

REGULAR TOWN BOARD MEETING, March 15, 2017

The regular meeting of the Town Board of the Town of St. Croix Falls was called to order by Chairman James Beistle at 6:00 p.m. on Wednesday, March 15, 2017, at the Town Hall. Proper notice was given as the agenda was posted at the Town Hall and on the Town's website on March 10, 2017. Present by roll call were Chairman James Beistle, supervisors Frank Behning, Mike Dorsey, Sharon Kelly and Gary Koecher. Also present were town treasurer Maxine Spiess, town clerk Janet Krueger, zoning administrator James Alt, public works employee Joe Hein and legal counsel Gary Bakke. Others in attendance during portions of the meeting were Josh Yunker and Robert Carlson. Behning/Kelly **moved** to adopt the agenda; **motion carried**. Kelly/Koecher **moved** to approve the meeting minutes as printed for the February 15, 2017, town board meeting; **motion carried**.

No public comment was had.

Committee, Commission and Employee Reports: Ms. Spiess presented the treasurer's report. Receipts for the period ending February 28, 2017, amounted to \$161,928.28; cash balance on February 28, 2017, was \$474,101.49. Koecher/Behning **moved** to receive the treasurer's report; **motion carried**. Mr. Hein gave the highway report. Supervisor Behning suggested bringing in the part-time back-up employee to help with chipping brush in the road right-of-way. Behning/Kelly **moved** to accept the highway report; **motion carried**. Ms. Krueger presented Resolution 17-06 amending the 2017 budget. Dorsey/Koecher **moved** to approve Resolution 17-06 amending the 2017 budget; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-06

A RESOLUTION TO AMEND THE 2017 BUDGET
FOR THE TOWN OF ST. CROIX FALLS

WHEREAS during the collection of 2016 real estate taxes overpayments were received and receipted into the Town's depository account; and

WHEREAS the tax overpayments are due to the property owners and when reimbursed will exceed the budgeted amount in the Miscellaneous Expense account.

THEREFORE BE IT RESOLVED by the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, that the sum of \$500.00 is hereby transferred from the Operations Fund to the Miscellaneous Expense account for the reimbursement of the 2016 real estate tax overpayments.

The clerk's report was given. Kelly/Dorsey **moved** to approve payment of vouchers 17-046 through 17-088 amounting to \$1,004,354.99; **motion carried** on a unanimous roll-call vote, 5-0. The 2017 year-to-date budget summaries were reviewed. Mr. Alt gave the zoning administrator's report. Mr. Alt stated a couple citations and a few violation letters were written this past month; and stated the next plan commission meeting will have a special exception hearing and continued deliberation on a special exception from the March 8, 2017, plan commission meeting. There was no building permit report or supervisor reports. Chairman Beistle stated a fundraiser was held at the St. Croix Falls Legion this past Saturday for establishing a no kill animal humane shelter to potentially be located somewhere along US Highway 8 between Balsam Lake and St. Croix Falls; information had been received regarding upcoming emergency operation management training to be held at Polk County sometime in May; and the cemetery will resume monthly meeting beginning March 16, 2017.

New Business: A minor subdivision to create a 5.42 acre lot from a 40 acre, more or less parcel identified as #044-00282-0000 located at 1871 160th Avenue. Behning/Dorsey **moved** to adopt Resolution 17-07 approving the Schmid minor subdivision; **motion carried** on a unanimous roll-call vote 5-0.

Resolution 17-07

A RESOLUTION APPROVING A MINOR SUBDIVISION
IN THE TOWN OF ST. CROIX FALLS – SCOTT SCHMID PARCEL

WHEREAS Scott Schmid, owner of real property in the SE ¼ of SW ¼ of Section 12, T34N, R18W, identified as Tax Parcel No. 044-00282-0000, and

WHEREAS the owner has proposed dividing the current 38.82 acres, more or less, into two parcels, new parcel consisting of 5.42 acres, and the remaining parcel consisting of 33.39 acres, more or less, and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on March 8, 2017, and after reviewing the request recommends Town Board approval.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve the creation of a minor subdivision from Tax Parcel No. 044-00282-0000 into two parcels, one parcel consisting of 5.42 acres, and the remaining parcel consisting of 33.39 acres, more or less; and

BE IT FURTHER RESOLVED that the Town Board authorizes a Town Representative to sign the "Polk County Subdivision Ordinance Town Board Check List", and

BE IT FURTHER RESOLVED that the Town Board requests the Polk County Land Information Office to review and approve the creation of this minor subdivision, and

BE IT FURTHER RESOLVED that the subdivider provide the Town with a copy of the Certified Survey Map after same has been recorded in the Polk County Register of Deeds Office.

