

APPENDIX

List of Code Revisions

The following changes are made throughout the Code:

- References to specific chapters and sections of the Wisconsin Statutes and Wisconsin Administrative Code are revised to reflect the numbering of the statutes and Administrative Code as of the publication of this Code.
- References to the "Clerk" and "Treasurer" are amended to read "Clerk-Treasurer" except in Chapter 320.
- References to the "Health Officer" are amended to read "Director of Public Works."
- References to the "Board of Appeals" are amended to read "Zoning Board of Appeals."

Chapter 90, Officers and Employees.

Section 90-2 is amended to change "Board of Trustees" to "Village Board."

Section 90-5 is added to read as follows:

Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to § 70.47(7)(af), Wis. Stats., or any successor statute thereto, then such income and expense information that is provided to the Assessor shall be held by the Assessor on a confidential basis, except, however, that the information may be revealed to and used by persons in the discharge of duties imposed by law; in the discharge of duties imposed by office (including but not limited to use by the Assessor in performance of official duties of the Assessor's office and use by the Board of Review in performance of its official duties); or pursuant to order of a court. Income and expense information provided to the Assessor under § 70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per § 70.47(7)(af), Wis. Stats., not subject to the right of inspection and copying under § 19.35(1), Wis. Stats.

Chapter 140, Animals.

Section 140-2 is amended to change "upon the payment to him of the sum of \$1 for males and \$2 for females" to "upon the payment of the license fee as set by the Village Board."

Section 140-3 is amended to change "within the pound" to "with Dogs Rule or a designated animal shelter" and to delete "and upon his failure to so pay such dog may be destroyed in accordance with the previous ordinance heretofore enacted" in Subsection A and to change the maximum forfeiture from \$50 to \$100 in Subsection B.

Section 140-4B is amended to change "\$20 for the license year" to "\$35 for 12 or fewer dogs and an additional \$3 for each dog in excess of 12" and to add "for the license year" before "a license tax."

Section 140-5 is added to read as follows: "The provisions of Ch. 174 and § 95.21, Wis. Stats., exclusive of any penalty provided for therein, are hereby adopted by reference as if set forth in full herein. No license shall be issued for any dog unless the applicant presents a current certificate of rabies vaccination as provided in § 95.21, Wis. Stats."

Section 140-6 is added to read as follows:

§ 140-6. Definitions.

As used in this article, the following terms shall have the meanings indicated:

LIVESTOCK — Any horse, cow, sheep, goat, poultry, fowl, wild fowl in captivity, chickens or rabbits.

Chapter 154, Bicycles and Play Vehicles.

Chapter 154 is amended in its entirety to read as follows:

§ 154-1. Bicycle equipment.

It shall be unlawful for any person to ride any bicycle anywhere within the Village of Lyndon Station that is not equipped as required by § 347.489, Wis. Stats.

§ 154-2. Veterans Memorial Park.

No skateboards or bicycles are allowed in the Veterans Memorial Park.

§ 154-3. Hours of use for skateboards.

It shall be unlawful for any person to ride any skateboard anywhere within the Village of Lyndon Station within 20 minutes of sundown and 20 minutes of sunrise.

§ 154-4. Violations and penalties.

Any person violating any of the provisions of this chapter shall be punished by confiscation of said bicycle or skateboard for a period two days for the first offense and one week for the second offense by the designated officer of the Village.

Chapter 162, Building Construction.

Section 162-5 is amended to change "a fee of \$5" to "a fee as set by the Village Board."

Section 162-10 is amended to change "build, add onto or alter any building" to "build or add onto any building" and to delete the following sentence: "Building permit fees shall be determined by resolution of the Village Board."

Chapter 209, Fireworks.

Section 209-1 is amended to delete "not" before "specifically excluded."

Section 209-2 is amended to change "precautions will be handled" to "precautions will be taken and the display will be handled."

