

ORDINANCE NO. 1 - 2024
AN ORDINANCE TO CREATE, AMEND, AND REPEAL SECTIONS OF THE VILLAGE CODE OF ORDINANCES

The Village Board of the Village of Trempealeau do ordain as follows:

SECTION I. Village of Trempealeau Code of Ordinances § 520-61 Tourist Rooming House is repealed as follows in Addendum A.

SECTION II. Village of Trempealeau Code of Ordinances § Chapter 400 Tourist Rooming Houses is created to read as follows in Addendum B.

SECTION III. Village of Trempealeau Code of Ordinances § 520-63 Solar Energy Systems is amended to read as follows in Addendum C.

SECTION IV. Village of Trempealeau Code of Ordinances § 237-2 Driveway location, design and construction requirements is amended to read as follows in Addendum D.

SECTION V. Village of Trempealeau Code of Ordinances § 520-72 Driveways is amended to read as follows in Addendum E.

SECTION VI. Village of Trempealeau Code of Ordinances § 18-7 Plan Commission is amended to read as follows in Addendum F.

SECTION VII. Village of Trempealeau Code of Ordinances § 18-8 Residency required for service on boards or commissions is amended to read as follows in Addendum G.

SECTION VIII. Village of Trempealeau Code of Ordinances § 181-18 Limitations on number of dogs is amended to read as follows in Addendum H.

SECTION IX. Village of Trempealeau Code of Ordinances § 155-18 Conduct of deliberations is amended to read as follows in Addendum I.

SECTION X. Village of Trempealeau Code of Ordinances § 155-10 Meetings is amended to read as follows in Addendum J.

SECTION XI. Village of Trempealeau Code of Ordinances § 305-25 Underage persons; Prohibitions is created to read as follows in Addendum K.

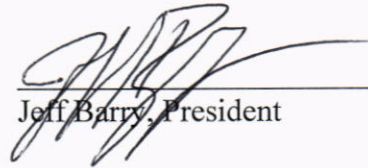
SECTION XII. Repeal of Conflicting Ordinances. All ordinances, resolutions, orders or parts thereof heretofore adopted, enacted or entered in conflict with this Ordinance shall be and the same hereby are repealed.

SECTION XIII. Savings Clause. If any provision of this Ordinance is found invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

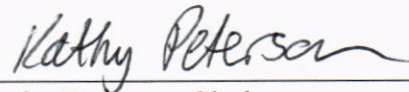
SECTION XIV. Amendments. The Village, through its Village Board, may amend this Ordinance in whole or in part whenever it may deem necessary.

SECTION XV. Effective Date. These ordinance changes shall take effect upon passage and publication as provided by law.

Adopted this 4th day of January, 2024.



Jeff Barry, President



Kathy Peterson, Clerk

Date of 1st Publication: December 20, 2023

Date of 2nd Publication: December 27, 2023

Date of Public Hearing: January 4, 2024

Date of Adoption: January 4, 2024

Date of Publication: January 10, 2024

Addendum A

~~§ 520-61 Tourist rooming houses.~~
~~[Added 3-4-2013 by Ord. No. 2-2013]~~

A.—~~As conditional use. Tourist rooming houses shall be considered conditional uses and may be permitted in residence districts pursuant to this article.~~

B.—~~Definition. As used in this section, the following terms shall have the meanings indicated:~~

~~TOURIST ROOMING HOUSE~~

~~All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients or bed and breakfast establishments.~~

C.—~~State standards. Tourist rooming houses shall comply with the standards of Ch. DHS 195, Wis. Adm. Code.~~

Addendum B

Chapter 400 Tourist Rooming Houses

§ 400-1 Purposes.

The purpose of this chapter is to make sure that tourist accommodations in the Village meet certain quality standards for the safety and well-being of the public. It sets rules for things like space and parking, and requires owners and managers of these accommodations to prevent disruptive or harmful activities on their properties. The goal of this chapter is to maintain the peaceful and safe atmosphere of the Village, especially in residential areas. It also ensures that the buildings are safe for occupants and requires liability insurance to cover any injuries or damages that might occur. The chapter also outlines how these rules will be enforced.

§ 400-2 Findings.

The Village Board finds that the proliferation of Tourist Rooming Houses has the potential to present numerous problems for occupants of neighboring properties and to the Village as a whole. The problems include, but are not limited to the following:

1. The depletion of available affordable housing for Village residents.
2. An increase in noise and disturbances in neighborhoods.
3. Issues related to increases in traffic and parking complaints.
4. Operation of short-term rentals without permits.

§ 400-3 Definitions.

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

GUEST REGISTER

The official record provided and maintained by a Property Owner or Property Manager in which guests staying at the Tourist Rooming House are required to list their true names and addresses before being assigned sleeping quarters, pursuant to Wis. Admin. Code § ATCP 72.16.

STATE OF WI TOURIST ROOMING HOUSE LICENSE

The Tourist Rooming House license issued by the State of Wisconsin under Wis. Stat. §97.605 and Wis. Admin. Code § ATCP 72.04.

VILLAGE TOURIST ROOMING HOUSE LICENSE

The Tourist Rooming House license issued under § **400-6**.

LICENSE YEAR

The period from July 1 of each year to June 30 of the following year.

OCCUPANT

Any person, over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit.

PROPERTY MANAGER

Any person who is not the Property Owner and who is authorized by the Property Owner, expressly or impliedly, to act as agent and as the local contact person on behalf of the Property Owner for any Tourist Rooming House, and to take remedial action and promptly respond to any violation of this chapter or the Village Code relating to the licensed premises. This person does not need to be a

'Licensed' property manager but must be a responsible party authorized to act on behalf of the owner.

PROPERTY OWNER

The owner of a Tourist Rooming House.

VILLAGE RENEWAL LICENSE

Any license issued under this Chapter 400 which will be or is in effect for the license year immediately following a license year for which the Village Administrator issued a license under this chapter for the same Tourist Rooming House property.

TOURIST ROOMING HOUSE

All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients or bed-and-breakfast establishments.

§ 400-4 Operation of Tourist Rooming Houses.

