire fighting equipment and devices standard to the industry and shall meet the requirements of other applicable Town Ordinances.

(15) Amusement Center, Bowling Alley, Dane Hall and similar places of amusement shall provide parking with ingress and egress designed so as to minimize traffic congestion, shall not be less than twenty feet from any property line and shall show that adequate controls or measures will be taken to prevent offensive noise and vibration.

(16) Nursery School or Day Care Center for more than fifteen children shall maintain a minimum six foot high solid fence or a minimum six foot high masonry wall on any property line abutting a residential district. A nursery school for more than fifteen children shall be located only on a minimum ten thousand square foot lot.

(17) Temporary Tract Office in any district shall be located on the property to which it is appurtenant shall be limited to a six month period at the expiration of which time the applicant may request a further extension of time. Otherwise, the tract office shall be removed at the expense of the owner.

(18) Wrecking, Junk Demolition, Junk Yards and Scrap Yards All wrecking, junk demolition, junk yards and scrap yards will be surrounded by a solid fence or evergreen planting completely preventing a view from any other property or public right-of-way and shall be at least six hundred feet from residential or commercial structures.

(19) The Extractions from or Deposits on the earth of rock, stone, gravel, sand, earth, minerals or building or construction materials shall not be construed to be a permitted use in any district established by the ordinance unless and until a zoning permit shall first have been secured therefore, except for the following defined extractions and deposits:

(a) Excavations for the foundation or basement of any building or for a

swimming pool for which a zoning permit and a build permit have been issued, or deposits on the earth of any building or construction materials to be used in a structure for which such zoning permit has been issued.

- (b) Grading of any parcel of land for a permitted use where no bank is left standing and exposed of more than ten feet in vertical height, or when less than one thousand cubic yards of earth is removed from the premise.
- (c) Grading in a subdivision which has been approved by the Town.
- (d) Excavations by any public agency or public utility for the installation, operation, inspection, repair or replacement of any of its facilities.
- (e) Any quarry existing and operating as such on the effective date of this section shall obtain a new use permit and conform with the provisions of this ordinance within one year of the adoption of this ordinance.
- (f) Stockpile of construction and maintenance material by a public agency.
- (g) The Town Board shall have the power to grant conditional zoning permits, revocable and valid for specified periods of time, to permit excavations from or deposits on the each of rock, stone, gravel and earth, minerals or building or construction materials.
- (h) The Zoning Administrator shall make such inspections as he deems necessary or as are required by the Town to ensure that all in accordance with the use permit. All inspection paid for by the applicant at the actual cost to
- (i) The conditions under which a use permit for excavation from or depositing on the earth of said materials may be issued, may include but are not limited to any requirements deemed necessary to protect the public health, safety, comfort, convenience or general welfare including insurance against liability arising from production or activities or operations incident thereto, completion of the work and cleaning up and planting in accordance with approved plans, designation of areas in which work may be done, designation of the slope to which excavation may be made or the grade of filling, provisions for controlling dust, hours during which

work is
services shall be
the Town.

to guide
operation,
property to be used,
assure compliance with
conditions deemed necessary by the

operations may proceed, precautions which must be taken
safe traffic movements in and around and by said
enclosure by fences or exterior boundaries of
posting of a good and sufficient bond to
the use permit and any other
Town Board.

6.09 RESTRICTIONS ON MOBILE HOME PARKS.

All mobile homes other than as permitted in the agricultural district shall be located within a mobile home park. The following restrictions shall apply to mobile home parks.

- (1) Mobile home parks shall comply with the applicable portions of the Wisconsin Administrative Code.
- (2) A plan for the development of the entire area shall be presented to the Town Plan Commission for review and approval.
- (3) The proposed development shall occupy a minimum of 5 acres.
- (4) There shall be a maximum of 5 units per gross acre of mobile home parking area. A space for each unit shall be at least 50 feet by 100 feet. Each home shall be a minimum of 10 feet from the side and back lot lines. Each home or accessory building or addition shall be set back a minimum of 25 feet from the right-of-way line of the abutting access mobile home park roads for the respective lot.
- (5) Recreation areas will be provided for each mobile home park. The recreation areas shall provide a minimum of 100 square feet per mobile home with each recreation area to be a minimum of 2500 square feet. The recreation area shall be centrally located and shall have safe access from the mobile home lots.
- (6) Access roads and parking spaces must be incorporated into the proposed site plan. Entrance or entrances to the mobile home park shall be a minimum of 36 feet wide travel way and 45 feet right-of-way and shall be located and designed so as to provide safe access to the mobile home parks and allow free movement of traffic on adjacent roads or streets. Each mobile home lot shall have a driveway or road access to the public road or private drive. This access shall be no longer than 600 feet between intersections and have a minimum width of 36 feet. All internal roads and parking areas shall be hard surface with either concrete, bituminous or treated gravel materials.
- (7) There shall be a motor drive vehicle parking area at least 20 feet by 20 feet provided for each lot.
- (8) All exposed ground surface shall be covered with either hard surface or with vegetative growth.