Section 209-3 is added to read as follows: "This chapter shall not apply to the possession of fireworks in the Village while transporting the fireworks to a city, town or village where the possession of the fireworks is authorized by permit or ordinance. This chapter applies to a person transporting fireworks under this section if, in the course of transporting the fireworks through the Village, the person remains in the Village for a period of at least 12 hours."

Section 209-4 is added to read as follows: "Any person violating the provisions of this chapter shall be subject to a forfeiture of not less than \$1 nor more than \$500 together with the costs of the action."

Chapter 228, Intoxicating Liquor and Fermented Malt Beverages.

Section 228-3 is amended as follows: to change "four classes" to "five classes" in the lead-in sentence; to change "in quantities of not more than one gallon at any one time" in Subsection A(2) to "in multiples not to exceed four liters at any one time"; to delete "and refrigerated" at the end of the first sentence in Subsection A(4); to change "one year" to "90 days" in Subsection A(5); and to delete the following wording from the second-last sentence of Subsection A(5): "and the licensee shall further display a sign over or near each tap or faucet disclosing the brand of beer drawn from each tap or faucet, visible to the patron of at least 10 feet so that each patron may be informed of the brand of fermented malt beverage on tap. No such licensee shall substitute any other brand of fermented malt beverage in place of the brand so designated by such visible sign, and every licensee who shall violate this subsection shall be subject to the penalties herein provided."

Section 228-5 is amended as follows: to delete "who have been citizens of the United States and citizens of this State continuously for not less than one year prior to the date of the filing of the application" from Subsection A; to change "operated under a Class 'B' license" in Subsection B to "operated under a license issued pursuant to this article" in Subsection B; to change "shall not exceed \$5 per year" to "shall be \$15 per year" in Subsection B; to change "15th day of June" to "30th day of June" in Subsection B; and to add Subsection C to read as follows:

A provisional operator's license may be issued by the Village Clerk in accordance with § 125.17(5), Wis. Stats., only to a person who has applied for an operator's license. A

provisional license may not be issued to any person who has been denied a license by the Village Board. A provisional license expires 60 days after its issuance or when a regular operator's license is issued to the holder, whichever is sooner. The fee for a provisional operator's license shall be \$15.

Section 228-6A is amended to add "Class B," "Class A" and Class "A."

Section 228-8B and C are amended to change \$25 to \$100 and to change \$200 to \$500.

Section 228-9 is amended to read as follows:

§ 228-9. Closing hours.

- A. Premises licensed for the retail sale of intoxicating liquor and fermented malt beverages in the Village of Lyndon Station shall comply with the closing hours prescribed by §§ 125.32(3) and 125.68(4), Wis. Stats.
- B. The licensee or any employee or other person in charge of such premises so licensed who shall violate any of the provisions of this section shall be subject to a forfeiture of not more than \$100 and the costs of the action and upon default of the payment of such forfeiture and costs shall be imprisoned in the county jail of Juneau County until such forfeiture and costs are paid, but not exceeding 30 days.

Section 228-10B is amended to read as follows: "The Village Board may set such quotas as it deems appropriate to protect the health, safety and welfare of the citizens of the Village and may change that quota as it sees fit."

Chapter 254, Mobile Homes and Mobile Home Parks.

Section 254-4C is amended to change "a fee of \$50" to "a fee as set by the Village Board."

Section 254-5A(14) and (15) are amended to change "Street Superintendent" to "Director of Public Works."

Section 254-6C is amended to change \$50 to \$100.

Section 254-6E(1) is amended to change "Department of Health and Social Services" to "Department of Commerce."

Section 254-6F is amended to add "the operator of an existing mobile home park" before "shall file application."

Section 254-9B is amended to delete the references to the Municipal Engineer and Board of Health.

Section 254-10C is amended to change "the Clerk shall direct the municipal Treasurer to apply" to read "the Clerk-Treasurer shall apply."

Chapter 296, Property Maintenance.

Sections 296-4, 296-5 and 296-7 are amended to change "Weed Commissioner" to "Director of Public Works."

