

CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description COMMON COUNCIL MEETING

Date: MONDAY, DECEMBER 21, 2015 Time: 7:00PM Location: MUNICIPAL BUILDING
300 LA CROSSE STREET, WISCONSIN DELLS, WI

MAYOR		COUNCIL MEMBERS		
BRIAN L. LANDERS		FIRST DISTRICT	SECOND DISTRICT	THIRD DISTRICT
		Jesse DeFosse	Mike Freel	Ed Fox
		Brian Holzem	Dar Mor	Ed Wojnicz
OPENING				
1	CALL TO ORDER & ROLL CALL			
2	PLEDGE OF ALLEGIANCE			
3	APPROVAL OF CONSENT AGENDA ITEMS: a. Approval of the November 16, 2015 Common Council Meeting Minutes b. Schedule of Bills Payable dated December 21, 2015 c. Applications for Bartender Licenses			
4	COMMITTEE UPDATES BY CHAIRPERSONS: (BID, PARKS & REC, LIBRARY, LEGISLATIVE, PARKING BOARD, PLAN COMMISSION, FINANCE, PUBLIC WORKS, DESIGN REVIEW COMMITTEE & PUBLIC SAFETY)			
AGENDA ITEMS				
5	PUBLIC COMMENT/ CITIZEN APPEARANCES FOR ANY NON-AGENDA ITEM			
6	ARBOR DAY 2016 PROCLAMATION			
7	APPOINTMENT OF NEW AGENT; AND ADDED TRADE NAME OF FIESTA CANCUN MEXICAN RESTAURANT & CANTINA FOR THE CLASS B BEER & LIQUOR LICENSE HELD BY AMBERS RESORT & CONFERENCE CENTER LLC			
RESOLUTIONS				
8	RESOLUTION TO APPROVE A SPECIAL REVENUE FUND SPECIFIC FOR FIRE SERVICE OPERATIONS			
9	RESOLUTION TO APPROVE A SPECIAL REVENUE FUND SPECIFIC FOR RIVERS & BAY OPERATIONS			
10	RESOLUTION TO APPROVE WAIVING THE BUILDING PERMIT FEES FOR THE WASTEWATER TREATMENT PLANT DRYER PROJECT			
11	RESOLUTION TO APPROVE THE 2016-2017 ELECTION WORKERS			
12	RESOLUTION TO APPROVE THE MEMORANDUM OF TRANSFER BY DONATION WITH BROKEN SPUR LLC			
13	RESOLUTION TO APPROVE BROADWAY AND CEDAR ST. PARKING STALL RENTALS FEES, CONTINGENT UPON SIGNED PRIVILEGE AGREEMENTS; WITH NO ADDITIONAL PARKING SPACES TO BE RENTED ON BROADWAY			
14	RESOLUTION TO APPROVE THE FOLLOWING NEW POLICE DEPARTMENT POLICIES: A) 6.11 CRIMINAL INVESTIGATIONS B) 6.12 INFORMANTS C) 6.13 CUSTODIAL INTERROGATION D) 6.14 EYEWITNESS IDENTIFICATION E) 6.15 OFFICER INVOLVED DEATHS			
15	RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT AND SITE PLAN APPLICATION SUBMITTED BY CHULA VISTA GOLF RESORT IN ORDER TO CONSTRUCT A NON-RESIDENTIAL GARAGE AT 1000 CHULA VISTA PARKWAY FOR STORAGE OF GOLF CARTS AND OTHER RELATED GOLF COURSE EQUIPMENT			

- 1. Have you been convicted of any felony or misdemeanor? Yes No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

Child
Punishment
month
of
July

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>
1-16-2014	paratenalid charge	Columbia Adams	WI
2-09-11	possession charge	Columbia	WI
12-30-10	Seat belt	Dane	WI

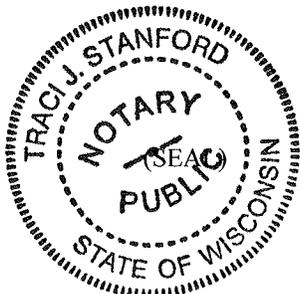
STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: *Janice [Signature]* Date: 12/07/2015

Subscribed and sworn to before me this 7th day of December 2015
[Signature]
Notary Public
My Commission Expires: 10/25/2015



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

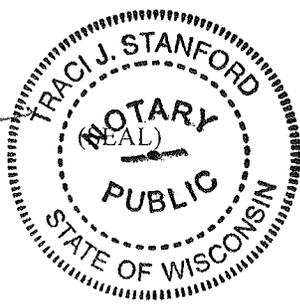
STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: Topciu M. Date: 11/12/2015

Subscribed and sworn to before me this 12th day of November, 2015.
[Signature]
Notary Public
My Commission Expires: 10/25/2019



CITY OF WISCONSIN DELLS 2016 ARBOR DAY PROCLAMATION

WHEREAS, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits;

WHEREAS, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade, and energy savings;

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation;

WHEREAS, our efforts to improve the environment benefit present and future generations;

BE IT THEREFORE RESOLVED I, Brian L. Landers, Mayor of the City of Wisconsin Dells, Wisconsin, do hereby proclaim April 22nd as Arbor Day in 2016 and encourage citizens to participate in appropriate activities and to take advantage of the benefits of parks and other natural areas in our community.

In witness, thereof,
I sign this proclamation.

Brian L. Landers
Mayor

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION ORGANIZATION OR LIMITED LIABILITY COMPANY

ITEM 7

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: [] Town [] Village of Wisconsin Dells County of Sauk [x] City

The undersigned duly authorized officer(s)/members/managers of Arturo Contreras LLC (registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Fiesta Cancun Mexican Restaurant & Cantina (trade name)

located at 655 N Frontage Rd Wisconsin Dells, WI 53965

appoints Arturo Contreras (name of appointed agent)

1260 E Hiawatha Dr Wisconsin Dells WI 53965 (home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

[] Yes [x] No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? [x] Yes [] No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 15 yrs

Place of residence last year 523 S Lyman St Oconomowoc, WI 53066

For: Arturo Contreras LLC (name of corporation/organization/limited liability company)

By: [Signature] (signature of Officer/Member/Manager)

And: (signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Arturo Contreras (print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 9/12/15 Agent's age 36 (signature of agent) (date)

1260 E Hiawatha Dr Wisconsin Dells WI 53965 Date of birth 12/oct/79 (home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on (date) by (signature of proper local official) Title (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Cortecros Contreras		Arturo			
Home Address (street/route)		Post Office		City	
1260 E Hiawatha				Wisconsin Dells	
Home Phone Number		Age		Date of Birth	
414/690-0385		36		12/01/79	
				State	
				WI	
				Zip Code	
				53965	
				Place of Birth	
				MEXICO	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an **individual**.

A member of a **partnership** which is making application for an alcohol beverage license.

Agent of Ambers Resort
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 15 yr
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

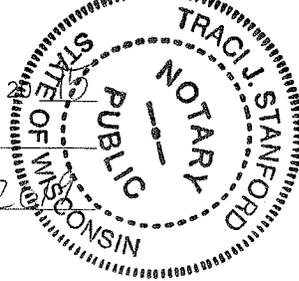
6. Named individual must list in chronological order last two employers.

Employer's Name <u>Piasta Cancun</u>	Employer's Address <u>OCCONOMOC</u>	Employed From <u>11-04</u>	To <u>present</u>
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 10th day of December, 2010
(Clerk/Notary Public)



[Signature]
(Signature of Named Individual)

My commission expires 10/25/2011



Printed on Recycled Paper

RESOLUTION NO. _____

ITEM 8

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the FINANCE COMMITTEE from their December 21, 2015 meeting;

IT APPROVES creating a Special Revenue Fund for the Fire Department with the specific purpose that the funds be used only for fire related expenses.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes ____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

RESOLUTION NO. _____

ITEM 9

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the FINANCE COMMITTEE from their December 21, 2015 meeting;

IT APPROVES creating a Special Revenue Fund for Rivers & Bay with the specific purpose that the funds be used only for river launch and dock related expenses.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes ____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

RESOLUTION NO. _____

ITEM 10

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the FINANCE COMMITTEE from their December 21, 2015 meeting;

IT APPROVES waiving the building permit fees (estimated at \$16,020) for the waste water treatment plant dryer project.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes _____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

Nancy Holzem

From: Chris Tollaksen
Sent: Wednesday, December 16, 2015 4:00 PM
To: Nancy Holzem; Karen Terry
Cc: Brian Landers; D Mor
Subject: WWTP Building permit fee

Based on the current total estimated cost of the Dryer project of \$7,461,900, the building permit fee would be:
\$16,020 requested to be waived.

Chris Tollaksen
City Planner/Zoning Administrator
City of Wis. Dells
(608) 253-2542
Fax (608) 254-8904

Nancy Holzem

From: Chris Tollaksen
Sent: Monday, December 14, 2015 9:29 AM
To: Chris Tollaksen; Brian Landers; 'Dar Mor'; Nancy Holzem
Cc: Karen Terry; David Holzem
Subject: RE: WWTP Dryer

Dan Greve from MSA just called and asked that the request to waive the building permit fee for the WWTP dryer construction be placed on the December agenda. I would imagine this goes to Finance and Council. MSA is presenting the costs of the project to the Commission on Tuesday Dec 22.

-Chris

From: Chris Tollaksen
Sent: Monday, December 14, 2015 9:06 AM
To: Brian Landers; 'Dar Mor'
Cc: Karen Terry
Subject: WWTP Dryer

I just got a call from a contractor about the WWTP drying, as the BID are due Wednesday. The contractor is asking if the Building permit fee will be waived or if they should include it in their bid.

As the majority of the funding is coming from LD, I stated I expect the fee not to be waived.

