



**8/20/2024 Monthly Board Meeting
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Sec. 60-32. Site regulations.

- (a) *Site suitability.* No land shall be used or structure erected where the land is held unsuitable for such use or structure by the town board by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics and general welfare of this community. The town board, in applying the provisions of the section, shall in writing recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability if he so desires.
- (b) *Street frontage.* All lots shall abut upon a public street or other town board officially approved means of access, and each lot shall have a minimum frontage of 200 feet (60 feet for cul-de-sac lots); however, to be buildable, the lot shall comply with the frontage requirements of the zoning district in which it is located.
- (c) *Private sewage systems; privies.*
 - (1) Every building or structure intended for human habitation or occupancy shall be provided with a properly functioning sewage system for the treatment and disposal of domestic waste and shall comply with the county sanitary code and [Wis. Admin. Code ch. Comm 83](#), Private sewage systems.
 - (2) Privies will only be allowed for recreational cabins located in the Agricultural/Low Density District. Recreational cabins must have a portable toilet or an approved privy by permit of the county solid waste administrator.
- (d) *Full dedicated street.* No building permit shall be issued for a lot which abuts a public or private street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.
- (e) *Height regulations.*
 - (1) Except as otherwise provided in this chapter, the height of any building hereafter erected, converted, enlarged or structurally altered shall be in compliance with the regulations established herein for the district in which such building is located.
 - (2) A basement shall be counted as a story for the purpose of height measurement if more than 50 percent of the basement is above ground.
 - (3) Where a lot abuts on two or more streets or alleys having different average established grades, the higher of such grades shall control only for a depth of 120 feet from the line of the higher average established grade.
 - (4) On through lots which extend from street to street, the height of the main building may be measured from the mean elevation of the finished grade along the end of the building facing either street.
 - (5) Ornamental structures, broadcasting towers, telephone, telegraph and power transmission poles, towers and lines, microwave radio relay structures and necessary mechanical appurtenances, and accessory structures essential to the use or protection of a building or to a manufacturing process carried on therein, are hereby exempted from the height regulations of this chapter and may be erected in accordance with other local regulations or ordinances; provided that any such structure which is accessory to a building in a residential district shall be located not less than 25 feet from any lot line.
- (f) *Yard regulations.*

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- (1) No part of a yard or other open space provided about any building for the purpose of complying with the provisions of this section shall be included as part of a yard or other open space required for another building.
 - (2) Any side yard, rear yard or court abutting a district boundary line shall have a minimum width and depth in the less restricted district equal to the average of the required minimum widths and depths for such yards and courts in the two districts which abut the district boundary line.
 - (3) Buildings to be located on through lots that extend from street to street are waived from the requirements for rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard provided that the setback requirements on both streets be complied with.
 - (4) Every part of a required yard shall be open and unoccupied by any structure from the ground upward, except as follows:
 - ~~a.~~ Detached accessory buildings shall be located in the rear or side yard.
 - ~~a. b.~~ Sills, belt courses, cornices, canopies, eaves and ornamental architectural features projecting not more than 36 inches.
 - ~~b. c.~~ Bay windows, decks, sun rooms, access ramps, balconies and chimneys projecting not more than 20 percent of the width of any side yard which does not abut on a street, but in no case shall it be closer than 15 feet to any lot line.
 - ~~c. d.~~ Fire escapes projecting not more than five feet in any case, but not more than 20 percent of the width of any side yard which does not abut on a street; provided that no such fire escape need be less than three feet in width.
 - ~~d. e.~~ Uncovered steps and landings projecting not more than six feet in any case, but not more than 20 percent of the width of any side yard which does not abut on a street; provided that no such steps or landings shall extend above the main or entrance floor, except for a railing not more than three feet in height. (See section 60-286, yard modifications.)
 - ~~e. f.~~ Platforms, walks and drives extending not more than six inches above the average ground level at their margins, and retaining walls when the top of such wall is not more than six inches above the level of abutting ground on one side, may be located in any yard.
 - ~~f. g.~~ Fences and walls as permitted by section 60-250.
 - (g) *Corner lot setbacks.* Structures located on a corner lot shall conform to the front yard setback requirements for the zoning district in which located for both highway/road sides of the lot.

(Code 2006, § 13-1-23; Ord. of 10-15-2013)

Sec. 60-33. Highway setback lines.

- (a) *Purpose.* In order to promote and enhance the public safety, general welfare and convenience, it is necessary to have highway setback lines, which are hereby established in the town, outside the limits of incorporated cities and villages; along all public highways; at the intersections of highways with highways and highways with railways as hereafter provided.
- (b) *Centerlines of highways.* For purposes of this section, the centerline of any road or highway is the legal centerline according to the description as recorded with the county register of deeds. If there is no such legal description, the centerline is the midway point between fences or other markers indicating the boundaries of the highway on opposite sides thereof. If there are no such fences or markers, the centerline is the midpoint between opposite sides of the road surface. In cases where the provisions of this section may be interpreted to provide for different setback distances, the greater setback distance shall prevail. Except as otherwise provided, the distances from the centerline or from the nearest highway right-of-way line to the setback line shall be as follows:
 - (1) *Class A highways.* The setback distance from a Class A highway shall be 110 feet from the centerline of the highway or 60 feet from the highway right-of-way line, whichever is greater. The following highways in the town are hereby designated as Class A highways: all U.S. and state (numbered) highways.
 - (2) *Class B highways.* The setback distance from a Class B highway shall be 75 feet from the centerline of the highway or 42 feet from the highway right-of-way line, whichever is greater. The following highways in the town are hereby designated as Class B highways: all county trunks are hereby designated as Class B highways. For the purpose of this section, any road will be considered as a county trunk after it has been placed on the county trunk system by the county board approved by the highway commission.
 - (3) *Class C highways.*
 - a. All town roads, minimum of 66 feet wide, public streets and highways not otherwise classified are hereby designated Class C highways.
 - b. The setback from Class C highways shall be 75 feet from the centerline of such highway or 42 feet from the right-of-way line, whichever is greater.
 - c. The highway setback for a cul-de-sac shall be 42 feet from the right-of-way line of the highway.
 - d. Any three rod roads shall have a minimum setback of 75 feet from the centerline.
 - e. In addition to the above requirements, all town roads shall meet the requirements of chapter 42, article III.
- (c) *Vision clearance.*
 - (1) *Requirement.* There shall be a vision clearance triangle in each quadrant of all intersections of highways or streets with other highways or streets and of highways or streets with railroads. Such vision clearance triangle shall be bounded by the highway, street or railroad right-of-way lines and a vision clearance setback line connecting points on each right-of-way line which meet the requirements of section 44-284.
 - (2) *Undetermined right-of-way.* In the case of railroads, and roads for which the right-of-way cannot be determined, the setback for purposes of this subsection shall be considered to be 100 feet from the centerline of the road bed or road surface.

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- (3) *Structures restricted.* Within a vision clearance triangle, no structure or object of natural growth shall be constructed, maintained or permitted to grow between a height of 2½ feet and ten feet above the elevation of the street or highway grade at the centerline or of the top of the curb if there is a curb. This shall not apply to the trunks of trees, posts not over six inches square or in diameter, retaining walls used to support ground at or below its natural level, field crops in season or wire fences so designed and constructed as not to constitute a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one highway or street to another.
- (d) *Reduced highway setbacks.* A setback less than the setback required for the appropriate class of highway shall be permitted where there are at least five existing main buildings on the same side of the road within 500 feet of the proposed site that are built to less than the required setback. In such cases the setback shall be the average of the nearest main building on each side of the proposed site or if there is no building on one side, the average of the setback for the main building on one side and the setback required for the appropriate class of highway. Any other setback must be permitted by the board of appeals.
- (e) *Structures prohibited within setback lines.* No new building, mobile home, new sign or other structure or part thereof shall be placed between the setback lines established in this section and the highway, **except as provided by this section**, and no building, mobile home, sign or structure or part thereof existing within such setback lines on the original effective date of this chapter shall be altered, enlarged or added to in any way that increases or prolongs the permanency thereof, or be reconstructed in its original existing location after having been destroyed by fire, storm or other catastrophe to the extent of 50 percent or more of its current assessed value as determined by the town assessor.
- ~~(f) *Structures permitted within setback lines.* The following kinds of structures may be placed between the setback line and the highway:~~
- ~~(1) — Open fences.~~
- ~~(2) — Telephone, telegraph and power transmission poles and lines and microwave radio relay structures may be constructed within the setback lines, and additions to and replacements of existing structures may be made, provided the owner files with the town board an agreement in writing to the effect that the owner will remove all new construction, additions and replacements erected after the adoption of this section at his expense, when necessary for the improvement of the highway.~~
- ~~(3) — Underground structures not capable of being used as foundations for future prohibited over ground structures.~~
- ~~(4) — Access or service highways constructed according to plans as approved by the board of appeals. In giving such approval, the board of appeals shall give due consideration to highway safety and maximum sight distances.~~
- ~~(5) — This section shall not be interpreted so as to prohibit the planting and harvesting of field crops, shrubbery or trees; provided, however, that no building or structure, trees or shrubbery, shall be so located, maintained or permitted to grow so that the view across the sectors at the intersections shall be obstructed.~~

(Code 2006, § 13-1-24)

Sec. 60-34. Physical requirements applying to single- and two-family residential dwellings.

