

ORDINANCE # 30

An Ordinance Establishing Building Permit Control in the Town of Oxford, Marquette County, Wisconsin.

The Town Board of the Town of Oxford, Marquette County, Wisconsin, do Ordain as Follows:

Section 1 Title/Purpose.

The title of this Ordinance is the Town of Oxford Building Permit Control Ordinance. The purpose of this Ordinance is for the Town of Oxford to control and permit the installation, repair, construction, reconstruction, removal, demolition, maintenance, remodeling and moving of certain buildings and structures in the Town.

This Ordinance shall also repeal existing Ordinance #15.

Section 2 Authority.

The Town Board of the Town of Oxford has the specific authority under ss. 60.61, 62.17, 101.65, 101.76, and 101.86, Wis.: stats, and general authority under its Town Powers to adopt this Ordinance, subject to the requirement that towns shall submit ordinances to the State Department of Commerce for review if the Town intends to enforce the Wisconsin Uniform Dwelling Code and Wisconsin Commercial Building Code.

Section 3 Adoption of Ordinance.

The Town Board by this Ordinance, adopted with a quorum and by a roll call vote by a majority of the Town Board present and voting, provides the authority for the Town to regulate, permit, and enforce against those persons who are not in compliance with this Ordinance in the Town. **REGARDLESS OF ANY PROVISION OF THIS ORDINANCE OR ANY PERMIT ISSUED UNDER THIS ORDINANCE, ANY ONE-OR 2-FAMILY DWELLING BUILT AFTER JUNE 1, 1980, SHALL COMPLY WITH THE UNIFORM DWELLING CODE AND CHAPTER COMM. 20-25 OR THE WISCONSIN ADMINISTRATIVE CODE. THE TOWN SHALL SUBMIT THIS ORDINANCE TO THE DEPARTMENT OF COMMERCE FOR REVIEW IF THE TOWN INTENDS TO ENFORCE THIS WISCONSIN UNIFORM DWELLING CODE.**

Section 4 Definitions.

In this ordinance:

- (a) "Accessory building" means a detached building, not used as a dwelling unit but is incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.
- (b) "Building or structure" means any building or structure, and any installation, construction, remodeling, enlargement, alteration, removal, or demolition with any such building or structure.
- (c) "Building Inspector" means a Building Inspector retained or employed by the State, County, or Town. If the Building Inspector is to enforce the State Uniform Dwelling Code, he or she shall be certified for inspections by the State of Wisconsin and approved to inspect one and two family dwellings in the Town under the current Wisconsin Uniform Dwelling Code or its successor code. If the Building Inspector is to enforce the State Building Code, he or she shall be certified for inspections by the State of Wisconsin and approved to inspect commercial buildings. A Town Building Inspector appointed by the Town Board may be retained or employed by the Town.
- (d) "Camping unit" means any portable device, no more than 400 square feet in area, used in the Town as a temporary or seasonal dwelling, including but not limited to a camping trailer, motor home, bus, van, pick-up truck or tent.

- (e) "Closed construction" means any building, building component, assembly, or system manufactured in a manner so that it cannot be inspected before installation at the building site without disassembly, damage, or destruction.
- (f) "Dwelling unit" means a structure or that part of a structure that is used or intended to be used as a home, residence, or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.
- (g) "Manufactured home" means a structure certified and labeled as a manufactured home under 42 USC Secs. 5401-5426, which, when placed on the site:
 - (1) Is set on an enclosed continuous foundation in accordance with Section 70.43(1), Wis. Stats., and Comm. 21, Subchapters III, IV, and V, Wis. Adm. Code, or is set on a comparable continuous foundation system approved by the Building Inspector, who may require a plan for such foundation to be certified by a registered architect or engineer to ensure proper support for such structure;
 - (2) Is installed in accordance with the manufacturer's instructions;
 - (3) Is properly connected to utilities;
 - (4) Is a dwelling consisting of one (1) or more post 1976, factory-built units in compliance with HUD Code standards and transported to the homesite over the public roads and streets using removable tongues, wheels and axles, and/or dollies, and then assembled, placed and secured on a Single-Family Lot in accordance with the manufacturer's recommendations and/or the pertinent provisions of the Village Building Code. (Manufactured homes typically have shingled roofs with three (3) in twelve (12) of steeper slopes, horizontal lap siding or vertical board and batten siding and a unit width of at least fourteen (14) feet; for the purpose of this Chapter, a manufactured home placed in a mobile home park shall be deemed a mobile home); and
- (h) "Mobile home" means a pre-1976 factory-built, single-unit, dwelling transported to the building site over public roads and streets using attached tongue, wheels and axles or dollies and then placed and secured on a single-family lot or in a mobile home park in accordance with the manufacturer's recommendations and/or pertinent provisions of the Village Building Code. [Pre-1976 mobile homes do not necessarily comply with the HUD Code and typically have relatively flat roofs, embossed sheet metal siding and a width of sixteen (16) feet or less.] Excluded from this definition is every "manufactured home" as defined above.
- (i) "Modular home" means any structure or component of a structure that is intended for use as a dwelling and:
 - (1) Is of closed construction and fabricated or assembled on site or offsite in manufacturing facilities for installation, connection or assembly and installation at the building site; or
 - (2) Is a building of open construction, which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

