# ORDINANCE NO. 7.1

# **Town of Waubeek Zoning Ordinance**

The Town Board of the Town of Waubeek, Wisconsin, under the authority of Sections 60.18(12), 61.35 and 62.23 of the Wisconsin Statutes hereby ordains and enacts as follows:

AN ORDINANCE to regulate, prohibit, and restrict the erection, construction and/or reconstruction of structures and buildings; to regulate restrict, or prohibit uses of land in the Town of Waubeek according to their specific purposes and characteristics; to regulate and restrict the density of population; to regulate and limit the height of structures and determine the percentage of area used of total lot area; to establish, regulate and determine the uses of land by dividing the Town of Waubeek into districts of such number, size, and shape, as are deemed best suited to carry out the regulations of this Ordinance; to create a Board of Appeals and to define and limit the powers and duties of said Board; to provide the means for enforcing said Ordinance; and to prescribe penalties for the violation of the provisions thereof:

#### .01 TITLE

This Ordinance shall be known and referred to as the Zoning Ordinance for the Town of Waubeek, Wisconsin.

#### .02 DEFINITIONS

Words commonly used in the singular number include the plural, and words in the plural include the singular. The word "person" includes individuals, associations, partnerships and corporations. The word "shall" is mandatory and not discretionary.

For the purpose of the Ordinance the following words, terms and phrases shall have the specific meaning ascribed to the as follows:

<u>Accessory use, building or structure</u> - A use, building, or structure on the same lot with and of a nature customarily incidental and subordinate to, the principal use, buildings, or structure.

<u>Basement or cellar</u> - A story partly underground with at least one-half of its height below the average level of the adjoining ground.

<u>Boarding or rooming house</u> - Any dwelling in which unrelated persons are housed or lodged for compensation with or without meals, having not more than ten (10) sleeping rooms.

<u>Building</u> - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or property.

<u>Dwelling Unit</u> - A building or portion thereof, designed or used exclusively as the living quarters for one or more persons living, sleeping, cooking, and eating on the same premises as a housekeeping unit.

<u>Essential Services</u> - The erection, construction, altercation by public or private utility companies of underground, surface or overhead transmission or distribution systems for gas, electricity, water, communications, fuel, and disposal by towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, hydrants and similar devices but not including buildings necessary in supplying the foregoing essential services.

<u>Grade</u>, <u>established</u> - The elevation of the centerline of the streets as officially established by the Town of Waubeek.

<u>Home Occupation</u> - A gainful occupation conducted by the members of the family within the residence and incidental to the residential use provided no articles are sold other than those produced by this occupation.

<u>Lot of Record</u> - A lot which is recorded in the Office of the County Register of Deeds.

<u>Mobile Home or House Trailer</u> - A dwelling originally designed and constructed to be transported by motor vehicle upon a public highway.

<u>Motel or Auto Court</u> - A group of attached or detached buildings containing individual living or sleeping units where a garage, carport or parking space is conveniently located for each unit; all for temporary use by automobile tourists or transients.

<u>Nonconforming Use</u>. <u>Building or Structure</u> - A use, building or structure existing at the time of enactment of this ordinance and which does not conform to the zoning regulations set forth by this ordinance.

<u>Parking Space</u> - The area required for paring one automobile, which in this ordinance is held to be an area ten (10) feet wide and eighteen (18) feet long, not including drive or passageways.

Plat - A map of a subdivision.

Portable Storage Unit - Any structure or self-contained pod, cargo container constructed or consisting of any materials whatsoever that are located permanently or semi-permanently upon lands to be used for the specific purpose of commercial storage space to be rented or offered to the public or specific individuals but, for which a fee is charged for the use of said storage building, pod, container, or the like. No permanent location on the ground or attachment to something located on the ground shall be required for said building, pod, or container to be classified as a portable storage unit.

<u>Principal Building</u> - The main structure on a lot which houses the principal use of the premises.

<u>Residence</u> - A building designed or used exclusively as a permanent living quarters excluding mobile homes as herein defined.

<u>Structure</u> - Anything built, constructed or erected which requires permanent location on the ground or attachment to something located on the ground.

