

ENROLLED ORDINANCE 161-81

AMEND THE TEXT OF THE TOWN OF MUKWONAGO ZONING CODE BY REPEALING AND RECREATING, CLARIFYING, CORRECTING OR AMENDING VARIOUS SECTIONS OF CHAPTER 82 OF THE MUNICIPAL CODE OF THE TOWN OF MUKWONAGO AS OUTLINED IN TOWN ORDINANCES 2007-2, 2007-3 AND 2007-4 (ZT-1643)

WHEREAS the subject matter of this Ordinance having been approved by the Mukwonago Town Board on January 17, 2007, after Public Hearing and the giving of requisite notice of said hearing, and duly referred and considered by the Waukesha County Park and Planning Commission and a recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors as required by Section 60.61 of the Wisconsin Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Ordinance amending the text of the Town of Mukwonago Zoning Ordinance, approved by the Mukwonago Town Board on May 9, 1983, to repeal and recreate, clarify, correct or amend the Municipal Code of the Town of Mukwonago as outlined in Town Ordinances 2007-2, 2007-3 and 2007-4 and more specifically described in the "Staff Report and Recommendation" on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference (ZT-1643), is hereby approved.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Mukwonago.

BE IT FURTHER ORDAINED that the Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or with contravention of provisions of this Ordinance are hereby repealed.

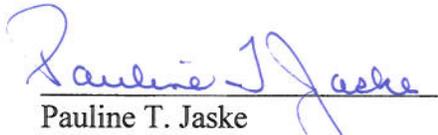
AMEND THE TEXT OF THE TOWN OF MUKWONAGO ZONING CODE BY REPEALING
AND RECREATING, CLARIFYING, CORRECTING OR AMENDING VARIOUS
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2007-2, 2007-3 AND 2007-4 (ZT-1643)

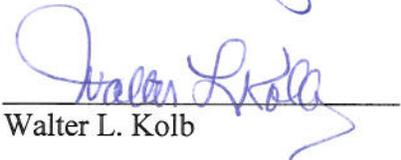
Presented by:
Land Use, Parks, and Environment Committee


William A. Mitchell, Chair


Keith Hammatt


Keith Harenda

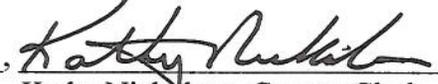

Pauline T. Jaske


Walter L. Kolb

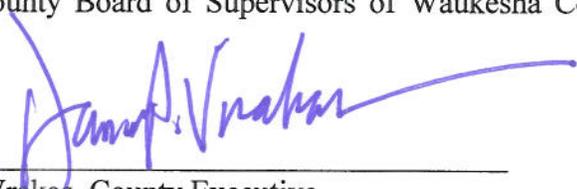
Absent
Vera Stroud


Peter M. Wolff

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 3-2-07, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: _____
Vetoed: _____
Date: 3-5-07, 
Daniel P. Vrakas, County Executive

Ordinance No. 2007-2

AN ORDINANCE TO REPEAL AND RECREATE SECTION 82-21 (d)(9) b
CONDITIONAL USES FOR CHURCHES, SECTION 82-22 (b)(2). BUILDING
LOCATION OFFSET, SECTION 82-72 (1) BUILDING HEIGHT, SECTION 82-85 (a)
AREA REGULATIONS, SECTION 82-96 (a) MINIMUM REQUIRED FLOOR AREA,
SECTION 82-106 FLOOR AREA REGULATIONS, AND SECTION 82-135 (a) (1)
AREA REGULATIONS OF CHAPTER 82 OF THE MUNICIPAL CODE FOR THE
TOWN OF MUKWONAGO

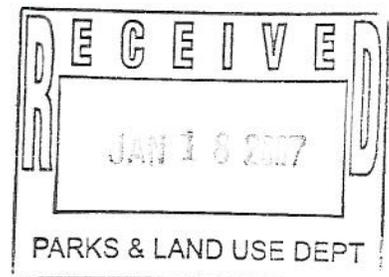
WHEREAS; The Town Board of the Town of Mukwonago has become aware that during the codification process of the Municipal Code for the Town of Mukwonago, in particular, Chapter 82 Zoning, that there are a number of technical errors or conflicts within the code and referred the matter of the technical errors to the Plan Commission for recommendation; and

WHEREAS; the Plan Commission for the Town of Mukwonago has reviewed the issue and found it to be of legitimate concern and recommended that those errors or conflicts be corrected; and

WHEREAS; the Town Board of the Town of Mukwonago has reviewed the Plan Commission report and concurs with the finding of the Plan Commission; and

WHEREAS; subject to Section 82-264 of the Municipal Code for the Town of Mukwonago, and the provisions of Section 60.62 of Wisconsin Statutes, the Town Board may from time to time after first submitting a proposal to the Plan Commission for a report, and after notice of Public Hearing amend, supplement or change regulations of the Chapter 82 of the Municipal Code for the Town of Mukwonago; and