Section 296-8B is amended to change "plus an additional charge of \$25 for the first such cutting" to "plus an additional charge as set by the Village Board for the first such cutting" to change "plus \$50 per cutting" to "plus an additional charge as set by the Village Board per cutting, shall be charged."

Chapter 320, Sewers.

Section 320-1 is amended to read as follows:

§ 320-1. Customer or unit of service; special rates and standby charges.

- A. A customer or unit of service shall consist of any aggregation of space or area occupied for a distinct purpose, such as a residence, flat, apartment, store, office, tavern, or factory, which is equipped with one or more fixtures for rendering sewer service, separate and distinct from other users.
- B. Sewage of unusual volume, concentrates, or character shall be charged for at special rates determined by the Board of the Village of Lyndon Station. Seasonal users and customers desiring that their water service be temporarily discontinued shall be assessed a standby charge as set by the Village Board per month during the period that the premises is not connected to the water system.

Section 320-3 is amended to change "a charge of \$20" to "a charge as set by the Village Board."

Original § 3 of Ord. No. 38 is deleted.

Sections 320-4, 320-5, 320-6 and 320-9A are amended to change "Clerk" and "Treasurer" to "Secretary of the Water and Sewer Department."

Section 320-7 is amended to change "Sewerage Utility" to "Sewer Utility."

The definition of "private plumbing" in § 320-8 is amended to change "Sewage Utility" to "Sewer Utility."

The definition of "Superintendent" is deleted from § 320-8.

Section 320-10A is amended to change "Superintendent" to "Director of Public Works," to change "committee" to "Village Board" and to change \$25 to \$100.

Section 320-10B, D(1) and E(2) are amended to change "Superintendent" to "Director of Public Works."

Section 320-11A is amended to delete the following sentence: "In the event that said premises is served by a private system, it shall be charged a monthly rate of \$6."

Section 320-11D is amended to change "Wisconsin State Board of Health, Division of Plumbing and Related Services" to "State Department of Commerce" and to change "Superintendent" to "Director of Public Works."

Chapter 325, Shoreland-Wetland Zoning.

Section 325-20 is amended to replace the blank forfeiture amounts with \$100 and \$500, respectively.

The definition of "boathouse" in § 325-21 is amended to read as follows: "As defined in § 30.01(1d), Wis. Stats., a structure used for the storage of watercraft and associated materials which has one or more walls or sides."

Chapter 339, Snowmobiles.

Section 339-2 is amended to read as follows: "The statutory provisions in Ch. 350, Wis. Stats., and subsequent amendments thereto, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby incorporated by reference as part of this chapter, except for those provisions therein which conflict with this chapter."

Section 339-3A(11) is amended to change "the Upper Dells Bar" to "Leo's Upper Dells Bar."

Chapter 344, Solid Waste.

Section 344-2N and O are amended to change "recycling brochure" to "recycling pamphlet."

Chapter 368, Vehicles, All-Terrain and Light Utility.

Chapter 368 is amended in its entirety to read as follows: see copy at end of this document.

Chapter 373, Vehicles and Traffic.

Original § 2, Speed limits, of Ordinance No. 22A is deleted (covered by § 373-1).

Section 373-4 is amended to read as follows: "The Director of Public Works and the Chief of Police are hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of this article. Signs shall be erected in such locations and manner as authorized by the governing body so as to give adequate warning to users of the street, alley or highway in question. No provision in this article shall be enforced unless and until such signs are erected and in place and sufficiently legible to be seen by an ordinarily observant person."

Section 373-6A is amended to delete the stipulation of guilt form and to revise the last sentence to read as follows: "Stipulations shall conform to the form contained on the uniform ordinance citation."

Section 373-6B is amended to change "established by the Village police and approved by the Village Board" to "established by the Village Board."

Section 373-6E is amended to delete the stipulation of notice form and to revise the last sentence to read as follows: "Such stipulation of notice shall be in substantially the form contained on the uniform traffic citation."