Chris Tollaksen
City Planner/Zoning Administrator
City of Wis. Dells
(608) 253-2542
Fax (608) 254-8904

RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that the following be approved as 2016-2017 Election Workers for the City of Wisconsin Dells:

District 1

(Wards 1, 4, 7 & 8)

Betty Crum (Ward 1)
227 Capital Street

Bonnie Hanson (Ward 1)
800 Bauer

Pat Hoesly (Ward 1)
343 Glenwood Lane

District 2

(Wards 2, 5 & 9)

Lisa Kurz (Ward 2)
1010 Bowman Road

Karen Wakefield (Ward 5)
975 S. Grouse Lane

District 3

(Wards 3 & 6)

Glenn Deedon (Ward 3)
1614 Pleasant View Drive

Marybeth Deedon (Ward 3)
1614 Pleasant View Drive

Clare Gaston (Ward 3)
1601 Valley Drive

Gail Jermier (Ward 3)
915 Broadway

Mary Alice Koch (Ward 3)
836 Cynthia Lane

*Joanne VanWie (Ward 3)
Chief Election Inspector
1018 Weber Avenue

*Marla White (Ward 3)
Chief Election Inspector
1022 Crest Court

*Chief Inspectors

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

RESOLUTION NO. _____

ITEM 12

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the FINANCE COMMITTEE from their December 21, 2015 meeting;

IT APPROVES the Memorandum of Transfer by Donation with Broken Spur Enterprises, LLC for 828 Elm Street.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes ____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

Memorandum of Transfer by Donation

This Memorandum is made and entered into on _____, 2015 by
and between:

1. Identification of the Parties:
 - a. Transferor: Broken Spur Enterprises, LLC, W4505 Gale Avenue,
Montello, Wisconsin, 53949 (Broken Spur)
 - b. Transferee: City of Wisconsin Dells, 300 LaCrosse Street, Wisconsin
Dells, Wisconsin, 53965 (Wisconsin Dells)
2. Subject Premises. The property subject to this Agreement is located at 828 Elm Street, Wisconsin Dells consisting of the house on the Inn Town Motel property as depicted on the map attached Exhibit A being a parcel of land having the following dimensions: 90' x 80'; being a portion of tax parcel number 11291-659.
3. Included property. The real estate and improvements on the property depicted and described including the right to remove that portion of the house on property retained by Broken Spur.
4. Purchase price. The purchase price is \$0.00. This is a donation
5. Costs. The City shall be responsible for all costs and fees associated with this transaction including survey to create conforming lots and evidence of title.

6. Easement for house demolition. At closing, Broken Spur shall give an easement and consent to remove that portion of the house located on the property retained by Broken Spur and the City will indemnify and hold the Broken Spur harmless for the demolition activities conducted on Broken Spur's property. The demolition easement shall include the right to use Broken Spur's land in connection with the demolition.
7. Garage. The City will endeavor to not damage or destroy the garage on Broken Spur's retained property but does not guarantee the success of its efforts. Broken Spur will not hold the City responsible for damage to or destruction of the garage. If the garage is damaged and Broken Spur elects to not repair, the City shall remove the structure and debris at its cost. If the current garage structure remains on the Broken Spur property, the City shall waive any set-back concerns unless the garage, at a later date, is significantly altered.
8. Approval. This Agreement is subject to approval by the City of Wisconsin Dells Common Council.
9. Entire Agreement. This Agreement contains all of the understandings of the parties. There are no promises, agreements, terms, conditions, warranties, representations or statements other than those contained in this document. This Agreement shall apply to and bind the heirs, legal representatives, successors, assigns of the parties. It may not be changed

except in writing.

CITY OF WISCONSIN DELLS

Dated: _____, 2015

Brian Landers, Mayor

Dated: _____, 2015

Nancy Holzem, Clerk

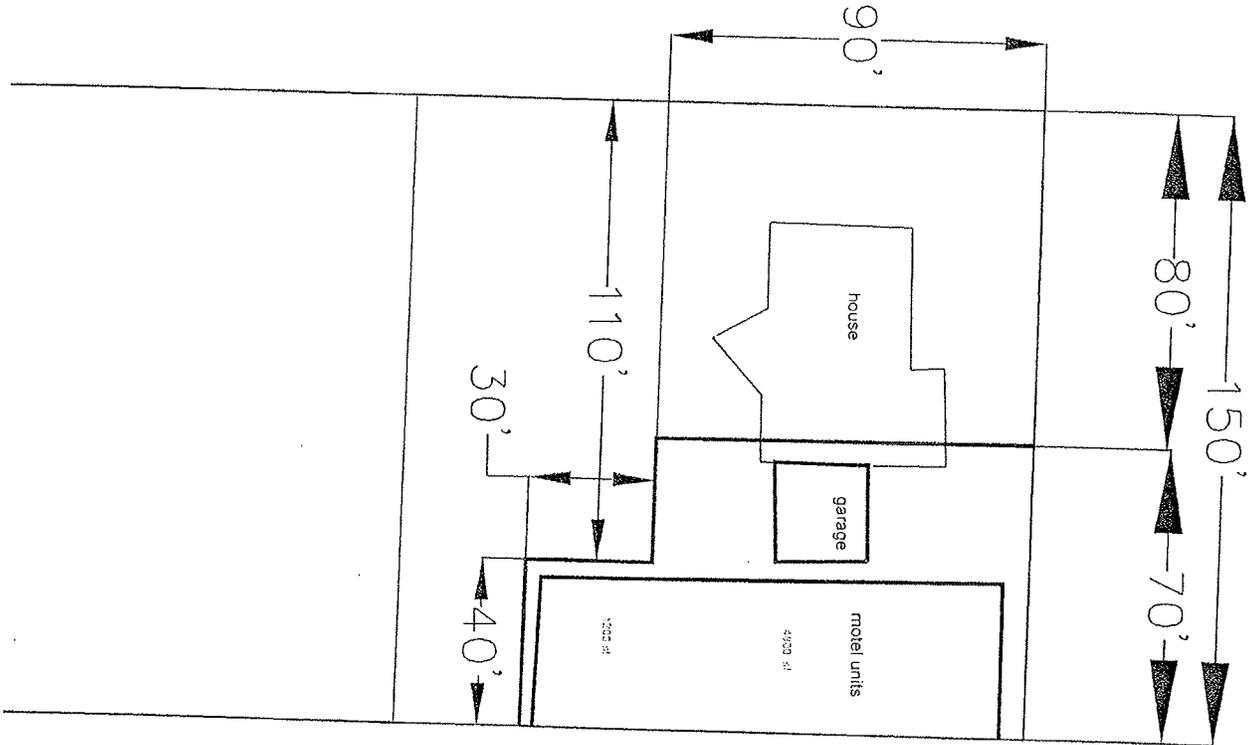
BROKEN SPUR ENTERPRISES, LLC

Dated: _____, 2015

By: Dean Bauknecht, Member

EXHIBIT A

ELM ST



WISCONSIN

ITEM 13

RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the PARKING BOARD from their December 7, 2015 meeting;

IT APPROVES increasing the current parking stall rentals on Broadway from \$350 to \$500 for 2016 and 2017 for the Dells Boat Tours, Original Wisconsin Dells Ducks and Dells Duck Tours; and increases the current parking stall rentals on Cedar Street from \$300 to \$350 for 2016 and 2017 for the M&I Bank. Privilege Agreements must be drafted and signed for the use of these spaces. No additional spaces are to be rented on Broadway at this time.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

ITEM 14

RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams, and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC SAFETY COMMITTEE from their December 7, 2015 meeting;

IT APPROVES the following Police Department Policies effective January 1, 2016:

- 6.11 Criminal Investigations
- 6.12 Informants
- 6.13 Custodial Interrogation
- 6.14 Eyewitness Identification
- 6.15 Officer Involved Deaths

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays _____ abs.

Date Introduced: December 21, 2015

Date Passed:

Date Published:

RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their December 9, 2015 meeting;

TO APPROVE a Conditional Use Permit and Site Plan Application for Chula Vista Golf Resort, Inc. in order to construct a Non-Residential Garage at 1000 Chula Vista Parkway in order to construct a non-residential garage for storage at the Chula Vista Golf Course.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays

Date Introduced: December 21, 2015

Date Passed:

Date Published:

1000 Chula Vista Parkway
Conditional Use & Site Plan Permit – Garage non-residential
Staff Report for Plan Commission, 12/09/15

The City of Wis. Dells Public Works office has received an application for a Conditional Use Permit and Site Plan permit from Chula Vista Golf Resort Inc. to construct a garage/storage building. The plan is to add a 60ft x 80ft building to store golf carts with an additional 30ft x 30ft area for cold storage of other items. The building will be located on Adams County, City of Wisconsin Dells Tax Parcels 390 and 400-10. This property is zoned PDD-1 (Planned Development District), which is specific for the Chula Vista development. However, any land uses that are not specifically identified in the Development Agreement are evaluated use the C-4 Zoning Large Scale commercial district standards, which requires a CUP for a Garage, non-residential.

As a cold storage building for the Golf course resort that dominates this area, this building does not raise any concerns. There are no parking requirements for non-residential garages. There is no storm water requirement for small projects, and there is no reasonable concerns of storm water effects.

As this area is already significantly developed this building does not significantly impact the natural environment; however it is a new building on currently vacant land.

As all of the surrounding properties are already developed, this garage would not seem to impact the development of the surrounding property.

The effects of this project on surrounding properties would not seem significant due to the pre-existing existence of extensive commercial uses.

This project should not affect the City's financial ability to provide public services.

However, this building appears to fall directly on an old quarter section line, which is by default a property tax parcel line. Currently, Chula Vista Golf Resort Inc. owns both parcels. This tax parcel line is not intended to be a property ownership line, but exists as a remnant of the Public Land Survey System (PLSS) creation of towns, sections, and quarter sections many years ago.

However, the possibility still remains that one of the tax parcels could be sold and ownership of the building could be dissected. This would not be acceptable, and the parcel line would have to be moved prior to the sale. At this time, this seems unlikely. In addition, given the common use of the golf course surrounding this property, it seems unlikely that the tax parcels would be sold separately, or owned by different entities.