Mr. Alt presented a special exception request to host events in the agricultural district on parcel identified as #044-00292-0000 located at 1846 160th Avenue. Kelly/Koecher **moved** to adopt Resolution 17-08 approving a special exception to Sabrina Kelly to host events at her property in the agricultural district; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-08

A RESOLUTION GRANTING A SPECIAL EXCEPTION TO SABRINA KELLY TO HOST EVENTS ON HER PROPERTY IN THE AGRICULTURAL DISTRICT.

WHEREAS Sabrina Kelly, owner, filed an application with the Town of St. Croix Falls Zoning Office requesting to host events on her property in the agricultural district. Property is located at 1846 160th Avenue, located in the NE ¼ of Section 13, T34N, R18W, and identified as Tax Parcel #044-00292-0000; and

WHEREAS the Town's Comprehensive Plan encourages businesses that enhance the rural nature of the Town; and

WHEREAS Chapter III, Section C, 1. Agricultural District, f. (1) requires a special exception for any use not listed in the permitted or prohibited uses; and

WHEREAS the Plan Commission did conduct a public hearing on the matter and did recommend approval on March 8, 2017, to allow hosting events with conditions in the NE ¼ of Section 13;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does hereby concur with the Town Plan Commission to grant a special exception to Sabrina Kelly to host events at 1846 160th Avenue, located in the NE ¼ of Section 13, T34N, R18W, and identified as Tax Parcel #044-00292-0000 subject to the following conditions:

1. The special exception shall terminate upon the sale or transfer of ownership of either the parcels of land or the business itself;
2. Any formal complaint lodged against the use in the first year of operation will lead to an automatic review of the Special Exception by the Plan Commission and/or Town Board at the next possible meeting; and
3. The Business will obey all laws and maintain all proper licenses and permits.

BE IT FURTHER RESOLVED that this special exception is conditioned on the applicants obtaining the necessary and required permits, if any, from Polk County; various agencies of the State of Wisconsin; and various agencies of the Federal Government; and

BE IT FURTHER RESOLVED that this special exception must be exercised by application for the necessary permits within twelve (12) months of the date of this Resolution.

Ordinance 17-01 entitled "Fire Inspection Cooperation" was presented and the second reading was had. Behning/Dorsey **moved** to approve Resolution 17-09 adopting Ordinance 17-01 entitled "Fire Inspection Cooperation"; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-09

A RESOLUTION ADOPTING ORDINANCE 17-01 ENTITLED "FIRE INSPECTION COOPERATION"

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to adopt an ordinance for fire inspection compliance of public property located in the Town of St. Croix Falls; and

WHEREAS the Town Board of the Town of St. Croix Falls held the first reading of the proposed fire inspection cooperation ordinance on February 15, 2017, and a second reading was held on March 15, 2017.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 17-01 entitled "Fire Inspection Cooperation"; and

BE IT FURTHER RESOLVED that this ordinance becomes effective upon passage and publication of this enabling resolution.

Ordinance 17-01

Fire Inspection Cooperation

Section 1. Purpose

Section 101.14(2) of the Wisconsin Statutes requires the chief of the fire department to inspect all public buildings and places of employment to eliminate fire hazards. The purpose of this ordinance is to require property owners to fully cooperate with such inspections and to require property owners to reimburse the cost of such inspections.

Section 2. Authority

The Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, has the specific authority to adopt this Ordinance under Wisconsin Statutes section 60.555 [fire safety regulations], section 60.10 (2)(c) [village powers], and section 61.34(1) [authority to protect the health, safety and welfare of the public].

Section 3. Definitions

For purposes of this ordinance, public buildings and places of employment shall mean those premises defined in section 101.01 (12) Wisconsin Statutes.

Section 4. Cooperation Required.

