

**VILLAGE OF PARDEEVILLE  
PUBLIC PROTECTION COMMITTEE  
MEETING AGENDA  
Village Hall – 114 Lake Street, Pardeeville  
Wednesday, April 20, 2022 at 12:00 p.m.**

- I. Call to Order
- II. Roll Call
- III. Verification of the Posting of Agenda
- IV. Agenda Approval
- V. Minutes Approval
- VI. Comments from the Floor
  
- VII. OLD BUSINESS
  - A. Property Maintenance – Proposal of New Ordinance, reduced
  
- VIII. NEW BUSINESS
  - A. Ord. 60-5 & 60-22, Definitions
  - B. Ord. 58-158, Driveway Widths
    - i. 309 Gillette St. – 40’ at curb
    - ii. 109 S. Main St. – 34’ at curb
  - C. Ord. 56-32, Review and Acceptance Fees
  
- IX. Adjourn

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Kayla Lindert, Clerk/Treasurer  
Posted: 04/19/2022

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The Village Hall is accessible to the handicapped. If you require additional assistance, please contact the village office no later than 48 hours prior to the meeting date. Phone 608-429-3121. If members are present from other recognized Boards, Commissions or Committees which may constitute a quorum, the meeting is presumed to be for the above-stated agenda/purpose. An updated agenda may be posted 24 hours before meeting time.

**VILLAGE OF PARDEEVILLE  
PUBLIC PROTECTION COMMITTEE  
Village Hall – 114 Lake Street, Pardeeville  
Tuesday, April 12, 2022 at 12:00 p.m.  
DRAFT MINUTES, NOT APPROVED**

**Call to Order:** The meeting was called to order at 12:03 p.m. by Possehl

**Roll Call:** All committee members were present. Also, present Administrator/DPW Salmon, Clerk/Treasurer Lindert, Rhonda McGuire and Terry Faulk.

**Verification of the posting of agenda:** The agenda was properly posted at the Pardeeville Village Hall, online and the Pardeeville Post Office.

**Agenda Approval:**

**MOTION Holtan/Balsiger** to approve the agenda. No discussion. Motion carried unanimously.

**Minutes Approval:**

**MOTION Holtan/Balsiger** to approve the previous meeting minutes as presented. Motion carried unanimously.

**Comments from the Floor:** None

**OLD BUSINESS:**

**Lighting ordinance (Dark Skies)**

Board requested to bring this back to the committee. Looking to shorten the length. Address the Typo 21-6 (c) residential (reside). Conversation about 21-10 exemptions. Rearrange the wording.

**MOTION Holton/Possehl** to recommend to the Board to set changes.

Motion carried unanimously.

**NEW BUSINESS:**

**A. Feral Cat Population –**

Discussion held on the population of the feral cats in the Village. Steps on notifying the residents prior to the program starting were discussed. Salmon went through process, questions about getting the word out, possible clinics for microchip, tractor Supply every other Saturday, motivation, traps and labeling them, fencing options for Faulk, financial options, Faulk rezoning project for non-profit. Salmon will contact the Humane Society and let them know the program is starting. Keep the residents/website updated and let them know to reach out to the Village if they help or assistance. Discussion on paperwork needed, tracking the animals, etc. High traffic areas to place traps. Village to purchase traps.

**No Formal Action Taken**

**B. Property Maintenance**

**Motion Possehl, Second Holtan**

Discussion Belleville draft- discussion, print, notes, marked up versions.

**MOTION** Carried unanimously.

Meeting Adjourned at 1:02 p.m.

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Submitted by: Kayla Lindert, Clerk/Treasurer

Approved:

## **Chapter 403**

### **PROPERTY MAINTENANCE**

#### **GENERAL REFERENCES**

**Fires and fire prevention — See Ch. 272.**

**Hazardous materials and pollutants — See Ch. 297.**

**Nuisances — See Ch. 372.**

**Stormwater management and erosion control — See Ch. 450.**

**Urban forests — See Ch. 480.**

**Waste management — See Ch. 505.**



ARTICLE I  
**General Standards**  
**[Adopted as Title 10, Ch. 10, of the 1994 Code]**

**§ 403-1. Scope.**

These standards apply to all structures located in a residential-zoned area and to all structures and sites used for residential purposes but zoned for other uses.

**§ 403-2. Minimum standards.**

It shall be unlawful for any person to occupy or use or let or hold out to another for occupancy or use any building, structure or premises which does not comply with the requirements of this Code.

**§ 403-3. Foundations, exterior walls and roofs.**

The foundation shall be substantially watertight and protected against rodents and shall be kept in good condition and repair. The foundation elements shall adequately support the building at all points. Every exterior wall shall be substantially watertight, weathertight, protected against rodents, kept in good condition and repair and shall be free of deterioration, holes, breaks, loose or rotting boards or timber, and any other condition which might admit rain or dampness to the interior portions of the walls or to the exterior spaces of the dwelling. All exterior wood surfaces shall be protected by paint, stain or other water- and weather-resistant treatment. Every roof shall be watertight, weathertight, kept in good condition and repair, and have no dangerous defects. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All cornices, copings, parapets, moldings, belt courses, lintel, sills, and similar projections shall be kept in good repair, free from cracks or defects which make them hazardous or dangerous.