Yard - A required open space on the same lot with a building or structure.

<u>Yard</u>. Front - A yard extending across the full width of the lot and lying between the line of the lot adjacent to a public street and nearest point on the principal building.

<u>Yard. Rear</u> - A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest point on the principal building.

<u>Yard. Side</u> - A yard extending from the front yard to the rear yard between the side lot line and the nearest point on the principal building.

#### .03 ESTABLISHMENT OF DISTRICTS

- A. <u>Districts.</u> The town of Waubeek is hereby divided into six types of districts.
  - R-1 Single Family Residential District
  - R-2 Multi-Family Residential District
  - B-1 Business District
  - I-1 Industrial District
  - C-1 Conservancy District
  - A-1 Agricultural District
- B. Zoning Map. The boundaries of these districts are shown upon the map accompanying this ordinance. The map is designated as the Zoning Map of the Town of Waubeek dated the 13th day of September, 1978. The Zoning Map shall be on file with the Clerk of the Town of Waubeek, together with all notations, references, and other information shown there on and are part of this ordinance having the same force and effect as if said Zoning Map and all notations, references and other information shown thereon were fully set forth herein.

### C. Interpretation of District Boundaries

Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines, or highway right of way lines, those lines shall be construed to be the boundaries.

Where district boundaries are indicated as approximately following lot lines, those lot lines shall be construed to be said boundaries.

Where district boundaries are indicated as approximately paralleling the centerline of the street lines, street lines, or the centerlines or right of way lines of highways, those district boundaries shall be construed as being parallel hereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, the dimension shall be determined by the use of the scale shown on said Zoning Map.

Where the boundary of a district follows a railroad line, the boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

Questions concerning the exact location of district boundary lines shall be determined by the Town Board.

### .04 GENERAL PROVISIONS

### A. <u>Uses permitted in Districts</u>

Accessory buildings and uses and those customarily incidental to permitted uses (public and private ways and easements, essential services, dwelling units for servants employed on the premises, or for private guests, private garages, stables and pump houses, boat house, docks and other non-commercial marine facilities, structures for yard and garden ornamentation, and private recreation areas and facilities) are permitted in any district, provided that:

- No accessory use shall be dangerous, obnoxious or offensive to persons residing in the vicinity, nor shall impair the use, enjoyment or value of any property, and
- b) No accessory dwelling unit in any R-1 district shall be ler for living quarters for compensation.
- 2. Home gardening and crop growing may be an accessory use on any dwelling lot or the principal use on any vacant lot or parcel.
- 3. A home occupation or home professional office, as defined herein, is permitted in a dwelling, provided that in a residential district there shall be no external evidence thereof, except a name plate.

#### B. Buffer Areas.

A buffer strip twenty five feet (25') wide shall be provided adjacent to the property line of each property where a residential use abuts any commercial or industrial use or district, or any mobile home court.

A screen planting strip not less than fifteen feet (15') in width shall be provided along all boundaries that do not adjoin streets. Such strips shall be so planted with varieties of trees and shrubs as to assure rapid growth, and density of foliage for screening the development.

#### C. Off-Street Parking.

Off-street automobile parking spaces and truck parking and loading spaces shall be provided in various districts as required below for buildings hereafter erected, converted in use, structurally altered, enlarged or moved, for uses hereafter established.

a. Automobile parking spaces, employee parking, unless otherwise defined in this Section, is meant to be the number of employee positions on the highest staffed shift of operations. Automobile parking spaces shall be provided as follows for buildings and uses:

One Family and Two Family Two Dwellings plus

Two spaces for each dwelling unit, plus one space for each boarder or lodger.

2. Multiple Dwellings

Two spaces for each dwelling unit.

Lodging Houses and Dormitories One space for every two beds.

4. Motels, Hotels, Tourists
Homes and Courts

One space for each guest overnight accommodation, plus one space for manager and for each employee.

5. Restaurants, Taverns, Night Clubs

One space for each three seats provided for customers, plus one space for each employee.

6. Car Service Drive-In Stands

Five spaces for each employee required during periods of capacity patronage.