The term modular home does not include a building of open construction that is not defined under par.(2). A single or double width manufactured or mobile home is not considered a modular home.
- (j) "One- or 2-family dwelling unit" means any building that contains one or 2 dwelling units.
- (k) "Open construction" means any building, building component, assembly or system manufactured in such a manner that it can be readily inspected at the building site without disassembly, damage, or destruction.
- (l) "Owner" means
 - (1) Any person having a legal or equitable interest in a dwelling unit.
 - (2) "Owner" does not include any person whose legal or equitable interest in a dwelling unit is a security interest derived solely from the extension of credit to permit construction or remodeling of the dwelling or purchase of the dwelling unit by a third party.
- (m) "Subdivision" means a division of a lot, parcel, or tract of land by the owner of the tract, or the owner's agent, for the purpose of sale or of building development, where:
 - (1) The act of division creates 5 or more parcels or building sites of 1 1/2 acres each or less in area; or
 - (2) Five or more parcels or building sites of 1 1/2 acres each or less in area are created by successive divisions within a period of 5 years.
- (n) "Town" means the Town of Oxford, Marquette County, Wisconsin and includes the Town's, officers, employees, and agents, including any Town Building Inspector, where appropriate.
- (o) "Town Board" means the Board of Supervisors for the Town of Oxford, or any person designated to

act for the Town Board.

- (p) "Town Clerk" means the Clerk of the Town of Oxford or his or her deputy or agent.
- (q) "Wis. Stats." means the Wisconsin Statutes, including successor provisions.

Section 5 Exemptions from Permit.

All of the following are exempt from the requirements for obtaining a permit under this ordinance:

- (a) Any commercial or industrial building or structure for which the costs and expenses, including labor costs, of construction, alteration, installation, repair, reconstruction, demolition, removal or remodeling shall not exceed \$5,000 dollars within a twelve (12) month period.
- (b) Any public or quasi-public building for which the costs and expenses, including labor costs, of construction, repair, reconstruction, alteration, demolition, removal, installation, or remodeling shall not exceed \$5,000 dollars-within a twelve (12) month period. This shall include labor costs.
- (c) Any residential building or structure, including apartments and other multifamily residence buildings or structures, where the costs and expenses, including labor costs, of construction, repair, reconstruction, removal, demolition, installation or remodeling shall not exceed \$5,000 dollars within a twelve (12) month period.
- (d) Any public or private building or structure not otherwise specifically exempted under this section specifically waived in writing by the Town Board, if the Town Board determines the character of the building or structure has been adequately described in application for which the costs and expenses, including labor costs, for the construction, repair, reconstruction, demolition, removal, installation or remodeling shall not exceed \$5,000 dollars.
- (e) Any public or private building or structure exempted or preempted by State or Federal law or regulation, or by any County or extraterritorial ordinance from any Town ordinance, jurisdiction, or control.
- (f) Re-siding, reroofing and finishing of interior surfaces, installation of cabinetry, and repairs which are deemed minor by the Building Inspector.
- (g) Accessory buildings less than 480 square feet in area.
- (h) Normal repairs of the HVAC, plumbing and electrical equipment and systems.

Section 6 General Provisions.

