

ORDINANCE NO. 198AN ORDINANCE TO REPEAL AND RECREATE
SECTION 17.16(1), AND TO CREATE
SECTION 17.16(4) OF THE
VILLAGE OF OCONOMOWOC LAKE
ZONING CODE RELATED TO THE
EXPIRATION OF BUILDING PERMITS
AND ZONING PERMITS IN THE
VILLAGE OF OCONOMOWOC LAKE

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, does hereby ordain as follows:

SECTION 1: Chapter 17 of the Village of Oconomowoc Lake Municipal Ordinances entitled "Zoning Code," Section 17.16 entitled "Compliance," subsection 17.16(1) is hereby repealed and recreated as follows:

17.16 COMPLIANCE.

- (1) No structure, land or water shall hereafter be used and no structure or part thereof shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered unless a building permit is issued as required by the Village Building Code for the Village of Oconomowoc Lake, and a zoning permit is issued and the work is performed in full compliance with the provisions of the Building Code for the Village of Oconomowoc Lake and the provisions of this chapter, and in compliance with all other applicable local, County and State regulations. Notwithstanding the foregoing, minor structures are excluded from the requirements of this chapter, except that minor structures shall comply with the accessory structure offset requirements for the zoning district in which they are located.

SECTION 2: Chapter 17 of the Village of Oconomowoc Lake Municipal Ordinances entitled "Zoning Code," Section 17.16 entitled "Compliance," subsection 17.16(4) is hereby created as follows:

17.16 COMPLIANCE.

- (4) Building permits and zoning permits shall expire if the work authorized is not commenced within six (6) calendar months from the date of issuance of such permit, or is suspended or abandoned for a period of ninety (90) days at any time after the work is commenced, or if the work authorized by the Architectural Control Board and all conditions imposed as part of said authorization are not completed within twenty-four (24) months from the date of issuance of such permit. In the event of such expiration, upon showing that the expiration occurred as a result of a cause or event beyond the control of the permittee ("FORCE MAJEURE"), including but not limited to acts of God, acts or omissions of civil or military authorities, which would substantial impair the proposed expiration deadline, the Village Board may grant an extension of such permit for a period not to exceed six months. If such permits are expired and no such extension is granted, no work may be conducted on the work previously authorized until a new permit shall be first obtained, in accordance with the applicable building and zoning permit application procedures, including payment of all applicable fees.

SECTION 3: 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 4: EFFECTIVE DATE.

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

Dated this 21st day of August, 2001.

VILLAGE OF OCONOMOWOC LAKE

Raymond Foster, Jr.
Raymond Foster, Jr., Village President

ATTEST:

Barbara Stern
Barbara Stern, Village Clerk-Treasurer

Published and posted this 22nd day of August, 2001.

FORCE MAJEURE

Neither party shall be liable to the other for any loss, damage, failure, delay or breach in rendering any services or performing any obligations hereunder to the extent that such failure, delay or breach results from any cause or event beyond the control of the party being released hereby ("Force Majeure"), including but not limited to acts of God, acts or omissions of civil or military authorities, which would substantially impair the proposed completion deadline.

If either party is prevented or delayed in the performance of its obligations hereunder by Force Majeure, that party shall immediately notify the other party in writing or the reason for the delay or failure and discussing the likely duration of the Force Majeure and any known prospects for overcoming or ameliorating it. Both parties agree to take any commercially reasonable measures to overcome or ameliorate the Force Majeure and its adverse effects on this Agreement, and to resume performance as completely as is reasonably possible once the Force Majeure is overcome or ameliorated.

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

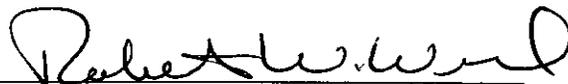
AFFIDAVIT OF POSTING

ORD 198
Building & Zoning Permit Exp Dates

The undersigned, being first duly sworn, on oath deposes and states that on August 22, 2001, 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:

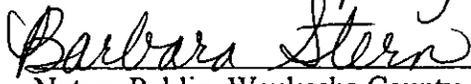
- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.



Posting Officer

Subscribed and sworn to before me

This 22nd day of August, 2001



Notary Public, Waukesha County, Wisconsin
My Commission expires: 7-20-01