7. Retail Business and Service Establishments

One space for each 300 square feet of gross business floor area.

8. Service Stations

Spaces for all vehicles used in the business plus: one space for each employee, two spaces for each gas pump, and three spaces for each grease rack and auto wash space.

9. Hospitals, Convalescent and Nursing Homes

One space for each three beds, plus one space for each employee on the two largest shifts combined, plus one space for each staff doctor, in addition to spaces required for ambulances and other

vehicles for patient delivery and pick-up.

 Doctors, Dentist Office and Medical Clinics Four spaces for each doctor and dentist plus one space for each employee.

11. Bowling Alleys

Seven spaces for each alley, plus one space for each employee at peak employment.

12. Warehouses, Industries

One space for each two employees on the largest shifts Combined.

 Secondary Schools, Colleges or Universities One space for each five students plus one space for each employee.

14. Other Uses

In applying for permits for buildings and uses included above, the applicant shall specify the minimum off-street parking spaces to be provided, and the Zoning Administrator shall issue the permit subject to such provisions, and on the condition that spaces for additional need shall be provided if and when

such need shall occur.

(b) Truck parking and loading spaces. Off-street spaces sufficient for all truck loading and truck storage and parking shall be provided in connection with all buildings and uses delivering and receiving goods, materials and supplies by truck and those using trucks in their business or operation.

(c) Supplemental Parking and Loading Space Requirements.

Each supplemental parking space shall be not less than two hundred (200) square feet in area and nine (9) feet in width, exclusive of aisles, driveways, and walks shall not include any portion of a street or alley.

Required parking spaces for dwellings, trailer coaches, mobile homes, motels, auto courts and auto camps shall be located on the same premises as the use served. For other uses, where this would be unreasonable or an unnecessary hardship, the Board of Appeals may approve the location of a portion of the required stalls on other nearby property.

Required parking spaces provided on a lot or in a building shall be kept clear of other uses and obstructions to parking.

All parking spaces shall be graded and drained and parking lots containing three (3) or more spaces shall be given a dust-free surfacing.

#### .05 RESIDENTIAL DISTRICT R-1

A. <u>Uses Permitted.</u> Land shall be uses and buildings or structures shall be erected, altered, enlarged or used only for one or more of the following purposes.

Single family dwellings, accessory buildings and uses.

Churches and schools.

Customary home occupations, including professional offices provided not more than one name plate or sign (not more than 12 square feet in area) is used in connection with the professional or occupational use.

Golf courses, public playgrounds, and public recreation areas.

Public buildings.

Public utility buildings subject to the approval of the plan commission as being not injurious to the surrounding neighborhood.

Railroad rights of way not including yards.

Swimming pools, private.

Temporary real estate signs, not to exceed 12 square feet in area.

Farming, except livestock farming.

- B. <u>Height.</u> No dwelling shall be erected or structurally altered to exceed a height of thirty-five (35) feet or two and one-half (2½) stories; however, non-residential buildings and structures permitted in this district shall not exceed a height of seventy-five (75) feet.
- C. <u>Lot Coverage</u>. The ground area occupied by the principal and accessory buildings shall not exceed thirty percent (30%) of the total area lot.
- D. <u>Area.</u> Every dwelling or other principal building hereafter erected or structurally altered shall provide a lot having an area of not less than 20,000 square feet, and a width of not less than 80 feet, excepting, however, where a lot is smaller in area or width but is a lot of record as of the date of adoption of this ordinance, said lot may be occupied by a single-family dwelling provided that the lot is not less than 10,000 square feet in area.

- E. <u>Front Yard.</u> There shall be a front yard of not less than twenty-five (25) feet, measured from the lot line. Shrubs and trees must be a minimum of five feet.
- F. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet, excepting that accessory buildings and structures may be placed within the rear yard if set back not less than four (4) feet from rear or side property lines.
- G. <u>Side Yards.</u> Each lot shall have two side yards, each not less than ten (10) feet, and provided further, that on corner lots, each side yard adjacent to the street shall meet the requirements for a front yard.