- (a) Any person, unless exempt under this Ordinance, who constructs, installs, repairs, reconstructs, removes, demolishes, or remodels any public or private building or structure in the Town, including building, heating, ventilating, plumbing or electrical work or service, or who causes the same to occur, shall seek and obtain from the Town a Town Building Permit prior to commencing, or causing the commencement of, construction, removal, demolition, installation, repair, reconstruction or remodeling project. This shall include the following:
 - (1) New buildings.
 - (2) Agricultural outbuildings, (administrative only).
 - (3) Renovations and/or structural alterations to 1 or 2 family home and commercial structures in excess of \$5,000.
 - (4) Moving Buildings.
 - (5) Razings or removals.
 - (6) Additions that increase the physical dimensions of a residential or commercial building including decks that are part of an exit path.The requirement for a permit under this subsection specifically includes any public building or structure, including any building or structure of any city, village, county, or school district. Upon proper completion of such project, the person shall seek and obtain an Occupancy Permit from the Town.
- (b) The following provisions of the Wisconsin Administrative Code are adopted by reference and made part of this Ordinance: Ch. Comm. 16; Ch. Comm. 20-25; Ch. Comm. 28; Ch. Comm. 60-66; Ch. Comm. 81-87, all applicable provisions of the Wisconsin Building Code, and all applicable provisions of the NFPA 1 Fire Code. A violation of these above noted provisions shall constitute a violation of

- this Ordinance.
- (c) This Ordinance regulates, provides for inspections of, and controls the construction, installation, repair, reconstruction, removal, demolition and remodeling projects specifically for the following types of buildings under this Town Ordinance:
- (1) Residential permanent dwellings, including manufactured homes, modular homes, mobile homes, accessory buildings exceeding 480 square feet, and an administrative permit for agriculture buildings
 - (2) Apartments, duplexes or other multi-family units.
 - (3) All other public and private buildings and structures shall comply in the construction, installation, repair, and remodeling projects with the Wisconsin Administrative Code as adopted by reference, including any inspection requirements.
- (d) Notwithstanding Section Comm. 20.05, the requirements of the Wisconsin Uniform Dwelling Code shall apply to:
- (1) Additions and alterations for (1) and two (2) family dwellings built prior to June 1, 1980. Because such projects are not under State jurisdiction, petitions for variance and final appeals under s. Comm. 20.19 and 20.21, respectively, shall be decided by the Town Board of Appeals. Petitions for variance shall be decided per s. Comm. 20.19(intro) so that equivalency is maintained to the intent to the rule being petitioned. As the Town Board of Appeals approves petitions for variance, the Town Building Inspector is granted the power to apply the results to similar circumstances by precedent.
 - (2) Detached garages serving one (1) and two (2) family dwellings and any heating, electrical or plumbing systems therein, shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as in the previous paragraph.
- (e) The Town Board shall appoint a Town Building Inspector on the conditions as noted herein:
- (1) Creation and Appointment. There is hereby created the office of Town Building Inspector. The Town Building Inspector shall be appointed by the Town Board and shall be an official of the Town. The Town Building Inspector may be retained or employed by the Town. The Town Building Inspector, if he or she is to enforce the State Uniform Dwelling Code and the State Commercial Building Code, shall be certified for inspection purposes by the State in the required categories specified under Ch. Comm. 5, Wisconsin Administrative Code, by the State of Wisconsin.
 - (2) Subordinates. The Town Building Inspector may appoint, as necessary, subordinate inspectors. Any subordinate retained to inspect buildings under the State Uniform Dwelling Code shall be certified as necessary under Ch. Comm. 5, Wisconsin Administrative Code, by the State of Wisconsin.
 - (3) Duties. The Town Building Inspector shall administer and enforce all provisions of this ordinance.
 - (4) Powers. Within the limits of the law, the Town Building Inspector may at all reasonable hours enter upon any public or private premises for inspection purposes, and require the production of the permit for any building, plumbing, electrical or heating work.
 - (5) Records. The Town Building Inspector shall perform all administrative tasks required by the applicable codes and this Ordinance, In addition, the Town Building Inspector shall keep a record of all applications for Town Building Permits in a book for such purpose and shall regularly number each permit in the order of its issuance.
- (f) Two sets of building plans shall be submitted to the Town Clerk or, if appointed, to the Town Building Inspector for any work valued over \$5,000, any work which expands the size of a building, any new building, or as required by the Town Building Inspector. If a new building or building addition is proposed, than a plot plan showing such proposed work, and existing buildings and property lines shall be submitted.
- (g) The Town Building Inspector shall issue the requested permit after all State, County and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job site in a visible location. Permits are valid for two (2) years and void unless construction commences within six (6) months.
- (h) If no non-compliances are found by the Town Building Inspector, then the Town Building Inspector shall allow occupancy. If minor non-compliances other than health or safety items are in existence, the inspector may allow temporary occupancy for a specified term. Occupancy may not be taken until occupancy is allowed by the Town Building Inspector or in compliance with provisions found in the Uniform Dwelling Code.