- A. No person may maintain, manage or operate a Tourist Rooming House more than 10 nights each license year without a State of Wisconsin Tourist Rooming House license and the license required by this chapter. Every Tourist Rooming House shall be operated by a Property Owner or Property Manager.
- B. Each Property Owner is required to have the following licenses and permits:
 - (1) A state of Wisconsin Tourist Rooming House license.
 - (2) A seller's permit issued by the Wisconsin Department of Revenue, unless all rentals of the property are exempt from such permit requirement per state regulations.
 - (3) A Village Tourist Rooming House license for the Dwelling Unit issued pursuant to this chapter for that License Year. A separate license is required for each Tourist Rooming House.
- C. Each Tourist Rooming House shall comply with all of the following:
 - (1) No Tourist Rooming House may be rented for a period of six or fewer consecutive days. However, after a Village Tourist Rooming House license has been issued for a Dwelling Unit under § **400-6**, then any subsequent rental of that Dwelling Unit during the License Year may be for a period of six or fewer consecutive days.
 - (2) The maximum number of days a Tourist Rooming House may be rented during a 365-day period to all renters will be limited to 180 days and those days must run consecutively. However, after a Village Tourist Rooming House license has been issued under § **400-6**, then that Dwelling Unit may be rented year-round.
 - (3) The Property Owner shall ensure that renters comply with all applicable laws, rules, and regulations, including but not limited to the Village's Code of Ordinances. Without limiting the foregoing, there shall be no excessive noise as prohibited by § **387-9** of the Village Code, excessive fumes or glare, nuisance activities prohibited pursuant to Chapter **373** of the Village Code, or dogs at large as prohibited by § **181-6** of the Village Code.
 - (5) The number of occupants in any Tourist Rooming House shall not exceed the limits set forth in Wis. Admin. Code § ATCP 72.14(2)(b) for Tourist Rooming Houses.
 - (a) EXCERPT FROM Wis. Admin. Code § ATCP 72.14(2)(b) Size of sleeping rooms. Every

sleeping room shall be of sufficient size to afford at least 400 cubic feet (12 cum) of air space for each occupant over 12 years of age and 200 cubic feet (6 cum) for each occupant 12 years and under. Every sleeping room shall have a minimum ceiling height of 7 feet (2.13 m).

- (6) No recreational vehicles (RVs), campers, tents or other temporary lodging arrangements shall be permitted on site of a Tourist Rooming House as a means of providing additional accommodations for guests or other invitees.
- (7) If the Property Owner resides within 35 miles of the Tourist Rooming House, a local property manager is not required to be designated. The Property Owner shall be available at all times on those days when the Tourist Rooming House is rented. The Property Owner must notify the Village Office within three (3) business days of any change in the Property Owner's contact information and submit the revised contact information to the Village Office within the same time period.
- (9) Unless the Property Owner resides within 35 miles of the Tourist Rooming House, the Property Owner must designate a Property Manager for contact purposes and his or her name must be included in the application filed with the Village Administrator. The Property Manager must reside within 35 miles of the Tourist Rooming House property and shall be available at all times on those days when the property is rented. The property owner must notify the Village Office within three (3) business days of any change in the contact information for the Property Manager for the Tourist Rooming House and submit the revised contact information to the Village Office within the same time period.
- (10) The Property Owner shall have and maintain homeowner's liability or business liability insurance in an amount of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate effective during all periods during which the Tourist Rooming House is rented and shall provide written evidence of such insurance with the license application and renewal application forms. This insurance requirement may be satisfied through such sources as the Property Owner may choose, including, but not limited to, conventional insurance or insurance offered through a lodging marketplace.
- (11) The property owner or property manager of each Tourist Rooming House shall provide and maintain a Guest Register and require all guests to register their true names and addresses and rental time period(s) before being assigned sleeping quarters. The Guest Register shall be kept by the Property Owner or Property Manager and be made available for inspection for at least one year after registration, as required by the Wisconsin Administrative Code.
- (12) Upon probable cause to believe that a violation of this chapter, or of a law, code, rule or regulation relating to buildings, housing, electrical, plumbing, heating, gas, fire, health, safety, environmental pollution, water quality, food or zoning has occurred or is occurring, the Building Inspector or a county or local health officer may request that the Property Owner or Property Manager allow him or her, upon presenting proper identification, access to the Tourist Rooming House at any reasonable time for any of the following purposes: to determine if there has been a violation of this chapter, or of a law, code, rule or regulation related to the Tourist Rooming House or its operation; to determine compliance with previously written violation orders; to examine and copy relevant documents and records related to the operation of the Tourist Rooming House; or to obtain photographic or other evidence needed to enforce this chapter. As used in this subsection, "probable cause" means facts and circumstances within an officer's knowledge and of which he or she has reasonably trustworthy information that are sufficient to warrant a reasonable officer in believing that a violation has been or is being committed.

§ 400-5 Tourist Rooming House application and license procedure.

- A. All applications for a Tourist Rooming House license shall be filed with the Village Administrator on forms provided by the Village Office. Applications must be filed by the Property Owner or the Property Manager. No license shall be issued unless the completed application form is accompanied by payment

of the required application fee, which fee shall be nonrefundable.