This section shall apply to all single- and two-family residential dwellings, including manufactured homes defined as single-family dwellings:

- (1) *Minimum size.* The total minimum living area of a dwelling shall be in accordance with the regulations that apply to each zoning district.
 - a. The total minimum living area of a dwelling shall be in accordance with the regulations that apply to each zoning district.
 - b. The minimum exterior width shall be 22 feet at its narrowest point of its first story for a depth of 20 feet, exclusive of porches, enclosed or unenclosed, garages, decks, and other similar structural additions.
- (2) *Foundation.* Dwellings shall have a properly engineered, permanently attached means of support that meets the manufacturer's installation requirements and all applicable building codes.
- (3) *Applicability of state uniform dwelling code to site-built additions to manufactured homes.* Site built additions to a manufactured home, such as a basement, crawl space, or room additions, must meet the requirements of the state uniform dwelling code, [Wis. Stats. § 101.61 et seq.](#)
- (4) *Siding material.* Dwellings shall have siding material that is residential in appearance and consists of either wood, masonry, concrete, stucco, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material. The exterior siding material shall extend to ground level, except that when a solid concrete or masonry perimeter foundation is used, the siding material need not extend below the top of the foundation.
- ~~(5) *Roof.* The roof must be double pitched so that there is at least a four inch vertical rise for each 12 inch horizontal run, and covered with material that is residential in appearance including, but not limited to, approved wood, asphalt, composition or fiberglass shingles or metal. The roof shall have a minimum eight inch roof overhang on each of the dwelling's perimeter walls such that the overhang is architecturally integrated into the design of the dwelling.~~
- ~~(5) (6) *Mobility.* Once placed on site, no modular home or manufactured home shall contain any axles, wheels, hitch or any other device facilitating its mobility. modular and manufactured homes shall be anchored per state code. Axles, wheels, hitches or any other device facilitating mobility of modular or manufactured home shall be contained/enclosed so as to not be visible.~~

(Code 2006, § 13-1-25)

Sec. 60-62. A-1 Agricultural/Low Density District.

- (a) *Purpose.* The A-1 Agricultural/Low Density District is intended to provide for, maintain, preserve and enhance agricultural lands historically utilized for crop production and agricultural operations. This district recognizes the importance of agriculture and is not intended to unduly or unreasonably interfere with normal and customary farm operations including the accumulation and spreading of manure or to interfere with the operation of farm machinery and equipment during the day and at night for normal and customary farm operations.
- (b) *Permitted uses.*
 - (1) Agricultural operations, including but not limited to, animal and poultry husbandry, beekeeping, dairying and grazing, field crops, forestry, green houses, orchards and crop harvesting, truck farming, horticulture or viticulture, and accessory uses.
 - (2) Single-family dwellings.
 - (3) Two-family dwellings.
 - (4) A single-family dwelling occupied by a parent or child of an owner who resides on the parcel may be developed according to the lot size, bulk restrictions and yard requirements as specified in the R-1 Single-Family Residential District.
 - (5) Orchards.
 - (6) Vegetable raising.
 - (7) Community living arrangements with a capacity for eight or fewer persons served by the program.
 - (8) Recreational cabins.
 - (9) Camping unit and house trailer parking, not intended for living purposes, and limited to vehicles owned by the resident owner.
 - (10) Farm buildings.
 - (11) Private carports.
 - (12) Detached private garages.
 - (13) Tool houses, sheds and other similar buildings used for the storage of common supplies.
 - (14) Conservatories and nurseries for plants, provided such activity is not used for wholesale or retail trade beyond the limitations of a home occupation.
 - (15) Road stands not exceeding one per farm or residence.
 - (16) Dog kennels on parcels of five acres or more.
 - (17) Detached family recreational structures, such as spas, gazebos, etc.
 - (18) Ponds permitted by section 60-252.
- (c) *Permitted accessory structures and uses.* Allowed only if a permitted use is already located on the parcel.
 - (1) Home occupations and professional home offices.
 - (2) Day care center, family.
 - (3) Licensed game farms.

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- (4) One sign advertising products or service available on the premises provided that the sign area shall not exceed 16 square feet, and no lighting of any such sign shall be permitted without a variance.
- (d) *Conditional uses.*
- (1) Sewage disposal plants.
 - (2) Sanitary landfills.
 - (3) Automobile wrecking yards, junk yards, and salvage yards.
 - (4) Cemeteries.
 - (5) Governmental and cultural uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, and museums,
 - (6) Schools and churches.
 - (7) Utilities.
 - (8) Airports and landing strips.
 - (9) Sand, gravel, and stone extraction, but not including the manufacture of products on the premises other than the production of crushed stone, gravel or sand. Each gravel pit or quarry shall be graded so that the maximum side slope permitted will be 30 percent, at the end of each year's use. There shall be no mining of gravel or sand within 50 feet of the public or private road right-of-way or property line. Each such pit shall comply with the county nonmetallic mining ordinance.
 - (10) Projecting signs shall not exceed 100 square feet in area for any one premises, shall not exceed 20 feet in height above the mean centerline street grade, shall not extend beyond the lot line, shall not be less than ten feet from any side or rear lot line, shall not extend into the public right-of-way, and shall not be less than ten feet above the sidewalk or 15 feet above any public access way, any street or alley.
 - (11) Race tracks.
 - (12) All other agriculturally related commercial enterprises.
 - (13) Golf courses.
 - (14) Community living arrangements with a capacity for nine or more persons served by the program.
 - (15) Campgrounds.
 - (16) Day care center, group.
 - (17) Mini-warehouse storage units or systems.
 - (18) Telecommunications towers and facilities per section 60-220.
 - (19) Wind generation systems per section 60-219.
 - (20) Factory farms, as defined by the state.
- (e) *Lot size, bulk restrictions and yard requirements.*
- (1) *Lot.*
 - a. Area: minimum of five acres.
 - b. Width: 325 feet at highway setback line.
 - (2) *Height.*
 - a. Principal building, except agricultural buildings: maximum of 35 feet.

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- b. Accessory building, except agricultural buildings: maximum of 35 feet.
 - c. Agricultural buildings: maximum of 125 feet with minimum setback requirements equal to the height of the building.
- (3) *Yards.*
- a. Front yard setback: see section 60-33.
 - b. Shore yard setback: minimum of 75 feet.
 - c. Principal structure side yard setback: minimum of 15 feet.
 - 1. ~~Minimum one side: 15 feet.~~
 - 2. ~~Minimum combined: 30 feet.~~
 - d. Principal structure rear yard setback: minimum of 40 15 feet. New construction grade level of the front foundation shall be at or above the grade level of the edge of the highway.
- (4) *Building area.* The minimum living area of a dwelling shall be 1,000 120 square feet, excluding garages and decks. ~~The total minimum floor area of a two-story dwelling shall be 1,300 square feet with a minimum first floor area of 900 square feet.~~

(Code 2006, § 13-1-43; Ord. of 10-15-2013)

Sec. 60-63. A-2 Agricultural/Rural Residential District.