WHEREAS; upon referral of petition by the Town Clerk, the Plan Commission for the Town of Mukwonago scheduled a Public Hearing for the Town Board for the Town of Mukwonago, and the Plan Commission of the Town of Mukwonago, as soon as practical; and



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WHEREAS; upon publication of required public notice and mailing of said notice of Public Hearing to all parties of interest as required by Section 82-265 of the Municipal Code for the Town of Mukwonago, the Plan Commission for the Town of Mukwonago and the Town Board of the Town of Mukwonago held a Public Hearing on Wednesday, January 3, 2007 at approximately 6:30 p.m. as required by Section 82-266 of the Municipal Code for the Town of Mukwonago; and

WHEREAS; the Plan Commission for the Town of Mukwonago has recommended to the Town Board for the Town of Mukwonago that said Ordinance be approved; and

WHEREAS, the Town Board of the Town of Mukwonago, after carefully reviewing the recommendation of the Town Plan Commission of the Town of Mukwonago, having given the matter due consideration, and having based its determination on the effect of approving the petition on the health, general welfare, safety and economic prosperity of the Town, and has given due consideration into the municipal problems involved, hereby determines that the use will not violate the spirit or intent of the Chapter 82 of the Municipal Code for the Town of Mukwonago, will not be contrary to the public health, safety or general welfare of the Town of Mukwonago, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, order or other similar factors and will not for any other reason cause a potential adverse affect on the property values and general desirability of the Town.

NOW, THEREFORE; the Town Board of the Town of Mukwonago, Waukesha County Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1

The Municipal Code for the Town of Mukwonago in Chapter 82 entitled, "Zoning" subsection 82-21, entitled "Conditional Uses" subsection 82-21(d) entitled, "Conditional Uses permitted", subsection 82-21 (d)(9) entitled "Churches, synagogues, and other building for religious assembly" subsection 82-21(d)(9)b is hereby amended to read as follows;
(9). b. A floor area ratio of no more than 50% is allowed.

SECTION 2

The Municipal Code for the Town of Mukwonago in Chapter 82, entitled "Zoning" subsection 82-22 entitled "Building Location", subsection 82-22 (b) entitled "Offset", subsection 82-22 (b)(2) is hereby repealed and recreated to read as follows:

(b)(2) For a lot that abuts a district boundary line; the offset from such lot line shall be not less than *the offset applicable to the district in which the lot is located, or the offset applicable in the abutting district, whichever offset is larger.*

SECTION 3

The Municipal Code for the Town of Mukwonago in Chapter 82 entitled, "Zoning" subsection 82-72, entitled "Height regulations" subsection 82-72(1) entitled "Principal building" is hereby repealed and recreated to read as follows;

(1) Principal Building

- (A) A point measured from the lowest point of the exposed structure to the highest floor line shall not exceed 12 ft.
- (B) A point measured from the lowest point of the exposed structure to any eave line shall not exceed 24 ft.
- (C) A point measured from the lowest point of the exposed structure to the highest point of any roof shall not exceed 34 ft.
- (D) It is the intent of this section that no more than 2 stories of habitable space shall exist when viewed from the waterfront.

SECTION 4

The Municipal Code for the Town of Mukwonago in Chapter 82, entitled "Zoning" subsection 82-85 entitled, "Area Regulations", subsection 82-85(a), entitled "Minimum required floor area" is hereby repealed and recreated to read as follows;

Minimum required floor area, for AE exclusive Agricultural Conservancy District shall be as follows;

Bedrooms/D.U.	Single Family-Total Area (Sq Ft)	First Floor (Square Foot)
One	1,400	1,100
Two	1,400	1,100
Three	1,600	1,100
Four (+)	1,800	1,100

SECTION 5

The Municipal Code for the Town of Mukwonago in Chapter 82, entitled "Zoning" subsection 82-96, entitled "Area Regulations" subsection 82-96 (a) entitled "Minimum Required Floor Area" shall be repealed and recreated to read as follows;

(a). Minimum required floor area, The minimum required floor area in the AP (Agricultural Land Preservation District) shall be as follows;

Single Family

Bedrooms/D.U.	Total Area (Square Footage)	First Floor (Square Foot)
One	1,400	1,100
Two	1,400	1,100
Three	1,600	1,100
Four+	1,800	1,100

SECTION 6

The Municipal Code for the Town of Mukwonago in Chapter 82, entitled "Zoning" subsection 82-106 entitled "Floor area regulations" is hereby repealed and recreated to read as follows:

82-106 Floor area regulations

The minimum required floor area for AT (Agricultural Land Preservation Transition District) shall be as follows:

Single Family

Bedrooms/D.U.	Total Area (Square Footage)	First Floor (Square Foot)
One	1,400	1,100
Two	1,400	1,100
Three	1,600	1,100
Four+	1,800	1,100