- (i) All buildings shall have a weather-resistant, uniform and neighborhood- compatible exterior finish. Tar paper or similar material in not acceptable.
- (j) All buildings shall be maintained so that they do not lose value or become non-complying with applicable codes.
- (l) At the time of Town Building Permit application, the applicant shall pay fees as established periodically by the Town Board. If work commences prior to permit issuance, double fees may be charged by the Town Building Inspector, if appointed.
- (m) The Town Board or the Town Building Inspector, if appointed, may issue a stop work order against a project to prevent further non-complying work.
- (n) This Ordinance shall not be construed as an assumption of liability by the municipality or inspector for damages because of injuries sustained or property destroyed by any defect in any installation or on any premises.
- (o) The Wisconsin Uniform Dwelling Code, Chs. Comm. 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.
- (p) Persons moving or relocating buildings within the Town of shall provide a bond in the amount of \$5,000. Higher bond totals may be deemed appropriate at the Town Board's discretion, The route shall be designated at the time of the permit and time limits therein. An inspection of the route of travel of Town Roadways shall be conducted and any damage incurred to Town Roads is the responsibility of the contractor responsible for moving the building. The Bond shall be used as surety to complete the performance objectives included herein or otherwise encountered as a part of the building relocation.

Section 7 Minimum Building and Structure Provisions.

- (a) No permit shall be issued for the erection or placement of more than (1) dwelling on any parcel and if the new building replaces an existing residence, the existing residence shall be demolished or removed from the Town within (60) days from the day occupancy is issued for the new residence unless prior approval from the Town Board is obtained.
- (b) No permit shall be issued for an accessory building unless a dwelling unit is present on the same lot.
- (c) No commercial or residential building or structure of any type shall be constructed, repaired, reconstructed, removed, demolished, remodeled or installed, without Town Board written approval or a proper permit issued by the Town Board or its agents, including the Town Building Inspector, if appointed, within the setbacks and/or sideyards as applicable to the land division requirements in which the improvement is located and as applicable to the requirements for setbacks and/or sideyards in the time that the land division was last approved in the Town.
- (d) No commercial or residential building or structure of any type shall be Constructed, repaired, reconstructed, remodeled, removed, demolished or installed in any subdivision without compliance with all of the following:
 - (1) Chapter 236, Wis. stats.
 - (2) Any County, extraterritorial, or State requirements adopted under Chapter 236, Wis. stats.
 - (3) Any Town Subdivision Ordinance enacted under Chapter 236, Wis. stats.
 - (4) Obtaining prior written approval by the Town Board under Chapter 236, Wis. stats.
- (d) No commercial or residential building or structure of any type shall be constructed, installed, removed, demolished, remodeled, reconstructed, repaired, or maintained without compliance with all appropriate and relevant State and federal laws and regulations, County ordinances, extraterritorial ordinances and Town ordinances including compliance with all applicable Town and county plans, approvals, permits, licenses, plats, and all Town, County or extraterritorial comprehensive wetland, shoreland, construction site erosion control, and storm water management laws and regulations.
- (e) No one- or 2-family residential dwelling units or other building or structure, not exempt from the permit requirement under this Ordinance, shall be constructed, repaired, removed, demolished, reconstructed, remodeled, installed, occupied, or used without compliance with this Ordinance and without specific timely receipt of both a proper and lawful Town Building Permit issued by the Town Board or its agents, including the Town Building Inspector, if appointed, and, when necessary, an Occupancy Permit timely and properly sought by the owner and issued by the Town Board or its agents, including the Town Building Inspector, if appointed.