Every owner of a public building or place of employment in the Town shall cooperate fully with the required fire inspection and shall provide access to the inspector at any reasonable time requested by the inspector.

Section 5. Purpose of Fire Inspection.

The purpose of the fire inspection shall be to determine and require elimination of any fire hazard or any violation of law relating to fire hazards or to the prevention of fires as specified in §101.14 (2) (b) Wis. Stats.

Section 6. Report of Violations.

If the fire inspector finds any violation of law or any conditions that creates a fire hazard, the inspector shall issue a report, in writing, that details the findings, sets forth the required corrective action, and sets a reasonable date by which the remedial action is required. The required completion date shall be reasonable taking into account the necessary equipment, tools, time, labor and skill required to complete the remedial action.

Section 7. Subsequent Inspections.

- a. If it has been determined that there was a violation of law or a hazardous condition that must be eliminated, the fire inspector shall conduct a second inspection immediately after the deadline for the corrective action. If all necessary and appropriate corrective action has been taken, no further action is necessary.
- b. If the necessary corrective action has not been completed by the date of the second inspection, the fire inspector shall set a new date for completion and the building owner shall be assessed an inspection fee as set forth in the Town of St. Croix Falls Schedule of Fees.
- c. The building owner shall pay an additional fee for each day of delay in accomplishing the required corrective action after the third inspection, if any.

Section 8. Fire Inspection Fees.

- a. Fire inspection and prevention fees shall be charged to the property owner of all public buildings and places of employment for the inspection of such buildings, structures and premises in the Town in accordance with the Wisconsin Statutes. These fees shall apply to taxable property and tax exempt property alike.
- b. The amount of the fee is set forth in Town of St. Croix Falls Schedule of Fees.
- c. Any such fees imposed under the terms of this ordinance shall constitute a special charge for current services against the property pursuant to section 66.0627 of the Wisconsin Statutes and shall be invoiced to property owners in July of each year. Any fees remaining unpaid as of November 1 of each year, plus an administrative charge of \$25 per invoice, shall be placed on the annual tax roll for collection as a special charge.

Section 9. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such finding shall not affect or impair any of the remaining provisions of this Ordinance.

Section 10. Effective Date.

This Ordinance shall take effect March 16, 2017.

Ordinance 17-02 entitled "Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes" was presented and the second reading was had. Kelly/Koecher **moved** to approve Resolution 17-10 adopting Ordinance 17-02 entitled "Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes"; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-10

A RESOLUTION ADOPTING ORDINANCE 17-02 ENTITLED "REGULATION OF MOTOR VEHICLE RACES & OTHER MOTOR VEHICLE PERFORMANCE EVENTS FOR ENTERTAINMENT PURPOSES"

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), State Stats., that grants police powers as set forth in Section 61.34(1), State Stats., to act for the good order of the Town, for its commercial

benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town Board of the Town of St. Croix Falls adopted the Race Track Ordinance No. 9 on August 6, 1981, amended in its entirety on March 26, 2003, and a subsequent amendments on June 15, 2011; February 20, 2013; and

WHEREAS the Town Board of the Town of St. Croix Falls felt it necessary to review Ordinance No. 9 regarding regulation of races and racetracks and the potential of other motor vehicle events; and

WHEREAS Ordinance 17-02 entitled "Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes" was created; and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the Ordinance entitled "Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes" on February 8, 2017, the first reading was had on February 15, 2017, and a second reading was held on March 15, 2017.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby approve and adopt Ordinance 17-02 entitled "Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes"; and

BE IT FURTHER RESOLVED that Ordinance No. 9 is hereby repealed; and

BE IT FURTHER RESOLVED that Ordinance 17-02 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 17-02

Regulation of Motor Vehicle Races and Other Motor Vehicle Performance Events for Entertainment Purposes

Section 1. Purpose

This ordinance repeals and recreates existing Ordinance No. 9 entitled "Regulation of Races and Racetracks". The purpose of this ordinance is to ensure public health, safety and welfare; to protect the physical, mental and social well-being of town residents; to minimize air pollution; to minimize noise pollution; to avoid any public nuisance that would interfere with the peaceful use and enjoyment of the homes and property of town residents, and; to establish rules and regulations governing the operation of such events and facilities.

