

TOWN OF DEXTER

AMENDED ZONING & BUILDING ORDINANCE

At the regular Monthly Board Meeting held on August 14, 2024, the Board of the Town of Dexter adopted this Amended Zoning & Building Ordinance. A copy of this Ordinance may be obtained online at the town website townofdexterwi.gov

State of Wisconsin

Wood County

Town of Dexter

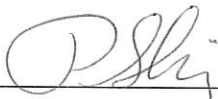
Patricia Stanislawski, being duly sworn, states that she is the Chairperson of the Town of Dexter, Wood County, Wisconsin.

She has noticed this document on the town website, in the Town Hall Display Case, at the Lakeside Oasis display case, and published it in the Pittsville Record on

This 22ND day of August 2024. (A copy of which is attached and made a part hereof)

PREPARED BY AND FILED IN THE TOWN ORDINANCE BOOK

THIS 14th DAY OF August 2024



Town Chairperson, Patricia Stanislawski



AMENDMENTS TO THIS ORDINANCE ARE AS FOLLOWS:

A1

1. Removing all mentions of “the attached Fee Schedule” as per Town Resolution 06-2011-03
2. Page 10...Remove #8 as per Town Resolution 06-2011-03
3. Page 14 QUARRIES...Add “Non-Metallic Mining” to title making it Quarries/Non-Metallic Mining. Change all Quarrying verbiage to include Non-Metallic Mining.
4. Page 14 QUARRIES...Add State and National Requirements

A.SPS 305.20 BLASTERS

B. SPS 307.01 TO SPS307.44 EXPLOSIVES

C. SPS 308.01 TO SPS 308.21 MINES, PITS, D. QUARRIES

D. NFPA 495 EXPLOSIVE MATERIALS CODE

E. NR 135 RECLAMATION

5. PAGE 17 PONDS.PERMIT WILL BE ISSUED ON THE CONDITION THAT ALL DNR GUIDELINES ARE FOLLOWED. UNDER WISCONSIN STATUTE 281.01

“IN WISCONSIN, ALL BODIES OF WATER ARE LEGALLY DEFINED AS WATERS OF THE STATE, PONDS ARE UNDER THE JURISDICTION OF THE WI DNR EVEN THOUGH THEY MAY BE ON PRIVATE LANDS.”

5. PAGE 30 FEE...REVISED TO CONFORM WITH CURRENT RESOLUTION AND CAN BE FOUND ON OUR TOWN WEBSITE AT townofdexterwi.gov
6. PAGE 34 EFFECTIVE DATE...REPLACE WITH CURRENT TOWN BOARD MEMBERS, AND CLERK
7. PAGE 35 FEE SCHEDULE...REMOVE AS PER TOWN RESOLUTION 06-2011-03. NEW FEE SCHEDULE CAN BE FOUND ON OUR TOWN WEBSITE AT townofdexterwi.gov



TOWN OF DEXTER, WOOD COUNTY WISCONSIN

TOWN ZONING ORDINANCE

TOWN ZONING ORDINANCE

Prepared by:

Town of Dexter Planning Commission with assistance from the Wood County Planning and Zoning office.

Public Hearing: December 28, 2009

Recommended for adoption as written, repealing other versions by the Commission on December 21, 2009. Adopted by the Town of Dexter Board on December 30, 2009.

Amended May 17, 2010 with the Public Hearing held on May 26, 2010

Adopted by the Town of Dexter Board July 8, 2010 after repealing previous Ordinance.

Adopted amended version May 25, 2011.

Town of Dexter Planning Commission Public Hearing: May 19, 2024

Recommended for adoption as written, repealing other versions. Adopted by the Town of Dexter Board on August 14, 2024.



FILED IN THE TOWN ORDINANCE BOOK THIS 14th DAY OF August 2024.

A handwritten signature in black ink, appearing to read "P. Stanislawski".

Chairperson, Patricia Stanislawski

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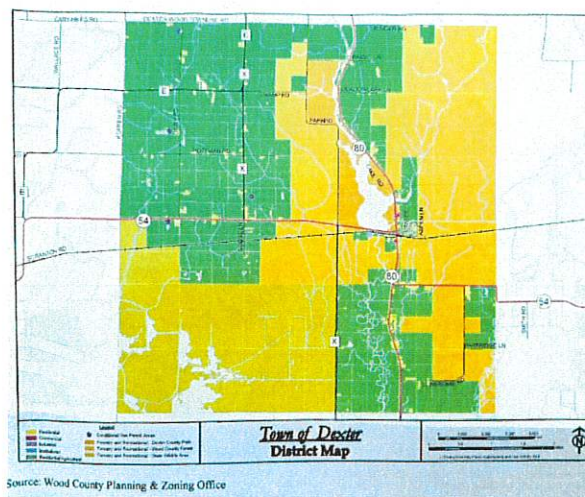
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OFFICIAL ZONING DISTRICT MAP



ZONING ORDINANCE

The Town Board of the Town of Dexter, Wood County, Wisconsin, being authorized to exercise the powers of a village pursuant to Wisconsin Statute 60.10, does ordain as follows:

SECTION 1. PURPOSE AND INTERPRETATION**1.01 PURPOSES:**

- (1) An Ordinance to promote the health, safety, and general welfare; to regulate and restrict the height, number of stories and size of buildings and other structures, the size of yards, courts, and other open spaces, the location and use of buildings, structures, and land for trade, industry, residence, and other purposes; and for the said purpose to divide the Town of Dexter, Wood County, Wisconsin, into districts of such number, shape, and area as are deemed best suited to carry out the said purposes; to provide a method for its administration and enforcement and to provide penalties for its violation.
- (2) The provisions of this Ordinance shall be held to be minimum requirements adopted to promote the health, safety, comfort, prosperity, and general welfare of the residents of the Town of Dexter, Wood County, Wisconsin.
- (3) To support and implement the goals and objectives, the Planning Commission will direct policies and programs of the Comprehensive Plan and Zoning and Building Ordinances for the Town of Dexter. All previous Zoning and Building Ordinances of the Town of Dexter are hereby repealed.
- (4) A Town Supervisor may be designated, by the Town Chairman, subject to Town Board confirmation, as a liaison between the Commission and the Town Board. This Town Supervisor may participate fully in the Commission meetings except that he shall have no vote on the Commission unless he/she is the 5th member of the Commission, then he can vote as a Board member and a Commission member.
- (5) The Planning Commission shall not have any authority to grant or make recommendations on Variance, Adjustment, or special exceptions.

1.02 INTERPRETATION:

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easement, covenants, or agreements between parties or with any rules, regulations, or permits previously adopted or issued pursuant to laws; provided, however, that where the Ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of a building or requires larger open spaces than are required by other rules, regulations, or permits or by easement, covenants, or agreements, the provisions of this Ordinance shall govern.

SECTION 2: DEFINITIONS OF WORDS & PHRASES**2.01 GENERAL**

The following words, phrases, and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined:

- 1. ACCESSORY OR AUXILIARY USE OR STRUCTURE:** A use or structure subordinate to the principal use of a building or to the principal use of land and which is located on the same lot serving a purpose primarily customarily incidental to the use of the principal building or land use. In the case of a house and detached garage on the lot, the accessory building is the garage.

- 2. AGRICULTURE:** The use of land for agricultural purpose, including farming, dairying, **P2**
pasturage, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and
the necessary accessory uses for packing, treating, or storing the produce; provided, however,
that the operation of such accessory uses shall be secondary to that of normal agricultural
activities.
- 3. AIRPORT:** Any runway, landing area, airport or other facility designed, used, or intended to be
used either publicly or privately by a person for the landing or taking off of aircraft, including all
necessary taxiways, aircraft storage and tie-down areas, hangar and other necessary buildings
and open spaces.
- 4. ALLEY:** A street or thoroughfare less than 21 feet wide and affording only secondary access to
abutting property, and not intended for general traffic.
- 5. AUTOMOBILE REPAIR:** General repair, rebuilding, or reconditioning of engines, motor vehicles,
or trailers; collision services including body, frame, or fender repair; overall painting or paint
shop, vehicle steam cleaning.
- 6. AUTOMOBILE OR TRAILER SALES AREA:** An open area, other than a street, used for display,
sale, or rental of new or used motor vehicles or trailers in operable condition and where no
repair work is done.
- 7. AUTOMOBILE SALVAGE YARD:** Any area of land where two (2) or more inoperative vehicles,
unlicensed vehicles, or vehicles without current registration where a license is required to
operate, and/or accumulation of parts thereof, are stored in the open and not being restored to
operation; or any land, building, or structure used for the wrecking or storing of such motor
vehicle.
- 8. AUTOMOBILE SERVICE STATION OR FILLING STATION:** A building or other structure or a tract
of land where gasoline or similar fuel, stored only in underground tanks, is dispensed directly to
users of motor vehicles. The following activities are permitted as accessory uses to a gasoline
station: The dispensing of oil, greases, anti-freeze, tires, batteries, and automobile accessories
directly to users of motor vehicles; tuning motors, minor servicing and repair to the extent of
installation of the items enumerated above; washing of automobiles. All other activities shall
be prohibited, including, but not limited to upholstery work, auto glass work, painting, welding,
auto sales, and disabled auto storage.
- 9. BASEMENT:** A story partly underground which, if occupied for living purposes, shall be
counted as a story for purposes of height measurement.
- 10. BUILDING:** Any structure having a roof supported by columns or walls, used, or intended to be
used for shelter or enclosure of persons, animals, equipment, materials, or machinery. When
such a structure is divided into separate parts by one (1) or more unpierced walls extending from
the ground up, each part is deemed a separate building, except for the minimum side yard
requirements as hereinafter provided.
- 11. BUILDING, HEIGHT OF:** The vertical distance from the average curb level in front of the lot or
finished grade at the building line, whichever is higher, to the highest point of a mansard roof, or to
the average height of the highest gable of a gambrel, hip, or pitch roof.

- 12. CAMPGROUNDS:** Any public or private premises, including buildings, established for temporary day and overnight habitation by persons using equipment designed for the purpose of temporary intermittent human habitation. **P3**
- 13. CAMPING VEHICLE:** A vehicle eight (8) feet or less in width, designed for intermittent human habitation, and is towed or self-propelled upon a highway.
- 14. CEMETERY:** Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbarium's, crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.
- 15. CLINIC:** A place used for care, diagnosis, and treatment of sick, ailing, and injured humans and animals, and those who need medical and surgical attention, but who are not provided room or board nor kept overnight and the premises, except Veterinarian Clinics.
- 16. CLUB:** A non-profit association of persons who are bona-fide members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on at a commercial enterprise.
- 17. COMPREHENSIVE PLAN:** The Town's community development plan, as adopted or amended under Wisconsin Statue 62.23 and in accordance with Wisconsin Statute 66.001, to guide and coordinate development of the Town of Dexter that will, in accordance with the future needs, best promote the public health, safety, order, convenience, prosperity, or general welfare, as well as efficiency and economy in the process of development.
- 18. CONDITIONAL USE:** A land use, while appropriate for inclusion within a given district, possess a high likelihood of creating problems with regard to nearby parcels of land or the occupants thereof, and which, therefore, permitted only subject to the fulfillment of conditions that effectively ensure that no such problems will be created.
- 19. DISTRICT:** A portion of the territory of the Town where certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance as specified on the Official Zoning Map as adopted by the Town Board of Supervisors.
- 20. DWELLING:** Any building or portion thereof designed for and/or used exclusively by one (1) or more person, but not including a tent, trailer, or camping vehicle, hotel or motel.
- A. SINGLE FAMILY DWELLING:** A building designed and/or used exclusively for residence purposes by one (1) family or housekeeping unit.
- B. TWO FAMILY DWELLING:** A building designed and/or used exclusively for two (2) families or a housekeeping unit.
- C. MULTIPLE FAMILY DWELLING:** A building or portion thereof designed and/or used exclusively for and occupied by more than two (2) families including tenement houses, row houses, apartment houses, and apartment hotels/motels.