**§ 403-4. Windows, doors and hatchways.**

Every window shall be fully supplied with transparent or translucent windowpanes which are substantially without cracks or holes, shall be substantially tight and shall be kept in good condition and repair. Windows, other than fixed windows, shall be easily opened and shall be held in position by window hardware. Every exterior door shall fit substantially tight within its frame and shall be kept in good condition. Window and door frames shall be kept in good condition and shall exclude rain and substantially exclude wind from entering the building or structure. Every basement hatchway shall prevent the entrance of rodents, rain and surface drainage water into the building or structure.

**§ 403-5. Screens.**

From June 1 to September 15 screens shall be installed on doors or windows when they are required for ventilation. Screening shall be at least a 14 mesh and shall be attached to its frame in such manner which does not leave openings larger than those in the screen itself. Frames shall be in good condition and repair and shall fit tightly into the window or door frame so as not to allow the passage of insects or rodents. Screens shall be provided with positive attachment devices to ensure that inserts will not fall from or be

dislodged from the door or window frame. A self-closing device shall be provided for screen doors.

**§ 403-6. Stairways and porches.**

Every exterior stairway and every porch and its supports shall be kept in good and safe condition and repair and shall be free of deterioration, with every rail and balustrade firmly fastened and maintained.

**§ 403-7. Chimneys.**

Every chimney and chimney flue shall be in good and safe condition and repair.

**§ 403-8. Grading and drainage of lots.**

Every yard, court, driveway or other portion of the lot shall be graded or drained so as to prevent the accumulation of stagnant water on any such surface. Driveways shall be maintained in good condition and repair.

**§ 403-9. Yards.**

Yards shall be kept substantially clear of debris and shall be provided with adequate lawn or ground cover of vegetation, hedges or bushes. All areas not covered by any of the foregoing shall be treated to prevent dust or the blowing or scattering of dust particles into the air. All trees, bushes or vegetation which overhangs a public entrance shall be properly trimmed to avoid obstruction of the view and movements of vehicles and pedestrians.

**§ 403-10. Infestation.**

Every building and structure and all exterior appurtenances on the premises shall be adequately protected against rats, mice, termites and other vermin. Occupants and operators shall be responsible for the extermination of rodents and vermin from that part of the premises under their exclusive control, except where more than one unit is infested at the same time, and in this instance the owner shall also be responsible for extermination of the infestation.

**§ 403-11. Exterior appearance.**

Every building and structure shall be kept neat and attractive in appearance. All wooden portions shall be painted, stained or receive other similar treatment as often as necessary to maintain such appearance. Stone, brick or other masonry shall be kept adequately painted and maintained.

**§ 403-12. Refuse, garbage and rubbish storage requirements.**

Every building or structure shall have adequate refuse, garbage or rubbish storage facilities. Garbage containers shall all have tight covers and shall be kept in place at all times. No occupant shall accumulate rubbish, boxes, lumber, metal or other materials which may provide harborage for rodents or vermin.

**§ 403-13. Accessory structures.**

Every accessory structure shall be kept in good condition and repair, shall not obstruct light and air of doors or windows, shall not obstruct a safe means of access to any building or structure, shall not create fire or safety hazards and shall not provide rat or vermin harborage. All accessory structures which are in deteriorated condition and which are not repairable shall be removed.

**§ 403-14. Complaints.**

Complaints alleging a violation of this article shall be commenced by service of written notice of noncompliance upon the property owner, the form of notice to be in substantially the form of Appendix A.<sup>1</sup>

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1. Editor's Note: Appendix A is included at the end of this chapter.





## ARTICLE II

**Brush, Grass and Weeds****[Adopted as Secs. 8-1-4, 8-1-5 and 8-1-6 of the 1994 Code]****§ 403-15. Destruction of noxious weeds.**

