

ORDINANCE NO. 204

An Ordinance to Repeal Ordinances No. 10, Subsection 8.01 (1) & (2),
and No. 38, and No. 73 Entitled
“An Ordinance to Prohibit Disorderly Conduct.”

WHEREAS, it is the intent and desire of the Board of Trustees of the Village of Oconomowoc Lake, to regulate the discharge of firearms within the corporate limits of the Village of Oconomowoc Lake, such action being necessary for public safety and to promote the public well being,

The Board of Trustees of the Village of Oconomowoc Lake do hereby ordain as follows:

Section 1

Section 8.01 (1) and (2) of Ordinance No. 10, Ordinance No. 38 & No. 73 of the Village of Oconomowoc Lake, are hereby repealed and recreated to read as follows:

(1) **Discharging and Carrying Firearms and Other Weapons Regulated.** Except as hereinafter provided, no person shall fire or discharge any firearm, spring or air-gun of any description, or other weapon, including a bow and arrow or slingshot, within the Village of Oconomowoc Lake, or have any firearm, spring or air-gun, or other weapon in his possession or under his control unless it is:

- a) Unloaded, and
- b) Either disassembled or fully enclosed within a carrying case or other suitable container.

(2) **Exceptions:**

- (a) Law enforcement officers duly designated by the Village, County, State or Federal authorities.
- (b) Shotguns may be fired on private skeet or trap shooting grounds, provided a written permit is first obtained from the Village Board. The application for permit must be accompanied by the written consent of the property owners whose lands immediately adjoin the property upon which the skeet or trap shooting ground is to be located.
- (c) Discharge of shotguns used as signaling devices for boat races on Oconomowoc Lake.
- (d) The use or discharge of bow and arrow is limited to the hunting seasons and regulations as established by the Department of Natural Resources of the State of Wisconsin on properties located within the Village of Oconomowoc Lake with consent of the property owners, and restricted to only those properties as depicted on the Bow and Arrow Discharge Map of the Village of Oconomowoc Lake, for the purpose of hunting. Said map is attached hereto, marked Exhibit A, and made a part of this ordinance. Modifications to said map may be made from time to time by action of the Village Board.

- (e) Bows and arrows, slingshots and air rifles also may be discharged upon an owner's property, or upon the property of another with written permission of the property owners, provided the same are fired at targets provided for that purpose. The targets must be located so as to protect the property and safety of other persons.
- (f) Weapons classified and used for purposes of rodent eradication, provided written permission for such use is first obtained from the Police Chief or his designee.

Section 2

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.

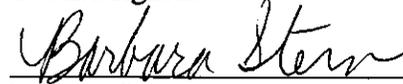
Section 3

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

Passed and adopted by the Board of Trustees of the Village of Oconomowoc Lake
this 21 day of May, 2002.


Raymond O. Foster, Jr.
Village president

Countersigned:


Barbara Stern
Village Clerk

Posted this 21st day of May, 2002.