- (a) *Purpose.* The A-2 Agricultural/Rural Residential District is intended for mostly rural areas of the town where agricultural activity has been declining, or where a mixture of rural residential and agricultural activity is desirable or existing. The district primarily provides for low density residential development consistent with a generally rural environment and also provides for certain nonresidential uses that require relatively larger land areas and which are compatible with surrounding residential uses. This district secondarily provides for continued agricultural uses of land. Lot sizes of at least 1½ acres are required for new lots while properties for the keeping of farmland animals shall require a minimum of five acres.
- (b) *Permitted uses.*
- (1) Single-family dwellings with or without attached or detached garages or carports.
 - (2) Community living arrangements with a capacity for eight or fewer persons served by the program.
 - (3) The keeping of farmland animals defined as horses, cows, pigs, chickens, emu, ostrich, deer, etc., provided the lot is comprised of a minimum of five acres, a building to house the animals is provided and the operations are not for large scale commercial operations and a building to house them.
- (c) *Permitted accessory structures and uses.* Allowed only if a permitted use is already located on the parcel. A detached garage will be allowed before a home is built if a site plan is submitted to the building inspector showing the location of the house and the detached garage.
- (1) Only one Two accessory buildings, such as gardening, tool and storage sheds, utility buildings, gazebos detached garage, etc., incidental to the residential use and located in the rear or side yard. Accessory buildings shall adhere to the following table:

1.5 acre parcel: 1,500 square feet	combined total for 2 buildings,	maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
2.5 acre parcel: 2,500 square feet	combined total for 2 buildings,	maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
3.5 acre parcel: 3,500 square feet	combined total for 2 buildings,	maximum height 20 feet, side yard and rear setback minimum 20 15 feet from property line.
4.5 acre parcel: 4,500 square feet	combined total for 2 buildings,	maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.

Parcel comprising over five or more acres may have multiple accessory buildings and are exempt from the maximum square footage size limitations; however, there is a 35-foot maximum height limitation.
 - (2) Home occupations and professional home offices.
 - (3) Day care center, family.
 - (4) Satellite dish antennas. Dishes over three feet in diameter must be located in the rear yard.
 - (5) Roof mounted solar collectors.
 - (6) Ponds permitted by section 60-252.
 - (7) Dog kennels on parcels of five acres or more with a maximum of 12 dogs, provided an on-site residence is present.
- (d) *Conditional uses.*
- (1) Cemeteries.

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- (2) Governmental and cultural uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, and museums.
 - (3) Utilities.
 - (4) Community living arrangements with a capacity for nine or more persons served by the program.
 - (5) Day care center, group.
 - (6) Outside storage of unlicensed or inoperable motor vehicles.
 - (7) Dog kennels for more than 12 dogs.
 - (8) Wind generation systems and electric generation systems per section 60-219.
 - (9) Ponds on parcels containing less than 20 acres per section 60-252.
 - (10) Bed and breakfast establishments.
 - (11) Telecommunications towers and facilities per section 60-220.
 - (12) Churches and schools.
- (e) *Lot size, bulk restrictions and yard requirements.*
- (1) *Lot size.*
 - a. Area: minimum of 1.5 acres without farm animals; five acres with farm animals.
 - b. Width:
 - 1. Minimum for parcels of 1.5 acres or less: 200 feet at highway setback.
 - 2. Minimum for parcels of five acres or more: 325 feet at highway setback.
 - 3. Minimum lot widths of 200 and 325 feet must be maintained but could be relocated where necessary to abut an easement for ingress/egress when affording access from a town road.
 - 4. Frontage on curves may be reduced to a minimum of 60 lineal feet at road setback line.
 - (2) *Building height.* Principal building: maximum of 35 feet.
 - ~~a. Principal building: maximum of 35 feet.~~
 - ~~b. Accessory building: maximum of 20 feet for parcels less than 5 acres, 35 feet for parcels 5 acres or more.~~
 - (3) *Yards.*
 - a. Front yard setback: see section 60-33.
 - b. Shore yard setback: minimum of 75 feet.
 - c. Principal structure side yard setback: minimum of 15 feet.
 - ~~1. Minimum one side: 15 feet.~~
 - ~~2. Minimum combined: 30 feet.~~
 - d. Principal structure rear yard setback: minimum of 25 15 feet.
 - (4) *New construction grade level.* New construction grade level of the front foundation must be at or above the grade level of the edge of the highway.
 - (5) *Cul-de-sac.*

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- a. Minimum: 60 feet frontage width.
 - b. Maximum: three driveways per cul-de-sac.
- (6) *Building area.* The minimum living area of a one-story dwelling shall be 1,000 600 square feet, excluding garages and decks. ~~The total minimum floor area of a two-story dwelling shall be 1,300 square feet with a minimum first floor area of 900 square feet.~~

(Code 2006, § 13-1-44; Ord. of 10-15-2013)

Sec. 60-64. R-1 Single-Family Residential District.

- (a) *Purpose.* The primary purpose of the R-1 district is to provide for a quiet, pleasant and relatively spacious living area for high quality, low density residential development protected from traffic hazards and the intrusion of noncompatible land uses. The intent is to provide for rural residential development on soils that are compatible for on-site disposal of sewage effluent, and development that is compatible with adjacent natural features.
- (b) *Permitted uses.*
- (1) Single-family dwellings with or without attached or detached garages or carports.
 - (2) Community living arrangements with a capacity for eight or fewer persons served by the program.
 - (3) ~~One~~ **Two** accessory buildings, such as gardening, tool and storage sheds, utility buildings, ~~gazeboes~~ **detached garage**, etc., incidental to the residential use ~~and located in the rear or side yard~~. Accessory buildings shall adhere to the following table:

1.5 acre parcel: 1,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
2.5 acre parcel: 2,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
3.5 acre parcel: 3,500 square feet	combined total for 2 buildings , maximum height 20 feet, side yard and rear setback minimum 20 15 feet from property line.
4.5 acre parcel: 4,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
- (c) *Permitted accessory structures and uses.* Allowed only if a permitted use is already located on a parcel:
- (1) Home occupations and professional home offices.
 - (2) Day care center, family.
 - (3) Satellite dish antennas. Dishes over three feet in diameter must be located in the rear yard.
 - (4) Roof mounted solar collectors.
 - (5) Keeping of three or fewer of each of domestic rabbits, fowl, dogs and cats are permitted per parcel; kennels are not permitted.
- (d) *Conditional uses.*
- (1) Bed and breakfast facilities.
 - (2) Governmental and cultural uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, and museums.
 - (3) Utilities.
 - (4) Community living arrangements with a capacity for nine or more persons served by the program.
 - (5) Day care center, group.
 - (6) Solar panels detached from principal structure.
 - (7) Ponds as allowed by section 60-252.
- (e) *Lot size, bulk restrictions and yard requirements.*

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- (1) *Lot size.*
 - a. Area: minimum of 1.5 acres.
 - b. Width: minimum of 200 feet at highway setback but could be relocated where necessary to abut an easement for ingress/egress when affording access from a town road.
 - c. Frontage on curves may be reduced to a minimum of 60 lineal feet at road setback line.
 - (2) *Building height.* Principal building: maximum of 35 feet.
 - a. ~~Principal building: maximum of 35 feet.~~
 - b. ~~Accessory building: maximum of 20 feet.~~
 - (3) *Yards.*
 - a. Front yard setback: see section 60-33.
 - b. Shore yard setback: minimum of 75 feet.
 - c. Principal structure side yard setback: minimum of 15 feet.
 1. ~~Minimum one side: 15 feet.~~
 2. ~~Minimum combined: 30 feet.~~
 - d. Principal structure rear yard setback: minimum of 25 15 feet.
 - (4) *New construction grade level.* New construction grade level of the front foundation must be at or above the grade level of the edge of the highway.
 - (5) *Cul-de-sac.* See section 60-286.
 - a. Minimum: 60 feet frontage width.
 - b. Maximum: three driveways per cul-de-sac.
 - (6) *Building area.* The minimum living area of a dwelling shall be 1,000 600 square feet, excluding garages and decks. The total minimum floor area of a two-story dwelling shall be 1,300 square feet with a minimum first floor area of 900 square feet.

(Code 2006, § 13-1-45; Ord. of 10-15-2013)

Sec. 60-65. R-2 Two-Family/Multifamily Residential District.