- A. The Village Clerk/Treasurer shall annually, on or before May 15, publish as required by state law a notice that every person is required by law to destroy all noxious weeds on lands in the Village which he or she owns, occupies or controls. A joint notice with other towns or municipalities may be utilized.
- B. If the owner or occupant shall neglect to destroy any weeds as required by such notice, then the Weed Commissioner of the Village shall give five days' written notice by mail to the owner or occupant of any lands upon which the weeds shall be growing to the effect that said Weed Commissioner, after the expiration of the five-day period, will proceed to destroy or cause to be destroyed all such weeds growing upon said lands and that the cost thereof will be assessed as a tax upon the lands upon which such weeds are located under the provisions of § 66.0407, Wis. Stats. In case the owner or occupant shall further neglect to comply within such five-day notice, then the Weed Commissioner shall destroy such weeds or cause them to be destroyed in the manner deemed to be the most economical method, and the expense thereof, including the cost of billing and other necessary administrative expenses, shall be charged against such lots and be collected as a special tax thereon. **[Amended 6-7-2010 by Ord. No. 2010-06-14<sup>2</sup>]**
- C. As provided for in § 66.0407, Wis. Stats., the Village shall require that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of eight inches in height from the ground surface shall be prohibited within the Village corporate limits. Noxious weeds shall include any weed, grass or similar plant growth which, if allowed to pollinate, would cause or produce hay fever in human beings or would cause a skin rash through contact with the skin.
- (1) Noxious weeds, as defined in this section and in § 403-17, shall include but not be limited to the following:
- Cirsium arvense (Canada thistle)
  - Ambrosia artemisiifolia (common ragweed)
  - Ambrosia trifida (great ragweed)
  - Euphorbia esula (leafy spurge)
  - Convolvulus arvensis (creeping jenny) (field bind weed)
  - Tragopogon dubius (goat's beard)
  - Rhus radicans (poison ivy)
  - Cirsium vulgare (bull thistle)
  - Pastinaca sativa (wild parsnip)

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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Arctium minus (burdock)  
 Xanthium strumarium (cocklebur)  
 Amaranthus retroflexus (pigweed)  
 Chenopodium album (common lambsquarter)  
 Rumex crispus (curled dock)  
 Cannabis sativa (hemp)  
 Plantago lanceolata (English plantain)

- (2) Noxious grasses, as defined in this section and in § 403-17, shall include but not be limited to the following:

Agrostis alba (redtop)  
 Sorghum halepense (johnson)  
 Setaria (foxtail)

- (3) Noxious weeds are also the following plants and other rank growth:

Ragweed  
 Thistles  
 Smartweed  
 Dandelions (over 12 inches in height)  
 Milkweed (over 12 inches in height)

#### **§ 403-16. Natural lawns.**

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

**NATURAL LAWN** — Includes common species of grass and wildflowers native to North America which are designed and purposely cultivated to exceed eight inches in height from the ground. Specifically excluded from natural lawns are the noxious grasses and weeds identified in § 403-15 of this article.

**NATURAL LAWN MANAGEMENT PLAN** — A written plan relating to the management and maintenance of a lawn which contains a legal description of the lawn upon which the planted grass will exceed eight inches in height, a statement of intent and purpose for the lawn, a detailed description of the vegetational types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.

**NEIGHBORING PROPERTY OWNERS** — All those property owners who are located within 300 feet of the proposed natural lawn site.

**PROPERTY OWNER** — Includes the legal title holder and/or the beneficial owner of any lot according to most current Village records.

- B. Plan and permit required. The growth of a natural lawn in excess of eight inches in height from the ground surface shall be prohibited within the Village corporate limits unless a natural lawn management plan is approved and a permit is issued by

the Village as set forth in this section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife. Natural lawns of perennial plants are allowed on lots with exceptionally steep grades without a permit under this section.

C. Natural lawn management plan.

- (1) Property owners who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the Village. Natural lawn management plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any Village-owned property, including street rights-of-way. This shall include at a minimum property located between the sidewalk and the street or a strip not less than 10 feet adjacent to the street where there is no sidewalk, whether the area is under public or private ownership. In addition, natural lawns shall not be permitted within 10 feet of the abutting property owner's property unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the natural lawn management plan.
- (2) Any subsequent property owner who abuts an approved natural lawn may revoke the waiver, thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten-foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the Village Clerk/Treasurer by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Village Board shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten-foot section abutting the neighboring property owner. The Village Board shall revise the approved natural lawn permit accordingly. The owner of the approved natural lawn shall be required to remove the ten-foot section abutting the neighboring property owner within 20 days of receipt of the written notification from the Village, provided that the notification is received sometime between May 1 and November 1. Property owners who receive notification from the Village between November 1 and April 30 shall be required to remove the ten-foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.<sup>3</sup>

D. Application process.

- (1) Property owners interested in applying for permission to establish a natural lawn shall obtain and complete an application form available from the Village Clerk/Treasurer. The completed application shall include a natural lawn management plan. Upon submitting a completed application, a nonrefundable filing fee as prescribed in the Village Fee Schedule will be assessed by the Village. Upon receiving payment, copies of the completed application shall be mailed by the Village to each of the owners of record, as listed in the office of the Village Assessor, who are owners of the property situated wholly or in part within 300 feet of the boundaries of the property for which the application is made. If within 15 calendar days of mailing the copies of the complete

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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

application to the neighboring property owners the Village receives written objections from 51% or more of the neighboring property owners, the Village Clerk/Treasurer shall immediately deny the application.<sup>4</sup>