21. FAMILY: The body of people who live together in one (1) dwelling unit as a single housekeeping entity.

22. FARM: An area which is used for the growing of the usual farm products such as vegetables, fruit trees, nursery stock, Christmas trees, and grain, and their storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep, and swine. The term farming includes the operating of such an area for one (1) or more of the above uses, including dairy farms with the necessary accessory uses for treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities.

23. FRONTAGE: Frontage shall that boundary of a lot that is along an existing or dedicated public street, or where no public street exists, is along a public way. Where a lot abuts more than one (1) street, the Planning Commission shall determine the frontage for purposes of this Ordinance.

24. GARAGE, PRIVATE: A detached accessory building, or a portion of the principal building used or intended for use by the occupants of the premises for the storage of self-propelled vehicles or trailers.

A. PUBLIC GARAGE: A structure or portion thereof, other than a private garage, used for storage, sale, hire, care, repairing, or refinishing of self-propelled vehicles or trailers.

B. STORAGE GARAGE: Any building or premises used for the storage only of motor-driven vehicles pursuant to previous arrangements and not to transients, and where no equipment, parts, fuel, grease, and oil is sold and vehicles are not equipped, serviced, repaired, hired, or sold.

C. COMMERCIAL STORAGE: Any materials used for commercial use stored in an open or enclosed storage area, but not including materials listed under "junk yards" in this section.

25. GREENHOUSE/PRIVATE: An accessory use to the principal building, used for growing plants, but where no plants or plant materials are sold for compensation or commercial purposes.

26. HOME OCCUPATION: An occupation for gain or support not otherwise permitted in the district having not more than one (1) employee who is not a member of the household, conducted as an accessory use to a dwelling, entirely within the dwelling and its accessory buildings, and occupying not more than half (1/2) of the floor area of the dwelling.

27. JUNK YARD: A place where waste, discarded or salvaged materials, are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking activities; building wrecking activities, used lumber places, and places for storage or salvaged building materials and equipment but not including such places where such uses are conducted entirely within a completely enclosed building and not including a pawn shop and establishments for the sale, purchase, or necessary to manufacturing operations.

28. KENNEL: Any structure or premises on which (3) or more dogs over four (4) months of age are kept for compensation.

29. LAUNDRY: A business which provides washing, drying, or ironing services for compensation.

30. LAUNDROMAT: A business that provides home-type washing, drying, or ironing machines for hire to be used by customers on the premises.

31. LOT: A parcel of land having a width and depth sufficient to provide the space necessary for the main building and its accessory buildings together with open spaces required by this Ordinance and abutting on a public thoroughfare or officially approved place.

A. CORNER LOT: A lot abutting on two (2) or more streets at their intersection provided that the interior angle of such intersection is less than one hundred thirty-five (135) degrees.

B. IMPROVED LOT: Land that its value has been increased by betterment, such as erection of a building, clearing, or filling.

32. LOT LINE: The lines bounding a lot as defined herein.

33. MANUFACTURED HOME: A manufactured home is as defined in Section 101.91 Wisconsin Statutes, which is (A) a structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width of forty (40) body feet or more in length, or, when erected on site is five hundred (500) or more square feet, and which is built on permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

(B) A structure that meets all the requirements of par. (a) above except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42USC5401 to S425; or

C). A mobile home unless a mobile home is specifically excluded under applicable statute.

34. MOBILE HOME: Manufactured mobile home. Mobile homes are considered as single-family dwellings or residences and are subject to the same regulations as other single-family residences. Mobile homes shall have a full length and width foundation with footings of block or poured concrete supporting the entire frame and shall be securely anchored to the footings.

35. MOTEL: A series of attached, semi-attached, or detached sleeping or living units primarily for the accommodation of automobile transient guests for compensation; said units, having convenience access to off-street parking spaces for the exclusive use of guests or occupants; a swimming pool, restaurant, meeting rooms, management offices, and other such accessory facilities may be included.

36. NON-CONFORMING USE: A building or premises lawfully used or occupied at the time or passage of this Ordinance or Amendments thereto, which use, or occupancy does not conform to the regulations of this Ordinance or any Amendments thereto.

37. PRINCIPAL BUILDING: The building of primary importance on a parcel of land, in contrast to those which are accessory or of secondary importance.

38. PROFESSIONAL OFFICES: The office of a doctor, practitioner, dentist, minister, architect, landscape artist, professional engineer, lawyer, musician, or other recognized profession. When established in a residential district, a professional office shall be incidental to the residential occupancy- not more than twenty five (25) percent of the floor area of only one (1) story of a unit shall be occupied by such office, only one (1) unlighted name plate not exceeding four (4) feet square in area and containing the name and profession of the occupant of the premises only, shall be exhibited.

39. QUARRYING/NON-METALLIC MINING: The removal of rock, slate, gravel, sand, topsoil or other natural material from the land by excavating, stripping, leveling, or any other such process which results in the creation of a pond or a pit. Removal of excess materials from the land, such as excavating for a foundation or cranberry bed, shall not be considered quarrying/non-metallic mining if it does not result in a pond or a pit, Drainage ditching shall not be considered quarrying/non-metallic mining.

40. RIGHT-OF-WAY: A dividing line between a lot, tract, or parcel of land and a continuous road.

41. ROADSIDE STAND: A temporary structure that is unenclosed and so designed and constructed that the structure is easily portable and can be easily moved.

42. SERVICE BUILDING: A structure housing toilet, washing, and bathing facilities, and such other facilities as may be required by this Ordinance.

43. SETBACK: The minimum horizontal distance between the right-of-way and the nearest point to a building or any projection thereof excluding uncovered steps.

44. SHALL: The word is MANDATORY and is not discretionary.

45. SHOOTING RANGE: An area designed and constructed for the discharge of firearms that is open for club members.

46. SIGN: "sign" means any outdoor advertising sign, display, device, notice, figure, painting, and drawing message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise, inform, and which any portion of a public roadway. Such definition does not include family name plaques, family farm signs, or temporary signs with a total single side area of sixteen (16) square feet or less.

A. TEMPORARY SIGN: Any sign that is placed for thirty (30) days or less. Temporary signs shall not exceed sixteen (16) square feet in area.

47. STORY: That portion of a building included between the surface of the floor and the floor next above it or if there is no floor above it, the space between the floor and ceiling next above it. A basement or cellar having one-half (1/2) or more of its height above grade shall be deemed a story for the purposes of height regulation as pertaining to this Ordinance.

48. STORY, HALF: The space under any roof except a flat roof, which if occupied for residential purposes, shall be counted as a full story.

49. STREET: All property dedicated or intended for public or private purposes or subject to public easement therefore and sixty-six (66) feet or more in width.

50. STRUCTURE: Anything constructed or erected, the use of which required permanent location on the ground or attached to something having a permanent location on the ground.

51. STRUCTURAL ALTERATION: Any change in the supporting members of a building or any change in the roof structure or in the exterior walls.

52. TEMPORARY STRUCTURE: A structure which is built of such materials in such a way that it would commonly be expected to have a relatively short useful life or is built for a purpose that would commonly be expected to be relatively short term.

53. USE: The purpose, for which land or a building, or structure is arranged, designed, or intended, or for which either land, building, or structure is or may be occupied or maintained.

A. PERMITTED USE: A use that is permitted in a District for which a Building Permit may be issued by the Zoning Official in accordance with this Ordinance.

B. CONDITIONAL USE: A use that is permitted in a District only if a Conditional Use Permit is expressly authorized in accordance with this Ordinance.

54. VARIANCE: A departure from the terms of the Zoning Ordinance where it is shown that unique physical circumstances applying to a land parcel cause hardship to the owner and that the condition permitted by the departure still will be in fundamental harmony with the surrounding area.

55. VISION CLEARANCE: An unoccupied triangular space at the street corner of a corner lot, which is bounded by the street lines and a setback line connecting points determined by measurement from the corner of each street line.

56. YARD: An open space on the same lot with a building occupied and unobstructed from the ground upward except as otherwise provided herein.

A. FRONT YARD: A yard extending the full width of the lot, between the front lot line and the nearest part of the main building, excluding uncovered steps.

B. BACK YARD: A yard extending the full width of the lot, being a minimum horizontal distance between the rear lot line and the nearest part of the building excluding uncovered steps.

C. SIDE YARD: A yard extending from the front yard to the back yard, being the minimum horizontal distance between a building and the side lot line.

SECTION 3: GENERAL PROVISIONS

3.01 COMPLIANCE:

Except as may be otherwise specifically provided, the use, size, height, and location of buildings now existing or hereafter erected, converted, enlarged, or structurally altered, the provisions of open spaces, and the use of land, shall be in compliance with the goals, objectives, policies, and programs of the

Comprehensive Plan, and with regulations established herein for the district in which such land or building is located.

3.02 PERMITS:

1. PURPOSE OF PERMITS: The primary purpose for issuing permits in the Town of Dexter is to ensure compliance with provisions of this Ordinance and the goals, objectives, policies, and programs of the Town's Comprehensive Plan. A secondary purpose is to have a record regarding the type, size, and location of all buildings and structures constructed, re-constructed, and remodeled, removed, or demolished after the effective date of this Ordinance and for emergency services information and for maintaining and keeping current the Town's tax records.

2. ZONING FEES: Zoning Fees are required in the Town of Dexter and shall be issued with permits as needed. For a list of permit fees see RESOLUTION FOR FEE SCHEDULE document or contact any Town Official.

3.03 EXEMPTIONS FROM PERMITS: 1. Buildings and structures owned by the Town.

2. The restoration or repair of building equipment such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without alteration or addition to the building or structure.
3. Fences or other similar enclosures within the owners' boundaries.
4. Roof repairs or replacement unless structural changes are made.
5. Sidewalks or driveways.
6. The following uses are exempted by this Ordinance and permitted in any zoning district. Poles, wires, cables, vaults, laterals, pipe mains, valves, or any other similar distributing equipment for telephone or communications and electric power, gas, water, and sewer lines.

BUILDING AND ZONING PERMITS:

A. PERMIT REQUIRED: No building shall hereafter be erected, moved, or structurally altered and no existing building floor plan shall be changed until a building permit therefore shall have been applied for and issued by the Chairperson (or Zoning Official if applicable).

NO HABITABLE BUILDING PERMIT SHALL BE ISSUED UNTIL A SANITARY PERMIT HAS BEEN ISSUED FROM THE WOOD COUNTY PLANNING & ZONING DEPARTMENT, PURSUANT TO APPLICABLE WISCONSIN STATUTE AND WISCONSIN ADMINISTRATIVE CODE.

B. APPLICATION PROCEDURE: All applications for building permits shall be in writing to the Chairperson (or Zoning Official if applicable). A signed affidavit of the Town of Dexter form 124 shall be completed by the applicant and given to the Chairperson (or Zoning Official if applicable). The applications shall be accompanied by plans in duplicate, showing location, actual shape and dimensions of the proposed or existing building and accessory building, the lines within which the building shall be erected, altered, or moved, the existing and/or intended use of each building or part of a building, the number of families the building is intended to accommodate, and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for the enforcement of this Ordinance. All dimensions shown relating to location and size of lot shall be based upon an actual survey. The lot and the location of the building thereon shall be

staked out on the ground before construction is started. Evidence of compliance with County & State sanitary standards must be obtained prior to issuance of the permit.