- (a) *Purpose.* The primary purpose of the R-2 district is to provide for a quiet and pleasant living area for residential development protected from traffic hazards and the intrusion of noncompatible land uses on soils that are compatible for on-site disposal of sewage effluent.
- (b) *Permitted uses.*
- (1) Single-family dwellings with or without attached or detached garages or carports.
 - (2) Community living arrangements with a capacity for eight or fewer persons served by the program.
 - (3) Two-family dwellings.
 - (4) Per unit, ~~one~~ **two** accessory buildings, such as gardening, tool and storage sheds, ~~gazebos~~ **detached garage**, etc., incidental to the residential use ~~and located in the rear or side yard~~. Accessory buildings shall adhere to the following table:

1.5 acre parcel: 1,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
2.5 acre parcel: 2,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
3.5 acre parcel: 3,500 square feet	combined total for 2 buildings , maximum height 20 feet, side yard and rear setback minimum 20 15 feet from property line.
4.5 acre parcel: 4,500 square feet	combined total for 2 buildings , maximum height 20 feet, side and rear yard setback minimum 20 15 feet from property line.
- (c) *Permitted accessory structures and uses.* Allowed only if a permitted use is already located on the parcel:
- (1) Home occupations and professional home offices.
 - (2) Day care center, family.
 - (3) Satellite dish antennas. Satellite dish antennas over three feet in diameter must be located in the rear yard.
 - (4) Roof mounted solar collectors.
 - (5) Keeping of three or fewer of each of domestic rabbits, fowl, dogs and cats are permitted per parcel; kennels are not permitted.
- (d) *Conditional uses.*
- (1) Solar panels detached from principal structure.
 - (2) Governmental and cultural uses, such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds, and museums.
 - (3) Utilities.
 - (4) Community living arrangements with a capacity for nine or more persons served by the program.
 - (5) Day care center, group.
 - (6) Multifamily dwellings.
 - (7) Bed and breakfast establishments.
 - (8) Ponds as allowed in section 60-252.

(e) *Lot size, bulk restrictions and yard requirements.*

(1) *Lot size.*

- a. Area:
 - 1. Single-family and two-family: minimum 1.5 acres.
 - 2. Three dwelling units: two acres.
 - 3. Each additional unit: an additional ¼ acre.
- b. Width: minimum of 250 feet at highway setback. Frontage on curves may be reduced to a minimum of 60 lineal feet at road setback line.
- c. Width corner lot: minimum of 300 feet.

(2) *Building height.* Principal building: maximum of 35 feet.

- ~~a. Principal building: maximum of 35 feet.~~
- ~~b. Accessory building: maximum of 20 feet.~~

(3) *Yards.*

- a. Front yard setback: see section 60-33.
- b. Shore yard setback: minimum of 75 feet.
- c. Single- and two-family dwellings:
 - 1. Principal structure side yard setback: minimum one side of 15 feet.
 - 2. Principal structure rear yard setback: minimum one side of 25 15 feet.
- d. Multifamily dwelling:
 - 1. Principal structure side yard setback: minimum one side of 25 15 feet.
 - 2. Principal structure rear yard setback: minimum of 25 15 feet.

(4) *New construction grade level.* New construction grade level of the front foundation must be at or above the grade level of the edge of the highway.

(5) *Building area.* The minimum living area of a dwelling shall be 1,000 square feet per dwelling unit, excluding garages and decks. The total minimum floor area of a two-story dwelling shall be 1,300 square feet with a minimum first floor area of 900 square feet.

(Code 2006, § 13-1-46; Ord. of 10-15-2013)

Sec. 60-249. Accessory uses or structures.

- (a) *Compliance with district regulations.* Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided in this article.
- ~~(b) *Placement restrictions.* In addition to district requirements:~~
- ~~(1) Residential accessory buildings which are not a part of the main building shall be located in the rear or side yard and shall not occupy more than 30 percent of the area of the required rear or side yard.~~
 - ~~(2) Accessory buildings are allowed in front of a primary residence on parcels of five acres or more with a minimum 200 linear foot setback from the road right-of-way.~~
 - ~~(3) Accessory buildings, on parcels of five or more acres, used primarily for housing livestock shall not be closer than 100 feet to any side lot line.~~
 - ~~(4) Where an accessory building is a part of the main building or is structurally attached thereto, the side yard and rear yard requirements for the main building shall be applied to the accessory building.~~
 - ~~(5) Accessory buildings to be built in conformance with this article will be permitted in the front yard of shore line property.~~
 - ~~(6) If the permitted use is in place, the accessory structure use is permitted.~~
- ~~(b)~~ *(c) Landscaping and decorative uses.* Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flag poles, ornamental light standards, lawn furniture, sun dials, bird baths, trees, shrubs and flowers and gardens.
- ~~(c)~~ *(d) Temporary uses.* Temporary accessory uses such as real estate sale field offices or shelters for materials and equipment being used in the construction of the permanent structure may be permitted by the building inspector and shall be removed within 30 days of completion of the project.

(Code 2006, § 13-1-140; Ord. of 10-15-2013)

Sec. 60-250. Fences and walls.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Fence means an enclosed barrier consisting of wood, plastic, stone or metal intended to prevent ingress or egress. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

- (1) *Architectural or aesthetic fence* means a fence constructed to enhance the appearance of the structure or the landscape, with its decorative or finished side facing the adjoining lots or streets.
 - (2) *Boundary fence* means a fence placed along the property lines of adjacent properties.
 - (3) *Protective fence* means a fence constructed to enclose a hazard to the public health, safety and welfare.
- (b) *Fence construction.* Fences and walls may be located as follows:
- (1) *Solid fences* Fences and walls shall not be more than six feet in height and shall be constructed off the lot line by one foot.
 - (2) Fences and walls shall not exceed 3½ feet in height when located in a front yard or in the street side yard of a reversed corner lot.
 - (3) Fences and walls shall not exceed 2½ feet in height when located within a vision clearance triangle as defined in section 60-33(c).
 - (4) Finished sides of fences shall face the adjoining property owner.
- (c) *Fences to be repaired.* All fences shall be maintained and kept safe and in a state of good repair.
- (d) *Temporary fences.* Fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four-foot intervals. Such fences shall comply with the setback requirements set forth in this section.
- (e) *Nonconforming fences.* Any fence existing on the effective date of this Code and not in conformance with this section may be maintained, but any alteration, modification or improvement of more than 50 percent of said fence shall result in the entire fence being brought into compliance with this section.
- (f) *Location determination.* The property owner erecting a fence is solely responsible for ensuring that the fence is located properly on his property.
- (g) *Retaining walls.* Retaining walls may be permitted anywhere on the lot, provided, however, that no individual wall shall exceed six feet in height, and a terrace of at least three feet in width shall be provided between any series of such walls, and provided further that along a street frontage no such wall shall be closer than three feet to the property line.

(Code 2006, § 13-1-141)

Sec. 60-251. Swimming pools.

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

~~Swimming pool, private or residential,~~ means an outdoor structure containing a body of water in a receptacle or other container having a depth for water at any point greater than 1½ feet located above or below the surface of ground elevation, used or intended to be used solely by the owner, operator or lessee thereof and his family, and by friends invited to use it, and includes all structural facilities, appliances and appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a private or residential swimming pool.

(a) ~~(b)~~ *Exempt pools.* Storage children's swimming or wading pools, with a maximum dimension of 15 feet and a maximum wall height of 15 inches and which are so constructed that they may be readily disassembled for storage and reassembled to their original integrity, are exempt from the provisions of this section. Storable swimming or wading pools which are constructed so that they may be readily disassembled for storage and reassembled to its original integrity are exempt from provisions within this section as long as they are removed by October 1 and installed after May 1 of each year.

(b) ~~(c)~~ *Permit required.* Before work is commenced on the construction or erection of private or residential swimming pools or on any alterations, additions, remodeling or other improvements, a building permit must be obtained. An application for a swimming pool building permit to construct, erect, alter, remodel or add must be submitted in writing to the building inspector. Plans and specifications and pertinent explanatory data should be submitted to the building inspector at the time of application. No work or any part of the work shall be commenced until a written permit for such work is obtained by the applicant. The minimum building permit fee pursuant to the town building code shall accompany such application.

(c) ~~(d)~~ *Setbacks and other requirements.*

- (1) Private swimming pools shall be erected or constructed ~~on rear or side lots only and~~ only on a lot occupied by a principal building.
- (2) No swimming pool shall be erected or constructed on ~~a front yard or~~ an otherwise vacant lot. A lot shall not be considered vacant if the owner owns the contiguous lot and said lot is occupied by a principal building.
- (3) No swimming pool shall be located, constructed or maintained closer than ~~25~~ 15 feet to any side or rear lot line.

