

ORDINANCE NO. 169AN ORDINANCE TO REPEAL AND RECREATE  
SECTION 17.22 OF THE  
VILLAGE OF OCONOMOWOC LAKE ZONING CODE  
RELATING TO PROPERTY MAINTENANCE

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

SECTION 1: Chapter 17 of the Village of Oconomowoc Lake Code of Ordinances, entitled Zoning Code, Section 17.22 entitled Maintenance and Use of Setback and Offset Areas is hereby repealed and recreated and newly entitled "Property Maintenance," as follows:

17.22 PROPERTY MAINTENANCE

## (1) PURPOSE.

In order to protect the health, safety and welfare of the residents of the Village of Oconomowoc Lake, to maintain the desirability, amenities and property values of the residential and commercial neighborhoods of the Village, and to protect and enhance the natural beauty of Oconomowoc Lake in furtherance of the foregoing objectives, the following property maintenance requirements are hereby established for all properties in the Village of Oconomowoc Lake.

## (2) SETBACK AND OFFSET AREAS.

Every property owner in the Village of Oconomowoc Lake shall maintain the setback and offset areas of said owner's lot in accordance with the following requirements and subject to the regulations of subsection (6):

- (a) All setback and offset areas shall be kept clean and free from any unsightly accumulation of debris, cut brush and refuse.
- (b) No portion of any setback and offset area shall be used for the storage or display of equipment, ice shanties, products, vehicles or any other material. Notwithstanding the foregoing, setback and offset areas may be used for the private storage of boats, and other aquatic recreational equipment, including, but not limited to, piers, boat lifts, and rafts provided all said items are regularly used by the property owner from May 1<sup>st</sup> to September 30<sup>th</sup>.
- (c) Setback and offset areas shall be maintained to minimize or eliminate the amount of sediment and other

pollutants carried by runoff or discharge from the property and from construction sites to lakes, streams and wetlands.

(3) GENERAL MAINTENANCE.

Every property owner in the Village of Oconomowoc Lake shall maintain the property in compliance with the following general requirements.

- (a) The exterior of every structure shall be maintained generally free of broken glass, loose shingles, excessive paint peeling, crumbling stone, stucco or brick, loose boards or any other such conditions reflective of deterioration or inadequate or deferred maintenance.
- (b) Lots shall be kept clean from any unsightly accumulation of debris or refuse.

(4) LITTER, MUD, DIRT, STONE AND DEBRIS CONTROL.

Every property owner in the Village of Oconomowoc Lake shall maintain the property in such a manner as to prevent litter, mud, dirt, stone or debris from being blown off of the property; and to prevent sediment or other runoff from discharging into lakes, streams or wetlands or otherwise passing onto neighboring properties. In addition, every prime contractor for any construction site in the Village of Oconomowoc Lake shall maintain the site in such a manner as to prevent litter, mud, dirt, stone or debris from being blown off the site; and to prevent sediment or other runoff from discharging into lakes, streams or wetlands, or otherwise passing onto neighboring properties; and all such litter or debris shall be picked up at the end of each workday and placed in appropriate containers, or stockpiles, or removed from the site, as appropriate to ensure compliance with this section.

(5) OUTDOOR VEHICLE STORAGE.

The outdoor parking or storage of unlicensed, unregistered, inoperable, dismantled, wrecked or junk vehicles, or vehicles under repair or awaiting parts, or vehicle parts, is expressly prohibited. Notwithstanding the foregoing, operable vehicles that are regularly used to maintain the property on which they are located may be stored outdoors, provided they are stored in such a manner that from the road, from the lake, from neighboring residences and decks, and from any other frequently used vantage point, they are either:

- (a) not visible at all; or
- (b) located in such a way, and have such an appearance, that they have at most a negligible visual impact on the appearance of the property.

- (6) OUTDOOR AQUATIC RECREATIONAL EQUIPMENT STORAGE.  
Any outdoor storage of boats, and other aquatic recreational equipment, including, but not limited to, piers, boat lifts and rafts shall be done in such a manner that from the road, from neighboring residences and decks, and from any other frequently used vantage point, they are either:
- (a) not visible at all; or
  - (b) located in such a way as to minimize visual impact to the extent reasonably practicable given the available natural vegetative screening and topographical characteristics of the property.
- (7) YARD AREAS.  
All yard areas that consist of grass lawn shall be maintained continually in a neat and groomed manner.
- (8) ENFORCEMENT.  
The Village Administrator shall enforce the provisions of this section and is hereby authorized and directed to make inspections in response to a complaint or when he/she has good reason to believe a violation has been or is being committed. Upon finding that a violation is being committed, the Village Administrator is authorized and directed to provide the property owner with written notice of the nature of the violation. The notice shall require that the violation be corrected within fifteen (15) days of the date of the notice. The property owner may then appeal that notice of a violation upon written application to the Village Plan Commission within said fifteen (15) days, and the notice shall so indicate. If the violation continues after fifteen (15) days have passed from the date of the notice, or in the event of an appeal, if the Plan Commission affirms the determination of the Village Administrator, then the Village Administrator is authorized and directed to issue a citation to the property owner, and penalties shall apply in accordance with Section 17.81 of this Chapter.
- (9) GRACE PERIOD  
Conditions existing prior to the effective date of this amendment to the Zoning Code which are not in compliance with this section shall be brought into compliance within sixty (60) days of the effective date of this section, namely on or before September 18, 1998.

Section 17.32 of this Chapter entitled "Nonconforming Uses, Structures and Lots," shall not apply to any of the obligations described in this section, and shall not be read as extending said sixty (60) day grace period for full compliance.

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.

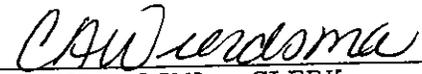
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This Ordinance passed this 20<sup>th</sup> day of July, 1998.

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

  
RAYMOND FOSTER, JR. PRESIDENT

ATTEST:

  
CHERYL WIERDSMA, CLERK

STATE OF WISCONSIN )  
 )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING

oed 169 Property  
Maintenance  
(Corrected) pg 3)

The undersigned, being first duly sworn, on oath deposes and states that on

August 24, 1998, 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 of South Beach Road leading into the Fischer, Lowry, et al properties.

  
Posting Officer

Subscribed and sworn to before me

This 24<sup>th</sup> day of August, 1998

Cheryl A Wurdosma

Notary Public, Waukesha County, Wisconsin

My Commission expires: 11-14-99

STATE OF WISCONSIN )  
COUNTY OF WAUKESHA )

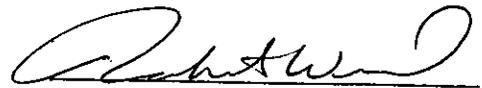
AFFIDAVIT OF POSTING

*ORD 169 Property Maint*

The undersigned, being first duly sworn, on oath deposes and states that on July 22, 1998 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.



Subscribed and sworn to before me

this 22<sup>nd</sup> day of July, 1998

Cheryl A Werdona  
Notary Public, Waukesha County, Wisconsin  
My commission expires: 11-14-99