As such I believe the City can approve the Site plan as is. However, if there ever were a sale in the future, the parcel boundaries will have to be revised so the building sits on one parcel. Therefore, not addressed now, this could become an issue in the future.

Recommendations:

Approve CUP for non-residential garage with no conditions

Approve Site plan for garage with the condition that parcel line be addressed by April 1, 2016.

Chris Tollaksen
City of Wis. Dells

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	53411
Application number	

1. Applicant information

Applicant name Chula Vista Golf Resort Inc.
 Street address 1000 Chula Vista Parkway
 City Wis Dells
 State and zip code Wis 53965
 Daytime telephone number 608 235 2333
 Fax number, if any _____
 E-mail, if any mikek@chulavistaresort.com

2. Subject property information

Street address	<u>1000 Chula Vista Parkway</u>
Parcel number	<small>Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.</small>
Current zoning classification(s)	<u>Commercial</u>
Describe the current use	<u>NON Residential Garage</u>

3. Proposed use. Describe the proposed use.

Cart storage - Golf Carts

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Daily storage of Golf Carts

SITE PLAN APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this form from the zoning administrator.

- Office Use Only -

Initial application fee	
Receipt number	
Application number	

1. Applicant information

Applicant name	Chula Vista Golf Resort Inc
Street address	1000 Chula Vista Parkway
City	Wisconsin Dells
State and zip code	Wi 53965
Daytime telephone number	608-253-2333
Fax number, if any	
E-mail, if any	

2. Subject property information

Street address	1000 Chula Vista Parkway	
Parcel number	390 & 400-10	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	PDD-1	
Describe the current use	Golf course and club house	

3. Proposed use. Describe the proposed use.

Non-residential Garage. Cold storage for golf carts

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Daily Storage of Golf Carts

5. Potential nuisances. Describe any potential nuisances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

My Map



ITEM 16

RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their December 9, 2015 meeting;

TO APPROVE amending the Conditional Use Permit (Resolution No. 3718 dated 11/15/2015) issued to Port Huron Brewing Co. to allow for retail sales any day of the week until midnight.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

Vote: _____ ayes _____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

Port Huron Brewing Company, LLC, 805 Business Park Rd., Wisconsin Dells, WI, does hereby request the following amendment to our Conditional Use Permit:

Amend the closing time restriction from 9 PM to 12 Midnight

Remove the restriction permitting the business' days of operation from Wednesday through Saturday and allow business to be open any day of the week.

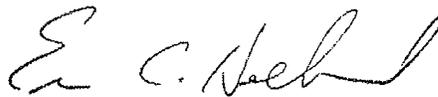
Tanner Brethorst, Manager

RESOLUTION NO. 3718

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the CITY PLAN COMMISSION from their November 10, 2010 meeting;

TO APPROVE a Conditional Use Permit, per Municipal Code sec. 19.371(8), to Bruce McPhee/Port Huron Brewing Co. in order to allow Industrial, Heavy Use (brewery) and accessory use Industrial District Retail (tasting room) at 805 Business Park Road in the Industrial Park with the following conditions:

1. Applicant purchases the property.
2. Approved adoption of "Industrial District Retail" in the zoning code.
- 3. Retail sales occur only on Wednesdays through Saturdays ending at 9:00PM.
4. The applicant should direct delivery drivers to use Business Park Road to access the premises.
5. Adequate parking be provided for the "Tap Room"



Eric C. Helland, Mayor



Dale D. Darling, Clerk/Treasurer

Vote: 6 ayes; 0 nays
Date Introduced: November 15, 2010
Date Passed: 11-15-10
Date Published: 11-20-10

RESOLUTION NO. _____

ITEM 17

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PUBLIC WORKS COMMITTEE from their December 14, 2015 meeting;

IT APPROVES moving forward with GIS Programming and mapping updates with MSA and Forster Electrical Engineering, with funding to be derived from the appropriate utilities.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

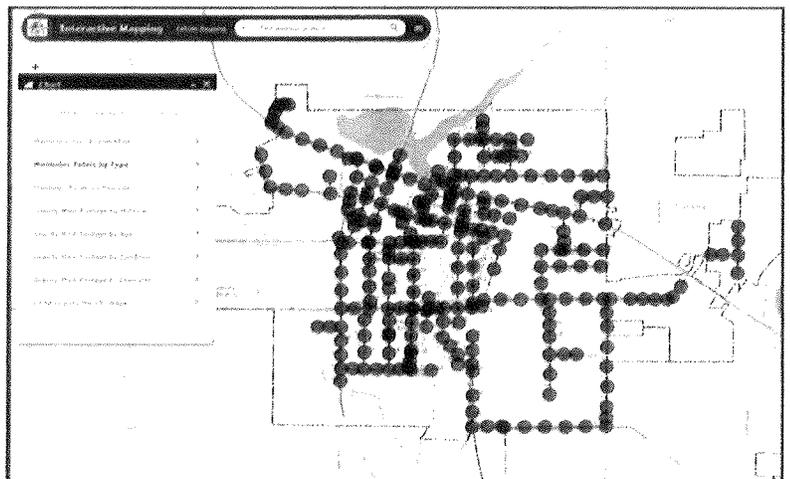
Vote: ____ ayes ____ nays
Date Introduced: December 21, 2015
Date Passed:
Date Published:

Phase 1 - Sanitary Sewer GPS, GIS Map and Application

1. GPS Inventory of municipally owned Sanitary Manholes, Clean outs and Lift Stations
 - a. Estimated approximately 600 locations
 - b. Data will include horizontal X/Y coordinates and elevations relative to surface of feature surveyed collected with survey grade GPS
2. Create Sanitary GIS map
 - a. Develop GIS database for City Sanitary sewer system
 - i. Convert GPS to layers for manholes, clean outs and Lift Stations to GIS layers.
 - ii. GIS database schema will use GIS utility industry standards for attributes, otherwise known as the Local Government Information Model
 - iii. Includes attributes sizing, materials, types, ownership, last change dates, lining status. MSA will add attribute to track last sewer Televised date.
 - b. Use 2002 City Cad for reference and main diameters and connections where applicable
 - c. Use City provided plat and record drawing data for areas annexed since last cad map update.
 - d. MSA will populate attributes from the layer LGIM schema from information listed above
3. Plot large format system maps
4. Update City GIS web application to new Java Application & ArcGIS Online system
 - a. Set-up ArcGIS Online system for up to 5 City users
 - b. Updated GIS will function on PC or tablet and smart phones
 - c. Convert current water system data layers to GIS format & configure pop-ups and searches in new app for Water
 - d. Add Sanitary Sewer Collection system to GIS system
 - i. Customize system for information Pop-ups and layer toggles
 - e. Develop mobile applications for manhole maintenance
 - f. Develop mobile applications for hydrant and valve maintenance
5. Create CMOM compliance app to support maintenance and system details*
 - a. App will provide statistics for the following:
 - i. Manhole by Condition
 - ii. Manholes by Type (Standard, LS, Drop etc)
 - iii. Manholes with open pick holes
 - iv. Gravity Main Footage by Material, Age, Diameter, and Footage
 - v. Pressure Mains by Footage

*MSA will include CMOM information into application as part of project

Estimated Sanitary Sewer GIS costs \$14,000



Wisconsin Dells Sanitary & Stormwater GIS Development Scope

Phase 2 - Storm Water GPS and GIS Database Development

1. GPS Inventory of municipally owned Storm Manholes, catch basins and area drains
 - a. Estimated approximately 500 locations
 - b. Data will include horizontal X/Y coordinate values and elevations relative to surface of feature surveyed collected with survey grade GPS
2. Create Sanitary GIS map
 - a. Develop GIS database for City Sanitary sewer system
 - i. Convert GPS to layers for manholes, catch basins and drains to GIS layers.
 - ii. GIS database schema will use GIS utility industry standards for attributes, otherwise known as the Local Government Information Model
 - iii. Includes attributes sizing, materials, types, ownership, last change dates
 - b. Use 2002 City Cad for reference and main diameters and connections where applicable
 - c. Use City provided plat and record drawing data for areas annexed since last cad map update.
 - d. MSA will populate attributes from the layer LGIM schema from information listed above
3. Plot large format system maps
4. Update City GIS web application to new Java Application
 - a. Updated GIS will function on PC or tablet and smart phones
 - b. Add Stormwater Collection system to GIS system
 - i. Customize system for information Pop-ups and layer toggles
 - ii. Provide Client Training on site 1-day

Estimated Storm water GIS Development Costs \$11,750

Phase 3 – Electrical GIS Asset System

MSA discussed accuracy and content of the existing electrical mapping with Forester. Tom Anen, City Electrical Supervisor was contacted to discuss the system content needs, totals and the vision of how a GIS could assist the Utility.

Findings : The Forester map is not “coordinate correct” and thus does not support a direct conversion to GIS. The map does not contain pole data. The City has 730 street lights, 750 transformers and a “guesstimated” 700 power poles. There is overlap between these structures in location but information is still collected. The Utility does not deploy a tag or painted ID system on structures.

Approach Options

- A) GPS Electrical Structures, build GIS layers and system in an accurate fashion to allow EU staff to use mobile GIS applications for inspections, service calls & outages. This is called the “Turn GPS Key Option.” This is the recommendation to allow the Utility the ability to recognize efficiency gains with GIS and mobile applications over current work processes.

Wisconsin Dells Sanitary & Stormwater GIS Development Scope

- B) Digitize Forester map elements for City aerial photography into GIS format. Build Electrical empty GIS layers and use GIS apps on tablets for City Electrical staff to inspect and collect data using tablets (1-4 meters accuracy) over time. As information is collected it they will create the structures layers over the course of a year and update map internally through GIS system. This is called the "Digitize-App Option" and will spread costs out over longer term but the Utility staff will need to expend more effort to collect information and will see a fast payback on the project. There is always a concern with this type of project about maintaining a sustained data collection effort to completion.