- B. Each application shall include the following information and documentation for each Tourist Rooming House unit in order to demonstrate compliance with all requirements of this chapter, including, but not limited to, § 400-8.
- (1) The address of the Property, with contact information including mailing address and a telephone number at which the Property Owner is available. If the Property Owner is also acting as the Property Manager, then the application shall include mailing address, physical address (if different from mailing address) and a telephone number at which the Property Owner shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the Tourist Rooming House is rented.
 - (2) A copy of the state of Wisconsin tourist rooming house license issued under Wis. Stat. § 97.605; or proof that such state license has been applied for, in which event a provisional Tourist Rooming House license may be issued under this chapter for a period of 30 days but shall be conditioned upon the Village Administrator's receipt of a copy of such state license from the applicant within said thirty-day period. If a copy of such state license is not received by the Village Administrator within said period, then such provisional license shall expire and be void at and after the end of said thirty-day period.
 - (3) A copy of the most recent lodging inspection report for the Tourist Rooming House issued by the State of Wisconsin, which should be dated within one (1) year of the date of the license application to the Village.
 - (4) Written evidence of liability insurance as required by § 400-4 (C)(10).
 - (5) A copy of a current seller's permit issued by the Wisconsin Department of Revenue, unless all rentals of the property are exempt from such permit requirement per state regulations.
 - (6) A diagram showing the location of buildings and the on-site, off-street parking area(s) designated for tenants and invitees of the Tourist Rooming House.
 - (7) Designation of a Property Manager, unless the Property Owner is acting as the Property Manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the Property Manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the Tourist Rooming House is rented, and an affirmative statement that the Property Manager is authorized to act as agent and as the local contact person for the Property Owner with respect to operation of the Tourist Rooming House, including taking remedial action and promptly responding to any violation of this chapter or the Village Code relating to the licensed premises, and receiving service of notice of violation of this chapter's provisions.
 - (8) Written certification by the Property Owner that the Tourist Rooming House meets the requirements of this chapter and applicable state and county laws, ordinances and regulations, including but not limited to Wis. Admin. Code ch. ATCP 72.
 - (9) An employer identification number issued by the Internal Revenue Service or Social Security number, if applicable.
 - (10) For renewal licenses only, written certification that a Guest Register has been kept as required by the Wisconsin Administrative Code.
- C. Unless earlier revoked, each license shall run from July 1 of one year to June 30 of the following year and may be renewed for additional one-year periods. The application fee shall be paid upon filing of the application. Any application that does not include all of the information and supporting documentation

required by this chapter shall not be considered as complete. The Property Owner shall insure that a copy of the license issued under this § 400-6 is posted in a place visible to the occupants of the Tourist Rooming House.

- D. When the Village Administrator determines that an application is complete and meets the requirements of this chapter, the Village Administrator shall approve the application and issue a Tourist Rooming House license (or, if applicable, a provisional Tourist Rooming House license) to the applicant. If the Village Administrator determines that the application is incomplete or does not meet the requirements of this chapter, the Village Administrator shall deny the application and inform the applicant, in writing, of the reason(s) why the application was denied and what action is needed to obtain approval of the application, and of the applicant's right to appeal the decision to the Village Board as provided in §400-10
- E. No Village Tourist Rooming House license (or, if applicable, a provisional Tourist Rooming House license) shall be issued or renewed if the applicant or Tourist Rooming House property owes outstanding fees, taxes, special charges or forfeitures to the Village.
- F. No Village Tourist Rooming House license (or, if applicable, a provisional Tourist Rooming House ordinance) shall be issued if the applicant or Tourist Rooming House property is found to be subject to one of the grounds for revocation as provided in § 400-9 (C).
- G. Except as otherwise expressly provided herein, licenses issued by the Village for the operation of a Tourist Rooming House are non-transferrable and non-assignable from one person to another person or from one location to another location without the prior, express approval of the Village Board.

§ 400-6 Village Tourist Rooming House license.

- A. The Village Administrator shall issue a Village Tourist Rooming House license if an applicant demonstrates compliance with the provisions of Chapter 520 of the Village Code. A Tourist Rooming House license is issued for one License Year and may be renewed annually as provided in § 400-7. The license shall contain the following information:
 - (1) The address of the Property.
 - (2) The name of the Property Owner , with contact information including mailing address and a telephone number at which the Property Owner is available. If the Property Owner is also acting as the Property Manager, then the requirements of § 400-5 A. (2) shall apply to the Property Manager.
 - (3) The name of the Property Manager, with contact information, including mailing address, physical address (if different from mailing address) and a telephone number at which the Property Manager shall be available between the hours of 8:00 a.m. and 11:00 p.m. on those days when the Tourist Rooming House is rented.
 - (4) The license term.
 - (5) The State of Wisconsin tourist rooming house license number.

§ 400-7 Renewal.

- A. Each application for renewal of a Tourist Rooming House license shall include updated information for the documentation on file with the Village Administrator, and payment of the renewal fee. A renewal application must be filed with, and a nonrefundable renewal fee must be paid to, the Village Office at least 90 days prior to the license expiration date to allow the Village Administrator adequate time to review the application. The Village Administrator shall determine whether the information provided in the renewal application is complete and meets the requirements of this chapter. The Village Administrator may also request reports from the County Health Department, Village Building Inspector,

the Police Department and other law enforcement agencies regarding any enforcement actions taken with respect to the Tourist Rooming House and operations, and their owners, occupants or visitors. The Village Administrator shall review the renewal application and may approve or deny the application after taking into consideration the number, frequency or severity of law violations relating to the Tourist Rooming House and operations, or its owner(s), occupant(s) or visitor(s), and whether such violations substantially harm or adversely impact the uses and nature of the surrounding neighborhood. If after such consideration the Village Administrator determines not to renew the license, the Village Administrator shall notify the applicant in writing of the reason(s) for such decision, and of the applicant's right to appeal the decision to the Village Board as provided in § 400-10.

- B. No license shall be renewed if the Tourist Rooming House has an uncorrected violation under an order issued by the State of Wisconsin, the Building Inspector or County or local health officer, or his or her designee, to bring the premises into compliance with state, county or local laws, codes, rules or regulations.

§ 400-8 Standards for Tourist Rooming Houses.

- A. Each Tourist Rooming House shall comply with this chapter's requirements and any other applicable state, county or local laws, codes, rules or regulations. Each Tourist Rooming House shall comply with the following standards:
- (1) The number of occupants may not be more than allowed under *Wis. Admin. Code Ch. ATCP 72* or any other applicable state regulation, state statute, or local ordinance. Notwithstanding the foregoing or anything contained in this Ch. 520 to the contrary, no room with a floor below grade shall be used as a sleeping room unless such room has in it an egress window that satisfies the Wisconsin building code.
 - (2) The minimum number of on-site, off-road parking spaces shall equal the Tourist Rooming House's advertised maximum sleeping capacity divided by four, with any fraction rounded up to the nearest whole number. For a Tourist Rooming House abutting a private road with fewer than two driving lanes, no parking spaces on the road may be considered and all parking spaces must be provided on-site. For a Tourist Rooming House abutting a public road that has designated on-road parking spaces, the minimum number of required on-site parking spaces may be reduced by the total number of designated on-road parking spaces which lie wholly within the abutting road frontage and within 100 feet of the Tourist Rooming House's main entrance doorway.
 - (3) The Tourist Rooming House shall have functioning smoke detectors and carbon monoxide detectors pursuant to the requirements of *Wis. Admin. Code §§ ATCP 72.14(2)(c) and 72.145*.
 - (4) Any building used as a Tourist Rooming House shall comply with *Wis. Admin. Code §§ ATCP 72.10 and 72.14*, and *Wis. Admin. Code chs. SPS 361 to 365*, as applicable. (5) The means for removing trash or other refuse materials from the Tourist Rooming House shall comply with *Wis. Admin. Code § ATCP 72.10(8)* and Village requirements for disposal of solid wastes, and shall not include the use of dumpsters unless expressly approved by the Village Board.
 - (6) Certification of compliance: As a condition of issuance of a license under Chapter 400 of the Village Code, the Property Owner shall certify in writing in each initial application and renewal application that the Tourist Rooming House is in compliance with the terms and conditions of the license and this chapter.