(d) ~~(e)~~ *Fences.* Pools within the scope of this section which are not enclosed with a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool, or shall have a cover or other protective device over such swimming pool of such a design and material that the same can be securely fastened in place, and when in place shall be capable of sustaining a person weighing 250 pounds. Such cover or protective device shall be securely fastened in place at all times when the swimming pool is not in actual use for swimming or bathing purposes. Such fence or wall shall not be less than five feet in height and so constructed as not to have voids, holes or openings larger than four inches in one dimension. Gates or doors shall be kept locked while the pool is not in actual use.

(e) ~~(f)~~ *Draining and approval thereof.* No private swimming pool shall be constructed so as to allow water therefrom to drain into any sanitary sewer or septic tank nor to overflow upon or cause damage to any adjoining property. Pool drains shall be located so no discharge of water from the pool takes place closer than 25 feet from a septic field or ~~drywall~~ drywell.

(Code 2006, § 13-1-142)



MEETING MINUTES
Town of Peshtigo Monthly Board Meeting
Tuesday, July 16, 2024 at 6 p.m.

- 1) Call to order: **Chairperson Friday** called the meeting to order at 6pm.
- 2) Pledge of allegiance
- 3) Roll call: **4 present.**
Present: Chairperson Friday, Supervisor Wortner, Supervisor Bergeson, Supervisor Joy
Absent: Supervisor Coble
- 4) Verification of proper notice: **Chairperson Friday** verified.
- 5) Approve agenda: **Wortner motion to approve/Second by Joy. Motion carried with 4 yes.**
- 6) Public comment, limited to 15 minutes (*in-person attendees only, limited to 3 minutes per person with no time donations from others, agenda items only*), please be prepared to come forward to the table, speak clearly into the microphone, start by stating name/address & agenda item(s) to be addressed:
 - a. **Scott Schmidt** asked questions on the variance process for accessory buildings.
- 7) Announcements
 - a. **Reminder that meeting notices are now posted at these 2 locations: Town Hall and Town website**
 - b. **DNR and Tyco updates are uploaded to the website, under the water tab.**
 - c. **Thursdays with Friday- next meetings are 7/18/24 from 5-6pm and 8/1/24 from 10-11am**
- 8) Minute approval – 6/18/2024 Regular Board Meeting: **Approved via unanimous consent.**
- 9) Reports
 - a. Fire Department: **Chief Folgert** gave report.
 - b. Constable: **Chairperson Friday** gave report.
 - c. Building Inspector: **Chairperson Friday** gave report- **11 new permits issued this month.**
 - d. Marinette County Board: **no updates since last meeting.**
- 10) Treasurer Report/Investment Report/Budget YTD vs Actual/Budget Amendments: **Approved via unanimous consent.**
 - a. Approve vouchers & payment of bills: **Joy motion to approve/Second by Bergeson. Motion carried with 4 yes votes.**
- 11) Board of Appeals
 - a. Appoint chairperson/member(s): **Chairperson Friday** appointed Bryan Polzin as Board of Appeals **Chairperson, to fulfill a term expiring January 31, 2026/Second by Wortner. Motion carried with 4 yes.**
 - b. Application/process changes: **Application process for a “hardship” approved via unanimous consent.**
 - c. Training: **Joy motion to approve Board of Appeals members to have a mandatory training on the new application process at their \$25 per hour rate/Second by Bergeson. Motion carried with 4 yes.**
- 12) Plan Commission
 - a. Appoint new member(s): **Chairperson Friday** appointed Eric Morois as a Plan Commission member, to fill a **term expiring March 31, 2026/Second by Wortner. Motion carried with 4 yes votes.**
 - b. Comprehensive Plan Update: **Chairperson Friday** will notice a meeting soon, with Plan Commission **members in attendance. Quorum of the Town Board may be present.**
- 13) Ad hoc committee updates:
 - a. Capital Improvement Plan – Chairperson Joy, Vice Chairperson Friday: **Town inventory is nearing completion and a meeting will follow soon.**
 - b. CDBG-CV – Chairperson Friday, Treasurer Maney: **Updated total award- \$646,274.**
 - i. HVAC update: **Materials will be ordered by the contractor soon. Revised plans to be approved at the State level on 8/14. Construction beginning soon.**



ii. Revisit MSA proposed contract amendment: **Supervisor Joy motion to approve paying MSA the requested additional \$5k for contract amendment/Second by Wortner. Motion carried with 4 yes.**

c. Ordinance/Policy Review – Chairperson Friday, Vice Chairperson Wortner: **Next meeting upcoming 8/1/24.**

14) Standing Committee Updates:

a. Buildings & Grounds – Chairperson Coble, Vice Chairperson Bergeson: **No updates at this time.**

b. Recycling Center – Chairperson Bergeson, Vice Chairperson Coble: **Supervisor Bergeson stated 6 full pallets of electronics were picked up. Electronics were and will continue to be sorted and separated, as that saved roughly \$400 at pickup!**

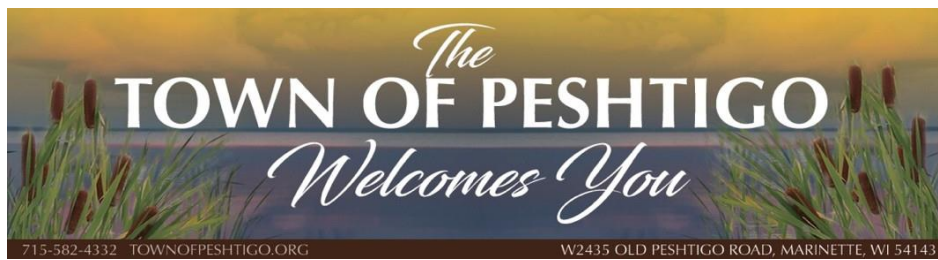
c. Roads & Ditches – Chairperson Wortner, Vice Chairperson Joy:

i. Hiring update: **Jeff Loomis, George Eastman, and Brendan Kaempf have been hired as per diem employees to assist with tree trimming, road work, etc.**

15) Upcoming Meetings – Regular Board Meeting, Tuesday, August 20, 2024 at 6 p.m.

16) Motion to Adjourn: **Wortner motion to adjourn/Second by Joy. Motion carried with 4 yes votes.**

Kayla Okins, Clerk 07/23/2024



July 2024 Constable Report

07/01/24	Animals at large
07/05/24	Dog at large
07/09/24	Dog at large
07/11/24	Tree blocking road
07/13/24	Cat at large
07/16/24	Dog at large
07/16/24	Sump pump run-off
07/20/24	Found Dog
07/25/24	Dogs with no shots or license – issued ticket
07/25/24	Yard w/5 boats in yard – excess rubbish
07/28/24	Stray dogs (2)
07/28/24	Littering
07/20/24	No rabies or license for 5 dogs

**Town of Peshtigo Fire Department Report to the Town Board
August 20, 2024**

11 Calls since the July 16th, 2024 Monthly Town Board meeting:

July 18 th	N2467 Shore Drive, Vehicle vs. House Crash
July 19 th	County T at U.S. 41, Fluid Spill from Vehicle Crash
July 22 nd	N973 Shore Drive, Two Vehicle Crash
July 26 th	N959 Pond Road, House Fire
July 29 th	N3407 Rehms Road, EMS Assist
July 31 st	Across from W990 Rader Rd, Vehicle Fire
August 1 st	Bagley Road N. of STH 64, Single Vehicle Crash
August 4 th	N3407 Rehms Road, EMS Assist
August 6 th	N1982 County BB, Tree Across Road
August 11 th	Pond Road N. of County BB, Burning Complaint
August 15 th	W3252 Eagles Nest Lane, Smoke Alarm Activation

Apparatus and Equipment Status:

- Annual DOT inspections were conducted by Frank's Repair Service on all apparatus last week. Minor repairs were made on several trucks. All trucks passed DOT inspections except for Tender 234.
- Tender 234 is being scheduled for exhaust system repairs pending the arrival of parts. Once completed, this truck will be in compliance with DOT requirements.
- All of our ground ladders were tested by Great Lakes Testing Service with all ladders passing.
- MacQueen Emergency inspected and conducted annual maintenance on our hydraulic and E-Draulic extrication tools. All are in good shape.