Turn Key – GPS Option 1

- GPS inventory approximately 2200 poles, lights, transformers, switches with GPS
 - Convert Forester Electrical System map to map conductors.
 - Provide redlines for correction and plot final maps
 - Develop mobile GIS apps to support pole, transformer and other necessary inspections.
 - Train staff on application usage.
- \$16,500

Digitize – App Collection Option 2

- Convert Forester Electrical System map to map conductors.
 - Develop mobile GIS apps to support pole, transformer and other necessary inspections.
 - Train staff on application usage and data collection with devices.
- \$10,000



550 N. Burr Oak Ave
Oregon, WI 53575
(608) 835-9009
(608) 835-9039 fax

"Excellence in electrical distribution design since 1981"

November 11th, 2015

Wisconsin Dells Public Works, Water & Light Utility
Director of Public Works
David Holzem
P.O. Box 655
300 LaCrosse St.
Wis. Dells, WI. 53965

Subject: Electrical GIS Mapping

Dear Mr. Holzem:

Thank you for the opportunity to submit our proposal to create a Graphic Information System (GIS) Map for your Electric Department.

The creation of a complete GIS map can consume considerable resources and time. I propose to create an Electric GIS map using a staged approach which spreads out your investment over a length of time that meets your needs and budget. I propose the first stage to include capturing existing AutoCAD map data as well as construction "As-Built" data to create a functional map with a complete 600 Amp feeder circuit model. During a second stage, we can identify areas in the system where GPS locations can be gathered to develop the map further. The second stage may include efforts to define standard assembly units which maximize the efficiency of data collection. A third stage is an ideal time to make use of the completed map in order to generate reports and take advantage of other benefits of a centrally located system map.

Our approach will be to draw upon Forster's 12 years of history with Wisconsin Dells Water & Light by capturing information from projects designed in-house by Forster, as well as using existing AutoCAD-based maps. We can display Feeder Circuits, system switching devices, equipment IDs, conductor sizes, transformer information and more.

Developing an accurate map, with Feeder Circuit connectivity from source to load, will be helpful for day-to-day operations as well as Engineering analysis and planning. I have found that focusing on bringing in as much data as possible is a more effective use of resources compared to starting an electrical map by obtaining GPS locations of all equipment.

I propose to create the Electrical GIS Map, Stage 1, for \$20,000. A functional GIS map can be completed and deployed within 3 months of starting the project.

For the best accuracy of an estimate for data collection, during stage 2, I can provide and estimate at the completion of stage 1. I can provide an estimate, or we can set goals set based on a budget and timeline that works best for you.

Costs for stage 3 will be minimal and can be performed as you see fit on a time and materials basis.

Our experience and capabilities to perform the required work

Creating an Electric GIS map is typical work that we have performed for other municipal electric utilities in Wisconsin. We have created or maintained GIS maps using various mapping systems, including ESRI's ArcMap software.

Volume of present workload

Our present workload will not interfere with giving our full attention to your project.

Project budget

Billing intervals and progress can be coordinated monthly to fall within your budget constraints.

Deliverables

The Electrical GIS map will be provided to MSA for a seamless integration with existing GIS.

Our goal is to provide Wisconsin Dells Water & Light Utility with the Electrical GIS map as a valuable basepoint for maintenance and operations by the utility.

I would appreciate the opportunity to work with you on this project. Forster Electrical Engineering's history with Wisconsin Dells Water & Light Utility provides a close relationship and understanding of the distribution facilities that will allow us to deliver a better product than our competition.

If you have any questions, please call.

Sincerely,

FORSTER ELECTRICAL ENGINEERING, INC.



Shawn Powell

SP/py

RESOLUTION NO. _____

ITEM 18

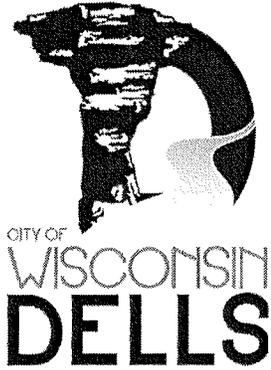
BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the PARKS & RECREATION COMMITTEE from their December 14, 2015 meeting;

IT APPROVES the Rental Agreement with Dells Gymnastics Program (Carey Fuller) for use of the Dells Recreation Center, 722 Michigan Avenue.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes ____ nays
Date Introduced: December 21, 2015
Date Passed: .
Date Published:



CITY OF WISCONSIN DELLS

PARKS AND RECREATION DEPT

Thad Meister

Parks, Recreation, & Waterway Director

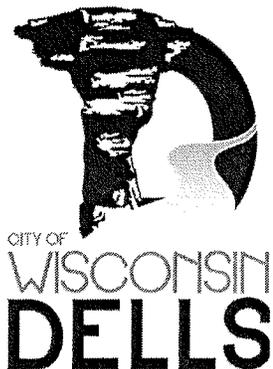
tmeister@dellsnet.com

300 La Crosse St. Wisconsin Dells, WI 53965

Phone: (608) 254-7458 FAX: (608) 254-7329

The City of Wisconsin Dells and the Dells Gymnastics Program (Carey Fuller) will enter the following agreement. The City of WD agrees to rent space at the Rec Center (722 Michigan Ave) to the Dells Gymnastics Program.

1. The rental rate will be based on 10% of the programs total income. This will translate into roughly \$15 per hour or \$4500 per year. These approximations are noted for both parties understanding and benefit. The 10% will be used to calculate fee.
2. The rental fee will be paid before the end of each 6 week program session. Included with payment would be a participation roster and financial breakdown.
3. Dells Gymnastics will attempt to have the 6 week sessions coincide with the time frame that other Park and Rec Programs are happening. Each session schedule will be submitted to Park and Rec two weeks prior to starting. A tentative yearly overview will be provided.
4. Dells Gymnastics will be responsible for providing and maintaining their own equipment. Other Park and Rec Program instructors will be instructed to keep everyone off of the Dells Gymnastics equipment. Dells Gymnastics will provide tarps and signs to cover equipment when not in use. Signs must be approved by Park and Rec. Park and Rec will be responsible for other program participants when programs or occurring in the Rec Center.
5. Park and Rec will maintain the restrooms and provide the snow removal outside the building.
(Simply for notation purposes- At times the front parking lot becomes icy due to being on the north side of the building. We will plow, sweep, salt/sand to the best of our ability. If necessary we may block off a portion of the parking lot.)
6. Dells Gymnastics will check restrooms for garbage after each use and secure the building upon leaving.
7. Building improvements will be discussed and performed as budgets and resources will allow.
8. Insurance Requirements – It will be the responsibility of Dells Gymnastics to purchase liability (at least \$1,000,000 per occurrence / \$2,000,000 annual aggregate limits), property insurance and workers compensation insurance (statutory limits) to protect Dells Gymnastics, the City of Wisconsin Dells and the Parks and Recreation Department. Dells Gymnastics will provide a current Certificate of Insurance that names the City of Wisconsin Dells, its employees and elected officials as additional insureds. The Certificate of Insurance will provide the City of Wisconsin Dells with at least a 60 day notice of cancellation, nonrenewal or material change. Further the Certificate of Insurance will reference that coverage is provided for the Indemnification Clause that Dells Gymnastics agrees to. The intention of this coverage is to protect the Dells Gymnastics and the City of Wisconsin Dells for any loss to program equipment and injury to any participant of these programs.
9. Dells Gymnastics will make sure all parents/guardians have read and signed and turned in waiver form to be provided by Wisconsin Dells/Lake Delton Parks and Recreation before participating.
10. This agreement can be reviewed and adjusted by the City at any time and will be reviewed annually.
11. This agreement/contract is Non-Transferable.
12. Each entity agrees to provide a 60 day notice in the event of cancelling.



CITY OF WISCONSIN DELLS

PARKS AND RECREATION DEPT

Thad Meister

Parks, Recreation, & Waterway Director

tmeister@dellsnet.com

300 La Crosse St. Wisconsin Dells, WI 53965

Phone: (608) 254-7458 FAX: (608) 254-7329

Dells Gymnastics Representative

Parks & Recreation Director

Date _____

Date _____

INDEMNIFICATION

_____ hereby agrees to indemnify, defend and hold harmless the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorneys' fees, costs, and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of _____ or of anyone acting under its direction or control or on its behalf, even if liability is also sought to be imposed on the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agents, representatives and volunteers. The obligation to indemnify, defend and hold harmless the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable unless liability results from the sole negligence of the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agents, representatives and volunteers.

_____ shall reimburse the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

In the event that _____ employs other persons, firms, corporations or entities (subcontractor) as part of the work covered by this Agreement, it shall be _____ responsibility to require and confirm that each subcontractor enters into an Indemnity Agreement in favor of the City of Wisconsin Dells, its elected and appointed officials, officers, employees, agents, representatives and volunteers, which is identical to this Indemnity Agreement.

This indemnity provision shall survive the termination or expiration of this Agreement.

CITY OF WISCONSIN DELLS
ORDINANCE NO. A-782
(Sewer Rate Increase)

ITEM 19

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to increase the sewer service charges.