§ 400-9 Appeal of licensing decisions; license revocation; appeal procedure; judicial review.

- A. The Village Administrator's decision to deny an initial Tourist Rooming House license or to deny renewal of a Tourist Rooming House license shall specify the reason(s) for such denial, in writing, and notify the licensee of his or her right to an appeal hearing as provided in §400-10 Prior to the time for

the renewal of the license, the Village Administrator shall notify the licensee in writing of the Village's intention not to renew the license.

- B. The Village Administrator's decision to deny an initial license or to deny renewal of a license may be appealed to the Village Board by filing a written appeal with the Village Office within 21 calendar days (excluding legal holidays) after the date of mailing of the written notice of the Village Administrator's decision denying such license or renewal license. The Village Board shall conduct a due process hearing and issue a written decision on the appeal within 30 calendar days of the Village's receipt of the written appeal, or the license shall be deemed granted. If the appellant appears at the hearing he or she may produce and cross-examine witnesses, present relevant evidence, and be represented by counsel of his or her choosing, at his or her expense. If the Village Board finds the Village Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. If the Village Board finds the Village Administrator's reason(s) for his or her decision insufficient, the decision shall be reversed, and the license shall be granted and issued. If the appellant does not appear at the hearing and the Village Board finds the Village Administrator's reason(s) for his or her decision sufficient, the decision shall be affirmed. The Village Board's written decision on the appeal must specify the reason(s) for its determination. The Village Administrator shall give written notice of the Village Board's decision to the applicant or licensee.
- C. A license may be revoked by the Village Board during the term of a license year and following a due process hearing for one or more of the following reasons:
- (1) Failure by the licensee to make payment of delinquent fees, taxes, special charges, forfeitures or other debt owed to the Village.
 - (2) Failure to comply with any required local, county and state licensing requirements.
 - (3) Any violation of local, county or state laws or regulations which, based upon their number, frequency or severity, and their relation to the Tourist Rooming House, its owner(s), occupant(s) or visitor(s), substantially harm or adversely impact the uses and nature of the surrounding neighborhood.
- D. Revocation. Any resident of or owner of property within the Village may file a sworn written complaint with the Village Administrator alleging one or more of the reasons set forth in § 400-9 (C) as grounds for revocation of a Tourist Rooming House license issued under this chapter. Upon the filing of the complaint, The Village Administrator shall notify the licensee of the complaint by certified mail, return receipt requested and provide the licensee with a copy of the complaint. The Village Administrator will investigate the claim and work to resolve the matter with both parties.
- E. In the event that the claim cannot be resolved amicably the Village Board shall notify the licensee of the complaint by certified mail, return receipt requested. The notice shall direct the licensee to appear before the Village Board on a day, time and place included in the notice, not less than 10 days and not more than 45 days from the date of the notice, and show cause why his or her license should not be revoked. The hearing shall be conducted as provided in § 400-9 (B). If a license is revoked, the length of the revocation shall be for the remainder of the License Year. If a license is revoked, no other license may be issued to the Property Owner for such premises during the period of revocation. If a license is revoked, the Village Administrator shall give notice of revocation to the licensee by certified mail, return receipt requested. No part of the fee paid for any license so revoked may be refunded.
- F. Judicial review. The action of the Village Board in granting or renewing, refusing to grant or renew, or revoking a license under this chapter may be reviewed by the Trempealeau County Circuit Court upon appeal by the applicant, licensee, or a resident of or owner of property within the Village. Such appeal shall be filed within 30 days of the date of mailing by the Village Administrator of the notice of the Village Board's action granting or renewing, refusing to grant or renew, or revoking a license. The

procedure on review shall be in accordance with applicable law.

§ 400-10 **Penalties.**

- A. Any person who violates any provision of this chapter shall upon conviction thereof be ordered to pay a forfeiture of not less than \$250 nor more than \$750 for each offense, together with the costs, fees, surcharges, and assessments which are chargeable or taxable to the violator under Wisconsin Law, and in the event of default of payment of such forfeiture and costs shall be imprisoned in the Trempealeau County Jail until such forfeiture and costs are paid, except that the amount owed is reduced at the rate of \$50 for each day of imprisonment and the maximum period of imprisonment is 30 days. Each violation and each day a violation occurs or continues to exist shall constitute a separate offense.
- B. The penalties set forth in this section shall be in addition to all other remedies of injunction, abatement or costs, whether existing under this chapter or otherwise.

§ 400-11 **Fees.**

Any person applying for an initial Tourist Rooming House license or renewing a license pursuant to this chapter shall be subject to the fees as established by resolution of the Village Board.

Addendum C

§ 520-63 Solar energy systems and access.

[Added 5-3-2010 by Ord. No. 4-2010]

A. Solar energy systems.

(1) Statement of findings and purpose:

- (a)** Diminishing supplies of nonrenewable energy resources threaten the physical and economic well-being of the residents of this community who presently rely on such resources to maintain their homes, industries, businesses and institutions;
- (b)** Solar energy systems hold great promise for the future energy needs of this community because they use a renewable energy resource; because they require less capital, land, water and other resources needed for central-station generation of electricity; and because they do not pollute the community's water and air; and
- (c)** The successful use of solar energy systems for such purposes as supplying space heating, water heating or the production of electricity is dependent upon sufficient access to direct sunlight.

