

ORDINANCE 2023-06
AN ORDINANCE TO AMEND
SECTION 300-22B(6) CONDITIONAL USES EVENT BARNS
OF THE VILLAGE OF VERNON MUNICIPAL CODE

WHEREAS, the Village of Vernon has discussed amending the language in Section 300-22B(6) of the Zoning Code regarding Conditional Uses an ordinance specifically relating to Event Barns; and

WHEREAS, the Village Staff has amended Section 300-22B(6) of the Zoning Code regarding Conditional Uses an ordinance specifically relating to Event Barns; and

WHEREAS, the Village of Vernon has been requested to modify the language of Section 300-22B(6) regarding the types of events which are allowed to be held at Event Barns; and

WHEREAS, the Village currently permits Event Barns to be used for private gatherings including ,but not limited to, meetings, weddings, anniversaries, birthday parties, and reunions; and

WHEREAS, the Village Code currently prohibits the use of an Event Barn for functions open to the general public, such as restaurants or supper clubs, trade shows, or events where goods or services are offered for sale; and

WHEREAS, the Village Board has been requested to modify the events which may be held at an Event Barn; and

WHEREAS, the request to modify the events which may be conducted at an Events Barn has been reviewed by the Village's Planning Consultant, and has been referred to the Village Plan Commission for report and recommendation and the Village Plan Commission motion to recommend in favor of the ordinance failed on a tie vote; and

WHEREAS, following Class 2 notice, the Village Board of the Village of Vernon held a public hearing concerning the recommendation of the Village Plan Commission, as provided in Section 62.23(7)(d) of the Wisconsin Statutes and Section 300-46A.(4) of the Village of Vernon Village Code; and

WHEREAS, the Village Board finds that this change to the Village Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Village Board has determined that adoption of the ordinance will promote the public health, safety and general welfare of the community, and will be consistent with the Village of Vernon Comprehensive Plan.

NOW, THEREFORE, the Village Board of the Village of Vernon, Waukesha County, Wisconsin, **DO HEREBY ORDAIN AS FOLLOWS:**

SECTION 1: Section 300-22B(6) of the Village of Vernon Municipal Code relating to Conditional Uses specifically entitled “Event Barns” is hereby amended as follows:

300-22B(6) Event Barns

Event barn. An event barn shall be defined as one or more existing agricultural building(s) originally constructed prior to June 12, 2019, for bona fide agricultural purposes and may be presently part of a functioning farm or may be remaining buildings following the termination of farming activities. An event barn may be used by individuals or groups, for a rental fee or other form of remuneration, to accommodate private functions ~~for gatherings and celebrations, including, but not limited to, meetings, banquets, weddings, anniversaries, birthday parties, and reunions.~~ Event barns by definition do not include uses that are otherwise specifically provided for as a permitted or conditional use in the code. An event barn may not be used for functions open to the general public, such as restaurants or supper clubs, trade shows, or events where goods or services are offered for sale. A private function is defined as an event held with a defined guest list and not open to the general public on the day of the event. Consequently, “walk in” attendees, or “general open hours” of the premises are not allowed. Advertisement to members of the general public, who then become part of a guest list for the private function, does not make the function itself open to the general public and therefore permissible under this definition. Such events may include private functions hosted by the permit holder(s) for individuals or groups as part of a defined guest list. Such a use may include designated outdoor areas on the same lot as the agricultural buildings for event barn activities, kitchen facilities for the preparation or catering of food, and the serving of alcoholic beverages for on-premises consumption only during scheduled events, and shall not be open to the general public.

SECTION 2: SEVERABILITY. Section 300-22B(6) of this ordinance are Hereby amended. The remainder of Chapter 180 shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon passage and posting by the Village Administrator Clerk as required, pursuant to s. 61.50 Wis. Stat.

Adopted this 2nd day of February 2023 by the Village Board of the Village of Vernon, Waukesha County, Wisconsin:

Signed pursuant to Wis. Stat. §61.24

Carl Fortner

Carl Fortner, Village President

Attest to posting on the 28 day of March 2023

Bradley Calder

Bradley Calder, Village Administrator/Clerk