Training:

- Four firefighters completed new employee orientation.
- One firefighter (Lindsay Blok) is currently enrolled in a 60-hour NWTC Entry Level Firefighter class.
- 13 firefighters completed annual driver refresher training last week.
- Seven firefighters attended State of Wisconsin DSPS web-based fire training last week.

Fire Prevention, Education and Community Involvement:

- We participated in National Night Out events in both Marinette and Peshtigo on Tuesday, August 6th.

Fund Raising & Donations:

- We received a \$500 donation from the Marinette County Tavern League. This donation allowed us to purchase two Mustang Survival flotation coats for use during water rescues.
- A fund-raising cookout at The Forgotten Fire Winery was conducted on Saturday, August 17th as part of their summer concert series.
- We are conducting a cash raffle to help fund the purchase of fire hose and equipment to be placed on our new engine that should be delivered during Fall 2025. Raffle tickets are being sold for \$20 each or six for \$100. Ten cash prizes will be awarded in a November 11th drawing. Top prize is \$1,500.

Personnel:

- Three of our college firefighters will be returning to school next week so will be unavailable for much of the school year, except when coming home during breaks and some weekends.
- Our current roster stands at 23 volunteer firefighters. We are currently accepting applications.

Mike Folgert
Fire Chief



TREASURER'S REPORT
July 2024

		Begin	Deposits/Interest	Withdrawals	Ending	Outstanding Receipts	Outstanding Deposits	Register Balance
BMO Checking Account	7013	18,887.60	44,569.00	(42,084.82)	21,371.78	(7,843.42)		13,528.36
BMO Payroll Checking	7734	7,708.19	14,929.00	(18,251.35)	4,385.84	(1,649.12)		2,736.72
BMO Plantinum MM	6811	156,973.24	147,092.30	(40,668.07)	263,397.47			263,397.47
BANK TOTALS		183,569.03	206,590.30	(101,004.24)	289,155.09	(9,492.54)	-	279,662.55
PNB Checking - CDBG		8.71	-	-	8.71	-	-	-
Change Fund		215.00	-	-	215.00	-	-	-
Fire Dept Equipment		264.90	1.22	-	266.12			
Fire Truck		65,000.00	211.69		65,211.69			
Roads		96,804.96	444.24	-	97,249.20			
Capital Outlay - Mach & Equip		125,020.09	362.03	(65,000.00)	60,382.12			
Recycling		12,181.44	55.90	-	12,237.34			
ARPA		131,761.19	604.66	-	132,365.85			
LGIP TOTAL		431,032.58	1,679.74	(65,000.00)	367,712.32	-	-	-
BMO CD		273,462.20	-	-	273,462.20	-	-	-
BMO CD Fire Dept.		155,722.88	1,938.05	-	157,660.93	-	-	-
TOTAL CASH & INVESTMENTS		1,044,010.40	210,208.09	(166,004.24)	1,088,214.25	(9,492.54)	-	1,078,721.71

Jodi Maney
Treasurer
toptreasurer@townofpeshtigo.org

ARTICLE IV. TOWN BOARD²

DIVISION 1. GENERALLY

Sec. 2-96. Membership; elections.

- (a) *Membership.* The town board consists of four supervisors and the chairperson.
- (b) *Elections.*
 - (1) Biennially in odd-numbered years, at the annual spring election, there shall be elected three members to the town board, one of whom shall be designated on the ballots as chairperson, one as supervisor I, and one as supervisor II.
 - (2) Biennially in even-numbered years, at the annual spring election, there shall be elected two members to the town board, one of whom shall be designated on the ballots as supervisor III and one as supervisor IV.

(Code 2006, § 2-3-1)

State law reference(s)—~~Similar provision, Wis. Stats. § 60.20.~~

Sec. 2-97. General powers and duties.

The town board has the specific authority, powers and duties, pursuant to [Wis. Stats. §§ 60.10, 60.20, 60.22 and 60.23](#), and has, with authorization of the town meeting, additional statutory authority, powers and duties to manage and direct certain affairs of the town pursuant to [Wis. Stats. § 60.10](#). In addition, the town board has additional general and specific statutory authority, powers and duties established beyond [Wis. Stats. Ch. 60](#), and as prescribed by this Code.

- ~~(1) *Charge of town affairs.* The town board shall have charge of all affairs of the town not committed by law to another body or officer or to town employees.~~
- ~~(2) *Charge of actions.* The town board has charge of any action or legal proceeding to which the town is a party.~~
- ~~(3) *Village powers.* As authorized under Wis. Stats. § 60.10(2)(c) and section 2-22, the town board shall exercise powers relating to villages and conferred on village boards under Wis. Stats. ch. 61, except those powers which conflict with statutes relating to towns and town boards.~~
- ~~(4) *Jurisdiction of constable.* Pursuant to the state law, the town board shall determine the jurisdiction and duties of the town constable.~~
- ~~(5) *Pursue certain claims of town.* The town board shall demand payment of penalties and forfeitures recoverable by the town and damages incurred by the town due to breach of official bond, injury to~~

²State law reference(s)—Town board generally, Wis. Stats. § 60.20 et seq.

property or other injury. If, following demand, payment is not made, the board shall pursue appropriate legal action to recover the penalty, forfeiture or damages.

(Code 2006, § 2-3-2)

State law reference(s)—Similar provisions, Wis. Stats. § 60.22.

Sec. 2-98. Miscellaneous powers.

The town board may exercise miscellaneous powers as pursuant to Wis. Stats. § 60.23.

- (1) ~~Joint participation.~~ Cooperate with the state, counties and other units of government under Wis. Stats. § 66.0301, including cooperative arrangements involving the acquisition, development, remodeling, construction, equipping, operation and maintenance of land, buildings and facilities for regional projects, whether or not located in the town.
- (2) ~~Utility districts.~~ Establish utility districts under Wis. Stats. § 66.0301, and provide that any convenience or public improvement in the district be paid for under that section. A utility district may be used when special services such as, but not limited to, street lighting, sidewalks, sewers, water systems, etc., are to be installed in a particular area of the town only.
- (3) ~~Appropriations for civic and other functions.~~ If authorized under Wis. Stats. § 60.10(3)(b), appropriate reasonable amounts of money for gifts or donations to be used to:
 - a. ~~Further civic functions and agricultural societies.~~
 - b. ~~Advertise the attractions, advantages and natural resources of the town.~~
 - c. ~~Attract industry.~~
 - d. ~~Establish industrial complexes.~~
 - e. ~~Establish, maintain and repair ecological areas.~~
 - f. ~~Provide for the organization, equipment and maintenance of a municipal band or for the employment of other bands to give concerts and municipal entertainment in the town.~~
- (4) ~~Town industrial development agency.~~ In order to promote and develop the resources of the town, appropriate money for and create a town industrial development agency or appoint an executive officer and provide staff and facilities for a nonprofit organization organized to act under this subsection. A town industrial development agency created under this subsection and Wis. Stats. § 60.23(4) may:
 - a. ~~Develop data regarding the industrial needs of, advantages of and sites in the town.~~
 - b. ~~Engage in promotional activities to acquaint prospective purchasers with industrial products manufactured in the town.~~
 - c. ~~Coordinate its activities with the regional planning commission, the state department of development and private credit development organizations.~~
 - d. ~~Engage in any other activity necessary for the continued improvement of the town's industrial climate.~~
- (5) ~~Cooperation in county planning.~~ Cooperate with the county in rural planning under Wis. Stats. §§ 27.019, 59.54(4), 59.54(4m), and 59.69.
- (6) ~~Conservation of natural resources.~~ If authorized by the town meeting under Wis. Stats. § 60.10(3)(a), appropriate money for the conservation of natural resources or for payment to a bona fide nonprofit

organization for the conservation of natural resources within the town or beneficial to the town. No payment may be made to a nonprofit organization unless the organization submits and the town board approves a detailed plan of the work to be done. The plan shall include the name of the owner of any property on which work is to be performed.