- C. PERMIT FEES:** Before receiving a building permit, the owner or his agent shall pay the Chairperson (or Zoning Official if applicable), the appropriate fees as set forth in the Fee Schedule. Fee schedule can be found on our town website at townofdexterwi.gov
- D. CONDITIONAL USE PERMIT:** When the use is being applied for is listed as a “conditional use” in the district in which it is located, the Town Board may issue a Conditional Use Permit. This permit can only be issued after a report from the Planning Commission, after a Public Hearing, and after the provisions of the Conditional Use section of this Ordinance have been complied with. The Planning Commission may recommend, and the Town Board may attach certain conditions that shall be met as a condition of issuing the permit.
- E. STATE PERMIT:** A permit shall be obtained from the State agency authorized by law to issue such permits when required under Wisconsin Statutes, Sections 30.12 (structures and deposits in navigable waters), 30.18 (diversion of water from lakes & streams), 30.20 (removal of material from beds of navigable waters), or other applicable State or Federal regulations.

3.04 UNIFORM DWELLING CODE ENFORCEMENT:

- 1. AUTHORITY:** These regulations are adopted under the authority granted by Wisconsin Statute 101.65.
- 2. PURPOSE:** The purpose of this Ordinance is to promote the general health, safety, and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.
- 3. SCOPE:** The scope of this Ordinance includes the construction and inspection of one- & two-family dwellings pursuant to applicable Wisconsin Statutes and Wisconsin Administrative Code.
- 4. WISCONSIN UNIFORM DWELLING CODE ADOPTED:** The Wisconsin Uniform Dwelling Code, CHS. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, are adopted and incorporated by reference and shall apply to all buildings within the scope of this Ordinance.
- 5. UDC BUILDING INSPECTOR:** There is hereby created the position of UDC Building Inspector under Wisconsin Statutes, section 101.66(2), Uniform Dwelling Code will be conducted by an independent inspector who shall possess the certification categories of UDC HVAC, UDC ELECTRICAL, AND UDC Plumbing for the Town of Dexter. The UDC Inspector(s) shall keep a log of all inspections completed. Refer to the UDC inspector for the UDC Building Permit Fees.
- 6. PENALTIES:** The enforcement of this section and all other laws and ordinances relating to building shall be by no means withholding of building permits, imposition of forfeitures, and injunctive action. Forfeitures shall be not less than twenty-five (\$25) nor more than one thousand (\$1000) for each day of non-compliance.

3.05 PRIVATE ON-SITE WASTE TREATMENT SYSTEMS-COMBINING STANDARD LOTS: If a standard lot is owned and the owner has adjoining property, these parcels shall be combined with a standard lot or with adjoining standard lots to make a standard lot, or one closer to standard, for private, for private, on-site waste treatment system purposes. (See also Section 3.0 of this Ordinance).

1. VISUAL CLEARANCE REQUIRED: In each quadrant of every public street or road intersection, there shall be designated a clear vision triangle, bounded by the street or road centerline and a line connecting points on said center line at a specified distance from their point of intersection, in the manner illustrated in **Table 1**.

2. VISUAL CLEARANCE DEFINITIONS:

A. CLEAR VISION TRIANGLE: The use of the term “clear vision triangle” or “triangle”, in this section, shall not be construed to preclude reasonable modifications of a triangular shaped area, including modifications occasioned by the existence of curving streets or roads.

B. CENTERLINE: The term “centerline” in this section shall be interpreted as follows:

1. where there is an undivided pavement within the right-of-way the centerline shall be the centerline of that pavement, irrespective of whether or not that coincides with the centerline of the right-of-way.
2. Where there is a divided pavement withing the right-of-way, the centerline shall be the centerline of the median strip between the pavements, except as specified in subsection 3 below.
3. Where there is a divided pavement within the right-of-way, and the distance between the centerline of the pavements, measured along the centerline of the intersecting street of road is sixty (60) feet or greater, the centerline of the pavement shall be used separately to designate the clear vision triangles.

3. REQUIRED DISTANCES BY ROADWAY TYPE: The distance specified from the point of intersection of the centerline to the aforesaid points on the centerline shall be as specified in the following table (TABLE 1):

TABLE 1

VISUAL CLEARANCE REQUIREMENTS: TOWN OF DEXTER

TYPE OF ROAD	TRIANGLE SIDE DISTANCE
State & Federal Highways	300 feet
County Trunk Highways	200 feet
Town Roads	150 feet
Railroad Crossings	300 feet

4. ALLOWABLE USES WITHIN THE CLEAR VISION TRIANGLE: Within the clear vision triangle, no object shall be allowed above a height of two and one half (2 ½) feet above average elevation of the streets at the points on their respective centerline, as defined in TABLE 1, if it substantially obstructs the view across the triangle, except as provided below. In situations where trees of large diameter, large number of trees, or some combination of these are present, this provision shall be construed to mean that a sufficient number of trees shall be removed so as to render an object, such as a motor vehicle, clearly visible across the clear vision triangle from one street or road to another, the intent being to provide for the public safety. However, it shall not necessarily be construed to mean that every tree in the clear vision triangle must be removed. In a like manner, this restriction shall not apply to the posts and wires of wire fences, provided they do not obstruct visibility across the clear vision triangle. Agriculture crops are also exempt from this provision.

3.07 BUILDING SETBACK FROM ROADWAY: 1. SETBACK REQUIREMENTS: All buildings and structures erected in the Town of Dexter shall meet roadway setbacks listed in TABLE 2 being setback from cited roadways as described below.

TABLE 2
BUILDING SETBACKS TOWN OF DEXTER

ROADWAY TYPE	CENTERLINE or RIGHT-OF-WAY		
Federal Highways	110 feet	50 feet	whichever is greater.
State Highways	110 feet	50 feet	whichever is greater.
County trunk highways	75 feet	42 feet	whichever is greater.
Town of Dexter Roads	75 feet	42 feet	whichever is greater.

2. STRUCTURES PERMITTED WITHIN SETBACK LINES

- A.** Open fences
- B.** Utility services, both above and below ground. Additions to and replacements of all such structures may be made provided the owner will file with the Chairperson (or Zoning Official if applicable) an agreement, in writing, that the owner will move or remove all new construction additions and replacements erected after the adoption of this Ordinance at his expense, when necessary to the public interest, (i.e. highway construction, airport, sewer, and water lines, etc.
- C.** Underground structures not capable of being used as foundations for future prohibited above ground structures.

3.08 HEIGHT REGULATION EXCEPTIONS: Heights of the following structures may exceed ordinance limits for the zone in which it is to be located, unless said structures interfere with the flight pattern for airports: cooling towers, stacks, lookout towers, silos, windmills, water towers, spires, radio, and television ariels, masts, antenna and mechanical appurtenances and barns and other buildings designed for storage of agricultural products.

3.09 AREA REGULATIONS

- 1. LOT REDUCTION:** After adoption of this Ordinance, no lot area shall be so reduced that the dimensional yard requirements specified by this Ordinance cannot be met.
- 2. EXISTING LOT USE:** Lots existing and of record prior to the adoption of this Ordinance, but od sub-standard size, may be devoted to uses permitted in the zone in which located upon granting of Variance by the Town Board except where specified within the jurisdiction of shoreline provisions of the Wood County Shoreland Zoning Ordinance.
- 3. LOT DIVISIONS:** No portion of any improved lot shall be sold unless all improved lots resulting from each such division or sale, shall conform with all of the applicable regulations of the zone in which the property is located.
- 4. YARD & OPEN SPACE REGULATIONS:** All yards and other open spaces allocated to a building (or group of buildings comprising one (1) principal use) shall be located on the same lot as such building. The maintenance of yards and other open space and minimum lot areas legally required for a building shall be a continuing obligation of the owner of such building or of the property of which it is located, as long as the building is in existence. Furthermore, no legally required yards, other open space, or minimum lot area

allocated to any building shall, by virtue of change of ownership or for any other reason, be used to satisfy yard, other open space, or minimum lot area requirements for any other building.

5. REQUIRED LOT GROUPING: If two (2) adjoining substandard lots, or one (1) standard lot and one adjoining standard lot, with continuous frontage have the same ownership as of the effective date of this Ordinance, the lots involved shall be considered to be an individual parcel for the purpose of this Ordinance. If more than two (2) substandard lots with continuous frontage have the same ownership as of the effective date of this Ordinance, said lots shall be grouped in such manner as to provide standard sized lots whenever possible.

3.10 PARKING:

1. USES: Unless otherwise specified, the parking requirements in TABLE 3, PARKING SHHEDULE, must be provided for in the listed uses.

2. USES NOT LISTED: In the case of structures or uses not mentioned in the PARKING SCHEDULE, the provisions for a use which is similar shall apply.

3. In cases where more than a single use is present on a single site, parking shall be provided to equal the total number of stalls required for each individual use.

TABLE 3: PARKING SCHEDULE

MINIMUM PARKING SPACES REQUIRED SPACES FOR THE TOWN OF DEXTER

USE	MINIMUM
Single-family dwellings	2 stalls for each dwelling unit
And mobile homes	
Multiple-family dwellings	2 stalls for each dwelling unit
Hotels/Motels	1 stall for each guest room plus 1 stall for each 3 employees
Hospitals, dormitories,	1.5 stalls for each bed, &
Lodging, & Boarding Houses	2 stalls for each 3 employees
Institutions, Rest, &	1 stall for each 5 beds plus
Nursing Homes	2 stalls for each 3 employees
Medical & Dental Clinics	5 stalls for each doctor
Churches, theaters, auditoriums,	1 stall for each 5 seats
Community centers, & other places	
Of public assembly	
Colleges, secondary, &	1 stall for each 2 employees
Elementary schools	& students 16 years or older

Restaurants, clubs, lodges, bars,	1 stall for each 150 square foot	P13
Places of entertainment, repair	of floor area	
Shops, retail & service stores		
Manufacturing & processing plants,	1 stall for each 2 employees	
Laboratories, & warehouses		
Financial institutions, business	1 stall for each 300 square feet	
Government, & professional offices	of floor area	
Funeral homes	1 stall for each 4 seats	
Bowling alley establishments	5 stalls for each alley	

3.11 NON-CONFORMING USES & STRUCTURES:

1. GENERAL:

A. BUILDING REPAIR: Provisions of this Ordinance shall not be construed to prevent the customary and necessary maintenance or repairs of buildings, utilities, and property.

B. CONTINUATION OF NON-CONFORMING USE: Any non-conforming building, structure, or use which existed lawfully at the time of the adoption of this Ordinance and which remains non-conforming and any such building, structure, or use which shall become non-conforming upon the adoption of this Ordinance or any subsequent amendment thereof may be continued as provided in Sections 3.11 and 3.13.

2. NON-CONFORMING STRUCTURE:

A. LIMITATIONS: No non-conforming structure shall be expanded or enlarged if it cannot meet the minimum setback, the maximum building height, parking, and truck unloading requirements of Section 4.10 of this Ordinance.

B. REPAIR: When such structure is damaged to the extent of more than fifty (50) percent of its fair market value at the time it becomes non-conforming, it shall not be restored except in conformity with the regulations of the zone in which it is located.

1. Dwellings listed as non-conforming after the enactment of this Ordinance may be repaired or rebuilt if it conforms with setbacks, sanitation, etc. pertaining to this Ordinance but not applying to the lot size.

C. RELOCATION: Should such structure be moved, it shall thereafter conform to the regulations of the zone to which it is moved.

D. LOT LINES: The size and shape of a lot shall not be altered in any way so as to increase the degree of non-conformity of a building or use.

3. NON-CONFORMING USE OF STRUCTURES:

- A. LIMITATIONS:** No such use shall be expanded or enlarged. No use shall be expanded within a structure that, as of the effective date of this Ordinance, or Amendment, was only partially designed for or devoted to carrying on such use.
- B. DISCONTINUANCE:** If such use is discontinued for twelve (12) consecutive months, any future use of the structure shall conform to the regulations of the zone in which it is located.
- C. TERMINATION:** If the building in which such use is carried on is damaged to the extent of more than fifty (50) percent of its appraised value at the time it became non-conforming, it shall not be restored for use except in conformity with the regulations of the zone in which it is located.
 - 1. Dwellings listed as non-conforming after the enactment of this Ordinance may be repaired or rebuilt if it conforms with setbacks, sanitation, etc. pertaining to this Ordinance but not applying to lot size.