### .06 MULTIPLE-FAMILY RESIDENTIAL DISTRICT - R-2

- A. <u>Uses Permitted.</u> Land shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the following purposes:
   Any use permitted in the R-1 Residential District.

   Two Family Dwellings.
- B. <u>Uses Permitted with a Conditional Use Permit in the R-2 District.</u> Row dwellings, not to contain more than four (4) dwelling units. Apartment houses not exceeding twenty (20) dwelling units. Boarding houses and rooming houses. Mobile Home Parks.
- C. <u>Height</u>. No dwelling shall be erected or structurally altered to exceed a height of thirty-five (35) feet or two and one-half (2½) stories; however, non-residential buildings and structures permitted in this district shall not exceed a height of seventy-five (75) feet.
- D. The ground area occupied by the principal and accessory buildings shall not exceed thirty percent (30%) of the total area lot.
- E. <u>Area.</u> Every dwelling hereafter erected or structurally altered to furnish two and more dwelling units shall provide a lot area of not less than 3,600 square feet per dwelling unit.
- F. Front Yard. There shall not be a front yard of not less than twenty-five (25) feet.
- G. Side Yards. Each lot shall have two side yards, each not less than ten (10) feet.
- H. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet excepting that accessory buildings and structures may be placed within the rear yard

if set back not less than four (4) feet from rear or side property lines.

#### <u>.07 BUSINESS DISTRICT B-1</u>

A. <u>Uses Permitted.</u> Land shall be used and buildings or structures shall be erected, altered, enlarges or used only for one or more of the following purposes.

All uses permitted in the Multiple-Family Residential District R-2.

Stores and shops for the conducting of any retail or wholesale business.

Banks, offices, studios, theaters, restaurants, taverns, bowling alleys, hotels, motels, funeral homes and similar services.

Railroad or bus passenger station, telegraph office or express office.

Garage or filling station.

Newspaper offices and printing plants.

Plumbers and plumbing shops.

Public utility buildings, telephone exchange buildings, electric transformer stations and substations, water and sewage pumping stations.

lodges, clubs and organizations meeting places.

Wholesale business, lumber yard and warehouse, except bulk storage of petroleum products.

Manufacturing or processing which is clearly incidental to commercial use is permitted. However, such manufacturing or processing is limited to that which employs not more than twenty-five (25) persons in such operations.

- B. <u>Height.</u> No building or structure shall be erected or structurally altered to exceed a height of two (2) stores or thirty (30) feet.
- C. <u>Yards.</u> Required front, side and rear yards shall be as required in the R-1 single family residential district.

#### .08 INDUSTRIAL - I - 1

A. <u>Uses permitted.</u> Land shall be used and buildings or structures shall be erected, altered, enlarged or used for the following:

Automotive body repairs, automotive upholstery.

Cleaning, pressing and dying establishments.

Commercial bakeries.

Bulk gas storage and sales.

Utility lines.

Electrical generating plants.

Pump houses.

Commercial greenhouses.

Distributors.

Farm machinery.

Food locker plants.

Laboratories.

Machine shops.

Manufacture and bottling of non-alcoholic beverages.

Painting, printing, publishing.

Storage and sale of lumber, machinery and equipment.

Trade and contractor's offices.

Creameries and milk collection stations.

Warehousing and wholesaling.

Manufacturing, fabrication, packing, packaging and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textiles, and wood.

Manufacturing, fabrication, packing, packaging and assembly of confections, cosmetics, electrical appliances, electronic devices, food (except cabbage, fish and fish products, meat products and pea vinings) instruments, jewelry, pharmaceuticals, tobacco and toiletries.

Freight terminals and transshipment depots.

Inside storage shall be defined as such storage as includes the use of buildings defined as a portable storage unit or a structure in Section .02 Definations of this Ordinance. Breweries.

Agriculture.

Parking and open areas.

### B. <u>Uses Permitted with Special Use Permit:</u>

Storage or collection or accumulation of used lumber and other used materials, or for the dumping, disposal or salvage of automobiles, scrap, iron, junk, garbage, rubbish or other refuse, or of ashes, slag or other industrial wastes or by-products shall be permitted in the I-1 Industrial District only if a special permit has been issued by the Town Board granting such use.

