

SECTION 1 ORDINANCE TITLE AND PURPOSE:

The title is Ordinance for a Site Permit for Buildings.

This ordinance is designed to provide Town of Wellington officials with information regarding the type, size and locations of all buildings constructed, reconstructed or remodeled after the effective date of this ordinance. This ordinance covers all types of structures except dwellings.

SECTION 2 AUTHORITY AND JUSTIFICATION:

The Town Board has the specific authority granted under village powers pursuant to Sec. 60.22, 60.61, 62.17, 66.035, 66.122 of Wis. Statutes.

Officials and residents of the Town of Wellington have a legitimate interest in construction within the Town's borders. These interests include 1) ensuring appropriate siting of new structures, 2) maintaining or enhancing the value of all residents' properties and 3) supporting property tax equity for all Town landowners.

SECTION 3 ORDINANCE FORMS:

Site Permit for Buildings Application

SECTION 4 DEFINITIONS:

"Permit" is an application to be completed by the "owner" prior to beginning the construction of a building other than a dwelling. If approved by the Town Board, the application serves as a permit to construct a building as described in the approved application.

"Building" is any structure, either free standing or added to an existing structure, that is not a dwelling. For the purpose of this ordinance, buildings include such structures as machine sheds, housing or shelters for livestock, greenhouses, workshops, garages, outbuildings etc.

"Site" is the designated portion of land on which the building will be constructed.

"Owner" is the person or persons having a legal or equitable interest in a building. Typically, it is the owner's property on which the building is to be erected and it is the owner who constructs, or directs others to construct, the building

"Town" means the Town of Wellington as a geographic and governmental unit located in Monroe County, State of Wisconsin.

"Town Officials" are the Town Board, consisting of a Chair and Supervisors, as well as the Town's Clerk, Treasurer, employees, and designated representatives.

SECTION 5 REQUIREMENTS FOR SITE PERMIT:

The owner who constructs, installs, reconstructs or remodels a building in the Town must seek and obtain a Site Permit for Buildings Application from the Town Clerk.

The completed application will be presented to the Town Board for their review. The owner or the owner's representative is required to be present at the time of the Board's review.

The Town Board will not consider an incomplete application.

Approval of an application requires its adoption by a majority of the Town Board.

Upon approval of an application, a Town official will make arrangements with the owner to visit the building site. The purpose of this visit is to inspect the building's site and to review, with the owner, the building's specifications as described on the Site Permit for Buildings Application. This visit must occur prior to the beginning of construction. If the building site and building specifics are in order, the Town Official will sign off on the Permit and construction may begin.

During construction, Town officials, employees or designated representatives may visit the site periodically. The owner will receive prior notification of a Town official's or representative's visit.

SECTION 6 LAPSE OF A SITE PERMIT FOR BUILDINGS:

A Site Permit will expire if the building's construction has not begun within 12 months from the date of the Permit's issuance.

SECTION 7 EXEMPTIONS FROM THE SITE PERMIT FOR BUILDINGS REQUIREMENT:

Owners who reconstruct or remodel the interior of an existing building without changing the existing structure's exterior dimensions are not required to obtain a Site Permit for Buildings. This exemption does not apply to dwellings.

New buildings, free standing or added to an existing building, that do not exceed 100 square feet of floor space, are not required to obtain a Site Permit.

SECTION 8 OTHER REQUIREMENTS:

No building may be erected on any parcel or lot of less than 3.0 acres in size. Smaller parcels created by deed, recorded prior to this ordinance are exempt from this restriction.

Setbacks are required for new buildings. The setbacks from road centerlines are as follows: at least 63' for Town of Wellington roads, 75' for County of Monroe roads and 110' for State of Wisconsin roads. Property line setbacks for new buildings are to be at least 25' from the side of building and 50' from the back of the building.

The issuance of a Site Permit for Buildings does not relieve the owner from fulfilling the requirements for structures established by other governmental units: such as,

- Town, County or State driveway or setback requirements,
- County Fire Number requirement,
- Other Town, County or State siting, building or environmental requirements.

SECTION 9 REQUEST FOR VARIANCE

Permit applicants may request a variance from the Site Permit for Buildings requirements for good cause. The applicant must submit a written request for a variance to the Wellington Town Board. This request must include the applicant's name and contact information, the location of the proposed building, the requirement in question and the reason for the requested variance. The Town Board will act on the applicant's request at a subsequent regular Board Meeting. A majority of the Board members must vote in favor of the variance for it to be granted. The applicant will receive a written notification of the Board's decision.

SECTION 10 SITE PERMIT FOR BUILDINGS APPLICATION, ISSUANCE AND FEES:

Site Permit applications will be available from the Town Clerk. The Clerk will ensure that the application is complete before forwarding it to the Town Board for consideration.

Information required on the application will include the date; the owner's name and contact information; the fire number and mail address of the building's site; the purpose of the building; exterior dimensions (length, width, height); estimated cost; and name of contractor or builder.

Also accompanying the application will be drawing (or blueprint) showing the front elevation of the building and a diagram showing the building's location on the site and to include the distances from roads, property lines and other buildings at the site.

A completed application will be reviewed by the Town Board and approved or rejected by the action of a majority of Town Board. A rejected application may be revised and resubmitted for reconsideration at a future Board Meeting.

The Site Permit for Buildings Application fee is \$25 and will be paid at the time the completed application is provided to the Clerk.

No additional fee is required for a rejected application that is revised and resubmitted to the Town Board.

SECTION 11 PENALTIES:

The Town Board, or its designated representative, will issue a "Stop Construction" order on any building under construction until a Site Permit for Building has been issued.

Owners who continue construction after a "Stop Construction" order has been issued will be fined not less than \$25 nor more than \$50 for each day the construction continues.

SECTION 12 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.

SECTION 13 EFFECTIVE DATE:

This ordinance is effective on posting or publication following its adoption by the Town Board. The Town Clerk shall properly publish this ordinance as required under Sec. 60.80 (3) of Wis. Statutes as a Class 1 Notice in a newspaper.

ADOPTION DATE:

Adopted this 13th day of May, 2019.

Signatures of Town Board

Town Chairman

Town Supervisor

Town Supervisor

Attest:

By _____
Town Clerk