

ORDINANCE NO. 300

AN ORDINANCE TO REPEAL AND RE-CREATE ORDINANCE 241 ENTITLED, "AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 14.04.5, "OBLIGATION TO MINIMIZE ADVERSE IMPACTS," OF THE BUILDING CODE OF THE VILLAGE OF OCONOMOWOC LAKE"

WHEREAS, Section 14.04.5 of the Building Code for the Village of Oconomowoc Lake establishes regulations concerning minimization of the impact of activities regulated by the Village of Oconomowoc Lake Building Code; and

WHEREAS, Section 14.04.5 provides, in part, that the Village Administrator, or the Village Administrator's designee, may grant waivers to the requirements set forth in Section 14.04.5; and

WHEREAS, 2017 Wisconsin Act 243 created Wisconsin Statutes §66.1108 that places certain limitations upon construction hours and the Village Board hereby intends to modify the Village Code to comply with the new State laws.

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Village of Oconomowoc Lake Ordinance 241 entitled, "An Ordinance to Repeal and Re-Crete Section 14.04.5, "Obligation to Minimize Adverse Impacts," of the Building Code of the Village of Oconomowoc Lake" is hereby repealed and recreated as follows:

14.04.05 Activities regulated by the Village of Oconomowoc Lake Building Code shall be conducted in a manner that minimizes the noise and other adverse impacts upon surrounding properties, consistent with the residential character of the Village of Oconomowoc Lake. This obligation includes, but is not limited to, limiting the conduct of the activities to the following times, unless otherwise authorized by the Village Administrator or the Village Administrator's designee: The activities shall not begin before 7:30 a.m. on Monday-Saturday; the activities shall not continue beyond 5:00 p.m.; and no such activities will take place on Sundays or holidays. The Village Administrator, or the Village Administrator's designee, may authorize a waiver to the requirements of this Section where, in the opinion of the Village Administrator or their designee, such a waiver is necessary due to emergency; to promote the public health and safety; or where literal compliance would cause undue hardship. A waiver granted under this Section may include such conditions as, in the opinion of the Village Administrator or the Village Administrator's designee, are necessary under

the circumstances to promote the intent of this Section

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 ordinance 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 16th day of September, 2019.

VILLAGE OF OCONOMOWOC LAKE



Joseph L. Birbaum, Village President at the time the ordinance was adopted

ATTEST:



~~Chris Astrella, Village Clerk~~

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Katelyn A. Vaughan