(2) This section is adopted under authority contained in § 66.0403, Wis. Stats., for the purpose of protecting the health, safety, and general welfare of the community by:

- (a)** Promoting the use of solar energy systems;
- (b)** Protecting access to sunlight for solar energy systems; and
- (c)** Assuring that potentially conflicting interests of individual property owners are accommodated to the greatest extent possible compatible with the overall goal of this section.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

APPLICANT

An owner applying for a permit under this section.

APPLICATION

An application for a permit under this section.

COLLECTOR SURFACE

Any part of a solar collector that absorbs solar energy for the use in the collector's energy transformation process. "Collector surface" does not include frames, support and mounting hardware.

COLLECTOR USE PERIOD

9:00 a.m. to 3:00 p.m. standard time daily.

IMPERMISSIBLE INTERFERENCE

A blockage of solar energy from a collector surface or a proposed collector surface for which a permit has been granted under this section during a collector use period, if such blockage is by any structure or vegetation on property an owner of which was notified under Subsection **C(6)**. "Impermissible interference" does not include:

- (1)** Blockage by a narrow protrusion, vegetation, or other object which never obstructs more than 5% of the solar energy which would strike a solar collector during the collector use period on any given day.

- (2) Blockage by any structure constructed, under construction or for which a building permit has been applied for before the date the last notice is mailed or delivered under Subsection C(6).
- (3) Blockage by any vegetation planted before the date the last notice is mailed or delivered under Subsection C(6).
- (4) Blockage by any structure or vegetation which obstructs less solar energy from a solar collector during the collector use period than would be obstructed by a six-foot high wall located along the northern boundaries of the property to the south of the solar collector.

OWNER

At least one owner, as defined under § 66.0217(d), Wis. Stats., of a property or the personal representative of at least one owner.

PERMIT

A solar access permit issued under this section.

SOLAR COLLECTOR

A device, structure or part of a device or structure a substantial purpose of which is to transform solar energy into thermal, mechanical, chemical or electrical energy.

SOLAR ENERGY

Direct radiant energy received from the sun.

C. Permit application and notice.

- (1) Permit jurisdiction. Any owner who has installed or intends to install a solar collector shall apply to the Village Board for a permit. A permit may affect any land located within the territorial limits of the Village or which is subject to an extraterritorial zoning ordinance unless the extraterritorial land is subject to a zoning ordinance adopted by a county or town.
- (2) Application. An application for a permit under this section may be obtained from the Zoning Administrator and shall be completed by the applicant.
- (3) Informal preapplication meeting. Prior to the filing of an application, the applicant shall meet with the Zoning Administrator to discuss the application and the permit process.
- (4) Application fee. The completed permit application shall be submitted to the Zoning Administrator with an application fee as stated in the Schedule of Fees, as set by the Village Board.
- (5) Review of application. Zoning Administrator shall review the application to determine if it is satisfactorily completed. The Zoning Administrator shall notify the applicant of this determination within 30 days after the application has been filed and the application fee received. If the Zoning Administrator determines that the application is satisfactorily completed, the Village shall provide notice forms and receipt forms to the applicant for service and signing under Subsection C(6).
- (6) Service of notice. If an applicant is notified that an application has been satisfactorily completed, the applicant shall deliver by certified mail or by hand the notice, supplied by the Village, to the owner of any property which the applicant proposed to be restricted by the permit. The applicant shall submit to the Zoning Administrator a copy of a signed receipt or affidavit of service for every notice delivered under this subsection.
- (7) Content of notice. The information on the notice form shall include:

- (a) The name and address of the applicant, and the address of the land upon which the solar collector is or will be located.
 - (b) That an application has been filed by the applicant.
 - (c) That the permit, if granted, may affect the rights of the notified owner to develop his or her property and to plant vegetation.
 - (d) That any person who received a notice may request a hearing under Subsection **D** within 30 days after receipt of the notice.
 - (e) The procedure for filing a hearing request and telephone number, address and office hours of the agency.
- D. Hearing. Within 10 days after receipt of the notice under Subsection **C(6)**, any person who has received a notice, or anyone acting on the person's behalf, may file a request for a hearing on the granting of a permit or the Village Board may determine that a hearing is necessary even if no such request is filed. Any person who has received a notice may waive their right to a hearing and thereby expedite the permitting process. If a request is filed or if the Village Board determines that a hearing is necessary, the Village Board shall conduct a hearing on the application within 90 days after the last notice is delivered. At least 10 days prior to the hearing date, the Village Board shall notify the applicant, any person who has requested a hearing under this section, all owners notified under Subsection **C(6)**, and any other person filing a request of the time and place of the hearing. Prior to the hearing, the Zoning Administrator shall submit an advisory recommendation to the Village Board.
- E. Grant of permit.
- (1) Determination. The Village Board shall grant a permit if the Board determines that:
 - (a) The granting of a permit will not unreasonably interfere with the orderly land use and development plans of the Village;
 - (b) No person has demonstrated that she or he has present plans to build a structure that would create an impermissible interference by showing that she or he has applied for a building permit prior to receipt of a notice under Subsection **C(6)**, has expended at least \$500 on planning or designing such a structure, or by submitting any other credible evidence that she or he has made substantial progress toward planning or constructing a structure that would create an impermissible interference; and
 - (c) The benefits to the applicant and the public will exceed any burdens.
 - (d) No person has demonstrated that the granting of a permit would cause an undue hardship in using his or her property in a manner consistent with existing zoning regulations and neighboring property uses.
 - (2) Conditions.
 - (a) The Village Board may grant a permit subject to any condition or exemption the Village Board deems necessary to minimize the possibility that the future development of nearby property will create an impermissible interference or to minimize any other burden on any person affected by granting the permit. Such conditions or exemptions may include but are not limited to restrictions on the location of the collector and requirements for the compensation of persons affected by the granting of the permit.
- F. Appeals. Any person aggrieved by a decision under this section may appeal the decision by making a written request to the Village Board within 10 days of the decision. The decision shall be reviewed by the Zoning Board of Appeals.