- C. <u>Height.</u> No building or structure may be erected to a height exceeding two (2) stories or forty (40) feet.
- D. <u>Area.</u> Not more than forty percent (40%) of the area of the lot may be covered by buildings or structures. Side and rear yards can be used for loading and unloading and parking.
- E. <u>Yards.</u> Wherever the I-1 Industrial District abuts upon any other district, every building or industrial use of the property in the I-1 Industrial District shall set back from the property line of such other district a minimum of one hundred (100) feet.
- F. Front Yard. Each lot shall have a front yard of not less than fifty (50) feet in depth.

#### .09 CONSERVANCY DISTRICT - C - 1

A. <u>Uses Permitted.</u> Land shall be used and buildings or structures shall be erected, altered, enlarged or used for one or more of the following purposes:

Forestry.

Cemeteries.

Public park, recreational facilities and structures.

Essential public services.

Accessory buildings and structures incidental to any of the aboce uses.

General farming, to be limited to cash crop and/or grazing of cattle.

- B. <u>Height.</u> No structure shall exceed a height of fifty (50) feet and no building shall exceed a height of thirty-five (35) feet.
- C. <u>Yards.</u> No buildings or structures shall be erected less than thirty (30) feet from any property line or future right-of-way line as shown on the Official Zoning Map of the Town of Waubeek.

#### .10 AGRICULTURE DISTRICT - A – 1

A. <u>Uses Permitted.</u> No building or premises shall be used and no building shall hereafter be erected, converted in use, enlarged, moved or structurally altered unless otherwise provided in this Chapter, except for one or more of the following uses:

Residential dwelling for existing farm operations only with a maximum of two (2) swelling units per farming unit. Any property including less than forty (40) acres is not a farming unit.

General farming, except farms operated for the disposal of garbage, rubbish, offal or sewage.

Hospitals and clinics.

Dams, power plants and flowage areas.

Roadside stands for the sale of farm products.

Telephone, telegraph and power transmission towers, poles and lines, including formers, substations, relay stations, equipment housings and other similar necessary appurtenant facilities; radio and television stations and transmission towers and microwave radio relay towers.

- B. <u>Height. Yards and Area.</u> For buildings hereafter erected, converted, in use, enlarged, moved or structurally altered for human habitation, the lot area per family and minimum dwelling size hall be the same as is required for Residential District; and provide that when applicable where the regulations of chapter H65, State Division of Health Administrative Code, require a larger lot area than any of the above, such regulation shall govern.
- C. <u>Setback.</u> There shall be a setback of not less than twenty-five (25) feet from any property

line and step back from all streets and highways shall be twenty-five (25) feet.

#### .11 ADMINISTRATION AND ENFORCEMENT.

- A. <u>Building Permit Required.</u> It shall be unlawful for any person to commence excavation for, construction, or placement of any building, structure, or portable storage unit, or to commence structural changes in any existing building or structure, without first obtaining a building permit from the official designated by the Town Board. No permit shall be issued for the construction, alteration, or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this Ordinance, showing that the construction proposed is in compliance with the provisions of this Ordinance and other regulations of the Town of Waubeek, and upon forms approved and provided by the official designated by the Town Board. No building permit is required for the placement of a portable storage unit on lands owned by the keeper of the portable storage unit and so long as the portable storage unit is used for the sole purpose of storing materials owned by the keeper of said unit and is not used to provide rental storage space to any third party.
- B. <u>Administrative Officials Designated.</u> Except as otherwise provided in this ordinance, the official designated by the town board shall administer and enforce the provisions thereof, including the receiving of applications, the inspection of premises and the issuing of building permits. In cases of violation of the provisions of this ordinance, said inspector shall notify the Town Attorney who shall issue warrants or such other legal proceedings as are necessary.

#### .12 SPECIAL USE PERMIT

Where a special use permit is required on the application for said permit, it shall state in writing the intended use and type of operation, and shall show on a plot plan the location of all proposed buildings, drives, parking, streets, fencing and screening. After receipt of the application, the Board will give public notice, together written notice to all adjacent property owners and hold a public hearing on the permit.

