

ORDINANCE NO. 170AN ORDINANCE TO REPEAL AND RECREATE
CERTAIN PROVISIONS IN THE ZONING CODE
OF THE VILLAGE OF OCONOMOWOC LAKE
WHICH RELATE TO OCCUPATIONS OR
PROFESSIONS OPERATED IN THE HOME

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin DO 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entitled Zoning Code; Section 17.10 entitled Definitions; subsection entitled OCCUPATION, HOUSEHOLD is hereby repealed.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entitled Zoning Code; Section 17.10 entitled Definitions; subsection entitled OFFICE, PROFESSIONAL HOME is hereby repealed.

SECTION 3: Chapter 17 of the Village of Oconomowoc Lake Code of Ordinances, entitled Zoning Code; Section 17.10 entitled Definitions; subsection entitled HOME OCCUPATION is hereby created to read as follows, to be inserted in alphabetical order among the definitions of Section 17.10:

17.10 DEFINITIONS

...

HOME OCCUPATION

Any occupation(s) for gain or support conducted on a lot in the Village, if said occupation(s) meet(s) all of the following requirements:

1. The lot where said occupation(s) is/are conducted must be located in a residential district.

2. The principal structure on the lot must maintain a residential use occupied by the person(s) conducting said occupation(s).
3. All activities and storage relating to said occupation(s) shall be located exclusively within the principal structure or single accessory structure.
4. All said occupation(s) on any one lot must be wholly conducted in an area that is less than the lesser of:
(a) twenty-five percent (25%) of the livable area of the principal structure; or (b) 650 square feet.
5. No stock in trade may be sold on the lot where said occupation(s) is/are conducted.
6. Said occupation(s) shall not change the outside appearance of the principal structure or any of the accessory structures on the lot.
7. Said occupation(s) shall not be visible from the street or lake.
8. No signs relating in any way to said occupation(s) may be located on the lot where said occupation(s) is/are conducted.
9. Not more than one full-time equivalent person other than a member of the immediate family shall be involved in or employed on any one lot.
10. Not more than one vehicle associated with said occupation(s) per person associated with said occupation(s) shall be kept on the lot at any time. Not more than a maximum of two such vehicles shall be kept on the lot at any time. Not more than one of such vehicles associated with said occupation(s) can be a truck and said truck may not be more than one ton capacity and said truck shall be kept regularly in an enclosed structure. No other vehicles or wheeled equipment associated with said occupation(s) on any lot may be stored on the lot whether or not in an enclosed structure.
11. Said occupation(s) shall not cause vehicular traffic which has/have an impact on the residential character of the neighborhood.
12. There shall be no noise, vibration, glare, fumes, odor, electrical interference, or other such condition created by said occupation(s) that has any observable impact upon any location outside the principal

structure or accessory structure where said occupation(s) is/are conducted.

13. Customers, clients, students, home occupation invitees or other visitors associated with the home occupation(s) shall be on the premises only between the hours of 9:00 a.m. and 8:00 p.m.

SECTION 4: Chapter 17 of the Village of Oconomowoc Lake Code of Ordinances, entitled Zoning Code; Section 17.19 entitled Use Restrictions; subsection 17.19(1) entitled PRINCIPAL USES; subsection 17.19(1)(a) entitled Accessory Uses is hereby repealed and recreated to read as follows:

(a) Accessory Uses

Accessory uses and structures are allowed in any district, if they are in compliance with all of the following:

1. The lot must first have an existing Principal Building, or a Principal Building must be under construction.
2. Accessory uses include without limitation the following:
 - a. incidental repairs;
 - b. storage;
 - c. parking facilities;
 - d. nurseries;
 - e. gardening;
 - f. private swimming pools;
 - g. private emergency shelters;
 - h. Home Occupations that are conducted in strict conformity with the definition of "Home Occupation" contained in section 17.10 of this Code.

All other accessory uses and structures are prohibited.

SECTION 5: Chapter 17 of the Village of Oconomowoc Lake Code of Ordinances, entitled Zoning Code; Section 17.19 entitled Use Restrictions; subsection 17.19(3) entitled NO ADVERTISING SIGN is hereby repealed and recreated to read as follows:

(3) NO ADVERTISING SIGN

No advertising sign of any character shall be permitted in any Residence District, except for one sign for each main building not exceeding four (4) square feet in area pertaining to the lease, hire or sale of such premises.

SECTION 6: 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 7: EFFECTIVE DATE.


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

This Ordinance passed this 16th day of November, 1998.

BY ORDER OF THE VILLAGE BOARD OF
THE VILLAGE OF OCONOMOWOC LAKE,
WAUKESHA COUNTY, WISCONSIN


RAYMOND FOSTER, JR., PRESIDENT

ATTEST:


CHERYL WIERDSMA, CLERK

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

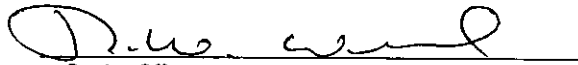
AFFIDAVIT OF POSTING

ORD # 170 - OCCUP/PROF
IN HOME

The undersigned, being first duly sworn, on oath deposes and states that on
Nov 18, 1998, 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 November, 1998

Cheryl A. Wierdema

Notary Public, Waukesha County, Wisconsin

My Commission expires: 11-14-99