4. NON-CONFORMING USE OF LAND:

- A. LIMITATIONS:** No such use shall be expanded or enlarged.
- B. DISCONTINUANCE:** If any non-conforming use of land is discontinued for twelve (12) consecutive months, any further use of land shall conform to the regulations of the zone in which it is located unless otherwise specifically stated.

3.12 HERBICIDE & PESTICIDE STORAGE & APPLICATION: Any storage or application of herbicides and pesticides shall comply with CHAPTER 94, WISCONSIN STATUTES and other applicable State and Federal Guidelines.

3.13 QUARRIES/NON-METALLIC MINING (further referred to as quarry, quarries, or quarrying and includes Non-Metallic Mining which will follow all of the same rules, regulations, and guidelines as set forth by this Ordinance.)

1. PURPOSE: It is the purpose of this section to establish conditional regulations and performance standards for the activity defined as quarrying in such a manner as to assure maximum protection to surrounding properties and the physical environment through siting of activities and structures, buffering, setbacks, visual screening, height limitations, access routing, noise vibration, air quality, and water quality controls. This subsection applies to new quarrying activity or enlargement of an existing pond or quarry operation.

FURTHERMORE, the purpose of the quarry subsection is to require that any individual, partnership, LLC, or corporation engaged in quarrying activity develop and submit a reclamation plan and map to the Town Board of Dexter for approval as per Section 3.13(3) RECLAMATION PLAN REQUIREMENTS.

It is further the purpose of this section not to prohibit quarrying but to control quarrying by the permit process.

2. CONDITIONAL USE: Quarrying/Non-Metallic Mining may be permitted in all non-residential districts, in the Town of Dexter, in which the parcel of land is five (5) acres or greater, provided that a Conditional Use Permit has been secured pursuant to the procedures in Section 3.02(3) of this Ordinance.

THE TOWN BOARD OF DEXTER MAY REQUIRE any and all of the following development site standards, special regulations, or performance standards or other conditions as the Town Board may deem necessary as part of the conditions for granting a Conditional Use Permit.

Commencing quarrying or non-metallic mining prior to obtaining a permit shall subject the property owner,

his, her, or its agents, any individual, partnership, LLC, or corporation engaged in the quarrying or non-metallic mining activity upon subject property to the penalties provided in Section 10 of this ordinance.

A. DEVELOPMENT OF SITE STANDARDS:

1. Quarrying or non-metallic mining shall only be allowed on parcels zoned in a non-residential district.
2. Quarrying or non-metallic mining shall only be allowed on parcels that are five (5) acres or larger.
3. Setbacks- The top so the finished slope for any quarry must be in a minimum of one hundred fifty (150) feet from any lot line or road centerline, or in an amount sufficient to achieve the performance standards set in the Conditional Use Permit, whichever setback requirements are greater.

A. SPECIAL REGULATIONS:

1. **FENCING:** All quarries shall be enclosed by fencing of a design and materials that discourage entry onto the property, unless the Town Board, after considering the public safety, the proximity to roadways, and the proximity to their developments, determines that this fencing requirement can be waived. The Town Board shall specify the type of fencing in the Conditional Use Permit.
2. **DEGREE OF SLOPE:** Slopes created by quarrying must have a minimum of three (3) to one (1) ration, horizontal to vertical, to minimize cave-in and slump, wind and water erosion, and lateral shifting of undisturbed ground surface near the quarried area.
3. **SCREENING:** Adequate planting and/or fencing shall be provided along all public roads and residential dwellings adjacent, to screen the quarry from public view as reasonably as possible and is approved by the Town Board in the Conditional Use Permit.
4. **HOURS OF OPERATION:** The Town Board may restrict quarrying activity to only be engaged during reasonable hours as identified by the Town Board in the Conditional Use Permit.

A.PERFORMANCE STANDARDS: A. GENERAL:

1. All quarrying and non-metallic mining operations in the Town of Dexter shall comply, and not deviate from, the regulations of the Wisconsin Department of Safety and Professional Services as follows:
 - a. SPS 305.20 Blasters
 - b. SPS 307.01 to 307.44 Explosives
 - c. SPS 308.01 to SPS 308.21 Mines, Pits, Quarries
2. All quarrying and non-metallic mining in the Town of Dexter shall comply, and not deviate from, the National Fire Protection Association as follows: NFPA 495 Explosive Materials Code
3. All quarrying and non-metallic mining in the Town of Dexter shall comply, and not deviate from Wisconsin Administrative code NR135 as it pertains to Reclamation.
4. **DUST:** Any operation shall comply with all applicable Federal, State, and local air pollution control laws and regulations.
5. **PROTECT WATER TABLE:** No quarrying activity shall be conducted in such a manner as to lower the water table of surrounding inhabited properties.
6. **DUST FREE ROADS:** The operator of the excavation shall maintain all haulage roads used in connection with this operation, whether under their control and ownership, a private road, or mat of a municipality, as much as possible in a dust free condition.

A.PERFORMANCE GUIDELINES:

1. **TOPSOIL REPLACEMENT:** Graded or backfilled areas or banks, in cases of excavations made to water producing depth, shall be covered equal to a depth of topsoil or percentage of organic matter

that originally existed on property prior to the commencement of operation, with the exception that the nine (9) foot area extending outward from the water's edge for the entire circumference of water are, the cover shall be sand or any other material as set forth in the Conditional Use Permit. No greater depth of topsoil or percentage of organic matter in the soil shall be required than originally existing on the property prior to commencement of operation.

2. **VEGETATION REPLACEMENT:** Upon replacement of the topsoil; trees, shrubs, legumes, grasses, or ground cover shall be planted upon such area to prevent erosion.

3. RECLAMATION PLAN REQUIREMENTS:

- A. **RESTORATION PLAN AND MAP:** A detailed Reclamation Plan & Map at a scale of one (1) inch equals one hundred (100) feet, designating which parts of the land shall be reclaimed for forest, pasture, crop, horticulture, home-sites, recreational, industrial, or other use, including food, shelter, and ground cover for wildlife, and shall show the same by appropriate designation on the Reclamation Plan. The Reclamation Plan & Map shall specify progress and completion dates of the Reclamation Plan; provided, however, the reclamation is to be completed prior to expiration of three (3) years after the termination of the quarrying. In the event the landowner and the Town Board shall mutually determine that characteristics of the area concerned have been found to have changed during the conduct of the mining, changes may be made in the original Reclamation Plan by mutual consent of the land owner and the Town Board, which change shall preserve, as substantially as possible, the original Reclamation Plan, and shall also provide for the previously unknown variables. Contours shall conform to the requirement of development proposed, but not less than required for existing original topography.

B. BOND REQUIREMENTS:

1. Bonds shall be issued by a surety company licensed to do business in the State of Wisconsin. At the option of the landowner, a performance bond or a forfeiture bond may be filed. Security companies may have the opportunity to complete the restoration for existing original topography.
2. Each bond shall provide that the bond shall not be cancelled by the security company except after not less than ninety (90) days' notice to the Town Board, in writing, by registered or certified mail. Not less than thirty (30) days prior to the expiration of the ninety (90) day notice of cancellation, the landowner must deliver to the Town Board a replacement bond or approved alternate financial assurance in the absence of which all quarrying must cease.
3. The bond shall be payable to the "Town of Dexter".
4. Bonds shall be required for the issuance of a Conditional Use Permit. Bond amounts shall be set at a minimum of five hundred (500) U.S. dollars and in an amount not to exceed twenty-five thousand (25,000) U.S. dollars for any Conditional Use Permit issued.

C. ALTERNATE FINANCIAL ASSURANCES:

1. Upon written approval of the Town Board and subject to conditions set forth by the Town Board, a landowner may deposit cash or negotiable certificates of deposit, or negotiable government securities or letter of credit with the Town Board in lieu of a bond. Certificates of Deposit shall automatically be renewed or replaced with an alternate security before the maturity date. Interest will be paid on cash bonds annually according to Town Board procedures. Each letter of credit accepted by the Town Board shall be subject to a condition that said letter of credit is not cancelled by the issuing financial institution, except after not less than ninety (90) days' notice to the Town Board, in writing, by registered or certified mail. Not less than thirty (30) days prior to the expiration of the ninety (90) day notice of cancellation, the landowner must deliver to the

Town Board a bond or replacement letter of credit or approved alternative financial assurance in absence of which all quarrying must cease.

2. Alternate financial assurance may be provided to the Town Board for stages of a site, but in no instance shall assurance be for an area of less than one acre. Quarrying and restoration activities shall be limited to the stage(s) which have financial assurance approved for them.

D. BOND FORFEITURE/ALTERNATIVE FINANCING FORFEITURE: Upon violation of any condition set forth in the Conditional Use Permit, the Town, by its Clerk, shall give written notice of the violation by registered or certified mail, to the landowner. If, after thirty (30) days from the date of notice, the landowner has failed to correct the violation, the Town Board may, without further notice, make demand upon the surety company for payment of the bond or liquidate the alternative financial assurance.

E. BOND TERMINATION.ALTERNATIVE FINANCING TERMINATION: Upon certification of the Town Board that the quarrying and reclamation is completed, the bond or alternative financing shall be terminated.

4.PERMIT APPLICATION. The permit application shall include all the following:

A. Adequate description of the operation.

B. List of equipment, machinery, and structures to be used.

C. Topographical map of sites, with a minimal vertical contour interval of five (5) feet; trees, access roads, depth of excavations, commencement and completion dates of excavation and restoration.

D. Restoration plan containing proposed contours, depth and type of restored topsoil, seeding and other planting reforestation, final slopes of pond and expected cost of completion of restoration plan.

E. Size of truck to be used for transport, routes of travel, and amount to be hauled.

F. Information about soil conditions and levels of water table; and

G. Length of time needed to complete the project for which the permit is issued.

5.STANDARD OF REVIEW IN APPROVING CONDITIONAL USE PERMIT: The Planning Commission, in its recommendation, and the Town Board, in granting or denying permits, shall consider the following factors:

A. The effects of the proposed quarrying on streets, both existing and proposed, on the adopted official map.

B. The effects on neighboring development.

C. The effects on proposed land uses.

D. The effects on the adopted Future Land Use Plan.

E. The effects on water supply, soil erosion, natural beauty, character and land value of the locality.

F. The effect on wetlands, drainage and potential for groundwater pollution.

G. The practicality of the proposed restoration plan for the site.

H. The effect on town roads of hauling removed material from the subject parcel of land.

I. Any other factors which the Planning Commission or the Town Board, in each application, determines are relevant.

6. ISSUANCE: In the issuance of a Conditional Use Permit, the Town Board may impose conditions that address the following areas of concern:

- A. Size of quarry.
- B. Fencing and screening.
- C. Hours of operation.
- D. Dust.
- E. Water table.
- F. Topsoil replacement.
- G. Vegetation replacement.
- H. Routes of travel.
- I. Quantity of material being removed.
- J. Bond.
- K. Expiration period of permit.
- L. Other conditions of which the Planning Commission or Town Board determines are relevant and necessary for the issuance of the Conditional Use Permit.
- M. Hold the Town of Dexter harmless from any environmental contamination.

7.EXCEPTION: Quarrying may be permitted in all districts, regardless of parcel size if the removed material stays on the property site, and the quarrying is for the purpose of obtaining material for installation of a septic system or for back fill at the construction site, with the quarried area to be in a minimum size of one half (1/2) acre provided a Conditional Use Permit has been secured pursuant to the provisions in Section 3.02(c) of this Ordinance. The Conditional Use Permit shall address the issues of ratio of quarried area to size of parcel, setbacks, fencing, degree of slope, screening, and bond. Removal of excess materials from the land, such as excavating for a foundation or cranberry bed, shall not be considered quarrying if it does not result in a pond or pit. Drainage ditching shall not be considered quarrying.

