

Ordinance No. 177

AN ORDINANCE TO RESTRICT  
THE USE OF SINGLE-FAMILY PROPERTY  
IN THE VILLAGE OF OCONOMOWOC LAKE  
BY REGULATING MULTI-FAMILY OWNERSHIP  
AS AUTHORIZED BY WISCONSIN STATUTES

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

SECTION 1: Section 17.10 of the Village of Oconomowoc Lake Zoning Code entitled Definitions, the definition of Time Share Property is hereby created, and added to said section in alphabetical order, as follows:

**TIME SHARE PROPERTY**

Any property that is regulated by Chapter 707, Wisconsin Statutes; and in addition, any real property that is subject to any contract, easement, instrument or other device, whereby two or more persons, corporations, firms or entities have an exclusive right to occupy said property during separate periods of time.

SECTION 2: Section 17.33<sup>5</sup> of the Village of Oconomowoc Lake Zoning Code is hereby created to read as follows:

**17.33<sup>5</sup> TIME SHARE PROPERTY RESTRICTED**

Time share property, as defined herein, shall be subject to all of the following requirements:

- (1) The property must be owned in such a way, and must include such uses, so as to subject the property to the regulations of Chapter 707 Wisconsin statutes; and
- (2) The property must fully and strictly comply with the requirements of Chapter 707 Wisconsin statutes at all times; and

- (3) The property shall be subject to issuance of a Planned Unit Development conditional use permit, in accordance with all of the rules and regulations of section 17.56 of this code, and must fully and strictly comply with the same at all times.

Time share property that does not satisfy the above-listed requirements is prohibited in all districts in the Village of Oconomowoc Lake. These regulations are intended to impose the same requirements upon property that is regulated by Chapter 707, Wisconsin Statutes, that are imposed upon physically identical property in the Village of Oconomowoc Lake that is not in time share ownership.

**SECTION 3:** Section 17.34 of the Village of Oconomowoc Lake Zoning Code is hereby created to read as follows:

**17.34 CONDOMINIUM PROPERTY RESTRICTED**

Condominiums, as defined in Chapter 703, Wisconsin Statutes, shall be subject to all of the following requirements:

- (1) The property must be owned in such a way, and must include such uses, so as to subject the property to the regulations of Chapter 703 Wisconsin statutes; and
- (2) The property must fully and strictly comply with the requirements of Chapter 703 Wisconsin statutes at all times; and
- (3) The property shall be subject to issuance of a Planned Unit Development conditional use permit, in accordance with all of the rules and regulations of section 17.56 of this code, and must fully and strictly comply with the same at all times.

Condominium property that does not satisfy the above-listed requirements is prohibited in all districts in the Village of Oconomowoc Lake. These regulations are intended to impose the same requirements upon property that is regulated by Chapter 703, Wisconsin Statutes, that are imposed upon physically identical property in the Village of Oconomowoc Lake that is not in condominium ownership.

SECTION 4: SEVERABILITY.

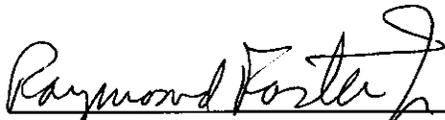
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, 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 5: EFFECTIVE DATE.

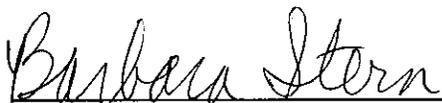
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 17<sup>th</sup> day of May, 1999.

VILLAGE OF OCONOMOWOC LAKE

  
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Raymond Foster, Jr., Village President

ATTEST:

  
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Barbara Stern, Village Clerk

This document was drafted by Attorney John P. Macy, Village Attorney, Arenz, Molter, Macy & Riffle, S.C., 720 N. East Ave., Waukesha, WI 53186

STATE OF WISCONSIN )  
 )  
COUNTY OF WAUKESHA )

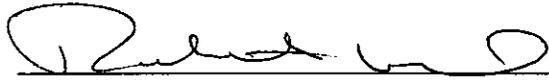
AFFIDAVIT OF POSTING

ORD # 177

The undersigned, being first duly sworn, on oath deposes and states that on May 18, 1999, 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 18th day of May, 1999

Barbara Stein  
Notary Public, Waukesha County, Wisconsin

My Commission expires: 4-20-03