- (2) If the property owner's application is in full compliance with the natural lawn management plan requirements and less than 51% of the neighboring property owners provide written objections, the Village Clerk/Treasurer shall issue permission to install a natural lawn.
- E. Application for appeal. The property owner may appeal the Village Clerk/Treasurer's decision to deny the natural lawn permit request to the Village Board at an open meeting. All applications for appeal shall be submitted within 15 calendar days of the notice of denial of the natural lawn permit. The decision rendered by the Village Board shall be final and binding.<sup>5</sup>
- F. Safety precautions for natural grass areas.
- (1) When, in the opinion of the Fire Chief of the Department serving the Village of Pardeeville, the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit, the property owner shall be required to cut the natural lawn within three days upon receiving written direction from the Fire Chief.
  - (2) Natural lawns shall not be removed through the process of burning unless stated and approved as one of the management and maintenance techniques in the natural lawn management plan. The Fire Chief shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to ensure public safety. Burning of natural lawns shall be strictly prohibited unless a written permit to burn is issued by the Fire Chief. The Fire Chief shall establish a written list of requirements for considering each request to burn natural lawns, thereby ensuring the public safety. In addition, the property owner requesting permission to burn the natural lawn shall produce evidence of property damage and liability insurance identifying the Village as a party insured. A minimum amount of acceptable insurance shall be \$300,000.
- G. Revocation of an approved natural lawn permit. The Village Clerk/Treasurer, upon the recommendation of the Weed Commissioner, shall have the authority to revoke an approved natural lawn permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this section. Notice of intent to revoke an approved natural lawn permit shall be appealable to the Village Board. All applications for appeal shall be submitted within 15 calendar days of receipt of the written notice of intent to revoke the approved natural lawn permit. Failure to file an application for appeal within the 15 calendar days shall result in the revoking of the natural lawn permit. All written applications for appeal filed within the fifteen-calendar-day requirement shall be reviewed by the Village Board in an open

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4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

meeting. The decision rendered by the Village Board shall be final and binding.  
**[Amended 6-7-2010 by Ord. No. 2010-06-14<sup>6</sup>]**

H. Public nuisance defined; abatement after notice.

- (1) The growth of a natural lawn as defined in this section shall be considered a public nuisance unless a natural lawn management plan has been filed and approved and a permit is issued by the Village as set forth in this section. Violators shall be served with a notice of public nuisance by certified mail to the last known mailing address of the property owner.
- (2) If the person so served with a notice of public nuisance violation does not abate the nuisance within 10 days, the enforcement officer may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within 10 calendar days from receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the Village Clerk/Treasurer shall enter those charges onto the tax roll as a special tax as provided by state statute.
- (3) The failure of the Village Clerk/Treasurer to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the Village expense on the tax rolls for unpaid bills for abating the public nuisance as provided for in this section.

I. Penalty.

- (1) Any person, firm or corporation who or which does not abate the nuisance within the required time period or who otherwise violates the provisions of this section shall be subject to the general penalty found in § 1-4 of this Code.
- (2) In addition to any penalties herein provided, the Village may issue stop-work orders upon owners of lots where work is unfinished under a previously issued building permit for any violation of this section.

**§ 403-17. Regulation of length of lawn and grasses.**

- A. Purpose. This section is adopted due to the unique nature of the problems associated with lawns, grasses and noxious weeds being allowed to grow to excessive length in the Village of Belleville.
- B. Public nuisance declared. The Village Board finds that lawns, grasses and noxious weeds on nonagricultural, nonconservancy lots or parcels of land, as classified under Chapter 615, Zoning, of this Code, within the Village of Belleville which exceed eight inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interfere with the public convenience and adversely affect property values of other land within the Village. For that reason, any nonagricultural lawn, grass or weed on

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6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

a lot or other parcel of land which exceeds eight inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area or where the lawn, grass or weed is part of a natural lawn approved pursuant to § 403-16 above.

- C. Nuisances prohibited. No person, firm or corporation shall permit any public nuisance as defined in Subsection B above to remain on any premises owned or controlled by him or her within the Village.
- D. Inspection. The Weed Commissioner or his or her designee shall inspect or cause to be inspected all premises and places within the Village to determine whether any public nuisance as defined in Subsection B above exists.
- E. Abatement of nuisance.
  - (1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsection B above exists, he or she shall immediately cause written notice to be served that the Village proposes to have the lot grass or lawn cut so as to conform to this section and § 403-16.
  - (2) The notice shall be mailed or served on the owner of the lot or parcel of land or, if he or she is not known and there is a tenant occupying the property, then on the tenant, at least seven days before the grass or lawn will be cut. Such notice shall direct the person causing, maintaining or permitting such nuisance, or the owner or occupant of the premises, to abate or remove such nuisance within seven days and shall state that unless such nuisance is so abated the Village will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, maintaining or permitting the nuisance, as the case may be. **[Amended 6-7-2010 by Ord. No. 2010-06-14; 9-17-2012 by Ord. No. 2012-09-01; 3-2-2015 by Ord. No. 2015-03-03]**
- F. Remedy from notice. Any person affected by a notice issued pursuant to Subsection E of this section may, within seven days of service of the notice, apply to the circuit court for an order restraining the Village from abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance. **[Amended 9-17-2012 by Ord. No. 2012-09-01; 3-2-2015 by Ord. No. 2015-03-03]**
- G. Village's option to abate nuisance. In any case where the owner, occupant or person in charge of the property shall fail to cut his or her lawn, grass or weeds as set forth above, then and in that event the Village may elect to cut said lawn, grass or weeds as follows:
  - (1) The written notice required in Subsection E shall inform said person that in the event of his or her failure to abate the nuisance within the prescribed time, the Village shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.
  - (2) The Village shall cut or cause to be cut all grass and weeds from the subject property and shall charge the expenses of so doing at a rate as established by resolution by the Village Board. The charges shall be set forth in a statement to the Village Clerk/Treasurer, who, in turn, shall mail the same to the owner,