SECTION II: PROVISION AMENDED

Wisconsin Dells Code sec. 7.04(11)(d)(1)-(3)

SECTION III: PROVISION AS AMENDED

As attached in Exhibit A.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII

This ordinance becomes a part of Wisconsin Dells Code, Chapter 7.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

First Reading Passed: November 16, 2015

Second Reading Passed:

Published: November 21, 2015

wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage system. Such sewer service charge shall be payable as hereinafter provided and in amount calculated as follows:

1. CATEGORY A is normal or domestic strength wastewater having organic concentration of biochemical oxygen demand (BOD5) less than 200 milligrams per liter (mg/l) and suspended solids (SS) less than 250 milligrams per liter (mg/l). The sewer service charge for Category A wastewater is as follows:

a. The customer sewer service charge, with one customer on each meter, shall be ~~\$7.00~~ \$8.00 per month.

b. The total volumetric charge shall be ~~\$6.46~~ \$7.56 per 1000 gallons of total water used during the billing period.

c. The volumetric charge includes the following:

~~\$3.37~~ \$4.49 is for operation and maintenance

~~\$1.07~~ \$0.93 is for replacement costs

~~\$2.02~~ \$2.14 is for debt retirement costs

2. CATEGORY B is wastewater having organic concentrations of biochemical oxygen demand (BOD5) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The sewer service charge for Category B wastewater is as follows:

a. The customer sewer service charge, with one customer on each meter, shall be ~~\$7.00~~ \$8.00 per month.

b. The total volumetric charge shall be equal to the volumetric charge for Category A wastewater, plus a High Strength Surcharge. The High Strength Surcharge shall be computed as the pounds of BOD5 discharged during the billing period which is in excess of domestic strength wastewater times a BOD5 unit price of ~~\$0.55~~ \$0.64 per pound, plus the pounds of SS discharged during the billing period which is in excess of domestic strength wastewater times a SS unit price of ~~\$0.10~~ 0.12 per pound.

3. CATEGORY C is septage which has organic concentrations of biochemical oxygen demand (BOD5) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The sewer service charge for Category C is as follows:

ORDINANCE NO. A-783

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance: 1.) clarifies that physical resisting or obstructing officers may be subject to enhanced civil penalties; and, 2.) specifies that threatened disorderly conduct toward officers may be subject to civil penalty.

SECTION II: PROVISIONS AFFECTED

A. Wisconsin Dells Code secs. 18.13(2) and 18.14(1)(b) are amended.

SECTION III: PROVISIONS AS AFFECTED:**A. 18.13(2) RESISTING OR OBSTRUCTING AN OFFICER. (Adopting §946.41)**

- (a) False information or physical evidence. [§946.41 (2m)]
- (b) Substantial bodily harm or soft tissue injury. [§946.41 (2r)]
- (c) Great bodily harm. [§946.41 (2t)]

B. 18.14(1) DISORDERLY CONDUCT

- (b) Disorderly conduct to police or emergency personnel. It shall be a violation of this section for any person to engage, or threaten to engage, in any violent, abusive, indecent or profane behavior directed toward any police officer, fire fighter or emergency personnel.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 18.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk

First Reading Passed: November 16, 2015

Second Reading Passed:

Published: November 21, 2015

CITY OF WISCONSIN DELLS
ORDINANCE NO. A-784

ITEM 21

ORDINANCE ADOPTING AN AMENDMENT
TO THE COMPREHENSIVE PLAN
FOR THE CITY OF WISCONSIN DELLS

The City Council of the City of Wisconsin Dells, Wisconsin, does hereby ordain as follows:

SECTION 1. Pursuant to Section(s) 62.23/61.35/60.22(3) of the *Wisconsin Statutes*, the City of Wisconsin Dells is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the *Wisconsin Statutes*.

SECTION 2. The City Council, by the enactment of an ordinance, formally adopted the document titled *City of Wisconsin Dells Comprehensive Plan* as the City's comprehensive plan on March 25, 2004. The City of Wisconsin Dells adopted an updated Zoning Code and Zoning Map on May 26, 2007.

SECTION 3. The Plan Commission, by a majority vote of the entire Commission at a meeting held on November 10, 2015, recommended to the City Council that the future land use map that was adopted as part of the Comprehensive Plan be amended to designate all or a portion of Columbia County parcels fronting Vine Street from the alley south of Broadway, south to Grand Cambrian Drive as indicated on the attached Exhibit A, as the new "targeted seasonal employee housing". In addition, the text of the Comprehensive Plan Future Land Use section, page 20 is amended as attached in Exhibit B.

SECTION 4. The City published a Public Notice on October 24 and 31, 2015 and held a public hearing on November 10, 2015 regarding the plan amendment.

SECTION 5. The City Council of Wisconsin Dells, Wisconsin does hereby adopt the proposed plan amendment.

SECTION 6. The City Clerk is directed to send a copy of this ordinance and the plan amendment to the parties listed in Section 66.1001(4)(b) of the *Wisconsin Statutes*.

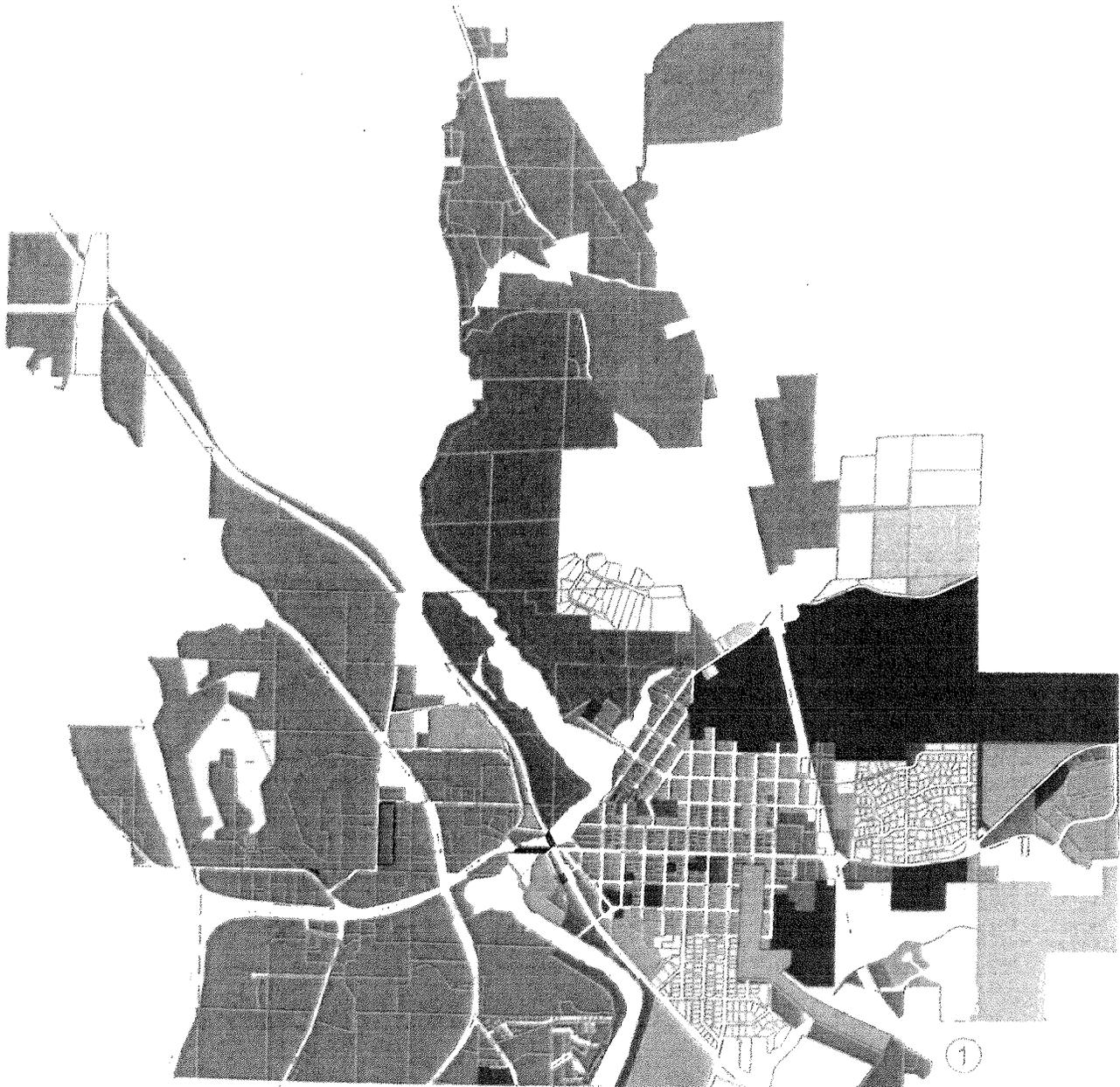
SECTION 7. This Ordinance shall take effect upon passage by a majority vote of the full membership of the City Council and publication or posting as required by law.

ADOPTED this 21st day of December, 2015.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

EXHIBIT A



- Single Family Residential
- Multi-Family Residential
- Targeted Multi-Family Re-development
- Targeted Seasonal Employee Housing
- Commercial
- Industrial
- Institutional
- Recreational
- Agricultural

CITY OF WISCONSIN DELLS

November 2015



ORDINANCE NO. _____
(City Plan Commission Quorum)

ITEM 22

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance modifies the City Plan Commission quorum number.

SECTION II: PROVISIONS AMENDED:

Wisconsin Dells Code sec. 19.208(1) is amended.

SECTION III: PROVISION AS AMENDED:

19.208(1) Requirement for quorum. A quorum shall consist of a majority of the commission members.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk/Coordinator

First Reading Approved:
Second Reading Approved:
Published:

ORDINANCE NO. _____
 (Eliminates the Cemetery Commission)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance eliminates the Cemetery Commission since the cemetery is operated under the Department of Public Works. Cemetery reserve funds are to remain as such.

SECTION II: PROVISIONS REPEALED AND AMENDED

Wisconsin Dells Code sec. 1.04(d)
 Wisconsin Dells Code sec. 1.04(5)
 Wisconsin Dells Code sec. 8.01

SECTION III: PROVISION AS REPEALED AND AMENDED

1.04 BOARDS AND COMMISSIONS.

- (1) Designation. The City shall have the following boards and commissions:
 (d) ~~Spring Grove Cemetery Commission~~
- (5) ~~Spring Grove Cemetery Commission.~~ The Spring Grove Cemetery Commission shall consist of the Mayor, one member of the Common Council appointed annually by the Mayor and approved by the Common Council and three (3) members appointed by the Mayor for staggered terms of three years and approved by the Common Council. The commission shall have the powers and responsibilities set forth at Code sec. 8.01(2).