- (7) ~~*Obstructions in nonnavigable waters.*~~ Remove, at the expense of the town, any obstruction located in the town which prevents the natural flow of water in a non-navigable stream. One or more supervisors, or a designee of the board, may enter upon any land if necessary to remove the obstruction.
- (8) ~~*Emergency pest and disease control.*~~ Appropriate money for the control of insects, weeds or plant or animal diseases if:
 - a. ~~An emergency arises within the town due to insects, weeds or plant or animal diseases; and~~
 - b. ~~The board determines that any delay resulting from calling a special town meeting to authorize the town board to appropriate money for this purpose under Wis. Stats. § 60.10(3)(c) would result in serious harm to the general welfare of the town.~~
- (9) ~~*Bowling centers, dance halls, roadhouses, places of amusement, pool tables and amusement devices.*~~ Regulate, including the licensing of, bowling centers, dance halls, roadhouses, other places of amusement, billiard and pool tables and amusement devices maintained in commercial facilities. If a license is required, the board shall establish the term of the license, not to exceed one year, and the license fee. The board may suspend or revoke, for cause, a license issued under this subsection. Any person violating a regulation adopted under this subsection shall forfeit to the town an amount established by the town board.
- (10) ~~*Reimbursement of school districts for providing transportation in hazardous areas.*~~ Reimburse a school district for costs incurred by the district under Wis. Stats. § 121.54(9) in transporting pupils who reside in the town.
- (11) ~~*Exchange tax credit for county land.*~~ Authorize the town treasurer to exchange any credit the town has with the county, arising from delinquent real estate taxes, for county-owned lands.
- (12) ~~*Associations of towns.*~~ Appropriate money to purchase membership in any association of town boards, town officials or town government for the protection of town interests and improvement of town government.
- (13) ~~*Vacation of alleys.*~~ Vacate any alley in the town under Wis. Stats. § 66.1003. The town board may not vacate, under this subsection, an alley adjacent to land fronting a state or county trunk highway.
- (14) ~~*Cemeteries.*~~ Provide for cemeteries under Wis. Stats. ch. 157.
- (15) ~~*Naming or changing street names.*~~ Name, or change the name of, any street in the town under Wis. Stats. § 82.03(7).
- (16) ~~*Use of firearms.*~~ Regulate the careless use of firearms and impose forfeitures for violation of the regulations.
- (17) ~~*Fences in subdivisions.*~~ Require a subdivider to construct a fence under Wis. Stats. § 90.02 on the boundary of a subdivision, as defined under Wis. Stats. § 236.02(8), as a condition of plat approval by the town. The fence shall be maintained under Wis. Stats. § 90.05(2) and repaired under Wis. Stats. §§ 90.10 and 90.11.
- (18) ~~*Disposition of dead animals.*~~ Notwithstanding Wis. Stats. §§ 59.54(21) and 95.50(3), dispose of any dead animal within the town or contract for the removal and disposition with any private disposal facility. The town may enter into a contract with any other governmental unit under Wis. Stats. §

66.0301 to provide for the removal and disposition. The town may recover its cost hereunder by levying a special assessment.

- (19) ~~Contribution to truancy.~~ If the town board has established a municipal court under Wis. Stats. § 755.01(1), adopt an ordinance to prohibit conduct that is the same as or similar to that prohibited by Wis. Stats. § 948.45 and impose a forfeiture for a violation of the ordinance.
- (20) ~~School attendance.~~ If the town board has established a municipal court under Wis. Stats. § 755.01(1), enact and enforce an ordinance to impose a forfeiture, which is the same as the fine provided under Wis. Stats. § 118.15(5), upon a person having under his control a child who is between the ages of six and 18 years and whose child is not in compliance with Wis. Stats. § 118.15.
- (21) ~~Power to prohibit certain conduct.~~ Enact and enforce ordinances, and provide forfeitures for violations of those ordinances, that prohibit conduct which is the same as or similar to that prohibited by Wis. Stats. chs. 941 to 948, except as provided in Wis. Stats. § 66.0107(3).
- (22) ~~Self-insured health plans.~~ Provide health care benefits to its officers and employees on a self-insured basis, subject to Wis. Stats. § 66.0137(4).
- (23) ~~Town housing authorities; blighted areas.~~ Engage in certain housing and redevelopment activities, as provided in Wis. Stats. § 60.23(27).
- (24) ~~Safety buildings.~~ Construct, acquire, equip, furnish, operate and maintain a safety building as provided in Wis. Stats. § 60.23(28).
- (25) ~~Billboard regulation.~~ Enact and enforce an ordinance, and provide a forfeiture for a violation of the ordinance, that regulates the maintenance and construction of billboards and other similar structures on premises abutting on highways in the town that are maintained by the town or by the county in which the town is located so as to promote the safety of public travel on the highways.
- (26) ~~Riding horses; dogs running at large.~~ Enact and enforce ordinances, and provide forfeitures for violations of those ordinances, that are the same as or similar to ordinances that may be enacted by a county to regulate riding horses and commercial stables under Wis. Stats. § 59.54(19) or to regulate dogs running at large under Wis. Stats. § 59.54(20).

(Code 2006, § 2-3-3)

State law reference(s) — Similar provisions, Wis. Stats. § 60.23.

Sec. 2-99. Powers and duties of town board chairperson.

The town board chairperson shall exercise general powers and duties pursuant to Wis. Stats. § 60.24.

- (a) ~~General powers and duties.~~ The town board chairperson shall:
- (1) ~~Preside at board meetings.~~ Preside over meetings of the town board.
- (2) ~~Preside at town meetings.~~ Preside over town meetings as provided under Wis. Stats. § 60.13 and section 2-74.
- (3) ~~Sign documents.~~
- a. — Sign all ordinances, resolutions, bylaws, orders, regulations, commissions, licenses and permits adopted or authorized by the town board unless the town board, by ordinance, authorizes another officer to sign specific types of documents in lieu of the chairperson. The board, by ordinance, may authorize use of a facsimile signature.
- b. — Sign all drafts, order checks and transfer orders as provided under Wis. Stats. § 66.0607.

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- ~~c. Provided, however, that the town board chairperson shall not be authorized to execute any contract on behalf of the town unless and until the contract has been reviewed and approved by the town board and express authority has been granted to the town chair by the board to sign the contract on behalf of the town. Each page of any contract signed on behalf of the town must be signed or initialed at the time of signing.~~
- ~~(4) *Ensure administration of statutes.* Supervise the administration of state law relating to the town and its operations to see that they are faithfully executed.~~
- ~~(5) *Act on behalf of board.* Act, on behalf of the town board, to:~~
- ~~a. See that town orders and ordinances are obeyed.~~
- ~~b. See that peace and order are maintained in the town.~~
- ~~c. Obtain necessary assistance, if available, in case of emergency, except as provided under Wis. Stats. ch. 166.~~
- ~~(6) *Act on authorization of board.* If authorized by the town board, act on behalf of the board to:~~
- ~~a. Direct, as appropriate, the solicitation of bids and quotations for the town's purchase of equipment, materials and services and submit the bids and quotations to the town board for approval. Although the town board may direct the chairperson to solicit bids and quotations, the final decision as to which bid to accept, or the decision to enter into a contract, shall be made by the entire board.~~
- ~~b. Represent, or designate another officer to represent, the town at meetings of, and hearings before, governmental bodies on matters affecting the town.~~
- ~~(b) *Administer oaths.* The chairperson may administer oaths and affidavits on all matters pertaining to the affairs of the town.~~
- ~~(c) *Other responsibilities.* In addition to the powers and duties under this section, the chairperson has the following responsibilities:~~
- ~~(1) Nominate election officials when the town board disapproves the nominee of a party committee under Wis. Stats. § 7.30(4)(b)2.~~
- ~~(2) Serve as caucus official under Wis. Stats. § 8.05(1)(c).~~
- ~~(3) Sue on official bonds under Wis. Stats. § 19.015.~~
- ~~(4) Execute and sign a certificate of indebtedness in connection with obtaining a state trust fund loan under Wis. Stats. § 24.67.~~
- ~~(5) Serve as town fire warden under Wis. Stats. §§ 26.13 and 26.14.~~
- ~~(6) Appoint members of library boards under Wis. Stats. §§ 43.54(1)(a) and 43.60(3).~~
- ~~(7) Exercise the powers and duties specified for a mayor under Wis. Stats. § 62.09, if the town creates a joint board of police and fire commissioners or joint police or fire department with a village under Wis. Stats. § 61.65(3g)(d)2, or a board of police and fire commissioners under Wis. Stats. § 60.57.~~
- ~~(8) Provide an annual estimate of funds necessary for any utility district established under Wis. Stats. § 66.0827.~~
- ~~(9) Publish annually a notice regarding noxious weeds and appoint one or more commissioners of noxious weeds under Wis. Stats. §§ 66.0407 and 66.0517.~~
- ~~(10) Sign general obligation bonds issued by the town under Wis. Stats. § 67.08(1).~~
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- (11) ~~If authorized by the town board, represent the interests of the town in connection with appearances before the State Tax Appeals Commission under Wis. Stats. § 70.64(5).~~
- (12) ~~Approve the bond of the town treasurer delivered to the county treasurer under Wis. Stats. § 70.67(1).~~
- (13) ~~Perform duties in connection with selection of jurors in actions relating to the taking of property to provide access to a cemetery, fairground or land used for industrial expositions.~~
- (14) ~~Sign orders for payment of work performed and materials furnished on town highways under Wis. Stats. § 82.03.~~
- (15) ~~See that all tunnels in the town are constructed under Wis. Stats. § 82.37 and that they are kept in good repair.~~
- (16) ~~If applicable, serve as a member of the county highway committee under Wis. Stats. § 83.015(1)(d).~~
- (17) ~~If applicable, close county trunk highways when rendered dangerous for travel and notify the highway commissioner under Wis. Stats. § 82.03.~~
- (18) ~~If applicable, appoint members to airport commissions under Wis. Stats. § 114.14(2).~~
- (19) ~~If applicable, vote or designate another supervisor to vote on whether to abolish a city school district and create a common school district or a unified school district containing the territory of a city school when an order for school district reorganization has been issued.~~
- (20) ~~Perform the town chairperson's duties related to jewelry auction sales.~~
- (21) ~~Under Wis. Stats. § 167.10 enforce regulation of fireworks.~~
- (22) ~~Perform the town chairperson's duties related to stray animals and lost goods under Wis. Stats. ch. 170.~~
- (23) ~~Perform the town chairperson's duties related to distrained animals under Wis. Stats. ch. 172.~~
- (24) ~~Perform the town chairperson's duties related to animals that have caused damage in the town under Wis. Stats. ch. 173.~~
- (25) ~~If applicable, perform the town chairperson's duties related to municipal power and water districts under Wis. Stats. ch. 198.~~
- (26) ~~If applicable, cause actions to be commenced for recovery of forfeitures for violations of town ordinances that can be recovered in municipal court under Wis. Stats. § 778.11.~~
- (27) ~~If applicable, notify the district attorney of forfeitures which may not be recovered in municipal court under Wis. Stats. § 778.12.~~
- (28) ~~Approve bonds furnished by contractors for public works under Wis. Stats. § 779.14(1).~~