Sections 373-7 and 373-9 are amended to change "Street Department" to "Department of Public Works."

Section 373-11 is amended to add the following sentence: "Any person's vehicle found to be in violation will be subject to towing at the owner's expense and at the discretion of the Police Department and/or Director of Public Works."

Section 373-15 is added to read as follows: "When any vehicle is found upon a street, alley or parking lot in violation of any provision of this article regulating the stopping, standing or parking of vehicles, such vehicle will be subject to towing at the discretion of the Police Department or Director of Public Works and at the owner's expense."

Chapter 381, Water.

Section 381-1 is amended to change "payment of \$2 fee" to "payment of a fee as set by the Village Board."

Section 381-2 is amended to delete the following wording from the end of the first sentence: "and shall hold his office for a term of one year."

Throughout Article I, references to the Superintendent of the Water Utility are amended to refer to the Director of Public Works.

Section 381-4 is amended to change "a charge of ____" to "a charge as set by the Village Board."

Section 381-8 is amended to change the maximum forfeiture from \$100 to \$500.

Sections 381-10, 381-11, 381-12, 381-13 and 381-14 are amended to change "Lyndon Water Department" to "Lyndon Station Water Utility."

Section 381-16 is added to read as follows: "Any person, firm or corporation who or which shall violate any of the provisions of this article shall be subject to a forfeiture of not more than \$500 together with the costs of said proceedings and upon failure to pay such forfeiture and costs shall be confined to the county jail until such forfeiture and costs have been paid, but not to exceed 30 days. Each day that a violation shall occur under the provisions hereof shall constitute a separate offense."

Section 381-23 is amended to change the maximum forfeiture from \$200 to \$500.

Chapter 395, Zoning.

Section 395-3 is amended to change "zoning certificate" to "building permit" and to change "agriculture" to "agricultural" in the last sentence.

Section 395-4A(1)(a) is amended to change "trailer coach" to "mobile home" and to add the following: "Accessory buildings must be built on the same parcel of land on which the primary home is located, shall not be more than 1,200 square feet and shall not have an eave height of over 12 feet. All accessory buildings must be consistent with the primary home's style and color."

Section 395-4B(2) is amended to delete "The relaxation of or elimination of those requirements set forth in Section VIII of the Village's Zoning Ordinance" and to add "Light manufacturing."
(See Ord. No. 2006-1.)

Section 395-6 is amended to change "two years" to "12 months" in Subsection A and to change "at the time this ordinance takes effect" and similar wording throughout the section to "at the time of adoption or amendment of this chapter."

Section 395-12 is amended to change "at least ___ feet" to "at least 15 feet."

Section 395-16A is amended to read as follows: "The Building Inspector shall keep records of all applications for building permits and the action taken thereon."

Section 395-16B is amended to read as follows: "Before constructing, changing the use of, or altering any building, including accessory buildings, or changing the use of any premises, application shall be made to the Village Building Inspector for a building permit. The application shall indicate the exact location of the proposed construction, alteration or change of use and shall include a plot plan, showing in detail the proposed description, location and dimensions and the proposed use. Within 10 days after receipt of the application, the Building Inspector shall issue a building permit if the application complies with the requirements of this chapter and the application is accompanied by the proper fee. The Village Building Inspector shall be paid a fee as set by the Village Board for issuing a building permit and for making subsequent inspection for alterations, remodeling or new construction jobs."

Section 395-17J(2) is amended to change "zoning permit" to "building permit."

Section 395-19C(3) and (4) are amended to change "the Department" to "the Village Board or its designee."

Section 395-20B(1), F, J and K are amended to change "Zoning Administrator" to "Building Inspector." Section 395-19F is further amended to change "City Assessor" to "Village Assessor." Section 395-20F is further amended to change "official Village newspaper" to "one or more of the newspapers in general circulation in the Village."

Section 395-21B is amended to change "Zoning Inspector" to "Building Inspector."