Section 2. Authority

The Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, has the specific authority to adopt this Ordinance under Wisconsin Statutes section 60.10 (2)(c) [village powers] and section 61.34(1) [authority to protect the health, safety and welfare of the public].

Section 3. Definitions

The following definitions shall apply to terms used in this Ordinance:

"Decibel (dBA)" means a unit for measuring the volume of a sound, equal to twenty times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

"Fireworks" means any device using explosive material intended to produce audible or visible effects for entertainment purposes.

"Holiday" means January 1, Memorial Day (the last Monday in May), July 4, Labor Day (the first Monday in September), Thanksgiving (the fourth Thursday in November), December 24, Christmas Day (December 25), December 31, and the following Monday if January 1, July 4, or December 25 falls on Sunday.

"Motor Vehicle" means any motor powered vehicle capable of carrying a person. It includes, but is not limited to, automobiles, race cars, sprint cars, tractors, go-carts, motorcycles, motor-bikes, mini-bikes, trail bikes, motor scooters, all-terrain vehicles, snowmobiles, and any other manner of motorized vehicle or conveyance,

"Motor Vehicle Performance Event" means track racing, drag racing, time trials, demolition derbies, automobile thrill shows, tractor pulls, and any other event where participants or spectators engage in competition or vehicle performance for entertainment purposes. The performance includes the actual event and also includes practice, time trials, and testing of a track or the vehicles.

"Noise" means the sound created by the motor of a performing vehicle or by the artificial amplification of voice or music.

"Operator" means the person or entity that applies for license to hold a Motor Vehicle Performance Event and will be legally and financially responsible for all requirements of this ordinance.

"Owner" means the person or entity that owns the real estate where the Motor Vehicle Performance Event will take place. An owner may also be the operator.

"Sound Amplification Equipment" means a device which amplifies or otherwise increases the natural output of sound generated by a person or object including, but not limited to, sound systems, public address systems, stereo systems, loudspeakers, bullhorns, megaphones and sirens.

"Event Day" means the calendar day of a scheduled event permitted in the applicant's license.

"Week" means the calendar week beginning on Sunday and ending on Saturday.

Section 4. Regulations

A. There shall be no more than one event day per calendar week; provided, however, when a holiday occurs during a week, the actual holiday may serve as a second event day during that week.

- B. The event day shall commence at 10:00 a.m. and end at midnight. Participants and spectators may enter the event premises at 10:00 a.m. The motor vehicle performance may not commence before 12:00 p.m. (noon) and shall end on or before 11:00 p.m. All participants and spectators shall vacate the event premises by midnight.
- C. Upon application, the Town may grant permission for up to four special events per calendar year that allows a performance event on a date or hours not otherwise specified in these regulations.
- D. The use of sound amplification is prohibited except during the performance event. Noise shall be controlled and directed to minimize the volume of sound reaching adjacent properties. During the permitted period of operation, maximum sound levels shall not exceed 90 dBA measured at any point on the property line of the event location.
- E. The racetrack or speedway shall comply at all times with all other provisions of the town code, regulations and zoning ordinances.
- F. Sufficient sanitary facilities must be provided and properly maintained for all participants and spectators.
- G. The owner and the operator of the premises shall take all necessary steps to enforce the requirements of this ordinance, including but not limited to, installing fencing and gates to control access to the facility.
- H. The owner and operator of the premises shall ensure that there is no runoff or discharge from the track, pit areas or performance area onto adjacent properties.
- I. If the racetrack or performance area is not paved with a hard surface, the track areas shall be watered or otherwise maintained to ensure that the amount of dust and particulate matter generated by the racing or performance event is reduced.
- J. If the premises for the event are not zoned for camping, no camping or sleeping in vehicles on the premises shall be permitted and overnight parking of motor vehicles on the premises of the event location is prohibited except owner's and operator's vehicles are allowed.
- K. No fireworks display shall be held except as explicitly authorized by Town permit.
- L. Any event license shall require proof of liability insurance in an amount not less than One Million Dollars (\$1,000,000.00). Such insurance policy shall name the Town of St. Croix Falls and its agents as additional insured.

Section 5. Application for License.

A license to hold a motor vehicle performance event may be granted for one calendar year, January 1 through December 31. An application shall be accompanied by annual fee as provided for in the Town's fee ordinance. If an application is granted, it shall not be effective until the applicant provides written evidence of the liability insurance required by this ordinance.