~~**8.01 SPRING GROVE CEMETERY**~~

- (1) Spring Grove Cemetery Established. The City of Wisconsin Dells does hereby determine to accept and operate a municipal cemetery which shall be called Spring Grove Cemetery; *which shall be under the direction of the Public Works Department.*
- (2) ~~Commission Organization.~~ The Commission shall elect a President and a Secretary. The President shall be a member of said Commission. The terms of said officers shall be for one [1] year and until their successors are elected and qualified.
- (3) ~~Powers.~~
 (a) ~~The Spring Grove Cemetery Commission shall have full authority to operate the Spring Grove Cemetery, subject to such limitations as are contained in this chapter. The Commission may establish a compensation to be paid to its Secretary, subject to the approval of the Common Council, but all other members shall serve without pay. The Secretary shall be charged with the duty of keeping~~

~~Cemetery as it deems necessary or advisable, provided that said rules and regulations shall not conflict with any provision of this chapter, and further~~

~~provided that no such rule shall take effect until it has been published in the official city newspaper of the City of Wisconsin Dells.~~

~~(c) The Commission may employ a sexton and such other employees as it may deem necessary for the proper operation of said cemetery, establish the salary of said employees and the terms and conditions of employment.~~

~~(4) Finance:~~

~~(a) The Spring Grove Cemetery Commission shall annually prepare a budget showing its estimated receipts and expenditures for the ensuing year, which budget shall be submitted to the Common Council for its approval. The action of the Common Council thereon shall be final and binding upon said Commission.~~

~~(b) The Commission shall not expend upon any project, or for the purchase of materials for a project, to exceed \$2,500.00 without permission from the Common Council. Improvements and purchases of materials for a lesser amount may be made from time to time by the Commission without the approval of the Common Council. No payments shall be made by said Commission to anyone except upon written voucher and after allowance by the Commission at a meeting thereof, excepting only duly established salaries of employees.~~

~~(c) All funds of said Commission shall be held by the City Clerk/Treasurer and all funds collected shall be paid promptly to the City Clerk/Treasurer.~~

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1 and 8.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk/Coordinator

CHAPTER 15
Property Maintenance Code

15.01 Title, Purpose, Scope and Applicability.

- (1) Title. This chapter shall be known and cited as the "Property Maintenance Code" of the City of Wisconsin Dells.
- (2) Purpose.
 - (a) The purpose of this chapter is to prevent the deterioration of buildings and structures in the City. This chapter recognizes that such deterioration develops because of faulty design and/or construction, poor maintenance, lack of proper sanitary facilities, inadequate lighting and ventilation, inadequate heating facilities, or a combination of these factors.
 - (b) Dilapidated and neglected building and properties jeopardize and are detrimental to the health, safety, morals, general welfare or the economic values of adjoining properties.
 - (c) The adoption and enforcement of this Chapter is declared to be essential to the public interest. It shall be liberally construed to maintain a safe and healthful environment and to ensure the maintenance of property values within the City and to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises.
- (3) Scope and Applicability.
 - (a) General. The provisions of this code apply to all residential and nonresidential, and commercial buildings and properties and establish:
 - (1) Minimum requirements and standards for premises, structures, equipment and facilities;
 - (2) Responsibilities of owners, operators and occupants; and
 - (3) Administration, enforcement and penalties.
 - (b) Most Restrictive Shall Govern. Where, in a specific case, different restrictions of this code specify different requirements, the most restrictive shall govern.

- (c) Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building; and mechanical code of the City. Nothing in this code shall be construed to cancel, modify or supersede any provision of the zoning code.
- (d) Existing Remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the city or its officers or agencies related to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

15.02 Definitions.

The following definitions apply in the interpretation and enforcement of this chapter.

- (1) Approved. Approved by or in accordance with regulations established by City ordinance or code and authority designated by law to enforce such ordinance or code.
- (2) Basement. That portion of a dwelling, not deemed as "first story," located partly underground, but having less than ½ of its clear floor-to-ceiling height below average finished grade of the adjoining ground.
- (3) Bath. Bathtub or shower stall properly connected with both hot and cold water lines.
- (4) Bathroom. A non-habitable room within a dwelling unit which is used, or intended to be used primarily for bathing and/or toilet purposes and which contains a toilet, lavatory and, in some cases, bathtub or shower facilities.
- (5) Bedroom. Any room or space used or intended to be used for sleeping purposes in a dwelling unit.
- (6) Cellar. That portion of a dwelling not deemed as "first story," located all or partly underground, but having more than ½ of its clear floor-to-ceiling height below average grade of the adjoining ground.
- (7) City. The City of Wisconsin Dells, Wisconsin.
- (8) Dwelling. One (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit with cooking, living, sanitary and sleeping facilities.
- (9) Extermination. The control and elimination of insects, rodents or other pests by elimination of their shelter places by removing or making inaccessible material

that may serve as their food by poisoning, spraying, trapping or by any other recognized and legal elimination methods.

- (10) **Garbage.** The animal and vegetable waste resulting from the preparation, handling, cooking and consumption of food.
- (11) **Habitable Room.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, laundries, pantries, foyer, communicating corridors, closets and storage spaces.
- (12) **Infestation.** The presence of insects, rodents or other pests within a dwelling or on a building or premises.
- (13) **Kitchen.** An area used or designed to be used for the preparation of food.
- (14) **Occupant.** Any person living, sleeping or eating in or having actual possession or use of a building or premises.
- (15) **Openable Area.** That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.
- (16) **Operator.** Any person who has charge, care or control of a building or premises or part thereof which is let or offered for occupancy.
- (17) **Owner.** Any person who alone, jointly or severally with others shall be the legally recorded holder of the title with or without actual possession thereof; who has charge, care or control of any building or premises as agent or owner or as executor, administrator, trustee or guardian of the estate of the owner, including the legally recorded holder of a land contract vendee interest.
- (18) **Person.** Any individual, firm, corporation, partnership or association.
- (19) **Plumbing.** All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, waste pipes, toilets, sinks, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
- (20) **Premises.** A parcel of land including its buildings.
- (21) **Property.** Buildings, dwellings, structures or improvements, land, vacant or improved.
- (22) **Rubbish.** Discarded household furnishings and household wastes, except garbage, including lawn rakings, tin cans, glass, metal, crockery and similar household wastes, papers, rags and other combustible refuse. The term shall include the

residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

- (23) Supplied. Paid for, furnished or provided by or under the control of the owner or operator.
- (24) Temporary Housing. Any tent, trailer or other structure used for human shelter which is designated to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than 30 consecutive days.
- (25) Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

15.03 Inspections.

- (1) Lawful City Inspectors are authorized and directed to make inspections upon request, complaint, cause or when deemed necessary to determine the conditions of buildings or premises located within the City.
- (2) The owner, operator or occupant of every building or premises shall, upon the request of a lawful inspector and upon the showing of proper credentials, shall permit access to all parts of such building on premises at all reasonable times for the purpose of the inspection, examination and survey hereby authorized.
- (3) Every occupant of a building or premises shall give the owner, operator or employee thereof access at all reasonable times for the purpose of making such repairs as are necessary to effect compliance with the provisions of this section.

15.04 General Requirements.

- (1) Responsibility. The owner of a premises shall maintain the structures and premises and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling or rooming unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.
- (2) Equipment Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility,

equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied building, except for such temporary interruption as necessary while repairs or alterations are in progress.

15.05 Exterior Property Areas.

- (1) Sanitation. All exterior property areas shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- (2) Disposal of Rubbish and Garbage. Every premises shall have adequate receptacles or disposal equipment for garbage and for rubbish to hold all garbage and rubbish produced by each premises. Such receptacles shall comply with requirements and standards set by the City and shall include leakproof containers with close-fitting covers. Every occupant of a premises shall place all rubbish accumulating between times of collection or other satisfactory disposal in proper receptacles. Every occupant of a premises who does not otherwise provide for the disposal of garbage in a sanitary and inoffensive manner shall prepare all garbage for collection and place it, pending collection, in a proper receptacle as provided herein. The owner shall be responsible for supplying such facilities or receptacles for all units of a premises.
- (3) Grading and Drainage. No premises shall be graded or maintained so that stagnant water will accumulate or stand on the premises or adjacent premises or within any building or structure. No premises shall be graded or maintained so that surface runoff causes damage to any person or property. Yards shall be landscaped so that the visual character of the neighborhood is preserved.
- (4) Accessory Structures. All accessory structures shall be maintained in structurally sound condition and good repair.
- (5) Defacement of Property. No person shall intentionally damage, mutilate or deface any part of buildings, supplied fixtures, equipment and furnishings or any other property of another.
- (6) Retaining Walls. All retaining walls shall be structurally sound and shall be constructed and maintained in a reasonably good state of repair and in such a manner as not to allow or cause repeated flow of mud, gravel or debris upon any public sidewalks, street or alley.
- (7) Vehicles. Motor vehicles, personal, recreational and commercial, including trailers, boats, campers and motor homes shall not be parked or stored on unpaved public right of way areas.

- (8) Hazardous/Unsafe Items. Unsafe or hazardous items of personal property such as refrigerators, stoves, washers, dryers, televisions, electric and computer equipment and fixtures shall not be left unattended or discarded.