- (f) No Town Building Permit shall be issued for any project by the Town to a person who is required to be certified under the State Administrative Rule Comm. 5.
- (g) No building or structure, public or private, unless exempt, in the Town shall be demolished, removed or intentionally destroyed by the owner or occupant of the land or the building without written approval of the Town Board of the Town or a permit issued by the Town Board or its agents, including the Town Building Inspector, if appointed, and in compliance with any conditions for demolition, removal or destruction established by the Town Board.
- (h) All commercial and residential buildings and structures shall remain in full compliance with all appropriate fire controls, public nuisance regulations, waste disposal, treatment, and storage regulations, and hazard regulations under any state or federal laws and rules or under any county, Town or extraterritorial ordinances applicable to these building or structures in the Town, including any Town inspection, approval, permit, license, and order regulations.
- (i) All commercial and residential buildings and structures, unless exempt, shall be timely and properly constructed, repaired, removed, demolished, reconstructed, remodeled, installed, and maintained in proper occupancy, use, and habitation conditions to prevent any public nuisances or to prevent substantial hazards to the public health or safety in the Town.
- (j) No building or structure shall be issued a Town Building Permit by the Town Board, the Town Clerk or the Town Building Inspector, if appointed, if the building or structure, as proposed or as constructed, reconstructed, repaired, remodeled, or maintained by the Town does not comply with this Ordinance, does not comply with any other relevant Town ordinances or does not comply with any appropriate County, State or extraterritorial laws, regulations, requirements, or ordinances.

Section 8 Special Provisions.

- (a) The Town Building Permit and Occupancy Permit shall be issued to the owner or agent of owner by the Town Clerk, the Town Building Inspector, if appointed, or other Town officer designated from time-to-time by the Town Board to issue Town building permits, including the standard State Building Permit form provided.
- (b) The authority to make inspections authorized and required under this Ordinance and to identify and report violations of this Ordinance and the Wisconsin Administrative Codes adopted under this Ordinance is vested in the Town Board or its agents, including the Town Building Inspector, if appointed, or other persons designated from time-to-time by the Town Board.
- (c) Any owner or occupant of any building or structure in the Town shall allow the Town Board, the Town Building Inspector, if appointed, or any other person designated by the Town Board, access to the building or structure in case of emergency, for inspection purposes. In cases where there is no emergency, as determined by the Town Board, the Town Building Inspector, if appointed, or the person designated by the Town Board, and the owner or occupant denies access to the building or structure, the Town Board, Town Building Inspector, or other person designated by the Town Board may seek a special inspection warrant from the Circuit Court under for the County under s. 66.0119, Wis. stats. In this subsection, "inspection purposes" includes such purposes as building, housing, electrical, plumbing, heating, gas, fire, health, safety, environmental pollution, water quality, waterways, use of water, food, zoning, property assessment, and meter.
- (d) Application for a Town Building Permit and Occupancy Permit shall be made to the Town through the Town Clerk or the Town Building Inspector, if appointed, by the owner of the land, or the owner's agent, in writing on a form provided by the Town Clerk. The form, at minimum, shall require.
 - (1) The applicant's (and owner's if different) name, address, telephone number, facsimile number, and E-mail address.
 - (2) The name of contractor (if different). If agent for owner, cite name and address of agent.
 - (3) The address for the building or structure.
 - (4) The legal description of the land where the building or structure is, or is to be, located and the type of building or structure to be built, constructed, or remodeled.
 - (5) The estimated cost of all improvements, repairs, and reconstruction, including for the building, structure, and associated improvements, including construction, removal, demolition, installation, remodeling, repair, and reconstruction costs, including labor costs.
 - (6) Any other information determined as relevant by the Town Board, the Town Clerk or the Town Building Inspector, if appointed, including building or structure plans, plats and any permits, licenses or approvals obtained or to be obtained.