The Town Board, in considering the granting of the license, may consider the character of the applicant, the safety of the racetrack or other event location, potential traffic congestion, the adequacy of off road parking, the adequacy of the rest room and toilet facilities, the safety and adequacy of the public seating facilities and other circumstances and conditions.

If the Town Board determines that the health, safety and welfare of the public will be compromised by the proposed events, it may refuse to grant an application.

Section 6. Violations.

Any license for a motor vehicle performance event may be suspended or revoked by the Town Board upon a finding that there has been a substantial or a repeated violation of the requirements of this ordinance. Suspension or revocation shall only be after a hearing with at least ten (10) days' notice to the licensee.

Violations of the provisions of this ordinance are hereby declared to be a public nuisance and may be abated by cancellation of the license, fines or other penalties as provide in the Town of St. Croix Fall ordinances.

Section 7. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such finding shall not affect or impair any of the remaining provisions of this Ordinance.

Section 8. Effective Date.

This Ordinance shall take effect on March 22, 2017.

Ordinance 17-03 amending Zoning Ordinance No. 1 entitled "Town Zoning Ordinance" was presented and the second reading was had. Dorsey/Behning **moved** to approve Resolution 17-11 adopting Ordinance 17-03 amending Zoning Ordinance No. 1 entitled "Town Zoning Ordinance"; **motion carried** on a unanimous roll-call vote, 5-0.

Resolution 17-11

A RESOLUTION ADOPTING ORDINANCE 17-03 AMENDING ZONING ORDINANCE No. 1

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town of St. Croix Falls adopted Zoning Ordinance No. 1 on August 5, 1965, amended in its entirety on May 12, 1994 and subsequent amendments including the amendments on March 20, 2001; January 16, 2008; February 18, 2009; May 20, 2009; October 21, 2009; March 17, 2010; April 21, 2010; August 18, 2010; March 16, 2011; April 20th 2011; October 19, 2011; November 16, 2011; August 21, 2013; March 18, 2015; and

WHEREAS the Town Board of the Town of St. Croix Falls deems it advisable and necessary to amend Zoning Ordinance No. 1, Chapter V, Sign Regulation and Restrictions to allow flashing signs according to Wisconsin State Statute 84.30 (4) (bm) (as amended); and

WHEREAS the Plan Commission of the Town of St. Croix Falls held a public hearing on the proposed amendments on February 8, 2017, the first reading of the proposed amendments was had on February 15, 2017, and a second reading was held on March 15, 2017.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does approve Ordinance 17-03 amending Zoning Ordinance No. 1; and

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Croix Falls hereby petitions the Polk County Board of Supervisors to concur and ratify the amendment; and

BE IT FURTHER RESOLVED that Ordinance 17-03 become effective upon passage and publication and/or posting according to Wisconsin State Statute.

Ordinance 17-03
AMENDING ZONING ORDINANCE No. 1 ENTITLED "TOWN ZONING ORDINANCE"
ORDINANCE 17-03

Section 1: Purpose

The purpose of this ordinance is to amend Chapter V, Sign Regulation and Restrictions, Section F, with the deletion of:

~~2. FLASHING OR MOVING SIGNS.~~

And amend Chapter V, Sign Regulation and Restrictions, Section J, with the addition of:

6. FLASHING SIGNS.

Flashing signs are permitted provided the signs meet all setback and size restrictions within this ordinance and meet the requirements of Wisconsin State Statute 84.30 (4) (bm) (as amended).

Section 2: Effective Date

This ordinance shall take effect from and after its passage and legal publication.

Behning/Kelly moved to adopt Resolution 17-12 approving an additional operator license for the year ending June 30, 2017; motion carried on a unanimous roll-call vote, 5-0.

Resolution 17-12
A RESOLUTION APPROVING ADDITIONAL OPERATOR'S LICENSE
FOR THE YEAR ENDING JUNE 30, 2017

WHEREAS the individuals listed below have made application to the Town Clerk requesting a operator licenses pursuant to Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes for the year ending June 30, 2017, and

WHEREAS the applications appear to be complete and the required fee has been paid;

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls does approve and grant a operator's license to:

Webster, Acoya Kristine PO Box 155, Star Prairie, WI 54026, 2017- 66

BE IT FURTHER RESOLVED that the Town Clerk be authorized to issue the licenses as the case may be.

