2020-1 TOWN OF CLINTON
(VERNON COUNTY)
SITE PERMIT ORDINANCE

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1. TITLE/PURPOSE

This Ordinance is titled the Town of Clinton Site Permit Ordinance.

The purpose of the ordinance is to keep the town in compliance with property assessment values and protect the health and safety and welfare of the township residents by assuring that any construction in the Town of Clinton will comply with :

A. County and State Sanitary Permit requirements
B. County and State Floodplain, wetland, and shoreland zoning requirements.
C. Any other state mandated or county zoning ordinances that exist at the time of construction.
D. State building plan approval procedures for commercial building or any residential building with three or more living units.
E. Minimum township or county requirements for driveway access, site development and construction standards (section 4).
F. Township efforts to locate and record buildings for purposes of providing emergency services and for assessment purposes.

This ordinance will also set forth an orderly procedure for obtaining a site permit and will establish permit fees and penalties for failure to obtain a required site permit.

2. The Town Board of the Town of Clinton has been granted village powers pursuant to Sec. 60.10 (1988 - 1989) Wis. Stats. and have the specific authority, powers, and duties pursuant to Sec. 60.10, 60.22, 66.036, 101.65, and 101.651 Wis. Stats to regulate, prohibit and restrict construction, alteration, erection, and enlargement of certain structures and buildings in the Town of Clinton, and to act for the health, safety and welfare of the public.

3. Site Permit Application Required:

A Site Permit is required for construction, reconstruction, additions to an existing dwelling, or structure or the placing of any building or structure larger than 100 square feet on land in the Town of Clinton. Exterior dimensions will be used to determine area.

This requirement applies to all types of buildings, including but not limited to buildings constructed on site, buildings constructed or manufactured elsewhere and moved to the site, mobile homes, and modular and manufactured homes and or movable homes.

If the building will be or could be used as a dwelling, the Wisconsin Administrative Building Permit Application (SBD-8254) will be used as well as obtaining a Town of Clinton Site Permit. For other buildings, a Town of Clinton Site Permit Application will be used.

All buildings or structures, regardless of their intended use or size must meet the minimum requirements listed in Section 4 before a Site Permit will be issued.

A Site Permit will be good for one year from the date of issue. If the building is not completed during the period, a new application and new Permit will be required. For purposes of this provision, a building is considered complete when the exterior work is completed.

4. MINIMUM REQUIRMENTS FOR ISSUANCE OF SITE PERMIT

No Site Permit will be issued until the following requirements have been satisfied:

A. Applicant must a properly completed application form accompanied with the designated fee.

B. Applicant must submit a copy of sanitary permit obtained from the Vernon County Zoning Department, or a written waiver from the Country Zoning Department Office verifying that a sanitary permit is not needed for the building.

C. Applicant must provide written verification from the Vernon County Zoning Department that the proposed building is in compliance with County floodplain, shoreland and wetland ordinances, and any other state mandated or county ordinances that might be relevant to the building site.

D. Unless an approved driveway already exists, to provide the applicant access to the site, the applicant must first obtain a Driveway Permit from the Clinton Town Board (if a town road), or from the appropriate state or country office (if the driveway enters a county or state highway). The driveway must be completed and approved before building construction begins.

E. If the proposed building is a commercial building or a residential building with three or more living units, the town will be guided by the State of Wisconsin building plan approval procedures.

F. SETBACKS: No contruction will be allowed within 30 feet of a town right-of-way line. (For example, in the case of a 3-rod road, the right of way line is approximately 25 feet from the centerline of the road. Therefore no construction will be allowed within 55 feet of the center of the road. For a county highway, the minimum setback will be 75 feet from the center of the road, or 42 feet from the right of way, whichever is greater.

G. No construction will be allowed within 30 feet of any of the other boundaries of the parcel or lot. In certain cases a variance may be granted by the Town Board.

H. By signing the application for a Site Permit, the applicant agrees that all construction materials will be staged and stored in an orderly manner that will prevent them from blowing and/or being washed away. This will prevent them from creating an environmental hazard or aesthetic nuisance.