15.06 Lawn Areas.

- (1) General. Lawns shall not be allowed to deteriorate to such a condition as to be a serious blighting influence on surrounding areas or adjoining premises. Lawns shall be kept free of unsightly debris, the accumulation of which has an adverse effect on the neighborhood or City property values, health, safety or general welfare.
- (2) Responsibility for Tree Bank. The owner, occupant or operator shall be responsible for maintaining the area between the curb and sidewalk
- (3) Height Restriction. Grass or weeds shall not exceed the height of 8" on any lawn area.
- (4) Natural Lawns.
 - (a) A natural lawn is any land managed to preserve or restore native Wisconsin grasses and forbes, native trees, shrubs, wild flowers and aquatic plants.
 - (b) Any owner or operator of a lot or parcel maintaining or desiring to maintain a natural lawn may register with the Building Inspector for a natural lawn if grasses exceed 8" in height.
- (5) Exceptions. The height requirements of sub. (3) shall not apply to the following:
 - (a) Where no lawns exist.
 - (b) Territory annexed or attached to the City which consists of unimproved real estate and which is not subject to development plans, site plans or building permits of the City.
 - (c) Where the height requirements set forth herein conflicts with other provisions of the Municipal Code.

15.07 Notice and Abatement.

- (1) Notice to Owner and/or Lessee to Abate. Upon a determination by the Building Inspector that any activity or condition exists which violates this chapter, the Building Inspector may send by certified mail to the last known address of the owner or occupant of the property concerned, a notice directing that the violation be corrected. The notice shall describe the violation and requirements of its abatement and order the property owner or occupant to abate the violation within

a specified period. Notices issued pursuant to this section shall inform the recipient that failure to abate the violation within the specified periods shall result in abatement by the City.

- (2) **Cost of Abatement.** The Building Inspector shall keep account of the abatement costs and maintain a statement of abatement measures. A copy of such statement shall be mailed to the property owner and occupant. If the property owner is unknown, the statement will be published as a Class I Notice. The costs of abatement set forth in the statement shall be charged against the real estate upon which the abatement action was taken, shall be a lien upon said real estate and shall be assessed and collected as a special charge as provided in Wis. Stat. § 66.0627.

15.08 Exterior Structure.

- (1) **General.** The exterior of a structure shall be maintained in a reasonably good state of repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare; or create or contribute to neighborhood blight.
- (2) **Protective Treatment.** All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in a reasonably good state of repair and in a clean and sanitary condition. Peeling, chipping, flaking or abraded paint caused by water damage shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected. Exterior wood surfaces, other than decay-resistant woods, shall be reasonably protected from the elements and against decay by paint or other protective covering or treatment to prevent deterioration of the structure and a detriment to the visual character of the area. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- (3) **Premises Identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.
- (4) **Structural Components.** All structural components shall be maintained free from deterioration and shall be capable of supporting the imposed dead and live loads.

- (5) **Foundation Walls.** All foundation walls shall be maintained free from open cracks and breaks which jeopardize the health, welfare and safety of the building's occupants, and shall be kept in such condition so as to prevent the entry of rodents and other pests.
- (6) **Roofs and Drainage.** The roof and flashing of buildings shall be sound, tight and free from defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that causes damage to adjoining properties.
- (7) **Decorative Features and Overhangs.** All decorative features, including, but not limited to, cornices, belt courses, corbels, terra cotta trim, and wall facings, and all overhangs, including, but not limited to, fire escapes, standpipes and exhaust ducts, shall be maintained with proper fastening and in safe condition.
- (8) **Stairways, Decks, Porches and Balconies.** Every exterior stairway, deck, porch and balcony, and all attached appurtenances, including handrails and guards, shall be maintained structurally sound, in good repair, with proper fastening and capable of supporting the imposed loads.
- (9) **Window, Skylight and Door Frames.**
 - (a) Every window, skylight, door and frame shall be kept in reasonably good state of repair and weather tight. All glazing materials shall be maintained so as to prevent the window pane from coming loose from its frame.
 - (b) **Window area:** the minimum total window area in every sleeping room shall be 8% of the floor area of such room, but not less than twelve (12) square feet.
 - (c) **Boarded Windows Prohibited:** Every window opening shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes. Subject to lawful orders of appropriate City or state officials, no windows may be boarded up for more than two (2) months.
- (10) **Insect screens.** Where evidence of flies or other pests exists on the premises, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with tightly fitting screens of not less than 16 mesh per inch (16 mesh per 26 mm).

- (11) Doors. All exterior doors, door assemblies and hardware shall be maintained in a reasonably good state of repair and in working condition. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort.

15.09 Interior Structure.

- (1) General responsibilities of owners and occupants. The interior of a building and equipment and fixtures shall be maintained in reasonably good state of repair, structurally sound and in sanitary condition. When in this Code the obligation for compliance is not otherwise clearly designated, the respective responsibility of owner, operator and occupant is as follows:
 - (a) Sanitary Responsibilities of Owner. Every owner of a building shall be responsible for maintaining in safe, clean and sanitary condition all communal, shared, or public areas of the dwelling or other premises thereof which are shared or used by the occupants of two (2) or more dwelling or rental units in nonresidential structures.
 - (b) Sanitary Responsibilities of Occupant. Every occupant of a building shall maintain in a clean and sanitary condition that part of the building and yard which the occupant occupies and controls.
 - (c) Use and Operation of Plumbing Facilities. Every occupant shall keep all plumbing fixtures in a clean and sanitary condition and shall be responsible for the proper use and care.
 - (d) Use and Operation of Mechanical Systems. Every occupant shall be responsible for care in the proper use and operation of mechanical equipment.
- (2) Structural components. All structural components shall be maintained free from deterioration and shall be capable of supporting the imposed dead and live loads.
- (3) Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in reasonably good state of repair and in sanitary condition. Peeling, chipping, flaking or abraded paint caused by water damage shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions, including, but not limited to, missing or damaged drywall that are caused by structural settling shall be corrected.
- (4) Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface in the exterior of a building shall be maintained in sound condition and in reasonably good state of repair.

- (5) Handrails and guards. Every handrail and guard in the exterior of a building shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in reasonably good state of repair.
- (6) Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.
- (7) Mold Growth. Interior surfaces shall be kept free from mold growth and other human health hazards.

15.10 Extermination.

- (1) Infestation. All premises and structures shall be kept free from insect and rodent infestation. All premises and structures in which an insect or rodent infestation is found shall be promptly exterminated by approved processes that will not be injurious to human health.
- (2) Extermination of pests; owners' responsibilities. Every owner or operator shall be responsible for extermination of any insects, rodents or other pests whenever infestation occurs in more than one dwelling unit or rental unit in nonresidential structures or in the shared or public parts of a dwelling of two (2) or more units, or a building containing two (2) or more rental units in nonresidential structures.
- (3) Extermination of pests; occupants' responsibilities. Every occupant of a dwelling unit or rental unit in nonresidential structures where the building contains more than one (1) such unit shall be responsible for the extermination of any insects, rodents or other pests therein, whenever said occupant's unit is the only one infected; provided, when infestation is caused by failure of the owner to maintain the unit free from insect or rodent infestation, extermination shall be the responsibility of the owner. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

15.11 Light Standards.

- (1) Common areas. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each two-hundred (200) square feet of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than thirty (30) feet. In nonresidential occupancies, means of egress, including stairways and exterior means of egress, shall be illuminated at all times with a minimum of one (1) footcandle (11 lux) at floors, landings and treads.

- (2) Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

15.12 Ventilation Standards.

- (1) Habitable spaces. Every habitable room shall have at least one window or skylight facing directly to the outdoors. No skylight shall be installed in lieu of a window where a skylight has not previously existed. Every window other than a fixed window shall be easily openable and capable of being held in an open position.
- (2) Bathroom. Every bathroom and toilet compartment shall have at least one openable window facing the outside, except where a mechanical ventilation system is supplied which discharges exhaust air to the exterior.
- (3) Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions and the requirements of the applicable mechanical code.

15.13 Standards for equipment and facilities.

- (1) Sinks. Every dwelling unit shall contain a sink which shall be located in the room where food is cooked or prepared.
- (2) Toilets and sinks. Every dwelling unit shall contain a bath, flush toilet and a sink, irrespective of the sink required as a kitchen facility.
- (3) Privacy. The room, in which the toilet, lavatory and bathtub or shower required under this section are installed, shall afford privacy to a person within. The bathtub or shower may be in a room separate from the room housing the toilet and lavatory basin, but shall afford privacy to a person within.
- (4) Multiple use. Occupants of two (2) or more dwelling units may not share a toilet or lavatory with the exception of hotels or rooming houses.
- (5) Water supply. Every kitchen sink, lavatory basin, bathtub and shower required by this Chapter shall be properly connected with both hot and cold water lines supplying water of safe, sanitary quality.

- (6) Water heating facilities. Every dwelling shall have supplied automatic or manually operated water heating facilities which are properly installed, are maintained in safe and good working condition and in reasonably good state of repair, are properly connected with hot water lines, are capable of heating water to a temperature of at least 120 degrees Fahrenheit and to permit an adequate amount of hot water to be drawn at every required sink, lavatory basin, bathtub or shower.
- (7) Exits. Each exit from a dwelling unit shall be kept in reasonably good state of repair. Required exits shall, in addition, comply with all provisions of the appropriate codes of the State of Wisconsin.
- (8) Stairways. All stairways in dwellings shall have at least one firmly constructed handrail at not less than two (2) feet six (6) inches vertically above the nose of the thread.
- (9) Plumbing systems and fixtures.
 - (a) All plumbing shall be properly installed and maintained in clean and sanitary working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed.
 - (b) Where plumbing systems or fixtures in a structure constitute a hazard to the occupants or the structure because of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage, the building inspector shall require the defects to be corrected to eliminate the hazard.
- (10) Electrical and Mechanical systems and equipment.
 - (a) Appliances and systems. All electrical and mechanical systems and appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.
 - (b) Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.
 - (c) Clearances. All clearances to combustible materials required under the Building or Fire Codes shall be maintained.

- (d) Safety controls. All safety controls on mechanical appliances, including but not limited to auto shutoff devices and pressure relief valves, shall be
- (e) Combustion air. A supply of air for complete combustion of the fuel and for ventilation of any space containing fuel-burning equipment shall be provided for the fuel-burning equipment located therein.