Dorsey/Koecher moved to adopt Resolution 17-13 approving the amended Schedule of Fees for the Town of St. Croix Falls; motion carried on a unanimous roll-call vote, 5-0.

Resolution 17-13
A RESOLUTION AMENDING THE SCHEDULE OF FEES
FOR THE TOWN OF ST. CROIX FALLS

WHEREAS the Town Board for the Town of St. Croix Falls has village powers under Section 60.10(2)(c), Stats., that grants police powers as set forth in Section 61.34(1), Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public; and

WHEREAS the Town Board on March 16, 2011, by means of Resolution 11-05 did adopt an ordinance entitled "Fee Ordinance for the Town of St. Croix Falls"; and

WHEREAS the Town Board wishes to act in good order for the health, safety, and welfare of the public by establishing a schedule of fees.

THEREFORE BE IT RESOLVED that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby create a fee schedule entitled:

SECTION 1 – Fees

The following Fees are established for use with permits, licenses, etc. issued in accordance with ORDINANCE No. 11-03 Relating to Fees for the Town of St. Croix Falls.

All fees are due at the time of application unless otherwise noted.

<u>Ordinance Title or Category</u>	<u>Permit, Application, or Procedure</u>	<u>Fee</u>
Zoning Ordinance	Land Use Permit	\$50

Sign Permit	\$25
Special Exception Application	\$250
Variance Application	\$250
Zoning Map Amendment (re-zone)	\$250
Request for special meeting of Town Board or Plan Commission	\$250 per meeting
Building Permit	\$50 at the time of the application, remainder of the fee when the permit is signed for.

Building Code Ordinance
#11-11

Building Permit Fees:

One- and Two-Family Dwellings, Sheds, Structures, Additions& Alterations

*Valuation is based on the Cost Table published by the ICC

Total Valuation	Fee (subject to minimums below)
up to \$2000	\$15 plus \$1.67 per \$100 over \$500
\$2,001 to \$25,000	\$40 plus \$7.60 per \$1000 over \$2000
\$25,001 to \$50,000	\$215 plus \$4.20 per \$1000 over \$25,000
\$50,001 to \$100,000	\$320 plus \$3.20 per \$1000 over \$50,000
\$100,000 to \$500,000	\$480 plus \$2.42 per \$1000 over \$100,000
\$500,001 to \$1,000,000	\$1450 plus \$2.15 per \$1000 over \$500,000
over \$1,000,000	\$2525 plus \$1.38 per \$1000 over \$1,000,000

All fractions are charged at the full incremental rate.

No Permit Required for Re-Siding, Re-Shingling, Replacing same size windows or Cabinets.

Other Inspection Fees:

For items not covered by the square footage valuation, Fee will be based on contractor cost.

Plan Review	15% of plan fee
Additional plan review from changes and additions	\$50
Inspection outside normal business hrs	\$50
Reinspection	\$50
Inspection with no specified category	\$50
Erosion control permit	\$50
State UDC Seal	\$30 (or current fee)
Administrative Fee	20% of Permit Fee, Maximum \$50

Driveway Ordinance

Driveway Permit	\$75
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Subdivision Ordinance	Plan Commission Hearing Fee for Preliminary and Final Plat	\$100 for each hearing, due before hearing is scheduled
	Minor Subdivision Review Fees	1 lot, \$500, 2 or more lots \$750, plus a \$50 per lot Town administrative fee
	Major Subdivision Review Fees	Concept Plan Review \$500 Preliminary Plat Review \$1000 plus \$25 per lot Final Plat Review \$300
	Parkland Dedication (major or minor subdivision)	\$350 per lot created
	Map Updating Fee (for any subdivision or change of lot lines)	\$50 per lot created or changed
Temporary Vendor Ordinance	Temporary Vendor Permit	\$5
Fire Inspection Cooperation	Inspection Fees	First Inspection: Written Request to Comply Second Inspection: \$50 Fee Subsequent Inspections: \$50
Regulation of Motor Vehicle Races & Other Motor Vehicle Performance Events	Race Track/Event License	\$100
Licenses (yearly unless otherwise noted)	Liquor Licenses / Beer Licenses	According to Chapter 125 WI Statutes (2009-2010)
	Cigarette & Tobacco License	According to Chapter 134.65 WI Statutes (2009-2010)
	Operators Licenses (bartenders license)	According to Chapter xxx WI Statutes (2009-2010)
	Racetrack	\$100
	Pawn Shop	According to Chapter 134.71 WI Statutes (2009-2010)
	Secondhand Article Dealer	According to Chapter 134.71 WI Statutes (2009-2010)
	Secondhand Jewelry Dealer	According to Chapter 134.71 WI Statutes (2009-2010)