VILLAGE OF OCONOMOWOC LAKE

EXHIBIT A

Job no. _____
Date _____
Revised _____

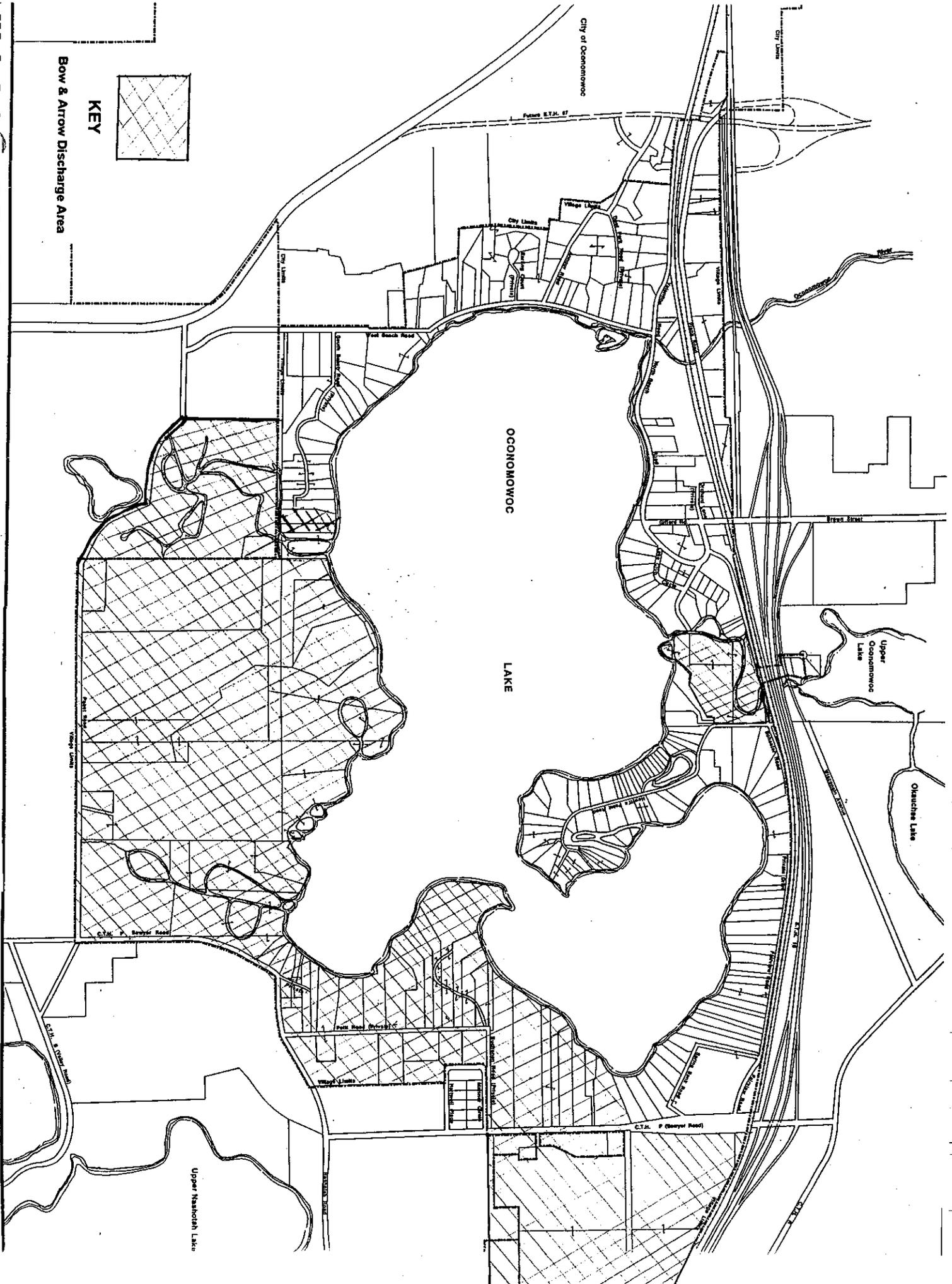


Cam
Planning, Z

KEY



Bow & Arrow Discharge Area



Discussion/action regarding the Plan Commission zoning amendment petition to amend the current Village Zoning Code (Chapter 17) regarding an ordinance to repeal and recreate the definition of "structure" and the regulation of swimming pools within the Village of Oconomowoc Lake.

A motion (Fischer/Bickler) was made to revise sections 3, 4, 5 and 6 of the proposed amendment to the Village Zoning Code to state: "No accessory structure, except a swimming pool, constructed at grade or below grade, *and its security fence*, shall be located in the offset areas of the main building." The revision would affect R-1, R-2, R-3, and R-4 zoning districts.

Discussion followed. Mr. Birbaum noted his continuing opposition to this zoning amendment, stating that he feels that the Village should regulate the specific items of concern, such as slides, or other pool accompaniments, and not the swimming pools themselves. He feels the zoning amendment is too restrictive. After further discussion, the original motion, made by Mr. Fischer and seconded by Mr. Bickler, was withdrawn.

Mr. Fischer stated that the matter should be returned to the Plan Commission for further discussion. He suggested that the zoning amendment should allow swimming pools between the high water mark and the residence as long as the residence setback was 125 feet or greater, that the pool would be set no closer than 75 feet from the water, and that the pool would be less than the width of the residence.

Motion (Fischer/Birbaum) to table this matter to a future Village Board of Trustees meeting after additional review and possible revision by the Plan Commission, *Carried Unanimously*.

ATTORNEY

Discussion/action regarding 2009-2010 Wisline Series "Current Issues Affecting Local Government Officials and Regulation of Alcohol Beverage Licensing", per correspondence from Mr. Macy dated April 19, 2010.