8. PERMIT FEES: Fees, as established by the Town Board and are available from the Town Board, are to be paid at the time of filing the application for obtaining a Conditional Use Permit. FEES ARE NON-REFUNDABLE.

3.14: PONDS:

1. Ponds are allowed in the Town of Dexter in A-2 and A-5 districts when a Pond Permit is granted. A permit fee, of which the amount is decided by the Town Board, shall be charged that is payable, to the Town of Dexter, at said time of issuance for the permit.
2. All ponds in the Town shall follow the guidelines of the Wisconsin Department of Natural Resources under Wisconsin State Statute 281.01
Which states..." IN WISCONSIN, ALL BODIES OF WATER ARE LEGALLY DEFINED AS WATERS OF THE STATE, PONDS ARE UNDER THE JURISDICTION OF THE WI DNR EVEN THOUGH THEY MAY BE ON PRIVATE LANDS."

3. Before a pond is constructed in the Town, the owner must first show proof of DNR approval to construct a pond to the Town Board, who has the final say over pond construction, at the time of requesting the Pond Permit.
4. Reservoirs, for the purposes of this Ordinance, are ponds and shall meet the requirements of this Ordinance as they relate to ponds.

3.15 WIRELESS TOWERS: Wireless telecommunications towers and antennas may be installed, erected and maintained pursuant to the provisions of this section. Telecommunication towers and antennas shall not be regulated or permitted as essential services, public utilities, or private utilities.

1. **PURPOSE:** The purpose of the section is to strike a balance between the Federal interest concerning construction, modification, and placement of telecommunications towers and antennas for use in providing personal wireless services, and the legitimate interest of the Town in regulating zoning. The goals of this section are to protect land uses from potential adverse impacts of towers and antennas; minimize the total number of towers throughout the community; encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; consider the public health and safety of communication towers, and avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, the Town shall give due consideration to the Zoning Map, and existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

2. APPLICABILITY:

A. NEW TOWERS AND ANTENNAS: All new towers or antennas in the Town of Dexter shall be subject to these regulations except as provided in Sections 3(B) and 3(C).

B. AMATEUR RADIO STATION OPERATOR/RECEIVER ONLY ANTENNAS: This section shall not govern any tower, or the installation of any antenna that is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.

C. PRE-EXISTING TOWERS OR ANTENNAS: Pre-existing towers and pre-existing antennas shall not be required to meet the requirements of this Ordinance, other than requirements of Section 5(B).

3. PERMIT REQUIRED: No tower or antenna shall be installed unless the owner or his agent first obtains a permit from the Zoning Official. The following shall be required as part of the application submittal:

- A. A scaled site plan clearly indicating the location, type and height of the proposed tower and appurtenant equipment, any proposed and existing structures, adjacent land uses and structures, adjacent roadways, on-site parking and driveways, tower and equipment setbacks from property lines, and other information deemed by the Zoning Official to be necessary to assess compliance with this section.

B. The setback distance between the proposed tower and the nearest residential unit, platted

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residentially zoned properties, and unplotted residentially zoned properties.

C. The separation distance from other towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the Town, or within one mile of the border thereof, including specific information about the location, height, and design of each tower.

D. Landscape plan showing specific plant materials.

E. Method of fencing, including location, materials, and finished colors and, if applicable, vegetative screening.

F. Description of compliance with Section 7 of this Ordinance.

4. GENERAL REQUIREMENTS: In addition to compliance with all applicable regulations of this Ordinance, the following standards shall apply for installation of any tower or antenna:

A. BUILDING CODES; SAFETY STANDARDS: To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable State and local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the Zoning Official concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, a notice shall be sent to the owner. The owner shall have thirty (30) days to respond to the notice with a detailed plan for repairs to bring such tower into compliance with such standards, and an additional thirty (30) days to bring such tower into compliance. Failure to bring such tower into compliance within said sixty (60) days shall constitute grounds for the removal of the tower or antenna, any buildings, fencing, and other items that were not at the site prior to the installation of the tower or antenna at the owner's expense.

B. STATE OR FEDERAL REQUIREMENTS: All towers and antennas shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the State or Federal government with authority to regulate towers and antennas. If such standards and regulations are changed, then the owner of a tower and antenna governed by this Ordinance shall bring such tower and antenna into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring the tower or antenna into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

C. Colocation: A proposed tower shall be structurally and electrically designed to accommodate the applicant's antenna and comparable antennas for additional users. Towers shall be designed to allow for future rearrangement of antennas and to accept antennas mounted at varying heights.

D. HEIGHT: The height of an antenna of fixed 2 tower shall not be restricted, provided such devices installed and maintained in accord with applicable state or building codes, and in compliance with current standards of the FAA, FCC, and any other agency of the state or federal government with the authority to regulate antennas.

E. SETBACKS: The tower shall be located not closer than a distance equal to 100% of the height of the tower from an adjoining lot line.

F. AESTHETICS: Towers shall maintain galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness. Where an antenna is installed on a structure other than a tower, the antenna and upper appurtenant equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure to make the antenna and related equipment as visually unobtrusive as possible.

G. SIGNS: No advertising material or signage other than warning or equipment information shall be allowed on any antenna or tower. This prohibition shall include the attachment to an antenna or tower of any flag, decorative sign, streamers, pennants, ribbons, spinners, or waving fluttering, or revolving devices, but not including weather devices.

H. LIGHTING: Towers shall not be artificially illuminated unless required by the FAA or any other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

I. FENCING: A tower shall be enclosed by security fencing not less than six (6) feet in height and secured so that it is not accessible by the general public. Fence design, materials and colors shall reflect the character of the surrounding area.

J. LANDSCAPING: A buffer of Evergreen plants of sufficient height to effectively screen the lower compound from public view and from adjacent properties shall be provided. The minimum buffer shall consist of a landscaped strip at least five (5) feet in width outside the perimeter of the tower compound. Existing mature tree growth and natural landforms shall be preserved to the maximum extent possible.

K. APPURTENANT EQUIPMENT AND BUILDINGS:

1. Antennas mounted on structures or rooftops: the equipment cabinet or structure used in association with an antenna may be located on a roof provided that such equipment or structure is placed as unobtrusively as possible. Equipment storage buildings or cabinets shall comply with all applicable building and zoning code requirements.

2. Antennas mounted on utility poles, light poles, or towers. The equipment cabinet or structure used in association with an antenna shall be sited in accordance with the development standards of the underlying zoning district. Equipment cabinets or structures shall be screened from view by an Evergreen hedge or other suitable vegetation, except where the use of no vegetative screening would better reflect and complement the architectural character of the surrounding neighborhood.

5. PERMITTED USES:

A. ANTENNAS OR TOWERS ON EXISTING STRUCTURES: An antenna or tower may be situated on the roof of a residential, commercial, industrial, professional, or institutional structure may be allowed, provided that such device is installed and maintained in accord with applicable State or Local building codes, and complies with current standards of the FAA, FCC, and any other agency of the state or federal government with the authority to regulate antennas.

B. ANTENNAS ON EXISTING TOWERS: The attachment of a new antenna on an existing tower may be allowed, to minimize adverse visual impacts associated with the proliferation and clustering of towers, provided that;

1. A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same type as the existing tower, unless reconstructed on a monopole.

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2. An existing tower may be, modified or rebuilt to accommodate the collocation of additional antenna and may be moved on-site within 50 (50) feet of its existing location provided all setback requirements are met, by the relocation may only occur one time per communication tower,

3. After a tower is rebuilt to accommodate collocation, only one tower may remain on the site; and

4. The on-site relocation of a tower which complies with the setback in section 5 (e) shall only be permitted when approved by the Town Board.

C. CABLE MICRO CELL NETWORK: The installation of a cable micro cell network may be permitted through the use of a multiple low-powered transmitters/receivers attached to existing wireless systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

6. CONDITIONAL USES: The installation of towers and antennas, including the placement of appurtenant equipment or buildings, may be allowed only by Conditional Use Permits and only in non-residential zoning districts. An application for a Conditional Use Permit shall be subject to the procedures and requirements of Section 5 of this Ordinance. In addition, a Conditional Use Permit proposal shall include plans, specifications, and other pertinent information and materials to demonstrate compliance with this ordinance.

7. REMOVAL OF ABANDONED TOWERS AND ANTENNAS: An antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned. The owner of such antenna or tower shall remove the antenna or tower or provide proof of operation within ninety (90) days of receipt of this notice from the Town notifying the owner of such abandonment. Determination of the date of abandonment Shall be made by the Town Board (or the Zoning Official if applicable) who shall have the right to request documentation and/or affidavits from the facility owner/operator regarding the active use of the tower. Failure to remove an abandoned antenna or tower within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease use.

8. NON-CONFORMING USES:

A.NO EXPANSION OF NON-CONFORMING USE: Towers that are constructed and antennas that are installed, in accordance with the provisions of this ordinance, shall not be deemed to constitute the expansion of a non-conforming use or structure.

B. Pre-existing towers: Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance shall be permitted on such pre-existing towers. New construction or replacement of an existing tower, other than routine maintenance, shall comply with the requirements of this ordinance.

9. WIRELESS COMMUNICATIONS TOWERS & ANTENNAS:

A. SEPARATION BETWEEN TOWERS: Separation distances between towers shall be applicable for a proposed tower and any pre-existing towers. The separation distance shall be measured by a straight line between the base of an existing tower and the base of a proposed tower.

B. TOWER HEIGHT.: The following criteria shall apply in determining the maximum height of a tower.

1. For a single user, up to 90 feet.

2. For two users, up to 120 feet.

3. For three or more users, up to 190 feet.

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C. AVAILABILITY OF SUITABLE EXISTING TOWERS; OTHER STRUCTURES OR ALTERNATIVE: No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Town that no existing tower, structure, or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. Evidence submitted to the Town to determine that no existing tower, structure, or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

1. No existing towers or structures are located within the geographic area which meets the applicant's engineering requirements.
2. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
3. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
4. The applicants proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicants proposed antenna.
5. The fees, costs, or contractual provisions required by the owner to share an existing tower or structure, or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be reasonable.
6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
7. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters /receivers attached to a wire line system is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

NEW TOWER TYPE	LATTICE	GUYED	MONOPOLE 75' In height or greater	MONOPOLE LESS than 75' high
Lattice	5000*	5000*	1500*	750*
Guyed	5000*	5000*	1500*	750*
Monopole 75' in Height				
NEW TOWER TYPE	LATTICE	GUYED	MONOPOLE 75' In height or greater	MONOPOLE LESS than 75' high
Or Greater	1500*	1500*	1500*	1500*
Monopole Less Than				

75' in Height

750*

750*

750*

750*

SECTION 4. ZONING DISTRICTS AND ZONING MAP:

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4.01 ZONING DISTRICTS: For the purpose of this Ordinance and to meet the goals and objectives of the Comprehensive Plan, the Town of Dexter is divided into the following districts:

1. Residential District R-1
2. Agricultural District (small lot) AG-2 Agricultural District (large lot) AG5
3. Forest and Recreational
4. Commercial District: C1 (Special Purpose) Conditional Use Permit Areas
5. Industrial District: 1-1

4.02 OFFICIAL ZONING MAP:

1. The boundaries of the districts listed in Section 4.01 are hereby established as shown on the map titled "Official Zoning Map, Town of Dexter, Wood County, Wisconsin", dated December 30th, 2009, hereinafter referred to as the Official Zoning Map. That map is made part of this Ordinance. All notations and references shown on the Official Zoning Map are as much a part of this Ordinance as those specifically described herein. The single official copy of this map entitled Town of Dexter, Wood County, Wisconsin Official Zoning District Map, together with a copy of this Ordinance, shall be retained in the Town Hall by the Town Clerk, and shall be made available for public inspection upon reasonable notice.