occupant or person in charge of the subject premises. If said statement is not paid in full within 30 days thereafter, the Village Clerk/Treasurer shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate or as provided under § 66.0907(3)(f), Wis. Stats.

- H. Forfeiture. In addition to the abatement procedures set forth above, any owner, occupant or person in charge of property who permits his or her lawn, grass or weeds to create a public nuisance under Subsection B shall be subject to the general penalty provided for in § 1-4 of this Code. Each day a public nuisance under this section continues shall constitute a separate offense. **[Amended by Ord. No. 1997-07-03]**





ARTICLE III  
**Junk and Unsightly Materials**  
**[Adopted as Title 11, Ch. 8, of the 1994 Code]**

**§ 403-18. Junked vehicles and appliances on private property.**

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways or which are otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

INOPERABLE APPLIANCE — Any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.

MOTOR VEHICLE — As defined in § 340.01(35), Wis. Stats.

UNLICENSED MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — Motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.

- B. Storage of automobiles restricted. No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances shall be stored upon private residential property or unenclosed outside a building upon nonresidential property within the Village of Pardeeville for a period exceeding 10 days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as not to constitute a public nuisance.
- C. Exceptions. This section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and in a non-nuisance manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided that such vehicles are stored in compliance with the ordinances of the Village. Also excepted are motor vehicles registered pursuant to §§ 341.265 and 341.266, Wis. Stats. In other situations the Village Board may issue temporary permits permitting an extension of not to exceed an additional 30 days' time to comply with this section where exceptional facts and circumstances warrant such extension.
- D. Enforcement.
- (1) Whenever the Police Department shall find any vehicles, vehicle parts or tires, or appliances, as described herein, placed or stored in the open upon private property within the Village, it shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this section. If said

vehicle, part thereof or appliance is not removed within five days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

- (2) If such vehicle or appliance is not removed within 20 days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be towed to the facility of the person providing the towing service, and it shall thereafter be disposed of as prescribed in §§ 489-3 through 489-6 of this Code by the Chief of Police or his or her duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.
- E. Penalty. Any person who shall interfere with the enforcement of any of the provisions of this section and shall be found guilty thereof shall be subject to a penalty as provided in § 1-4 of this Code. Each motor vehicle or appliance involved shall constitute a separate offense.

**§ 403-19. Unhealthy, hazardous or unsightly materials on public or private property.**

- A. Inspections. Whenever the Building Inspector or Fire Inspector shall, upon inspection of any premises within the Village of Pardeeville, find that there is deposited, placed, stored or remaining on said premises any garbage, junk, rubbish, rubble, trash, abandoned, outmoded or nonsalable merchandise or parts, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or any other unhealthy, hazardous or unsightly materials or things which create a fire or health hazard, or which are detrimental to the appearance, neatness and cleanliness of the immediate neighborhood or the Village of Pardeeville in general, such official shall issue his or her written order to the owner and/or occupant of the premises to remove said garbage, junk, rubbish, rubble or trash, abandoned, outmoded or nonsalable merchandise or parts, accumulation of grease or food wastes in a grease trap or other place or depository which presents a risk of clogging or blocking a sewer system, or other unhealthy, hazardous or unsightly materials or things. Said written order shall provide that such removal shall be accomplished within 10 days after service of said order upon the owner or occupant of the premises involved. The order shall be served upon such owner or occupant in the manner prescribed by law for service of a summons of a court of record of the State of Wisconsin. Such written order, in addition to specifying and describing the material or things to be removed, shall also set forth on the face thereof the provisions of Subsection B.
- B. Appeal. Any person feeling himself or herself aggrieved by any order of a Village official under this section may, within 10 days from the date of receipt of such order, appeal such order to the Village Zoning Board of Appeals.
- C. Exceptions. Nothing contained in this section shall be construed to prohibit the depositing of rubbish, rubble, junk, trash, abandoned, outmoded or nonsalable merchandise or parts or unsightly materials or things which are:

- (1) Lawfully located pursuant to Chapter 615, Zoning, of this Code and maintained in such a manner as not to constitute a nuisance;
  - (2) Temporarily deposited due to an emergency;
  - (3) Materials temporarily stored during construction; or
  - (4) Collected and piled for immediate pickup and disposal by the Village or by private means.
- D. Nonconforming uses. It shall not be a defense to the provisions of this section that the owner or occupant of the premises involved has a nonconforming use under the provisions of Chapter 615, Zoning, of this Code, but the provisions of this section shall be complied with notwithstanding that the owner or occupant of any given premises is using or occupying such premises under a valid nonconforming use.
- E. Grease traps. All owners or occupants of premises within the Village containing one or more grease traps shall annually clean accumulations of grease in such grease traps and provide the Village with written notification that they have complied with the terms of this subsection. Written notification that the grease traps have been cleaned shall be provided to the Village Clerk/Treasurer by September 30 of each year and shall identify each trap cleaned and the date on which each trap was cleaned and shall include documentation that the septage was serviced by a person holding a valid Wisconsin septage servicing operator's certificate under Ch. NR 114, Wis. Adm. Code. Any owner or occupant who fails to annually clean his or her grease traps or provide timely notification to the Village Clerk/Treasurer shall be subject to a penalty as provided in § 1-4 of this Code. **[Amended by Ord. No. 2003-01-01]**



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## Sec. 60-5. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A Zones* means those areas shown on the official floodplain zoning map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

*Accessory structure or use* means a facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

*AH Zone. See Area of shallow flooding.*

*Alteration* means an enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

*AO Zone. See Area of shallow flooding.*

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH, or VO Zone on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

*Basement* means any enclosed area of a building having its floor sub-grade (i.e., below ground level, on all sides).

*Building. See Structure.*

*Bulkhead line* means a geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the department pursuant to Wis. Stats. § 30.11 and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this chapter.

*Campground* means any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for ~~nonpermanent~~ overnight use by four or more camping units, or which is advertised or represented as a camping area.

*Camping unit* means any portable device, no more than 400 square feet in area, used as a temporary shelter, including, but not limited to, a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

*Certificate of compliance* means a certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this chapter.

*Channel* means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

*Crawlways or crawl space* means an enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

*Deck* means an unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

*Department* means the state department of natural resources.

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*Development* means any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

*Dryland access* means a vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

*Encroachment* means any fill, structure, equipment, use or development in the floodway.

*Federal Emergency Management Agency (FEMA)* means the federal agency that administers the National Flood Insurance Program.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- (1) The overflow or rise of inland waters;
- (2) The rapid accumulation or runoff of surface waters from any source;
- (3) The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- (4) The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

*Flood frequency* means the probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent chance of occurring in any given year.

*Flood hazard boundary map* means a map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a flood insurance study and a flood insurance rate map.

*Flood insurance rate map (FIRM)* means a map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

*Flood insurance study* means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood insurance rate maps, that accompany the flood insurance study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

*Flood profile* means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

*Flood protection elevation* means an elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (See *Freeboard*.)

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*Flood storage* means those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

*Floodfringe* means that portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

*Floodplain* means land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

*Floodplain island* means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

*Floodplain management* means policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

*Floodproofing* means any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

*Floodway* means the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

*Freeboard* means a safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

*Habitable structure* means any structure or portion thereof used or designed for human habitation.

*Hearing notice* means publication or posting meeting the requirements of Wis. Stats. ch. 985. For appeals, a Class 1 notice, published once at least one week (seven days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (seven days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

*High flood damage potential* means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is either:

- (1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

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*Increase in regional flood height* means a calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

*Land use* means any nonstructural use made of unimproved or improved real estate. (See *Development*.)

*Lowest adjacent grade* means elevation of the lowest ground surface that touches any of the exterior walls of a building.

*Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

*Maintenance* means the act or process of restoring to original soundness, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

*Mobile recreational vehicle* means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of the term "mobile recreational vehicles."

*Mobile/manufactured home park or subdivision* means a parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

*Mobile/manufactured home park or subdivision, existing*, means a parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this chapter. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

*Mobile/manufactured home park or subdivision, expansion to an existing*, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

*Model, corrected effective*, means a hydraulic engineering model that corrects any errors that occur in the duplicate effective model, adds any additional cross sections to the duplicate effective model, or incorporates more detailed topographic information than that used in the current effective model.

*Model, duplicate effective*, means a copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

*Model, effective*, means the hydraulic engineering model that was used to produce the current effective flood insurance study.

*Model, existing (pre-project)*, means a modification of the duplicate effective model or corrected effective model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no



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modification has occurred since the date of the effective model, then this model would be identical to the corrected effective model or duplicate effective model.

*Model, revised (post-project)*, means a modification of the existing or pre-project conditions model, duplicate effective model or corrected effective model to reflect revised or post-project conditions.

*Municipality or municipal* means the village board.

*NAVD or North American Vertical Datum* means elevations referenced to mean sea level datum, 1988 adjustment.