- (e) The Town Building Permit and Occupancy Permit administrative and inspection fees and costs shall be as provided by yearly resolution adopted by the Town of Oxford. A schedule of fees is available at the office of the Town Clerk, or as publicly posted at the Town Hall.
- (f) The Town Building Permit fees shall be timely paid to the Town Clerk of the Town with the filing of the Building Permit application. Any Occupancy fee or inspection fee shall be timely paid to the Town Clerk upon demand by the Town Clerk or upon determination of completeness of the project by the Town. No permit shall be issued until the appropriate fee for that permit has been paid in full.
- (g) The Town Clerk will determine for the owner or applicant for the building or structure whether the application is Complete, the amount of fees and costs due, whether the project is complete for purposes of this Ordinance and whether all the proper fees have been paid. The Town Clerk may delegate this responsibility to the Town Building Inspector. The Town Clerk or Town Building Inspector, if appointed, shall issue the Town Building Permit or Occupancy Permit to the owner of the building or structure only upon assurance by the owner and the proper Town officials, employees or agents that the building or structure, as proposed in the application, is in compliance with all Federal and State laws and regulations and all County, extraterritorial, and Town ordinances and any and all necessary permits, licenses, and approvals.
- (h) The Town Building Permit shall lapse and be void after two (2) full years following the date of issuance of the Permit. If the building or structure project is not complete, the owner, or the owner's agent, may seek an extension prior to the expiration date, at no cost, from the Town Clerk. The extension shall be allowed for an additional 90 days. Failure to timely file for an extension will require full payment of a new Building Permit fee and will require reapplication for a Building Permit.
- (i) The owner or agent of the building or structure shall notify the Town Clerk of the completion of the project within 30 days of the completion of the project and shall seek an Occupancy Permit issued by the Town Clerk or Town Building Inspector, if appointed.
- (j) If the Town Board, after consultation with the Town Building Inspector, if appointed, Town Clerk or other Town employees or agents, finds in writing non-compliance by the owner with any Federal, State, or local laws, regulations, permits, licenses, approvals, or ordinances, including this Ordinance, or any submitted applications, plats, or plans and the owner refuses to comply as requested in writing, the Town Board may, after a public hearing with a Class II Notice of such hearing, refuse any such Town Building Permit or Occupancy Permit or revoke by written order any existing Town Building Permit or any Occupancy Permit issued in writing. The Town Board shall post the written order notice at the building or structure, at the last known address, or by service upon the owner of the building or structure, or both. Upon posting of the written order notice, no further work nor occupancy may occur by the owner or any person at the building or structure site, except as authorized by the written order notice or until the Town Board determines, after hearing and in writing, that the owner of the building or structure can and will fully comply with the appropriate laws, regulations, permits, licenses, approvals, plats, plans, and ordinance. Upon such written determination order, the owner may complete the work or occupy the building or structure upon the conditions of the written determination order of the Town Board. The hearing shall provide the applicant or permittee the right at the hearing to submit evidence, including witnesses to the Town Board. The applicant or permittee may be represented at the hearing by an attorney who may examine and cross-examine witnesses, submit argument, submit testimony of witnesses for applicant or permittee under oath and cross-examine witnesses for the Town.
- (k) The Town Clerk or Building Inspector shall keep a record of the receipt and issuance of all applications, plans, plats, licenses, permits, approvals, fees, inspections, notices, and orders and shall make an annual report in April to the Town Board of the number of Town Building and Occupancy Permits applied for, issued, and revoked, the fees collected, the plats or plans received, the notices, permits, licenses, approvals and orders issued, and the Building Inspections, if any, commenced and completed. A copy of all Building Permits issued shall be timely forwarded to the Town Assessor. The Town Building Inspector, if appointed, shall comply and cooperate with the Town Clerk in keeping the noted records.

Section 9 Penalty Provisions.

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not less than \$25 nor more than \$100, plus the

applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues shall be considered a separate offense under this Ordinance. Violations discovered by the Town Clerk or the Town Building Inspector, if appointed, shall be corrected after notice within thirty (30) days or more if allowed by the inspector after written notice is given. In addition, the Town Board may seek injunctive relief from a Court of record to enjoin further violations.

Section 10 Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provision of this ordinance are severable.

Section 11 Effective Date.

This Ordinance is effective on publication.

The Town Clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 11th day of November, 2009.

Hollis Elliott, Chairman

Greg Goodhue, Supervisor #1

Keith Wohlfert, Supervisor #2

Mary P. Walters, Clerk