	Secondhand Article Dealer Mall or Flea Market License	According to Chapter 134.71 WI Statutes (2009-2010)
	Dog License	\$5 if spayed or neutered, \$10 if not spayed or neutered. \$50 for a kennel license (12 dogs), \$5 a dog for every dog more than 12.
	Sexually Orientated Business License	\$250 Original and renewal
Miscellaneous Fees	Copies	\$.25 per page
	Public Notices (For notices not included in application fees for zoning requests).	\$25
	Audio Files	\$5

BE IT FURTHER RESOLVED that this schedule replaces any past fee schedules and shall become effective upon passage and posting thereof.

Behning/Dorsey **moved** to adopt Resolution 17-14 approving the amended Schedule of Penalties and Cash Deposits for Violation of Town Ordinances; **motion carried** on a unanimous roll-call vote, 5-0.

**Resolution 17-14
A RESOLUTION AMENDING
THE SCHEDULE OF PENALTIES AND CASH DEPOSITS
FOR VIOLATION OF TOWN ORDINANCES**

WHEREAS, the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, has village powers under Section 60.10(2)(c), Wis.Stats., that grants general police powers as set forth in Section 61.34(1), Wis.Stats., to act for the good order of the Town, for its commercial benefit and for the health, safety, and welfare of the public.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, does hereby amend the schedule of penalties and cash deposits for violations of the Town's ordinances:

<u>Ordinance Title or Category</u>	<u>Offence</u>	<u>Penalty</u>
Zoning Ordinance & Building Code Ordinance	Violation	\$75 per violation
Failure to obtain a land use, building, sign or special exception permit	Violation	Cost of the permit is two (2) times the ordinary fee
Junked Vehicles & Appliance on Private Property (Ordinance 12-03)	Violation	\$50 per vehicle or Appliance
Behavior of Animal Ordinance (Ordinance 00-03)	Violation	First Offense: \$50 Second Offense: \$100 Subsequent Offenses: \$200 \$50 for impound fee
Adult Entertainment Ordinance	Violation	Not less than \$100 and not more than \$500 per violation
Outdoor Burning Ordinance	Violation	First Offense: Warning Letter

		Second Offense: \$50 Subsequent Offenses: \$200
Swing Away Mailbox Ordinance	Violation	\$75 per violation
Snow and Debris Ordinance	Violation	First Offense: Warning Letter Second Offense and Subsequent Offenses: \$50
Driveway & Highway Access Ordinance	Violation	\$100 per violation
Subdivision Ordinance	Violation	\$1000 for each lot or part of a lot so disposed of, Leased, or Offered
ATV & UTV Ordinance	Violation	As defined in Wis. Stats. 23.33
Intoxicating Liquor & Fermented Malt Beverages Ordinance	Violation	\$500 per violation and possible denial, suspension or revocation of license.
Public Nuisance Ordinance	Violation	First Offense: Warning Letter Second Offense: \$50 Subsequent Offenses: \$100
Temporary Vendor Ordinance	Violation	\$50 per violation

Regulation of Motor Vehicle Races & Other Motor Vehicle Performance Events **Violation** **First Offense: \$100**
Subsequent Offenses: \$200

Penalties and costs may be added as a special charge on the tax roll.

If a penalty in the above table conflicts with a penalty expressly defined in a specific Town Ordinance, the Ordinance shall control.

Nothing in this Schedule shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of the Town's Ordinances.

SECTION 2 – SCHEDULE OF CASH DEPOSITS

The following Schedule is established for use with citations issued in accordance with ORDINANCE NO. 07 – 02 Ordinance Relating to Issuance of Citations for Violations of Town Ordinances.