15.14 Dwellings and Dwelling Units which may be occupied.

- (1) No building in the City may be occupied if the building has been inspected by the Building Inspector or Fire Inspector and it is determined that the building does not conform to the requirements of this chapter.
- (2) No person shall deface or remove a placard from any premises which has been determined unfit for human habitation and placarded.
- (3) Any dwelling declared structurally unsafe shall be restored or razed according to the provisions of Wis. Stat. §66.0413. The Building Inspector shall carry out the provisions thereof.
- (4) (a) If the Building Inspector determines that a building is in such condition that it constitutes a public nuisance and that there is great and immediate danger to public health, safety and welfare, or that a building or part thereof is unsanitary and unfit for human habitation, occupancy or use, the inspector shall post a notice on the premises containing the following words:

"THIS BUILDING CANNOT BE USED FOR HUMAN HABITATION, OCCUPANCY OR USE,"
- (b) The use of the building for human habitation, occupancy or use shall be prohibited immediately until the necessary repairs have been made.

15.15 Vacant Building Ownership Registration.

- (1) Purpose and Scope. The registration of residential buildings or any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses is essential for the enforcement of the city's codes and to safeguard persons, property and general welfare. Residential condominium and rental units are excluded from this section provided the vacancy rate of the building they are situated in does not exceed 95%.

- (2) Definitions. In this section:
- (a) Owner. The person on whom is vested all or part of the legal title to the property of all or part of the beneficial ownership and right to present use and enjoyment of the premises.
 - (b) Secured. A building that has a permanent door or window in each appropriate building opening that is secured to prevent unauthorized entry and has all its doors and window components, including frames, jambs, rails, stiles, muntins, mullions, panels, sashes, lights and panes intact and unbroken.
 - (c) Vacant. A building which lacks habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operation or residential occupancy is at a level of at least 95% vacant.
 - (d) Violation. An order has been issued by the department and the conditions forming the basis for the order have not been fully abated.
 - (e) Unsecured. Any building that does not meet the definition of secured.
- (3) Registration Required.
- (a) The owner of any building that is vacant, or has become vacant while owned by that person or entity, shall within 30 days after the building becomes vacant or within 30 days after assuming ownership, whichever is later, file a registration statement and pay a registration fee for each such building.
 - (b) In addition to other information, the registration statement shall include the name, street address and telephone number of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of the owner or owners in connection with the enforcement of this section. This person shall reside within Adams, Columbia, Sauk or Juneau's "four county" area.
 - (c) The owner shall be required to renew the registration for successive 6-month periods as long as the building remains vacant and shall pay a registration renewal fee for each registered building, or a late registration renew fee for each registered building if required registration fee is paid untimely.

- (4) Exemptions. The following are exempt from the provisions of this section.:
- (a) Property owned by governmental bodies.
 - (b) Property that is vacant as a result of a natural disaster.
 - (c) Property that is undergoing an active renovation or rehabilitation.
 - (d) A single family home or owner-occupied 2-family dwelling residential property that has been used as a residence by the owner for a period of at least 3 months within the previous 9 months and the owner intends to resume residing at the property.
 - (e) Residential Condominium and rental units in buildings whose vacancy rate does not exceed 95%.
 - (f) Properties that are part of an estate that is in probate and are not subject to bankruptcy provided the personal representative resides in the four county area.
- (5) Owner Responsibilities. The owner of any building that has become vacant shall:
- (a) Enclose and secure the building as provided in the city's property maintenance code.
 - (b) Maintain the building in a secure and closed condition until the building is again occupied or demolished.
 - (c) Acquire or otherwise maintain liability insurance in an amount not less than \$300,000.00 for building designed primarily for residential and use and not less than \$1,000,000.00 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. Evidence of this insurance shall be available at the request of the city.
- (6) Inspections. After filing a registration statement, the building owner shall provide access to the city, upon reasonable notice, to conduct exterior and interior inspections of the building to determine compliance with this section. In addition to any other applicable requirements, vacant buildings shall comply with all other requirements.
- (7) Rules and Regulations. The Building Inspector may issue rules for the administration of this section. These rules may specify additional board-up materials, which may be used to secure a building.

- (8) **Penalty.**
- (a) **Failure to Register.** Any property owner or entity functioning as a trustee of an owner, that fails to register a vacant building as required under sub. (3) shall, be subject to the penalty provisions of City Code Sec. 30.04.
 - (b) **Failure to Secure and Maintain.** Any property owner or entity functioning as a trustee of an owner that has a duty to register a vacant building that fails its duty to secure and maintain the property as required under subs. (5) through (8) shall, upon conviction, forfeit not less than \$250.00 nor more than \$1,500.00, together with the cost of the action, and in default of the payment of such forfeiture and costs, shall be imprisoned in the county jail until the payment of such forfeiture and costs of prosecution, but not exceeding 90 days for each violation.
 - (c) In addition to any other penalty imposed under this section, failure to pay any fees for registration, renewal, or failure to allow inspection shall be assessed against the real estate as a special charge.
 - (d) The registration shall be filed with the City Building Inspector on forms provided by the Building Inspector.
- (9) **Fees.** Fees related to the administration and enforcement of this section shall be established by a city resolution.

15.16 Enforcement.

- (1) Violations of this chapter shall be subject to penalties as provided at Wis. Code Sec. 30.04. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this section shall preclude the City from commencing an action to prevent, remove or abate a violation of this section, including an action pursuant to Wis. Stats. Chapter 823.
- (2) The Building Inspector, upon inspection or discovery of any violation of this section may allow up to 30 days for corrections. In the case of extreme hardship, an additional 30 days may be permitted.

Chapter 15 Property Maintenance Code – proposed changes / items for discussion – KFD inspector JW 12/16/15

15.12 Ventilation Standards (1) Habitable spaces. Strike the sentence on skylights. Skylight installation is covered in the IBC and SPS Building Codes.

15.14 (1) If a building does not conform to the requirements of this chapter the building cannot be occupied?

So, if a handrail is missing, an exit sign is out..... Buildings will have minor violations and they will be corrected when orders are issued. Maybe something like – determined that the building does not conform to the “minimum safety” requirements of this chapter.

15.15 Ownership Registration - After talking to Dave Leifer, maybe the city already has the information that a registry on all rental dwellings would generate. Dave and I will work on creating a data base of dwelling unit rentals within the City to aid the KFD in developing a residential inspection/public education program. Dave and I also talked about the policy that the KFD is going to begin using – that is - when a property gets a ticket the order for correction will remain in effect for 24 months. If the violation recurs within the 24 months a subsequent ticket can be issued. Joe H had directed KFD to have this kind of process in our policy rather than in the ordinance (chapter 9).

Chapter 14 Building and Mechanical Code - Draft date: 12/18/2014

14.02 (6) & (9) Existing Buildings 366 is listed twice. Also- the State code does not require smoke alarms in bedrooms for buildings constructed before April 2001. We (City) should have a written policy if smoke alarms are required in bedrooms for Workforce Housing Facilities.

14.03 (4) (b) - addition - 4. Fire Protection Inspector (the State is working on this credential for new construction)

14.05 & 14.06 & 14.10 We (City, Fire Chief/Inspector, Attorney) should discuss exactly how the process would work for determining and resolving unsafe buildings.

14.07 (1) (a) through (d) - add Fire Protection Systems

ORDINANCE NO. _____
(City Parking System)

ITEM 25

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance updates the City code section which creates and regulates the city parking system.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 7.03 is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

7.03 PARKING SYSTEM

- (1) General. The parking system of the City of Wisconsin Dells is a public utility operated pursuant to Wis. Stat. secs. 66.0805(6) and 66.0829.
- (2) Parking Board. The affairs of the system shall be managed by the Parking Board which shall have eight (8) members as follows: Mayor, Director of Public Works, Chief of Police, three (3) members of the common council and two (2) public members. The mayor shall appoint the public members, council members, and chair subject to the approval of the Common Council for terms of one (1) year. The public members shall be appointed by the Mayor and approved by the Common Council for staggered terms of three (3) years.
- (3) Authority of Parking Board. The Parking Board shall have general powers to construct, extend, improve, operate, manage and maintain the City parking system as provided by the Common Council and shall make reports and recommendations to the Common Council. Acquisition of real property shall be in the name of the City of Wisconsin Dells and may not be made without the approval of the Common Council.
- (4) Revenue from Parking System. All monies obtained from parking devices and enforcement of street parking lots and collections for violations of parking meter regulations, shall be recorded in a designated account. None of these monies may be pledged or hypothecated in any way without the consent of the Common Council. The Common Council may elect to issue mortgage revenue bonds pursuant to Wis. Stat. § 66.0829.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 7.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

First Reading Passed:
Second Reading Passed:
Published:

- (5) Mechanical and Electronic Parking Enforcement Systems. The Parking Board shall provide for the installation, regulation, control, operation and use of mechanical and electronic parking enforcement devices, and shall maintain the devices in good workable and serviceable condition. The Parking Board shall establish fees for parking enforcement subject to approval by the Common Council.
- (6) Payment. Vehicles parked in a City parking space shall pay the fee associated with that space. If the fee is not paid, a forfeiture citation may be issued. The City shall have the discretion to suspend parking enforcement.
- (7) Designation of Parking Places. The Parking Board, or such officers and employees of the City as it shall designate, shall place lines or marks on the curb or on the street about or alongside each meter, to designate the parking space for which the meter is to be used, and each vehicle parking alongside or next to any parking meter shall park within the established lines or markings. It shall be unlawful and an offense to park any vehicle across any such line or mark, or to park a vehicle in a way that it shall not be within the area designated by lines or markings.
- (8) Fraud/Tampering. No person may:
 - (a) Use fraudulent means or devices to avoid payment of parking fees;
or,
 - (b) Tamper or interfere with a City installed parking device.
- (9) Penalties. The default penalty provisions of code sec. 30.04 shall apply to violations of this section; except the penalties for parking violations shall be established and approved as part of the city fee schedule.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.