Following the hearing the town board may approve, approve conditionally, or reject set application on the basis of the affect such use and operation may have on existing or proposed future land uses in the vicinity.

#### .13 NONCONFORMING BUILDING AND USES.

The lawful use of a building or premises existing at the time of the adoption or amendment of a zoning ordinance may be continued although such use does not conform with the provisions of the ordinance. Such nonconforming use may not be extended. The total structural repairs or alterations in such non-conforming building shall not, during its life, exceed fifty percent (50%) of the assessed value of the building unless permanently change to a

conforming use. If the nonconforming use is discontinued for a period of 12 months, any future use of the building and premises shall conform to the ordinance.

#### .14 BOARD OF APPEALS

- A. <u>Creation, Appointment and Organization.</u> A Board of Appeals is hereby created having the power authorized in Section 62.23 of the Wisconsin Statutes. The board shall consist of five members, appointed by the Town Chairman subject to confirmation by the Town Board, for terms of three years, except that of those first appointed, one shall serve for one year, two for two years and two for three years. Vacancies shall be filled for the remainder of the unexpired term only. All members of the board shall serve without compensation.
- B. Procedure, Rules, Meetings and Minutes. The Chairman of the Board shall be designated by the Town Chairman. The Board shall adopt its own rules of procedure deemed necessary to carry out the provisions of this Section. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon question. The presence of four members shall be necessary to constitute a quorum.
- C. Appeal. Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board or commission of the Town of Waubeek affected by any decision, or ruling of the administrative official made under this ordinance. Such appeal should be taken within fifteen (15) days after the decision or ruling of the administrative official made under this ordinance. Such appeal shall be taken within fifteen (15) days after the decision or ruling of the administrative official by filing with the officer against whom appeal is taken and with the Board of notice of appeal, specifying the grounds therefor. The officer against whom appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon the action appealed from was taken.

Stay of Proceedings. An appeal shall stay all legal proceedings in the furtherance of the action appealed from, unless the officer from whom appeal is taken certifies to the Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by the court of record on application, on notice to the officer from whom appeal is taken.

<u>Hearings.</u> The Board of Appeals shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and to give public notice thereof, as well as due notice to the parties in interest. The Board shall hear and decide the appeal within a

reasonable time. At the hearing any party may appear in person or by agent, or by attorney.

Powers of the Board. The Board of Appeals shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this section or of any ordinance adopted pursuant thereto; to hear and decide special exception to the terms of the ordinance upon which such board is required to pass under such ordinance; to authorize upon a peel in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where, only to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. The Board might permit in appropriate cases, and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the ordinance, a building or premises to be erected or used for such public utility purposes in any location which is reasonably necessary for the public convenience and welfare.

<u>Decisions of the Board.</u> In exercising the above mentioned powers, the Board may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issue of the permit. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Town Clerk or to decide in favor of the applicant on any matter upon being brought before the Board as required by this ordinance or to affect any variation in such ordinance. The grounds of every such determination shall be stated.

#### .15 VIOLATIONS AND PENALTIES.

- A. A violation of this ordinance is an offense punishable by a fine not exceeding \$50.00. Each day of violation constitutes a separate offense.
- B. Whenever a violation of this ordinance occurs, any person may file a complaint in regards thereto. All such complaints must be in writing and shall be filed with the Town Clerk who shall properly record such complaint and immediately investigate and report thereon to the Town Board.

### .16 AMENDMENTS

The Town Board may from time to time on its own motion, or on petition, amend, supplement, or repeal the regulations and provisions of this ordinance after public notice and hearing.

# .17 SEVERABILITY

The provisions of this ordinance are severable, and if for any reason, a clause, sentence, paragraph, section or other part of this ordinance should be decided by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

## .18 EFFECTIVE DATE

These regulations shall be effective following passage by the Town Board of the Town of Waubeek and publication.

Adopted at Waubeek, Wisconsin, this 9th day of October, 1978. Amended at Waubeek, Wisconsin, this 29th day of September, 2021.

<u>/s/</u>
Town President
/s/
Town Clerk