(Code 2006, § 2-3-4)

State law reference(s) ~~Town board, Wis. Stats. § 60.20 et seq.; powers and duties of town board chairperson, Wis. Stats. § 60.24.~~

Sec. 2-100. Internal powers of the town board.

The town board has power to preserve order at its meetings, compel attendance of supervisors and punish nonattendance.

(Code 2006, § 2-3-5)

State law reference(s)—General powers and duties of town board, Wis. Stats. § 60.22.

Secs. 2-101—2-128. Reserved.

DIVISION 2. MEETINGS

Sec. 2-129. Regular meetings.

Regular meetings of the town board will be held at the town hall at ~~7:00~~ 6:00 p.m. on the third Tuesday of each month, or as otherwise determined by the town board. Any regular meeting of the town board falling upon a legal holiday shall be held on the day designated by the town board. ~~Any meeting of the town board, including any special or adjourned m~~ Meetings that are not held at the town hall but at any other substitute location, shall be designated by the town chairperson or his designee, ~~in compliance with the open meeting law, by posting a proper written notice of the substituted location at the three usual and customary posting locations likely to give notice. This notice shall occur at least 24 hours prior to the meeting of the town board, unless in an emergency wherein the proper notice posting shall occur at least two hours prior to the meeting of the town board. All meetings must be properly noticed as referenced in Sec. 2-1, Code of Ordinances, Town of Peshtigo, Wisconsin, and pursuant to Wis. Stats. § 19.84.~~

(Code 2006, § 2-3-6)

Sec. 2-130. Special meetings.

- (a) Any special meeting of the town board may be called by the chairperson, ~~or any member of the town board~~ or the town clerk in writing with the written call for the special meeting of the town board filed with the town clerk at least 24 hours prior to the proposed special meeting of the town board with the time specified in the written call for the special meeting. ~~Unless otherwise so scheduled, special or additional meetings of the town board shall be held on the first Tuesday of the month.~~
- (b) ~~No special meeting of the town board shall be held unless the notice requirement of the state open meeting law, pursuant to Wis. Stats. § 19.81 et seq., have been complied with by the person requesting the public meeting. All meetings must be properly noticed as referenced in Sec. 2-1, Code of Ordinances, Town of Peshtigo, Wisconsin, and pursuant to Wis. Stats. § 19.84.~~
- (c) The town clerk, upon receipt of the written call for the special meeting of the town board, shall immediately notify each member of the town board by communicating the notice or by having a written notice delivered personally to each member of the town board. If any member of the town board cannot be personally notified in writing, then the town clerk shall deliver or have delivered a copy of the written notice at the home of any such member of the town board in the presence of an adult member of the family of the town board member. If any member of the town board cannot be noticed in writing through an adult family member as noted above, then the town clerk shall post such special meeting written notice in the above-noted three usual and customary locations. ~~Special board meetings may not be called by electors. Electors may, in accordance with Wis. Stats. ch. 60, call for special town meetings.~~
- (d) ~~The town clerk shall file proof of service of such special meeting notice by filing an affidavit noting the time, place and location of authorized service of the special meeting notice upon the town board. If personal service upon any member of the town board was not completed, then the town clerk shall so state in the affidavit the type of service or written notice completed.~~
- (e) ~~Special meetings of the town board may be scheduled without such service and notice when all members of the town board are present in person or consent in writing to the holding of any special meeting of the town~~

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~~board. Any consent by any member of the town board shall be filed by the town clerk prior to the beginning of any special meeting of the town board.~~

- (f) ~~Special meetings of the town board attended by a quorum of the members shall be considered a regular meeting of the town board for the transaction of any town business that may come before the town board if such regular town business was so noted in the written notice to the public as required by the state open meeting law, Wis. Stats. § 19.81 et seq.~~
- (g) In the event of an emergency, an unusual situation due to circumstances that requires immediate action, the chairperson **any member** of the town board **or the town clerk** may call an emergency meeting of the town board for consideration of the situation requiring immediate action. ~~The chairperson is responsible for providing a~~ Notice to the media and public at least two hours in advance of any emergency meeting **is required**. ~~The clerk may assist the chairperson in giving notice as outlined above. Board members shall be notified of the emergency meeting, if possible, and notice may be oral or in writing, by facsimile or by email.~~

(Code 2006, § 2-3-7)

Sec. 2-131. Open meetings.

All town board and official town committee and commission meetings shall be open to the public and be in compliance with the state open meeting law **pursuant to Wis. Stats. § 19.81 et seq.**

(Code 2006, § 2-3-8)

~~State law reference(s) — Open meetings of governmental bodies, Wis. Stats. § 19.81 et seq.~~

Sec. 2-132. Quorum.

A majority of the board shall constitute a quorum, but a lesser number may adjourn if a majority is not present. The chairperson shall be counted in determining whether a quorum exists. If no legal quorum is present at the time of the initial roll call, the meeting of the town board shall be thereon adjourned, by the members of the town board present, ~~to a specific date and hour.~~

(Code 2006, § 2-3-9)

Sec. 2-133. Presiding officer; absence of chairperson or clerk.

- (a) *Chairperson to preside.* The chairperson shall preside at all meetings of the town board when present.
- (b) *Chairperson pro tem.* At the first regular board meeting following the annual spring election, the town chairperson shall appoint a board member to serve as chairperson pro tem, who shall preside at meetings of the town board in the chairperson's absence. The chairperson pro tem is also authorized to sign documents, ordinances, checks, etc., on behalf of the town in the chairperson's absence.
- (c) *Absence of town clerk at meeting.* If the town clerk is not present at the time of the initial roll call of the meeting of the town board, the town chairperson shall appoint the deputy clerk or any other person present at the meeting to be the town clerk pro tem. The town clerk pro tem shall prepare and maintain minutes of the meeting of the town board. The town clerk pro tem shall deliver these minutes to the town clerk after the end of the meeting of the town board or when the town clerk pro tem is replaced during the meeting of the town board by the clerk.

(Code 2006, § 2-3-10)