- G. Record of permit. If the Village Board grants a permit:
- (1) The Village Board shall specify the property restricted by the permit and shall prepare notice of the granting of the permit. The notice shall include the legal description pursuant to § 706.05(2)(C), Wis. Stats., for the property upon which the solar collector is or will be located and for any property restricted by the permit, and shall indicate that the property may not be developed and vegetation may not be planted on the property so as to create an impermissible interference with the solar collector which is the subject of the permit unless the permit affecting the property is terminated or unless a waiver agreement affecting the property is recorded under this section.
 - (2) The applicant shall record with the register of deeds of the county in which the property is located the notice under Subsection **G(1)** for each property specified under Subsection **G(1)** and for the property upon which the solar collector is or will be located.
 - (3) The Village Board shall note the location of any solar collector which is the subject of a permit on a map showing the location of all solar collectors for which permits have been granted and shall identify on the map all properties which are subject to restrictions resulting from the granting of a permit.
- H. Rights of permit holder. The holder of a permit granted under this section is entitled to access to sunlight for the solar collector subject to any conditions or exemptions in the permit and may seek damages for any loss caused by an impermissible interference or an injunction to prevent an impermissible interference as provided under § 66.0403(7), Wis. Stats. If the court finds on behalf of the permit holder, the permit holder shall be entitled to a permanent injunction, damages, court costs and reasonable attorney fees
- I. Waiver of rights. A permit holder, by written agreement, may waive all or part of any right protected by a permit. The permit holder shall record a copy of the agreement with the register of deeds. A copy of the agreement shall also be filed with the Village Board.
- J. Termination of permits.
- (1) Any rights protected by a permit under this section shall terminate if the Village Board determines that the solar collector which is the subject of the permit is:
 - (a) Permanently removed or is not used for two consecutive years, excluding time spent on repairs or improvements; or
 - (b) Not installed and functioning within two years after the date of issuance of the permit.
 - (2) The Village Board shall give the permit holder written notice and an opportunity for a hearing on a proposed termination under Subsection **J(1)**.
 - (3) If the Village Board terminates a permit, the Village Board shall record a notice of termination with the register of deeds. The Village Board shall charge the permit holders for the cost of recording.
 - (4) The Village Board shall modify the map of solar collectors prepared under Subsection **G(3)** to reflect the termination of a permit.
- K. Preservation of rights. The transfer of title to any property shall not change the rights and duties provided by a permit granted under this section.

Addendum D

§ 237-2 Driveway location, design and construction requirements.

- A. General requirements. The location, design and construction of driveways shall be in accordance with the following:
- (1) General design. Private driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street of the property served. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the street. Driveway approaches shall be at least 6 feet apart except by special permission from the Village Board, and driveways shall in all cases be placed wherever possible as not to interfere with utilities in place.
 - (2) Number. The number of driveways to serve an individual property fronting on a Village Street generally shall be one, except where more than one driveway is permitted by a particular zoning district or if additional driveways are deemed necessary and feasible by the Village Administrator for reasonable and adequate service to the property, considering the safety, convenience, and utility of the street.
 - (3) Island area. The island area in the street right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way shall constitute a restricted area and may be filled in and graded only as provided in Subsection **A(7)**.
 - (4) Drainage. The surface of the driveway connecting with rural-type street cross sections shall slope downward and away from the highway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the street roadbed.
 - (5) Culverts. Driveways shall not obstruct or impair drainage in street ditches or roadside areas. Driveway culverts, where required, shall be adequate for surface water drainage along the street and shall not be less than the equivalent of a twelve-inch diameter pipe. The distance between culverts under successive driveways shall not be less than 10 feet, except as such restricted area is permitted to be filled in pursuant to the provisions of Subsection **A(7)** hereof.
 - (6) Reconstruction of sidewalks and curb and gutter. When the construction of a driveway requires the removal of a curb or gutter, the new connections shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat, workmanlike manner. The driveway surface shall be connected with the highway pavement and the sidewalk, if any, in a neat, workmanlike manner. The driveway construction shall include the replacement of such sidewalk areas which are inadequate or which are or may be damaged by means of vehicle travel across the sidewalk. All construction details are to meet requirements set forth in the most recent construction standard detail approved by the Village board.
 - (7) Restricted areas. The restricted area between successive driveways may be filled in and graded only when the following requirements are complied with:
 - (a) The filling or draining shall be to grades approved by the Public Works Director and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the street roadbed in a suitable manner.
 - (b) Culvert extensions under the restricted area shall be of the same size and of equivalent acceptable material as the culvert under the driveway. Intermediate manholes adequate for cleanout purposes may be required by the Public Works Director where the total culvert length is excessive.
 - (c) Where no street side ditch separates the restricted area from the street roadbed, permanent

provision may be required to separate the area from the street roadbed to prevent its use for driveway or parking purposes by construction of a border, curb, rail or posts as may be required by the Public Works Director.

(d) The restricted areas are to be seeded and covered only with grass and it is the Property Owner's responsibility to mow and maintain the area.

- (8) Relocation of utilities. Any costs of relocating utilities shall be the responsibility of the property owner with approval of the Village Board necessary before any utility may be relocated and the driveway installed.
 - (9) Construction across sidewalks. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in § 440-5 of this Code insofar as such requirements are applicable, including thickness requirements.
 - (10) Variances. Any of the above requirements may be varied by the Village Board in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
- B. Special requirements for commercial and industrial driveways. The following regulations are applicable to driveways serving commercial or industrial establishments:
- (1) Width of drive. No part of a private driveway located within the dedicated area of a public street shall, except as hereinafter provided, have a width greater than 36 feet measured at right angles to the center line of said driveway, except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Village Board, in its discretion, may permit a driveway of additional width.
 - (2) Angular placement of driveway. The angle between the center line of the driveway and the curblines shall not be less than 45°.
 - (3) Island areas. Where the public sidewalk is adjacent to the curb, an island of a minimum length of six feet measured along the curblines shall be placed between each entrance to a Village street. The curb shall be left intact for the length of this island. Where the public sidewalk is remote from the curb, an island of a minimum length of 10 feet measured along the right-of-way line shall be maintained along each entrance to the Village street. All flares shall be tangent to the curblines. A curb length of not less than three feet shall be left undisturbed adjacent to each property line to serve as an island area in the event an adjoining property owner applies for a driveway permit to serve his property.
- C. Special requirements for residential driveways. The following regulations are applicable to driveways serving residential property:
- (1) Width of driveways. Openings for vehicular ingress and egress shall be at least 15 feet wide at the property line for residential properties, but shall not exceed 32 feet at the property line and 36 feet at the curb opening.
 - (2) Angular placement. The center line of the drive may be parallel to the property line of the lot where access is required or at right angles to the curblines.
- D. Appeal from permit refusal. Any person feeling himself aggrieved by the refusal of the Village Administrator to issue a permit for a private driveway may appeal such refusal of the Village Administrator to the Village Board within 20 days after such refusal to issue such permit is made.