Mr. Macy advised that he had attended the above noted Wisline Series, and that there are no major changes in the laws. He will keep the trustees informed of any changes that may affect the Village.

Discussion/action regarding revaluation notification as required in 2009 Wisconsin Act 68, per correspondence from Mr. Macy dated May 12, 2010.

Mr. Macy explained that new legislation requires the Village to post a notice on its website advising residents that a revaluation of the Village is taking place. The language needed was included in Mr. Macy's letter, and Mr. Wiemer will update the website accordingly.

TREASURER

Checks

Motion (Falstad/Bickler) to approve check nos. 37583 through 37618 for regular monthly payments, and all electronic transfers. Check nos. 37577 through 37582 had been voided due to

**MOTION REGARDING THE
REVISION OF THE BOW-HUNTING
MAP TO INCLUDE SOUTH BEACH ROAD**

FINANCE

Discussion regarding
Mr. Fischer reviewed t

ADMINISTRATOR

Discussion/action regarding the request of the majority of residents on South Beach Road to add their neighborhood into the areas of the Village in which bow hunting is allowed.

Mr. Wiemer explained that the addition to the areas in which bow hunting are allowed would include South Beach and West Beach Roads, inclusive up to and including the present David Pabst property. Mrs. Zea stated that, per the letter submitted by the South Beach Road neighborhood, the deer

population has become very large, and that the deer have decimated many of the yards and gardens in the neighborhood.

Motion (Birbaum/Bickler) to amend the map indicating the areas in which bow hunting is allowed to include South Beach Road and up to and including 4200 West Beach Road, Carried Unanimously.

Discussion/action regarding an ordinance requiring commercial, institutional or manufacturing structures to provide a public key box system for fire department use.

Mr. Wiemer explained that the Summit Fire District has requested the Village to adopt this ordinance, which requires a public key box system to be installed on all new commercial, institutional or manufacturing structures. They key box system is necessary to assist the fire department in entering a building due to a report of fire or fire alarm. Motion (Shult/Birbaum) to adopt an ordinance for use of a rapid entry system (key box) for Summit Fire District Properties in the Village of Oconomowoc Lake, Carried Unanimously.

Update regarding stop signs at the intersections of Sawyer Road and Pabst Road, and Valley Road and Pabst Road.

Mr. Wiemer stated that there has been no new communication with Waukesha County regarding this matter. Mr. Falstad reported that he had checked with the Public Works Department, and the matter is currently sitting on their desk and is being reviewed.

POLICE CHIEF

There was no report.

FIRE COMMISSIONER

Mr. Wiemer reported that he and president Kneiser had attended a meeting with the new City of Oconomowoc Mayor, Jim Daley, regarding the possible merger of the Summit Fire Department and the Oconomowoc Fire Department. The matter will be reviewed by the Mayor Daley with his staff and advisors, and recommendations regarding the possible merger will be made at a later date. The Summit Fire District is working on a pro-forma budget for a combined department, and the City will also do so.

BOARD OF ZONING APPEALS

A Board of Zoning Appeals hearing is scheduled for June 16, 2010, with a possible continuation date of June 17, 2010, in regard to the request of Patrick and Jana Eilers.

ARCHITECTURAL CONTROL BOARD (ACB)

There will be a meeting on May 24, 2010.

CLERK

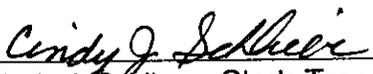
There was no report.

COMMUNICATIONS

There were no communications.

With no further discussion being heard, a motion (Owens/Shult) to adjourn was made at approximately 8:07 p.m., and Carried Unanimously.

Respectfully submitted by:


Cindy J. Schlieve, Clerk-Treasurer

Approved and ordered posted by:


Richard J. Kneiser, President

May 4, 2010

Village Of Oconomowoc Lake
35328 W. Pabst Road
Oconomowoc, WI 53066

Attn: Village Board of Trustees

Dear Village Board,

On behalf of the residents of South Beach Road, we would like you to approve the extension of the bow hunting area to include our neighborhood. The deer population has continued to multiply with each new spring and the damage to bushes, trees, gardens and flowers has been devastating on our properties.

I can speak for myself in informing you that I counted 17 deer on my property at one time this winter and I fear this number will rapidly increase this spring if something is not done to control the herd. What was once beautiful annual gardens on my property are now barren beds of dirt.