2. In un-subdivided property, the district boundary lines shown on the Official Zoning Map shall be determined by use of the scale shown on such map.

3. The official street map for the Township will become part of this ordinance.

4.03 RESIDENTIAL DISTRICT, R-1:

1. PURPOSE: The residential district is intended to be used where concentrations of single- and two-family homes have developed, are likely to develop or are recommended in the Comprehensive Plan to be developed in the unanswered areas of the Town of Dexter. The purpose of this district is to provide areas in the town where a higher density lifestyle can be developed and preserved with protection from encroachment of other incompatible uses of land or water. Certain neighborhood facilities are allowed to provide support services to the residential uses, including, for example, churches, schools, recreational facilities, and libraries, provided the requirements of this Ordinance, can be met with respect to parking, lighting, signing, etcetera. It is the intent that this district not allow uses which will be a detriment to the health and safety of persons living in the R1 district or which will have a negative impact on property values of the permitted uses, such as commercial and industrial uses that generate traffic, keeping a farm animals where odors and noise may be offensive in the higher density developments, or application of pesticides or herbicides that may endanger the portable water supply of the residential uses or drift onto the residential properties. Because of local soil conditions and portable water availability, dwelling units larger than two family will be encouraged to locate in areas where public sewer and water is or is proposed to be available.

A. One- and two-family dwellings.

B. Accessory buildings and uses, including one private garage for each residential parcel and buildings clearly incidental to the use of the property, provided, however, that no accessory building may be used as a separate dwelling unit and provided that no such use generates traffic or noise that would create a public or private nuisance, such as the use of firearms for target practice or auto body repair which generates noise.

C. Private greenhouses as defined in Section 2 of this Ordinance.

D. customarily use accessory to permitted residential use.

3. CONDITIONAL USES: Use is not listed in section 4.03 (2) and that may have inherent, resolvable conflicts with permitted uses may be allowed as a conditional use, provided they are found to be a residential activity, are compatible with neighboring uses, that provisions are made to preserve environmentally sensitive areas, the procedures in Section 5 are adhered to, and provided the intent of this Ordinance Section 1.01 and this district, Section 4.031.(1) are adhered to.

A. Home occupations as defined Section 2 of this ordinance.

B. Churches, schools, and libraries, provided they meet the parking and setback requirements of this ordinance.

C. Municipal buildings, except sewage disposal plants, garbage incinerators and buildings for the repair or storage of road building or maintenance machinery.

D. Parks, playgrounds, municipal recreational and Community Center buildings and grounds.

E. Hospitals and clinics.

F. Funeral homes and cemeteries.

G. Filling and grading, provided it complies with Section 5.07 of this ordinance.

H. Other similar and compatible uses which are determined by the Planning Commission to be in accord with the purpose of this district.

4.DEVELOPMENT STANDARDS: See Section 4.9

4.04 AGRICULTURAL DISTRICT-SMALL LOT A-2:

1. PURPOSE: This district provides mixed residential and agricultural uses. The intent is to permit residential development in a rural, agricultural setting, in compliance with the Comprehensive plan, allowing non-farm residences to enjoy the opportunity to keep and raise farm animals and participate in other activities normally associated with larger farm operations.

2. PERMITTED USES:

A. Agriculture, including animal and poultry husbandry, beekeeping, dairy and grazing, field crops, forestry, greenhouses, orchards, and wild crop harvesting, truck farming, horticulture, or viticulture.

B. In season, Roadside stands for the sale of farm products produced on the premises, and up to two unlighted signs not larger than sixteen (16) square feet each, advertising such sale.

C. One- and two-family dwellings.

D. Accessory buildings and uses, provided, however, that no accessory building may be used as a separate dwelling unit, and provided that no such use generates traffic or noise that would create a

public or private nuisance, such as the use of firearms for target practice or auto body repair, which generates noise.

E. Uses customarily accessory to a permitted agricultural use.

3.CONDITIONAL USES:

A. Home occupations as defined in Section 2 of this ordinance.

B. Churches, schools and libraries provided they meet the parking and setback requirements of this ordinance.

C. Municipal buildings except sewage disposal plants, garbage, incinerators and buildings for the repair or storage of road building or maintenance machinery.

D. Parks, playgrounds, Campgrounds and municipal recreational and Community Center buildings and grounds.

H. Hospitals and clinics.

F. Funeral homes and cemeteries.

G. Filling and grading provided it complies with section 5.07 of this Ordinance.

H. Other similar and compatible uses which are determined by the Planning Commission to be in accord with the purpose of this district.

4.DEVELOPEMENT STANDARDS: See section 4.09

4.05 AGRICULTURAL DISTRICT-LARGE LOT A5:

1. PURPOSE: This district provides for agricultural uses and uses compatible with agriculture. The intent is to help conserve good farming areas and prevent uncontrolled, uneconomical spread of residential development which results in excessive cost to the community for premature provisions of this. Central public improvements and services such as sewer and water lines. Low density, non-farming dwellings are allowed in compliance with the goals and objectives of the Comprehensive Plan.

2.PERMITTED USES: A. Agriculture, including animal and poultry husbandry, beekeeping, dairy and grazing, field crops, forestry, greenhouses, orchards, and wild crop harvesting, truck farming, horticulture, or viticulture.

B. In season, Roadside stands for the sale of farm products produced on the premises, and up to two unlighted signs not larger than sixteen (16) square feet each, advertising such sale.

C. One- and two-family dwellings.

D. Accessory buildings and uses, provided, however, that no accessory building may be used as a separate dwelling unit, and provided that no such use generates traffic or noise that would create a public or private nuisance, such as the use of firearms for target practice or auto body repair, which generates noise.

E. Uses customarily accessory to a permitted agricultural use.

3.CONDITIONAL USES:

- A.** Churches, schools, and libraries, provided they meet the parking and setback requirements of this ordinance.
- B.** Parks, playgrounds, campgrounds and municipal recreational and Community Center buildings and grounds.
- C.** Look in semipublic buildings, such as the town hall and municipal building, except sewage disposal plants, garbage incinerators and buildings for the repair storage of road building or maintenance machinery.
- D.** Fur farms, kennels, cheese factories, or dairy processing plants, grain elevators, and other agricultural uses that may cause noxious odors or noise or create health or sanitation hazards.
- E.** Trap or skeet shooting ranges, target ranges, gun clubs, shooting preserves.
- F.** Riding stables, riding schools.
- G.** Airports at private runways.
- H.** Christmas tree sales.
- I.** clubs, lodges, or fraternal organizations.
- G.** Commercial fish hatcheries.
- K.** Livestock feeding pens or yards. (More than 500 animal capacities).
- L.** Maple syrup processing plants.
- M.** Radio or TV broadcasting studio and or tower.
- N.** Home occupations as defined in Section 2 of this Ordinance.
- O.** Hospitals and Clinics
- P.** Funeral Homes and cemeteries.
- Q.** Filling and grading, provided it complies with section 5.07 of this ordinance.
- R.** Other similar incompatible uses which are determined by the Planning Commission to be in accord with the purpose of this district.

4.06 COMMERCIAL DISTRICT-C:

- 1.PURPOSE:** This is designed to provide for a wide range of retail stores and personal service establishments which cater to frequently recurring needs. The Commercial District is to be characterized by attractive commercial and service buildings located in areas with easy access to town residents and passersby. The Commercial District should be buffered from nearby homes so as not to create noise and lightning conflicts.
- 2.** The following uses of land are permitted in this district:
 - A.** Department slash variety and Specialty merchandise stores; Retail and wholesale stores.
 - B.** General grocery and specialty foods establishments.
 - C.** Restaurants.
 - D.** Business and professional offices and studios.
 - E.** personal service establishments; Barber shops, beauty shops, shoe repair shops, tailor shops, etcetera.
 - F.** Retail, laundry and dry-cleaning outlets.
 - G.** Hotels and motels. Next
 - H.** Public transportation stations except storage lots or garage.
 - I.** Semipublic buildings; fire stations, police stations, administrative buildings, etc.
 - J.** Liquor Stores, Taverns, and Bars.
 - K.** Banks and financial institutions.
 - L.** Automobile service station provided further that all gasoline pumps, storage tanks, and accessory equipment must be located at least 30 feet from any existing or officially proposed street line. **P27**

M. Automobile repair shops, including shops for general mechanical repairs, automobile body repair, and repair of tires, including painting automobiles, but not including establishments for rebuilding, retreading, recapping, vulcanizing, manufacturing tires and recycling tires.

N. Car washes.

O. Dealers in new and used passenger automobiles and trucks.

P. Establishments engaged in the retail sale of automobile passenger trailers, mobile homes, or campers.

Q. Establishments engaged in daily or extended term rental or leasing of passenger automobiles, limousines, or trucks, without drivers, or of truck trailers or utility trailers.

R. Establishments engaged in daily or extended term rental or leasing of house trailers, mobile homes, or campers.

S. Establishments for the sale or storage of lumber or other building materials.

T. Greenhouses and nurseries.

U. Bowling alleys and skating rinks.

V. Other similar and compatible uses which are determined by the Planning Commission to be in accord with the purpose of this ordinance?

3. CONDITIONAL USES: Uses not listed in section 4.06(2) and that may have inherent, resolvable conflicts with permitted uses may be allowed as a conditional use, provided they are found to be a commercial activity, are compatible with neighboring uses, that provisions are made to preserve environmentally sensitive areas, the procedures in section 5 are adhered to, and provided the intent of this ordinance (Section 1.02) and this district (Section 4.06.(1)) are adhered to.

4. THE FOLLOWING ARE PERMITTED AS CONDITIONAL USES IN THE COMMERCIAL DISTRICT:

A. The sale, service, repair, testing, demonstration, or other use of piston- type engines or motors, or any type of device, appliance, or equipment operated by such engines or motors; but not including passenger automobiles, trucks, or other motor vehicles.

B. Parking lots, parking garages or parking structures.

C. Establishments engaged in the publishing and printing of newspapers, periodicals, or books.

D. Seasonal roadside stands for the sale of food products.

E. Warehouses.

F. Circuses, carnivals, musical, or theatrical performances, public lectures, religious or Evangelistic meetings, or any other similar public functions which customarily are held in temporary structures, or in the open air, and for which admission charge is required or a collection in lieu of admission charges collected.

G. Veterinarians, offices and facilities and boarding facilities for domestic animals.

H. Riding stables.

I. Establishments primarily engaged in renting locker space for the storage of food products, including those stamps. Establishments which provide services or facilities for processing, preparing, or packaging goods for such storage.

J. One- and two-family dwellings or multiple family residential buildings provided the residential setback requirements are adhered to.

K. Other similar compatible uses which are determined by the Planning Commission to be in accord with the purpose of this district.

5. DEVELOPMENT STANDARDS: SEE SECTION 4.09

4.07 INDUSTRIAL DISTRICT I:

1.PURPOSE: This district is intended to provide an area in the Town of Dexter where the manufacturing of products from raw materials can develop. Manufacturing operations may require large tracts of land, in some cases, may require outside storage of materials or products. Some industrial developments may create or tend to create conditions considered to be a public or private nuisance or hazard. In certain cases, manufacturing activities may require special safeguards, equipment, processes, barriers, or other forms of protection, including spatial distance, to reduce, eliminate, or separate these conditions from public or environment. Local soil conditions; the use of private, on-site sewage disposal systems; local site drainage of storm water runoff; and private water supplies dictate that the Town Planning Commission and Town Board consider industrial development proposals on a case-by-case basis.

A community survey, as reflected in the goals and objectives of the Comprehensive Plan, recommends that industrial uses that consume large quantities of water and/or have large wastewater discharges, be located in area industrial parks that can provide essential sewer and water services, while creating jobs for Dexter residents. In the Town of Dexter, all uses in the Industrial District shall be conditional uses.