E. Prohibited driveways.

- (1) No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the Village of Trempealeau except as permitted by this section. As used herein, the word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is in nonconformance with this chapter.
- (2) No driveway shall be closer than 10 feet to the extended street line at an intersection. At street intersections, a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Village Board for effective traffic control or for highway signs or signals.
- (3) The grade of that portion of any private driveway or pedestrian path located within the limits of any public road, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway.
- (4) No driveway apron shall extend out into the street farther than the facing of the curb, and under no circumstances shall such driveway apron extend into any gutter area. All driveway entrances and approaches shall be constructed as not to interfere with the drainage of streets, side ditches or roadside areas, or with any existing structure on the right-of-way.
- (5) No portion of any curb, parapet or retaining wall, rising above the grade of the driveway, erected by the owner of the premises involved shall extend beyond the culvert spanning the watercourse located in such public way.

Addendum E

§ 520-72 Driveways.

All driveways installed, altered, changed, replaced or extended after the effective date of this chapter shall meet the following requirements and must be approved as to location by the Zoning Administrator:

- A. Island between driveway openings shall be provided with a minimum of six feet between all driveways.
- B. Number. The number of driveways to serve an individual property fronting on a Village Street generally shall be one, except where more than one driveway is permitted by a particular zoning district or if additional driveways are deemed necessary and feasible by the Village Administrator for reasonable and adequate service to the property, considering the safety, convenience, and utility of the street.
- C. Vehicular entrances and exits to drive-in theaters, banks and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages or public parking lots shall be not less than 200 feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park playground, library, public emergency shelter or other place of public assembly.
- D. Openings for vehicular ingress and egress shall not exceed 35 feet at the roadway for all uses.
[Amended 10-8-2003]
- E. Driveways shall be at least 15 feet wide for one- and two-family dwellings, and a maximum of 36 feet at the roadway for all uses. **[Amended 10-8-2003]**

Addendum F

§ 18-7 Plan Commission.

[Added 8-4-1997 by Ord. No. 97-15]

- A. Creation. Pursuant to the authority granted by §§ 61.35 and 62.23, Wis. Stats., the Village of Trempealeau hereby creates a Village Plan Commission.
- B. Composition. The Plan Commission shall consist of seven members, including the Village President, who shall be the presiding officer, , the Village Building Inspector, the Village Administrator, one Village Trustee, and three citizens of the Village. If at any time the Village has no Building Inspector, the President shall appoint additional citizen members so that the commission has at all times seven members.
- C. Trustee member. The trustee member of the Plan Commission shall be elected annually for a term of one year by a 2/3 vote of the Village Board at the Village Board's annual organizational meeting.
- D. Citizen members. The three citizen members shall be appointed by the President, subject to confirmation by a majority vote of the Village Board, upon creation of the commission, to hold office for periods ending one, two, and three years, respectively, from the succeeding first day of May. Thereafter, the President shall appoint, subject to confirmation by a majority vote of the Village Board, one citizen member annually during April for a term of three years. Citizen members shall be people of recognized experience and qualifications. Additional citizen members, if any, shall be first appointed to hold office for periods ending one year from the succeeding first day of May, and thereafter annually during the month of April. Whenever a Village Building Inspector, or Village Administrator is appointed, Village Building Inspector or Village Administrator shall succeed to a place on the commission when the term of the additional citizen member expires.
- E. Organization. Annually at its first meeting, the Plan Commission shall organize itself by electing a vice-chair, secretary and such other officers as may, in their judgment, be necessary.
- F. Records. The Plan Commission shall keep a written record of its proceedings, including all actions taken, a copy of which shall be filed with the Village Clerk-Treasurer.
- G. Quorum; required vote for action. A majority of the members of the commission shall constitute a quorum of the Plan Commission for conducting business, but the affirmative vote of a majority of all members of the Plan Commission shall be required to take any action.
- H. Employment of experts. The Plan Commission shall have the power to employ experts and such staff as may be necessary and proper, and to pay for their expenses and such other expenses as may be necessary and proper, within the limits of the budget established by the Village Board or placed at the Plan Commission's disposal through gift and subject to any ordinance or resolution enacted by the Village Board. Notwithstanding the foregoing, the Plan Commission shall, as far as practicable, utilize the services of existing Village officials and employees.
- I. Powers and duties. The Plan Commission shall have the powers and duties set forth in § 62.23, Wis. Stats., as amended from time to time hereafter, and such other powers and duties as the Village Board may by ordinance vest in it from time to time.
- J. Mandatory referrals to Commission. The Village Board or the Village officer having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Village Board, public body or officer, the following matters: the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale,

acquisition of land for or lease of land for any street, alley or other public ways, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the Village or within the territory over which the Village is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Plan Commission is made within 30 days, or such longer period as may be stipulated by the Village Board, the Village Board or other public body or officer may take final action without it.

K. Compensation. Compensation for the members of the Plan Commission shall be as is established by the Village Board at the organizational meeting in April, provided that no additional compensation shall be paid to trustees serving on the Plan Commission until after the expiration of the then-current term of that trustee.

Addendum G

§ 18-8 Residency required for service on boards or commissions.

[Amended 3-2-1998]

A.

No person not a resident of and not residing in the Village shall be appointed in a voting capacity to any Village Board or Commission. Any Board or Commission member who moves from the Village shall be removed from such Board or Commission, but may be appointed to serve in an ex officio capacity.

B.

