

ORDINANCE NO. 254

**AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 17.81 ENTITLED PENALTIES OF THE VILLAGE OF OCONOMOWOC ZONING CODE**

**WHEREAS**, after discussing the current penalty provisions of the Village of Oconomowoc Lake zoning code, the Village Board initiated an amendment to the same; and

**WHEREAS**, upon the Village Board's initiation said amendment, the matter was forwarded to the Village Plan Commission for review and recommendation; and

**WHEREAS**, the Plan Commission recommended adopted the amendment as proposed by the Village Board; and

**WHEREAS**, upon receipt of the Village Plan Commission's recommendation, the Village Board of Trustees held a public hearing on the 20th day of December, 2010, after providing all required noticed, as required by §17.62(5)(a) of the Village of Oconomowoc Lake Village Code; and

**WHEREAS** the Village Board for the Village of Oconomowoc Lake finds that the public necessity, convenience, general welfare, and good zoning practice requires the Village Board to amend, change or supplement the regulations established by the Village of Oconomowoc Lake zoning code as described herein.

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17 of the Village of Oconomowoc Lake Village Code entitled "Zoning Code," Section 17.81 entitled "Penalties", is hereby repealed and re-created to read as follows:

17.81            PENALTIES

Any person, firm or corporation who fails to comply with the provisions of this chapter shall upon conviction thereof, forfeit not less than Five Hundred (\$500.00) Dollars nor more than Two Thousand (\$2,000.00) Dollars and costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.

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.

Dated this 20th day of December, 2010.

VILLAGE OF OCONOMOWOC LAKE

  
\_\_\_\_\_  
Richard J. Kneiser, Village President

ATTEST:

  
\_\_\_\_\_  
Cindy J. Schieve, Village Clerk

Published and/or posted this 4th day of January, 2011

STATE OF WISCONSIN )  
 )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING

Ordinance 254 to Re-Create Section 17.81  
Entitled Penalties of the Village of  
Oconomowoc Lake Zoning Code

The undersigned, being first duly sworn, on oath deposes and states that on Jan. 4, 2011, 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:

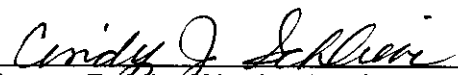
to-wit:

- (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, Signature

Subscribed and sworn to before me

This 4th day of January, 2011

  
\_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My Commission expires: July 3, 2011