*New construction* means, for floodplain management purposes, structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

*NGVD or National Geodetic Vertical Datum* means elevations referenced to mean sea level datum, 1929 adjustment.

*Nonconforming structure* means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

*Nonconforming use* means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

*Obstruction to flow* means any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

*Official floodplain zoning map* means that map, adopted and made part of this chapter, as described in section 60-8, which has been approved by the department and FEMA.

*Open space use* means those uses having a relatively low flood damage potential and not involving structures.

*Ordinary high water mark* means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

*Person* means an individual, or group of individuals, corporation, partnership, association, municipality or state agency.

*Private sewage system* means a sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the department of safety and professional services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

*Public utilities* means those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

*Reasonably safe from flooding* means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

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*Regional flood* means a flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

*Start of construction* means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure* means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

*Subdivision* has the meaning given in Wis. Stats. § 236.02(12).

*Substantial damage* means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

*Substantial improvement* means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term "substantial improvement" does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions; or any alteration of an historic structure provided that the alteration will not preclude the structure's continued designation as an historic structure.

*Unnecessary hardship* means where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

*Variance* means an authorization by the zoning board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

*Violation* means the failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

*Water surface profile* means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

*Watershed* means the entire region contributing runoff or surface water to a watercourse or body of water.

*Well* means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

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(Code 1986, tit. 10, ch. 2, § 10.0)

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## **Sec. 60-22. Public or private campgrounds.**

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the department of health services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated by the officials identified in subsection (4) of this section to remain in compliance with all applicable regulations, including those of the state department of health services and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on-site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to ensure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either article III, IV or V of this chapter for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

(Code 1986, tit. 10, ch. 2, § 2.4)



## **Important Update – New Code**

### **SPS 327 Camping Units**

[2015 Wisconsin Act 49](#) directed the Division of Industry Services (DIS) at the Wisconsin Department of Safety and Professional Services (DPS) to adopt rules outside of the Uniform Dwelling Code (UDC) for one- and two-family dwellings, which establish standards for the construction and inspection of camping units set in a fixed location in a campground licensed by the Department of Health Services (DHS) under Wis. Stat. §. 254.47 [s. 97.67], that contain a sleeping place, and are used for seasonal overnight camping.



This memo intends to clarify questions relating to the administration and enforcement of Wisconsin Administrative Code SPS 327 as it pertains to camping units.

**SPS 327.08(9)** defines a Camping Unit as a framed structure or a tent, teepee, yurt, or other structure with fabric roof or walls that is 400 square feet or less in area, which is used for seasonal overnight camping in a campground. **SPS 327** applies only to the construction of new Camping Units built on or after the effective date of this chapter. The code does not apply to repairs, alterations, or additions. Like the UDC, **SPS 327** is a uniform statewide code, thus a local municipality may not adopt an ordinance on any subject falling within the scope of the code.

**SPS 327** requires that all municipalities exercising jurisdiction over the UDC for one- and two- family dwellings shall, by ordinance, adopt SPS 327 in its entirety. Per **SPS 327.06(1)(a)** and **320.06**, inspections of camping units will be performed by the certified UDC inspector employed or contracted with the municipality in which the camping unit is located. **SPS 327.06(1)(b) provides an exception to this requirement for municipalities that notify the department, in writing, within 90 days of the effective date of this code that they are choosing to “opt out” from enforcing SPS 327. In municipalities that exercise this exception under sub. (1), the department will oversee (contract) enforcement and inspection services for new camping units.**

**Note:** Notification of intent to not exercise jurisdiction and certified copies of rescission of ordinances should be sent to Department of Safety and Professional Services, Industry Services Division, PO Box 7302, Madison, WI 53701-7302. This notification must be made by Sunday, May 7, 2017.

Wisconsin camping unit building permits are obtained from and submitted to the municipality administering and enforcing this code or from a registered UDC inspection agency administering and enforcing this code in a municipality where the department has jurisdiction pursuant to **s. 101.651 (3) (b)**, Stats., before any construction of a camping unit may begin. Permits will expire 24 months after issuance if construction of the camping unit has not been completed.

If you have any questions regarding the implementation of SPS 327 for Camping Units, DSPS encourages you to take a look at our [website](#), [email us](#) or call 608-266-2112.



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## Sec. 58-158. Driveways.

All driveways installed, altered, changed, replaced, or extended after the effective date of the ordinance from which this article is derived shall meet the following requirements:

- (1) Islands between driveway openings shall be provided with a minimum of 12 feet between all driveways. A driveway opening shall be a minimum of ~~and~~ six feet from at all lot lines.
- (2) Openings for vehicular ingress and egress shall be at least ten feet wide at the property line for single stall residential properties, and a minimum of 16 feet wide at the property line for all other uses, but shall not exceed 24 feet at the property line and 30 feet at the curb opening in all residential districts, unless otherwise authorized by the Director of Public Works.
- (3) Openings for vehicular ingress and egress in a business/industrial district shall not exceed 30 feet at the property line and 40 feet at the curb opening, unless otherwise authorized by the Director of Public Works.
- (4) Vehicular entrances and exits to drive-in theaters, banks, and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages, or public parking lots shall be not less than 200 feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park playground, library, public emergency shelter, or other place of public assembly.