<u>Ordinance Title or Category</u>	<u>Offence</u>	<u>Deposit</u>
Zoning Ordinance & Building Code Ordinance	Violation	\$75, plus current court costs
Failure to obtain a land use, building, sign or special exception permit	Violation	Cost of the permit is two (2) times the ordinary fee, plus current court costs
Junked Vehicles & Appliance on Private Property (Ordinance 12-03)	Violation	\$50, plus current court costs
Behavior of Animal Ordinance (Ordinance 00-03)	Violation	First Offense: \$50, plus current court costs Second Offense: \$100, plus current court costs Subsequent Offenses: \$200, plus current court costs \$50 for impound fee

Adult Entertainment Ordinance	Violation	Not less than \$100 and not more than \$500 per violation, plus current court costs
Outdoor Burning Ordinance	Violation	First Offense: Warning Letter Second Offense: \$50, plus current court costs Subsequent Offenses: \$200, plus current court costs
Swing Away Mailbox Ordinance	Violation	\$75, plus current court costs
Snow and Debris Ordinance	Violation	\$50, plus current court costs
Driveway & Highway Access Ordinance	Violation	\$100, plus current court costs
Subdivision Ordinance	Violation	\$1000, plus current court costs
ATV & UTV Ordinance	Violation	As established by Wis. Stats. 23.33, plus current court costs
Intoxicating Liquor & Fermented Malt Beverages Ordinance	Violation	\$500, plus current court costs
Public Nuisance Ordinance	Violation	Second Offense: \$50, plus current court costs Subsequent Offenses: \$100, plus current court costs
Temporary Vendor Ordinance	Violation	\$50, plus current court costs
Regulation of Motor Vehicle Races & Other Motor Vehicle Performance Events	Violation	First Offense: \$100, plus current court costs Subsequent Offenses: \$200, plus current court costs

BE IT FURTHER RESOLVED, that Resolution 17-03 be repealed; and

BE IT FURTHER RESOLVED, that this schedule shall become effective upon passage and posting thereof.

Chairman Beistle presented an update from Representative Adam Jarchow regarding Governor Walker’s proposal to increase funding for the Local Road Improvement Program and increase the Local Road Improvement Program – D reimbursement rate to sixty percent (60%). Kelly/Behning **moved** to send a letter supporting Governor Walker’s proposal to increase funding for the Local Road Improvement Program to State Representative Adam Jarchow and State Senator Sheila Harsdorf; **motion carried**. A quote was presented for marking the road right-of-way on 170th Avenue. Dorsey/Koecher **moved** to approve the Polk County Surveying Company quote of nine hundred dollars (\$900.00) to mark the road right-of-way on the portion of 170th Avenue west of 200th Street; **motion carried** on a unanimous roll-call vote, 5-0. Mr. Hein presented a list of road projects for 2017. Discussion was had. Behning/Koecher **moved** to approve publication for 2017 road bids: **motion carried**. Mr. Hein and Mr. Knapp have registered to attend the Diggers Hotline Seminar on Tuesday March 21, 2017; Supervisors Kelly, Koecher, Mr. Hein and the town clerk will be attending the “Building on Success” seminar focusing on maintenance and preventative care of town roads on Monday, March 27, 2017; and Supervisor Kelly and Chairman Beistle will be attending the Wisconsin Towns Association Spring Workshop on Friday, March 31, 2017.

Closing public comment: Supervisor Behning thanked Chairman Beistle for his many years of service to the Town of St. Croix Falls.

The chairman read the call for executive session per Wisconsin Statute 19.85(1) (c) for an employee performance review. Behning/Kelly **moved** to recess open session and convene in closed session per Wisconsin Statute 19.85(1) (c) for an employee performance review; **motion carried** on a unanimous roll-call vote, 5-0 and the meeting recessed at 7:21 p.m.

The Town Board reconvened in open session at 7:55 p.m. with the Board members and legal counsel being present.

The Chair announced that a salary adjustment was approved for a town employee.

There being no further business, Behning/Dorsey **moved** to adjourn; **motion carried** and the meeting adjourned at 8:00 p.m.

Minutes prepared by Janet Krueger, Town Clerk
And Sharon, Kelly, Town Board Supervisor