2.CONDITIONAL USES: All uses within the Industrial District shall be conditional uses. All such uses shall be subject to review and recommendation of the Planning Commission and consideration and approval of the Planning Commission by the Town Board with regard to such matters as the creation of nuisance conditions for the public or for users of nearby areas, the creation of hazards to health or safety, other factors affecting the general welfare, and potential danger to the environment.

- A. Wholesale business.
- B. Printing and publishing.
- C. Manufacture of products made from paper.
- D. Repair service and assembly of motor propelled or non-propelled vehicles, including repair and storage of automotive accessories, except the wrecking of motor propelled vehicles.
- E. Storage and warehousing of fuel and materials, and contractor's yards, but not the storage of wrecked or dismantled vehicles (automobile salvage yards) and/or junk, or the storage of explosives or hazardous chemicals.
- F. Waste motor oil collection tanks for recycling purposes.
- G. Manufacture and bottling of non-alcoholic beverages.
- H. Processing, packaging, and manufacture of food, except meat and meat products, fish, sauerkraut and cabbage by-products, or the vining of peas.
- I. Manufacture of products from wood and plastics.
- J. Manufacture of sporting goods, home and office supplies, and appliances.
- K. Manufacture of goods from leather, but not tanning of hides or manufacture of leather.
- L. Knitting mills and manufacture of products from finished fabrics.

M. Cleaning, dyeing, and pressing establishments and laundries, but not bag cleaning.

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N. Laboratories.

O. Manufacture of jewelry and cosmetics.

P. Enameling or painting.

Q. Tinsmith, sheet metal working, and plumbing shops.

3.DEVELOPMENT STANDARDS: SEE SECTION 4.9

4.08 CONSERVANCY (CON):

1. PURPOSE: Intended to preserve the natural state of scenic areas in the town and to help discourage intensive development of marginal lands to prevent hazards to public and private property or damage to environmentally sensitive areas.

2. PERMITTED USES:

A. Harvesting of wild crops, such as wild rice, marsh hay, ferns, moss, berries, tree fruit, and tree seeds.

B. Forestry and the management of Forests.

C. Wildlife preserves.

D. The management of wildlife, including waterfowl, fish and other small similar lowland animals and non-residential buildings used solely in conjunction with such activities.

E. hunting, fishing, and trapping.

F. Public and private parks, picnic areas, and similar uses.

G. Hiking, snowmobile, horseback, and bicycle trails.

H. Preservation of areas of scenic, historic, or of scientific value.

I. Trap or skeet shooting ranges, target ranges, gun clubs, shooting preserves.

J. Uses similar and customarily incident to any of the above uses.

3. DEVELOPMENT STANDARDS: SEE SECTION 4.09

4.09. DEVELOPMENT STANDARDS:

SCHEDULE OF REGULATIONS TO TOWN OF DEXTER ZONING DISTRICTS:

RESIDENTIAL DISTRICT:

1.RESIDENTIAL DISTRICT (R)

MINIMUM LOT SIZE: 2 ACRES

MINIMUM WIDTH: 208 FEET

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.06 & 3.07

SETBACKS FROM LOT LINES: FRONT/75 FEET REAR/25 FEET SIDE/10 FEET

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MAXIMUM HEIGHT: 35 FEET OR 2 ½ STORIES

OTHER REQUIREMENTS: MINIMUM DWELLING SIZE...500 SQUARE FEET

2.COMMERCIAL DISTRICT -C

MINIMUM LOT SIZE: 2 ACRES

MINIMUM WIDTH: NONE

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.06 & 3.07

**SETBACKS FROM LOT LINES: FRONT/75 FEET REAR/25 FEET 50 FEET IF ADJACENT TO RESIDENTIAL
SIDE/25 FEET OR 50 FEET IF ADJACENT TO RESIDENTIAL**

MAXIMUM HEIGHT: 100 FEET OR 35 FEET IF ADJACENT TO RESIDENTIAL

OTHER REQUIREMENTS: NONE

3.INDUSTRIAL DISTRICT (I)

MINIMUM LOT SIZE:2 ACRES

MINIMUM WIDTH:208 FEET

MAXIMUM HEIGHT: NONE OR 35 FEET IF ADJACENT TO RESIDENTIAL

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.06 & 3.07

**SETBACKS FROM LOT LINES: FRONT/75FEET REAR & SIDE SEE PARAGRAPH 3.07 OR WHERE
STREETS ARE NOT INVOLVED, 25 FEET OR 50 FEET IF ADJACENT TO RESIDENTIAL.**

OTHER REQUIREMENTS: NONE

4.SPECIAL PURPOSE DISTRICT

MINIMUM LOT SIZE: NONE

MINIMUM WIDTH: NONE

MAXIMUM HEIGHT: NONE

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.6 & 3.07

SETBACKS FROM LOT LINES: FRONT/75 FEET REAR/50 FEET SIDE/25 FEET

OTHER REQUIREMENTS: ALL USES ARE CONDITIONAL

5.AGRICULTURAL DISTRICT SMALL LOT (A2)

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MINIMUM LOT SIZE: TWO ACRES

MINIMUM WIDTH: 208 FEET

MAXIMUM HEIGHT: NONE

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.06 & 3.07

SETBACKS FROM LOT LINES: FRONT/75 FEET REAR/25 FEET SIDE/10 FEET FROM EAVE LINE

OTHER REQUIREMENTS: NONE

6.AGRICULTURAL DISTRICT LARGE LOT (A5)

MINIMUM LOT SIZE: 5 ACRES

MINIMUM WIDTH: 416 FEET

MAXIMUM HEIGHT: NONE

MINIMUM ROAD SETBACKS: SEE CHAPTERS 3.06 & 3.07

SETBACKS FROM LOT LINES: FRONT/75 FEET REAR/25 FEET SIDE/10 FEET FROM EAVE LINE

OTHER REQUIREMENTS: NONE

7.CONSERVANCY DISTRICT (CON)

MINIMUM ROAD SETBACKS: NONE

MINIMUM LOT SIZE: NONE

SETBACKS FROM LOT LINES: NONE

MINIMUM WIDTH: NONE

OTHER REQUIREMENTS: NONE

MAXIMUM HEIGHT: NONE

5.CONDITIONAL USES:

5.01 GENERAL:

1. Uses listed as permitted by Conditional Use Permit may be authorized in the zone in which permitted upon application to the Planning Commission and subject to the Town Board’s authorization of a Conditional Use Permit.

2. In all cases of proposed establishment of a conditional use specified in this Ordinance, the Planning Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage and water systems and other aspects of the proposed use and make recommendations to the Town Board.

3. Pictorial drawings illustrating the exterior of the structure, including the landscaping, upon completion. The exterior structure and landscaping will be complete one (1) year from the date that the building permit is dated. In the event the structure and landscaping are not completed within one (1) year, the owner will be subjected to penalties as defined in section 9.01. Furthermore, the owner will supply the Town board with two (2) copies of said drawing or drawings, one (1) of which will be retained by the Town Board and the other will be delivered to the Zoning Official.

5.02 PROCEDURE:

A request for a Conditional Use Permit shall be submitted, in writing, to the Town Clerk who shall promptly refer the application to the Planning Commission. The request shall be accompanied by scale maps or drawings prepared to the best of the applicant's ability, showing legible and accurately, the location, size and shape of the lot/lots involved, and of any proposed structures, including the relation to abutting streets and any abutting lakes or streams, and the existing and proposed use of each structure and lot, and the number of families to be accommodated, or the number of persons that would normally occupy the building or structure.

5.03 STANDARDS: No permit for a conditional use shall be granted unless the Planning Commission shall notify the Town Board that the following conditions are present.:

1. Applicant has presented the Planning Commission with written permission by a majority (more than half) of the adjacent and adjoining landowners., even if those adjacent and adjoining landowners live in neighboring towns, cities, or villages.
2. That the establishment, maintenance, or operations of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.
3. That the uses, values, and enjoyment of the property in the neighborhood used for purposes already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use.
4. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for use is permitted in the district.
5. That adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided.
6. That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion and traffic hazards and the public street.

5.04 CONDITIONS AND GUARANTEES:

1. Prior to granting a permit for a conditional use, the Planning Commission shall make a recommendation to the Town Board, and the Town Board may stipulate such conditions and restrictions upon the establishment, maintenance, and operation of the conditional use as it may find necessary to secure compliance with the standards specified in Section 5.03. Establishment, maintenance and operation shall be construed to include, but shall not be limited to, landscaping, architectural design, type of construction, construction commencement, and completion dates, sureties, lighting, fencing, operational control, hours of operation, traffic circulation, deed restrictions, access restrictions, yard and parking requirements, in so far as the Town Board shall find that conditions applying to these factors are necessary to fulfill the purpose and intent of this Ordinance. In all cases in which a permit for conditional use is granted, the Town Board shall require such evidence and guarantees as it may

deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

2. Conditional uses shall comply with all other provisions of this Ordinance such as lot width and area, yards, height, parking, and loading.

5.05. DETERMINATION:

1. The Town Board shall report its decision within ninety (90) days after the filing of the of the application. Its decision shall include an accurate description of the use permitted, or the property on which it is permitted, and any and all conditions that may be applicable thereto.

2. Upon its decision, the Town Board may authorize the Town Clerk to issue a Conditional Use Permit for conditional uses of specified in this Ordinance after review by the Planning Commission and a public hearing, provided such uses are in accordance with the purpose and intent of this Ordinance.

5.06 TERMINATION:

1. Where a permitted conditional use does not continue in conformity with the conditions of the original approval, the conditional permit shall be terminated by action of the Town Board and may be considered by the Town Board as a violation of this Ordinance.

2. No application for a conditional use which has been denied wholly or in part by the Town Board shall be resubmitted for a period of one (1) year from the date of said denial, except on the grounds that substantial new evidence or proof of change to compliance with the applicable conditions is included in the resubmitted application.

5.07 FILLING AND GRADING:

1. Filling and grading operations in shoreland and floodplain areas shall conform to standards as set forth in the Wood County Shoreland Zoning Ordinance.

2. Filling may be permitted in areas **NOT** under the jurisdiction of the Wood County Shoreland Zoning Ordinance, provided that the fill materials meet or exceed the following:

A. Shall be suitable for its intended use; no fill intended for supporting buildings shall consist of junk, wood, paper, muck, peat, or any similar materials which could cause subsidence.

B. Is protected from erosion to not cause siltation of adjacent lands or navigable waters. The use of a temporary ground cover or other conservation practices such as sediment catch basins or diversion terraces may be required to prevent erosion.

C. Shall rest on a firm bottom and be stabilized according to accepted engineering standards.

D. Shall not impede the drainage from adjacent lands as to create significant harm without the landowners written consent.

E. shall not in any manner alter the course of a waterway on property belonging to none other than the applicant.

3. Grading of an area greater than the specified area may be permitted, provided that:

A. The smallest amount of bare ground shall be exposed for the shortest time feasible and permanent ground cover shall be established as soon as practical.

B. Precautions shall be taken to prevent erosion and sedimentation with silting basins, diversion, terraces, or similar practices used individually or in combination where circumstances warrant such.

C. It shall conform to Section 6 of the Wood County Shoreland Zoning Ordinance.

SECTION 6, SIGNS: 6.01 ENACTMENT

All signs hereafter located, erected, moved, reconstructed, extended, enlarge, converted, or structurally altered, shall be in conformity with the provisions of Statute 84.30, and the Wisconsin Administrative Code, Chapter Transportation 200.

6.02 PERMIT FEE AND NUMBER:

1. Sign permits shall be issued by the Chairperson(or Zoning Official if applicable). The fee for each sign permit shall be as provided when inquiry is made for the permit request.

2. One (1) permit for the life of each sign is required. Such permits shall authorize the use of each sign as long as such sign is kept in good repair and complies with the requirements of this ordinance.