Deer repellent sprays and fences have been used and are a "Band-Aid" to the deer interstate that is affecting our neighborhood. Please help us save the vegetation that we homeowners would like to keep by approving the bow hunting areas on South Beach Road.

Thank you for your consideration into this matter.

Sincerely,

Amy Zea
John Zea 36310 S. BEACH RD.

John and Amy Zea and the South Beach Road Home Owners

<i>Richard N. [unclear]</i>	36301	S.	Beach Rd	Ocon WI 53066
<i>Sharon M. Nellis</i>	36224	S.	Beach Rd	
<i>Jerome J. Mc Nellis</i>	36224	S.	Beach Rd	
<i>Beverly A. Burns</i>	36234	S.	Beach Rd.	
<i>[unclear]</i>	36320	S.	Beach Rd.	
<i>Terry Hartle</i>	"	"	"	
<i>Mary K. [unclear]</i>	36010	S.	BEACH RD.	

ORDINANCE NO. 204

An Ordinance to Repeal Ordinances No. 10, Subsection 8.01 (1) & (2),
and No. 38, and No. 73 Entitled
“An Ordinance to Prohibit Disorderly Conduct.”

WHEREAS, it is the intent and desire of the Board of Trustees of the Village of Oconomowoc Lake, to regulate the discharge of firearms within the corporate limits of the Village of Oconomowoc Lake, such action being necessary for public safety and to promote the public well being,

The Board of Trustees of the Village of Oconomowoc Lake do hereby ordain as follows:

Section 1

Section 8.01 (1) and (2) of Ordinance No. 10, Ordinance No. 38 & No. 73 of the Village of Oconomowoc Lake, are hereby repealed and recreated to read as follows:

(1) **Discharging and Carrying Firearms and Other Weapons Regulated.** Except as hereinafter provided, no person shall fire or discharge any firearm, spring or air-gun of any description, or other weapon, including a bow and arrow or slingshot, within the Village of Oconomowoc Lake, or have any firearm, spring or air-gun, or other weapon in his possession or under his control unless it is:

- a) Unloaded, and
- b) Either disassembled or fully enclosed within a carrying case or other suitable container.

(2) **Exceptions:**

- (a) Law enforcement officers duly designated by the Village, County, State or Federal authorities.
- (b) Shotguns may be fired on private skeet or trap shooting grounds, provided a written permit is first obtained from the Village Board. The application for permit must be accompanied by the written consent of the property owners whose lands immediately adjoin the property upon which the skeet or trap shooting ground is to be located.
- (c) Discharge of shotguns used as signaling devices for boat races on Oconomowoc Lake.
- (d) The use or discharge of bow and arrow is limited to the hunting seasons and regulations as established by the Department of Natural Resources of the State of Wisconsin on properties located within the Village of Oconomowoc Lake with consent of the property owners, and restricted to only those properties as depicted on the Bow and Arrow Discharge Map of the Village of Oconomowoc Lake, for the purpose of hunting. Said map is attached hereto, marked Exhibit A, and made a part of this ordinance. Modifications to said map may be made from time to time by action of the Village Board.

- (e) Bows and arrows, slingshots and air rifles also may be discharged upon an owner's property, or upon the property of another with written permission of the property owners, provided the same are fired at targets provided for that purpose. The targets must be located so as to protect the property and safety of other persons.
- (f) Weapons classified and used for purposes of rodent eradication, provided written permission for such use is first obtained from the Police Chief or his designee.

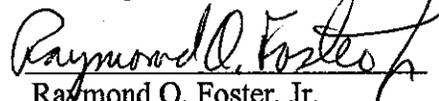
Section 2

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.

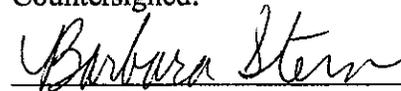
Section 3

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

Passed and adopted by the Board of Trustees of the Village of Oconomowoc Lake
this 21 day of May, 2002.


Raymond O. Foster, Jr.
Village president

Countersigned:


Barbara Stern
Village Clerk

Posted this 21st day of May, 2002.

