

ORDINANCE NO. 133AN ORDINANCE REPEALING AND RECREATING
THE DEFINITION OF STRUCTURE
OF THE VILLAGE OF OCONOMOWOC LAKE MUNICIPAL CODE
ENTITLED ZONING ORDINANCE

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 17 of the Municipal Code of the Village of Oconomowoc Lake entitled Zoning Ordinance, Village of Oconomowoc Lake, Waukesha County, Wisconsin, Subsection 17.10 entitled Definitions, Subsection entitled Structure, is hereby repealed and recreated to read as follows:

17.10 DEFINITIONS.

STRUCTURE. Anything, other than natural terrain or plant growth, whether or not moveable,

1. Constructed or erected above grade,
2. Constructed or erected at grade, or
3. Attached to something constructed or erected on the ground.

Unless specifically excluded hereinafter, structures shall include but are not limited to:

1. Principal structures
2. Accessory structures
3. Nonconforming structures
4. Buildings of all types including prefabricated or pre-built buildings
5. Gazebos
6. Screened enclosures
7. Statuary in excess of 6 feet in height or 4 feet in width
8. Fences
9. Decks
10. Handrails
11. Lean-tos
12. Silos
13. Carports
14. Towers
15. Masts
16. Booms
17. Machinery
18. Equipment
19. Walls

20. Retaining walls two (2) feet or greater above grade. (For this purpose, the vertical rise of walls with less than two (2) horizontal feet of planting area between them shall be cumulated.)

Structures shall not include:

1. Wood, concrete or masonry slabs more than 75 feet from the water at grade or less than 8 inches above the original grade,
2. Wood, concrete or masonry slabs 75 feet or less from the water and less than 150 square feet in size at grade or less than 8 inches above the original grade,
3. Statuary 6 feet or less in height or 4 feet or less in width,
4. Retaining walls less than two (2) feet above grade, (For this purpose, the vertical rise of walls with less than two (2) horizontal feet of planting area between them shall be cumulated.)
5. Seawalls or rip rap at the shoreline which have been approved by the Wisconsin Department of Natural Resources, and
6. Stairways not in excess of four (4) feet in width together with associated handrails and landings not in excess of thirty-six (36) sq. feet where such stairways are necessary to provide convenient access to the shoreline.

SECTION 2: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This Ordinance passed this 17th day of January, 1994.

BY ORDER OF THE VILLAGE BOARD OF
THE VILLAGE OF OCONOMOWOC LAKE,
WAUKESHA COUNTY, WISCONSIN


WILLIAM F. ROBERTS, PRESIDENT

ATTEST:


CHERYL WIERDSMA, CLERK

Published or posted on the _____ day of _____, 1994.

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
Ord #133

The undersigned, being first duly sworn, on oath deposes and states that on 24 Jan, 1994 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village.

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.

James R. Fulmer

Subscribed and sworn to before me

this 24 day of January, 1994

Cheryl A. Weidome

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-19-95