6.03 GENERAL SIGN PROVISIONS:

1. All signs & structure shall be kept in repair and in proper state of preservation.
2. All outdoor advertising signs shall conform to state statutes 84.30 and chapter transportation 200, Wisconsin Administrative Code, except for permit fees, which shall conform to the provisions as set forth in this ordinance.
3. Except as otherwise provided in this ordinance, sign sizes, and setback shall conform to applicable state codes.
4. All signs shall display the Town of Dexter sign permit number in the lower right corner of the sign.

SECTION 7 AMENDMENTS:

7.01 AUTHORITY: The regulations imposed, and the zoning districts created under authority of this ordinance may be amended from time to time in accordance with section 60.61, Wisconsin Statutes. An amendment shall be granted or denied by the Town Board only after a public hearing before the Town Planning Commission, and a report of its findings and recommendations has been submitted to the Town Board.

7.02 INITIATION: A petition for change or amendment may be made by any property owner in the area to be affected by the change or amendment, by the Town Board, or by the Planning Commission.

7.03 PETITIONS: Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Town Clerk, and shall describe the premises to be rezoned, (including legal descriptions), or the regulations to be amended, list the reasons justifying the petition, specify the proposed use and the list the owners names, and addresses of all properties lying within five hundred (500) feet of the area proposed to be rezoned. The petitioner will provide additional information as may be required by the Planning Commission or Town Board.

7.04 FEES: The initial fee for zoning amendments and the fee for any adjustment shall be provided upon request of a zoning change permit request and shall be paid to the Town Clerk by the petitioner to defray the cost of administration, investigation, advertising, and processing of the petition.

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7.05 CHANGES AND AMENDMENTS: The Zoning Board may alter, supplement, or change the boundaries or regulations contained herein, but a Class 2 notice under chapter 985 of the Wisconsin Statutes of any such

proposed change shall first be granted to any person interested at a time and place to be specified in the notice. The notice shall contain sufficient information to give residents knowledge of the subject matter, parties and locale affected. In case of a protest against such change, duly signed and acknowledged by owners of 20% or more of the areas of land immediately included in such proposed changes, or by the owners of 20% or more of the area of land immediately adjacent, extending one hundred (100) feet there from: Such amendment shall not be passed unless recommended by a vote of at least four(4) of the five (5) members of the Planning Commission. A fee, which shall be provided by the Town Clerk or Zoning Official shall accompany each request for a zoning change or amendment. The Zoning Board will be supplied with a map of or drawing from the petitioner sufficient to fully describe the property in question, and those properties adjacent to said property.

7.06 RECOMMENDATIONS: The Planning Commission shall review all such proposed changes or amendments and shall recommend that the petition be granted as requested, modified, or denied. Recommendation shall be made in a written statement to the Town Board.

7.07 TOWN BOARD ACTION: The Town Board, after receiving the recommendation of the Planning Commission, and without further Public Hearing, may grant or deny any proposed amendments in accordance with the any applicable statutes of the State of Wisconsin, or it may refer it back to the Planning Commission for further consideration. Final action by the Town Board shall not be more than ninety (90) days after receipt of the petition by the Town Clerk.

SECTION 8: BOARD OF ADJUSTMENT/APPEALS

8.01 ESTABLISHMENT: Pursuant to Wisconsin State Statute 62.23(7Xe), it is hereby established a Board of Adjustment/Appeals for the Town of Dexter.

8.02. MEMBERSHIP:

1. The Board of Adjustment shall consist of three members appointed by the Town Chair and confirmed by majority vote of the Town Board.

2. The members of the Board of Adjustment shall all reside within the town of Dexter. Terms shall be staggered for three-year periods, except that of those of first appointed, one shall serve for one(1) year, one for two(2) years, and one for three(3) years.

Successors shall be appointed in a like manner at the expiration of each term, and their term shall be three years in all cases. Vacancies shall be filled for the unexpired terms of members whose term shall become vacant. The Town Chairman may appoint, for staggered terms of three(3) years, two(2) alternate members to the Board of Adjustment, in addition to the three members above provided for. Annually, the town chairman shall designate one of the alternate members as the first alternate and the other as second alternate. The first alternate shall act, with full power, only when a member of the board refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall so act only when the first alternate so refuses, or is absent, or when more than one of the Board so refuses or is absent.

3. The Town Chairman shall appoint one of the members to Chair the Board of Adjustment.

4. The members may receive compensation as determined by the Town Board and shall be removable by the Town Board for cause upon written charges and after public hearing.

1. RULES: The Board of Adjustment/Appeals shall adopt rules for its government and procedures. Meetings of the Board of Adjustment/Appeals shall be held at the call of the Chairman and at such other times as the Board of Adjustment may determine. The Chairman, or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

2. MINUTES: The Board of Adjustments shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Adjustment/Appeals, and shall be a public record.

3. Adjustment to the Board. Adjustment to the Board of Adjustment/Appeal may be taken by any person aggrieved or by any officer, department, or bureau of the Town of Dexter affected by any decision of the administrative officers. Such appeal shall be taken within a reasonable time by filing with the officers from whom the appeal is taken, and with the Board of Adjustment/Appeals a Notice of Appeal specifying the grounds thereof. The officers from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken. The cause of the appeal shall be established by the Town Board as provided in the Fee Schedule by the Zoning Official (if applicable). This fee shall be paid to the Town clerk at the time of the appeal. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, but not more than thirty (30) days after the filing of the notice of Appeal, and shall publish a Class 2 public notice thereof, pursuant to Chapter 985, Wisconsin statutes., as well as give due notice to the parties in interest, and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.

8.04 POWERS OF THE BOARD OF ADJUSTMENT/APPEALS: The Board shall have the following powers:

1. TO HEAR & DECIDE ADJUSTMENT: To hear and decide adjustment when it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance.

2. TO AUTHORIZE VARIANCES: To authorize, upon appeal in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, and so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done.

3. PERMIT PROJECTS AND ESTABLISHED CONDITIONS: Permit the erection and use of building or premises in any location, subject to appropriate conditions and safeguards in harmony with the general purposes of this Ordinance for such public utility purposes which are reasonably necessary for the Town of Dexter residents' convenience and welfare.

4. CHANGE OR MODIFY ADMINISTRATIVE DECISIONS: The board of adjustment may reverse or affirm, wholly or in part, or may modify any order, requirement, decision, or determination appealed from, and shall make such order, requirement, decision, or determination as in its opinion 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 a permit. The concurring vote of four members of the Board of Adjustment/Appeals shall be necessary to reverse in order, requirement, decision, or determination of any such administrative requirement of this Ordinance. The grounds of every such determination shall be stated.

5.INTERPRET ORDINANCE: Interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan as shown on the “Official Zoning Map” made part of this ordinance, where the street layout actually on the ground varies from the street layout on the aforesaid map.

8.05 COURT REVIEW AND DECISION: Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment/Appeals, or any taxpayer, or any officer, department, Board or Bureau of the Town of Dexter, may, within 30 days after filing of the decision in the Office of the Board of Adjustment/Appeals, commence action seeking the remedy available by certiorari. The court shall not stay proceedings upon the decision appealed from, but may, on application, on notice to the Board of Adjustment/Appeals and on due cause shown, grant a restraining order. The Board of Adjustment/Appeals shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof. If necessary, for the proper disposition of the matter, the court may take evidence, or appoint a referee to take evidence and report findings of fact and conclusions of law as it directs, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

8.06 COSTS: Costs shall not be allowed against the Board unless it shall appear to the court that the Board acted with gross negligence or in bad faith, or with malice, in making the decision appealed from.

SECTION 9 PLANNING COMMISSION: UNDER STATUTES 60.62 (1) (2) (3) (4) AND STATUTE 62.23

- 9.01** The Town of Dexter Planning Commission shall consist of five members plus one alternate member, who shall all be town residents appointed for three-year terms by the Town Chairman, subject to Town Board confirmation. Terms of members and alternates expire on April 1st. of the designated year.
- 9.02** The Alternate shall be appointed for three-year terms by the Town Chairman, subject to Town Board confirmation. The Alternate shall attend meetings as a voting member whenever one of the members is unable to attend. The Alternate, when attending as a voting member, shall be paid the same compensation as provided members.
- 9.03** A Town Supervisor may be designated by the Chairman, subject to Board confirmation, as a liaison between the Commission and the Town Board. This Town Supervisor may participate fully in Commission meetings, except that he shall have no vote on the Commission, unless he is the 5th member. Then he has voting powers on the Planning Commission and on the Town Board.
- 9.04** A Chairman shall be elected by the Commissioners in April of each year, subject to Town Board confirmation period. In the temporary absence of the Chairman, the Commissioner shall elect a temporary Chairman.
- 9.05** The Commission Secretary shall be the Zoning Administrator who shall be a non-voting participant, or whoever shall be appointed by the Commission as permanent or temporary Secretary. The Secretary, upon consultation with the Commission Chairman, shall prepare and distribute agendas; Shall record meeting minutes, which shall show the vote of each member upon each question, and shall perform such other duties as the Commission and this Ordinance direct.
- 9.06** The Commission shall have such duties and powers as provided by Wisconsin statutes 60.70, this Ordinance, and as directed by the Town Board. One of the functions of the Commission shall be to recommend to the Town Board, a Master Plan for the physical development of the municipality, along with periodic recommendations to update such plan.
- 9.07** The Commission may also make reports and recommendations relating to the Master Plan and development of the town to other public officials and agencies, public utility companies, civic, educational, professional, and other organizations and citizens.

- 9.08** The Commission may adopt such rules and procedures as are necessary for the effective conduct of its business. All meetings of the Commission shall be open to the public unless specifically allowed to be closed by Wisconsin Statutes.
- 9.09** The Town Board and the other public bodies and officers of the Town shall refer to the Commission for consideration and action or recommendations the location and design of public buildings, roads, public utilities, and similar items as enumerated by Wisconsin statutes and town ordinances, as well as planning and zoning matters and adoption of and changes to the Official Map.

SECTION 10 PENALTIES:

10.01 FAILURE TO COMPLY: Any person, firm, or corporation that fails to comply with the provisions of this ordinance shall, upon conviction offense thereof, forfeit not less than ten (10) dollars nor more than five hundred (500) dollars for each violation, plus the costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

10.02. DOUBLE FEE PROVISION: A double fee may be charged by the zoning official for any act requiring issuance of a permit, should the act commence prior to issuance of the permit.

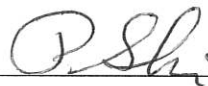
SECTION 11 ZONING OFFICIAL:

- 1. APPOINTMENT AND COMPENSATION:** The Town Board shall appoint the Zoning Official, who shall receive such compensation as the Town Board shall determine. It should be the duty of the Zoning Official, with the aid of the Town Board, to enforce the provisions of this Ordinance.
- 2. Duties.** The Zoning Official shall prepare a record of all buildings and structures situated within the setback lines as established by this ordinance, or any amendment hereto, which shall include the distances of such buildings or structures from the center line, their size, type of construction and use, the quarter section in which they are situated, and the names and addresses of the owners and occupants of the premises, and the date on which the record is made. Such records shall be kept current and shall show any such buildings or structures that may be removed or damaged to the extent that their reconstruction will be contrary to this ordinance.

SECTION 12. EFFECTIVE DATE: This Ordinance with all the included Amendments shall be in force from and after its passage, approval, posting, or publication, and recording according to law.

ADOPTED AMENDED VERSION THIS 14th DAY OF August, 2024

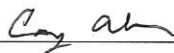
Town Chairperson, Patricia Stanislawski



Town Supervisor, Jeff Oelke



Town Supervisor, Cary Anderson





ATTESTED to by Town Treasurer (as Clerk resigned July 10, 2024)

Joan Scheve

STAPLE ALL POSTINGS AND NOTICES TO THIS PAGE BELOW....