(Code 1986, § 10-1-63)

Updated 04/20/2022

## **Sec. 56-32. Review and acceptance fees.**

~~Prior to the scheduling for approval of the final plat and final plans and specifications by the village board, the owner shall pay to the village a fee as set forth in the village fee/bond schedule. This shall include all previous fees paid in advance for preliminary plan approval and is intended to cover all review and approval costs. This fee is not intended to include construction inspection costs.~~

### **Agreement and Security for Improvements:**

(a) Agreement. Before any final plat or Certified Survey Map is approved, the subdivider shall enter into an agreement with the Village wherein the subdivider agrees that the subdivider shall make and install any public improvements reasonably necessary or that the subdivider execute a surety bond as set forth in (b) below to ensure that he or she will make those improvements within a reasonable time. The subdivider may construct the project in such phases as the Village Board approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security required by the Village Board shall be limited to the phase of the project that is currently being constructed. The Village Board may not require that the subdivider provide any security for improvement sooner than is reasonably necessary before the commencement of the installation of the improvements.

(b) Security for Performance Required.

(1) To guarantee the satisfactory installation of the required improvements and as a condition of approval of the plat or certified survey map, the subdivider shall furnish to the Village an irrevocable letter of credit in a form acceptable to the Village and in an amount equal to 125% of the estimated cost of all required improvements as determined by the Village Engineer. Where staging is permitted, the amount and duration of the security shall be determined in accordance with Subsection (a) above.

(2) When the security is furnished to insure the construction of required improvements within the extraterritorial jurisdiction of the Village, it may name the town and Dane County, or either of them, in addition to the Village, as obligees, payees, or beneficiaries.

(3) The security deposit shall guarantee that all required improvements will be made and installed according to the agreement with the Village and Village specifications by the subdivider or its contractors by a date as required in the agreement with the Village.

(4) The security deposit shall be used, applied and released pursuant to Section 83.113.

### **Fees:**

(a) Review Fees. At the time of submitting the preliminary plat, final plat or Comprehensive Development Plan, the subdivider shall pay the applicable review fees as periodically established by Village Board resolution.

(b) Engineering, Inspection, Consulting and Legal Fees.

(1) Payment for Review Services. The subdivider shall pay all administrative costs incurred by the Village for studying and reviewing the proposed development plans of the subdivider incurred prior to and through the date of a formal subdivision or development submission. Further, the subdivider shall pay all administrative costs incurred by the Village for studying and reviewing the proposed development plans of the subdivider incurred from the date the project is submitted up to and through the date the project receives final approval from the Village or the date the project is withdrawn by the subdivider. These costs shall include, but not be limited to because of enumeration, planning, legal, engineering, and Village staff service costs incurred by the Village in connection with the review of the subdivider's plans and review of compliance with all Village ordinances. The legal, planning and/or engineering consultants retained by the Village are acting exclusively on behalf of the Village and not the subdivider.



(2) Guarantee of Payment.

a. The subdivider shall reimburse the Village for all administrative costs described in Subsection (b)(1) and as required by Village ordinance as the same shall be billed from time to time by the Village. The subdivider shall deposit with the Village Administrator/Clerk-Treasurer, in escrow, the cash sum of \$5,000 for developments of five acres or less and \$7,500 for developments of greater than five acres to ensure performance of the promise or guarantee of reimbursement. The Village may draw upon the escrow from time to time as necessary to reimburse the Village for fees and expenses incurred. If at any time moneys in the escrow are insufficient to pay expenses incurred by the Village for planning, legal, engineering, and staff services, the subdivider shall deposit additional amounts as determined by the Village within 15 days of written demand or further review and evaluation of the proposed development shall be delayed or terminated.

b. Payment of all administrative costs shall be a condition of any further approvals required from the Village. Further, should the subdivider withdraw the project and the amount of the escrow is insufficient to cover all of the Village's administrative, planning, legal, and engineering costs, the subdivider shall immediately reimburse the Village within 15 days of final billing. Should the subdivider withdraw the project or the project reach completion and there are sums held in escrow by the Village which shall exceed the final amount owed to the Village, the Village shall return all excess funds in escrow to the subdivider within 15 days of reconciling the final billing statement with the subdivider.

(3) Default. In the event of default by the subdivider, in addition to any other remedies to which the Village may be entitled, the Village shall recover from the subdivider all of its costs in enforcing this chapter, including actual attorney fees, and may elect to collect the administrative costs and all costs of collection as a special charge upon the new tax roll on lands being reviewed if owned by the subdivider pursuant to the authority of Section 66.0627, Wis. Stats.

(Code 1986, § 10-3-4(d))

Updated: 05-03-2022