VILLAGE OF OCONOMOWOC LAKE

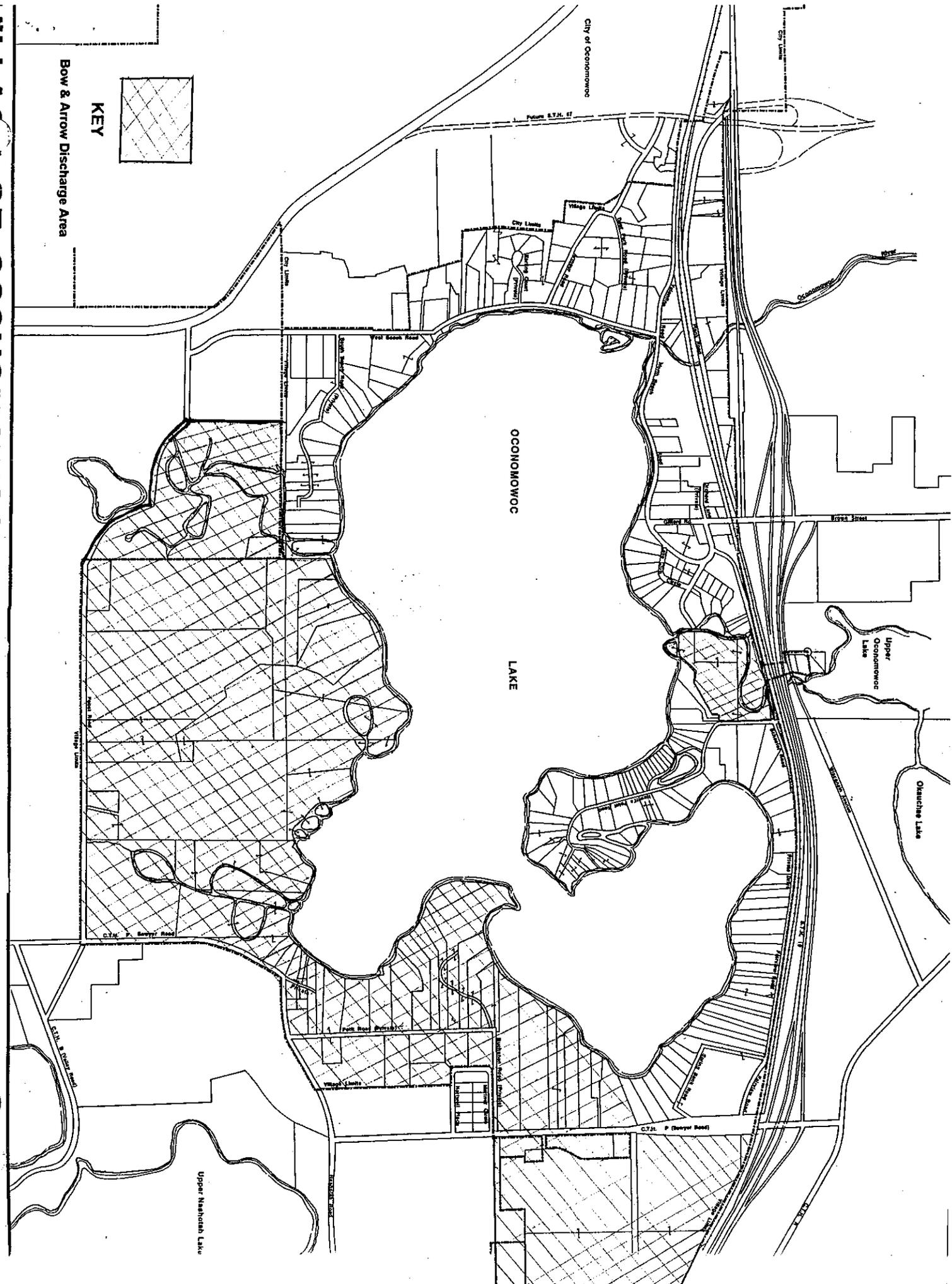
EXHIBIT A

job no. _____
date _____
drawing _____
of _____



cam
Planning, Z
Development

KEY
Bow & Arrow Discharge Area



STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

Ord # 204
Bowhunting Ordinance

The undersigned, being first duly sworn, on oath deposes and states that on May 22, 2002, 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.

Robert W. ...
Posting Officer

Subscribed and sworn to before me

This 22nd day of May, 2002

Barbara Stern
Notary Public, Waukesha County, Wisconsin
My Commission expires: 4-20-03