An exception to the residency requirement as stated above is granted to the Health and Wellness Commission and Plan Commission. The Health and Wellness Commission shall include two representatives from each of the following townships: Caledonia and Trempealeau. The Plan Commission shall include the Village Building Inspector, and Village Administrator regardless of residency status.

Addendum H

§ 181-18 Limitation on number of dogs.

- A. Purpose. The keeping of a large number of dogs within the Village for a considerable period of time detracts from and, in many instances, is detrimental to, healthful and comfortable life in such areas. The keeping of a large number of dogs is, therefore, declared a public nuisance.
- B. Definitions.

FAMILY

One or more persons residing in one dwelling unit.

RESIDENTIAL LOT

A residential lot means a parcel of land zoned as residential, occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this section, any vacant parcel or parcels adjoining a dwelling and under the same ownership shall constitute one lot.

- C. Number limited.
 - (1) No family shall own, harbor or keep in its possession more than three dogs on any residential lot without the prior approval of the Village Board except that a litter of pups or a portion of a litter may be kept for not more than eight weeks from birth. If more than one family resides on a residential lot, then only a total of three dogs shall be allowed on the residential lot unless a kennel license is obtained under Ordinance § 181-3, the prior approval is obtained from the Village Board. Dogs in excess of the number permitted by this section being kept at the time of the adoption of this Code may be maintained, but may not be replaced.
 - (2) The above requirement may be waived with the approval of the Village Board or when a kennel license has been issued by the Village. Such application for waiver shall first be made to the Village Clerk-Treasurer.

Addendum I

§ 155-18 Conduct of deliberations.

A. A roll call shall not be necessary on any questions or motions except as follows:

- (1) When the ayes and noes are requested by any member.
- (2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money or creating any liability or charge against the Village or any fund thereof in excess of \$5,000.
- (3) When required by the state statutes of Wisconsin.

B. All aye and nay votes shall be recorded in the official minutes. The ayes and nays shall be ordered upon any question at the request of any member of the Village Board or the President, and the Village Clerk-Treasurer shall call the roll in alphabetical order, and the Village Clerk-Treasurer shall call the roll starting with "A" and then in alphabetical order one time and then starting with "Z" and in reverse alphabetical order the next time.

(1) No member may be compelled to vote. When a member abstains from voting, the effect is the same as if the member voted on the prevailing side. The "prevailing side" is defined as the votes accumulated which resulted in carrying or defeating a question. In case of a tie vote (not including the abstention), the abstaining vote is considered a "nay." In case of a vote requiring approval by more than a simple majority, an abstaining vote is considered an "aye."

(a) If a board member's reason for abstaining is because they are legally obligated to do so due to a conflict of interest in the matter, that member is considered not present when calculating the number of votes required for passage.

C. Except as provided below, the Village Board shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order, which is hereby incorporated by reference, unless otherwise provided by ordinance or statute, except when otherwise limited or modified by this Code:

- (1) No trustee shall address the Board until he has been recognized by the presiding officer. He shall thereupon address himself to the Board and confine his remarks to the question under discussion and avoid all personalities.
- (2) When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
- (3) No person other than a member shall address the Board except under order of business, except the citizens may address the Board with permission of the presiding officer as to matters which are being considered by the Board at the time.

(4) When a question is in debate, no action shall be in order except:

- (a) To adjourn;
- (b) To lay on the table;
- (c) The previous question;
- (d) To postpone to a certain date;
- (e) To refer to a standing, select or special committee;
- (f) To amend;
- (g) To postpone indefinitely; and these several motions shall have precedence in the order in which they stand.

Addendum J

§ 155-10 Meetings.

- A. Regular meetings. Regular meetings of the Village Board shall be held on the first Thursday of each calendar month at 7:00 p.m. local time, except when the Village Board decides to reschedule the meeting or when the day so designated falls on a legal holiday, in which case the regular meeting shall be held the following Thursday, or at such other date and time as the Village Board shall designate. When the Village Board designates a date and time for the regular Board Meeting, including any rescheduled meeting, notice thereof shall be posted at the Village Hall in the Village of Trempealeau and in additional locations to comply with the Wisconsin open meetings law, *Wis. Stat. § 19.81, et seq* prior to such rescheduled meeting date. All meetings of the Board shall be held at the Village Hall, unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three hours prior to any meeting. In any event, all Board meetings shall be held within the boundaries of the Village. **[Amended 3-6-2017 by Ord. No. 5-2017]**
- B. Annual organizational meeting. The Village Board shall hold an annual meeting on the third Tuesday of April for the purpose of organization.
- C. Board minutes. The Village Clerk-Treasurer shall keep a record of all Board proceedings and cause the proceedings to be published and/or posted.

Addendum K

§305-25 Underage Persons; Prohibitions.

- (A) Any underage person who does any of the following is guilty of a violation:
- (1) Procures or attempts to procure alcohol beverages from a licensee or permittee.
 - (2) Unless accompanied by a parent, guardian, or spouse who has attained the legal drinking age, possesses or consumes alcohol beverages on licensed premises.
 - (3) Enters, knowingly attempts to enter, or is on licensed premises in violation of Wis. Stat. Sec. 125.07(3)(a).
 - (4) Falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee.
- (B) Except as provided in Section (D), any underage person not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, who knowingly possesses, consumes, or is under the influence of an intoxicant, controlled substance, or alcoholic beverage is guilty of a violation.
- (C) Sections (A) and (B) do not apply to an underage person employed by or assisting a law enforcement agency in carrying out enforcement activities to determine compliance with, or investigate potential violations of, the provisions of this Section.
- (D) An underage person may possess alcohol beverages in the course of employment during his or her working hours if employed by any of the following:
- (1) A brewer or brewpub.
 - (2) A fermented malt beverages wholesaler.
 - (3) A premises operated under a "Class B" alcohol beverage license.
 - (4) A facility for the production of alcohol fuel.
 - (5) A retail licensee or permittee under the conditions specified in s. 125.32 (2) or 125.68 (2) or for delivery of unopened containers to the home or vehicle of a customer.
- (E) Penalties. A person who violates any provision of this Ordinance is subject to a forfeiture of not less than One Hundred (\$100.00) Dollars nor more than One Thousand One Hundred (\$1,100.00) Dollars, together with the costs of prosecution.