I. The applicant must demonstrate to the Town Board that the building and building site proposed will not cause severe and unacceptable environmental damage and that the building will not itself be vulnerable to geographic or environmental hazards. This will have to be determined on a case by case basis, but at a minimum the following issues must be addressed:

1) If the building site will be vulnerable to storm water runoff and melted snow runoff.
2) If the building site involves an area of soil instability (e.g. greater than 30%, organic soils, peats or mucks at or near the surface).
3) If the proposed building site is within 2000 feet of the boundaries of a presently operating or permanently closed landfill, the Board will not approve a permit for a dwelling unit until the applicant has in place a water system that conforms all applicable State Administrative Codes, and the Board reserves the right to attach other conditions to the Site Permit.

If questionable issues arise from these and similar considerations, and if no alternative site on the property can be agreed on, and if the Town Board therefore feels that it could not approve the application, the Town Board will hold a Public Hearing prior to final action on the Site Permit Application.

At the Hearing, the Board will publicly state why it feels the proposed building will have significant negative impact on the environment and /or why it feels that the proposed building will negatively affect the health, safety or welfare of the public. The applicant will then have opportunity to provide written or verbal testimony from a licensed engineer, architect, or other professional that the construction can be accomplished without these negative effects. The burden of proof is on the applicant to prove that the construction will not create significant negative impacts on the environment or the the public (to include non-residents and well as neighboring properties). Any expense in resolving the issue will be paid by the applicant.

5. PROCEDURE AND FEES

Before beginning ANY construction activity, the applicant will:

1) Requst and application form from the Town Clerk.
2) Complete the application and submit it to the Town Clerk with the appropriate feel
3) The Building inspector will review the application and make certain that all supporting documentation, permits, and waivers have been obtained by the applicant (Section 4 has the minimum requirements), and are attached to the Site Permit.
4) The Site Permit must be prominently displayed at the construction site.

Fees:

1) Fees approved by the simple majority of the Town Board will be reviewed by the Board to see that the fee is sufficient to cover the costs of the administration. The following fees will take effect with the adoption of this Ordnance.
2) $40.00 Fee for Site Permit for Dwelling units of any size, or additions to dwelling of any size. All other non-dwelling type building over 100 sq feet will also by the same fee when originally constructed, or expanded and modified in any way.

6. PENALTIES

Any building or structure constructed, erected or placed on land in the Town of Clinton in violation of the provisions of this Ordinance shall be deemed an unlawful building or structure.

Any property on which a person constructs, erects, or places a building on land in the Town of Clinton in violation of any provision of this Ordinance, shall be required to forfeit $500.00. This includes any building discovered by the Towns Assessor as being built since the last full town assement. (A Site Permit has been required since 2007 by Ordinance, with last Town reassessment in 2008)

7. DEFINITIONS

For the purposes of this ordinance, the following definitions will be used:

Site Permit: Any such permit so issued shall show the owner or owners of such property upon which such proposed construction is to take place, describe the property as described in the Town's assessment role, show the amount of cost or estimated cost, show the estimated square footage of the proposed constructions, reconstruction, or addition to any existing building.

Building: Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, or materials. It includes structures erected or built on site and structures made elsewhere and moved to the site.

Building Site: The space or area of ground upon which a building is to be erected which will cover exactly, and the adjacent ground which will be or could be affected by the existence of the building in terms of drainage, water table, soil disturbance and resulting erosion, compaction, absorption, increased traffic and similar environmental factors.

Manufactured Home: A dwelling unit that is primarily assembled at another location, with interior which may or may not include electrical and plumbing, but, that is finished substantially before locating the building at the final site. This is not limited to building immediately ready for occupancy without other preparations and construction on site.

Mobile Home: Any structure originally designed to be capable of transportation by motor vehicle upon which public highways which does not require substantial on-site fabrication and which is intended to occupancy while stationary.

ROADWAY: That portion of a highway which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder.

SETBACK: The required minimum distance between a structure and any lot line or highway right-of-way line.

SLOPE: A measure of the steepness of a Site, expressed as a percent. For example, a slope which rises 3 vertial feet for every 10 horizontal is a 30% slope. Also called GRADE or GRADIENT.

8. EFFECTIVE DATE: This ordinance shall take effect at an open town meeting, and adoption by a simple majority of the Town Board. This Ordinance will be posted as required by law and immediately on taking effect supercedes and replaces the 2007 Site Permit Ordinance.

ADOPTED: March 11th, 2020

VOTE FOR: 3

VOTE AGAINST: Ø

John La Due, **Town Chairmain**

Cory Leis, **Town Supervisor 1**

James Chapiewski, **Town Supervisor 2**

Sandy Schweiger, **Town Clerk**