

ORDINANCE NO. 233

AN ORDINANCE TO REPEAL AND RECREATE THE
DEFINITION OF THE STRUCTURES IN THE ZONING CODE OF THE
VILLAGE OF OCONOMOWOC LAKE

NOW, THEREFORE, 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 Code of Ordinances, entitled Zoning Code; Section 17.10 entitled Definitions; subsection entitled Structure is hereby repealed.

SECTION 2: Chapter 17 of the Village of Oconomowoc Lake Code of Ordinances entitled Zoning Code; Section 17.10 entitled Definitions; subsection entitled Structure is hereby created to read as follows and is to be inserted in alphabetical order among the definitions of Section 17.10:

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, examples of structures shall include but are not limited to:

1. Principal structures
2. Accessory structures

3. Nonconforming structures
4. Legal Nonconforming structures

Also included in the definition of structure are buildings of all types including prefabricated or pre-built buildings.

Specific examples of structures shall include but are not limited to:

1. Gazebos
2. Screen enclosures
3. Statuary in excess of 6 feet in height or 4 feet in width
4. Fences
5. Decks
6. Handrails
7. Lean-tos
8. Silos
9. Carports
10. Towers
11. Masts
12. Booms
13. Machinery
14. Equipment
15. Walls
16. 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. Decks and patios more than 75 feet from the water at grade or less than 8 inches above the original grade,
 2. Not more than 1 deck or patio 75 feet or less from the water at grade or less than 12 inches above the original grade and less than 300 square feet in size as long as said deck or patio does not have any railings and is screened with natural materials when viewed from the lake,
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 3: SEVERABILITY.

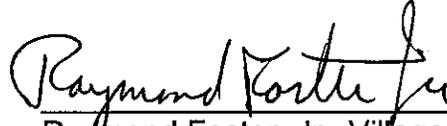
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, 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, 2006

VILLAGE OF OCONOMOWOC LAKE



Raymond Foster, Jr., Village President

ATTEST:



Kathy Kreuser, Village Clerk

Published and/or posted this 6th day of September, 2006.

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

Ordinance # 233

The undersigned, being first duly sworn, on oath deposes and states that on September 6, 2006, 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.

[Signature]
Posting Officer

Subscribed and sworn to before me

This 6th day of September, 2006

[Signature]
Notary Public, Waukesha County, Wisconsin
My Commission expires: 3-23-08