SECTION 7

The Municipal Code for the Town of Mukwonago in Chapter 82, entitled "Zoning" Subsection 82-135 entitled "Area regulations" subsection 82-135 (a) entitled, "Floor Area" subsection 82-135(a)(1) entitled "Minimum required" is hereby repealed and recreated to read as follows:

Single Family

Bedrooms/D.U.	Total Area (Square Feet)	First Floor (Square Feet)
One	1,400	1,100
Two	1,400	1,100
Three	1,600	1,100
Four+	1,800	1,100

SECTION 8: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section, or portion thereof shall be declared by the decision of a court of competent jurisdiction to be invalid, unlawful, or unenforceable such decision shall apply only the specific section of portion thereof directly *specified in the* decision and shall not *affect* the validity of any other provisions, sections, or portions thereof, of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms in conflict with the provisions of this ordinance are hereby *repealed as to* those terms that conflict.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and posting and/or publication as required by law following approval by the Waukesha County Board of Supervisors.

Dated this 17th day of January, 2007

Town of Mukwonago

Dave Dubey
Dave Dubey, Town Chairman

ATTEST:

Katherine W. Wilson
Katherine W. Wilson, Town Clerk

Published and posted this 18th day of January, 2007



STATE OF WISCONSIN

TOWN OF MUKWONAGO

WAUKESHA COUNTY

ORDINANCE NO. 2007-3

AN ORDINANCE TO REPEAL
AND RECREATE SECTION 82-4(b)
DEFINING RURAL ACCESSORY BUILDINGS AND
SECTION 82-25 (a)(2), REGULATING NUMBER
AND SQUARE FOOTAGE OF
ACCESSORY STRUCTURES OF THE
TO BE CODIFIED MUNICIPAL CODE OF THE
TOWN OF MUKWONAGO
CHAPTER 82 ZONING

WHEREAS, the Town Planner for the Town of Mukwonago has been working with the Town to create language to permit the retention of rural structures; and

WHEREAS, the Plan Commission for the Town of Mukwonago has reviewed this report and found it to be of legitimate concern; and

WHEREAS, the Town Board of the Town of Mukwonago has also reviewed the report and concurs with the findings of the Plan Commission; and

WHEREAS, subject to Section 82-264 of the Municipal Code of the Town of Mukwonago and the provisions of Section 60.62 of the Wisconsin Statutes, the Town Board may from time to time after first submitting a proposal to the Plan Commission for a report and after notice of Public Hearing, amend, supplement, or change the regulations of the Municipal Code of the Town of Mukwonago; and

WHEREAS, upon referral of the Petition by the Town Clerk, the Plan Commission for the Town of Mukwonago scheduled a Public Hearing for the Town Board of the Town of Mukwonago and the Plan Commission of the Town of Mukwonago as soon as practical; and

WHEREAS, upon publication of the required notice of the Public Hearing and mailing of said notice for the Public Hearing to all parties-in-interest as required by Section 82-265 of the Municipal Code of the Town of Mukwonago, the Plan Commission for the Town of Mukwonago and the Town Board for the Town of Mukwonago held a Public Hearing on January 3, 2007, at approximately 6:30 p.m., as required by Section 82-266 of the Municipal Code of the Town of Mukwonago; and

WHEREAS, the Plan Commission for the Town of Mukwonago has recommended to the Town Board for the Town of Mukwonago that said Ordinance be approved; and

WHEREAS, the Town Board of the Town of Mukwonago, after carefully reviewing the recommendation of the Town Plan Commission of the Town of Mukwonago, having given the matter due consideration, and having based its determination on the effect of approving the petition on the health, general welfare, safety and economic prosperity of the Town, and has given due consideration into the municipal problems involved, hereby determines that the use will not violate the spirit or intent of the Municipal Code of the Town of Mukwonago, will

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12.

not be contrary to the public health, safety or general welfare of the Town of Mukwonago, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and will not for any other reason cause a potential adverse affect on the property values and general desirability of the Town.

NOW, THEREFORE, the Town Board of the Town of Mukwonago, Waukesha County Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1:

The Municipal Code of the Town of Mukwonago Chapter 82, entitled "Zoning" in subsection 82-4, entitled "Definitions", Subsection (b), entitled "Specific Words and Phrases", "Rural Accessory Building," is hereby created to read as follows:

82-4(b) Rural Accessory Building: An existing building, which is: (1) set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historic significance, or design as determined by the Town Board; and (2) is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practice, as determined by the Town Board; and (3) which is sufficiently structurally sound to meet minimum safety requirements for the proposed use, as determined by the Town Building Inspector, provided that such determination shall not relieve the property owner of any responsibility or liability as to the building and shall not form a basis of liability against the Building Inspector or the Town.

SECTION 2:

The Municipal Code of the Town of Mukwonago, Chapter 82 entitled "Zoning", in subsection 82-25 entitled "Accessory Buildings and Structures", Subsection 82-25(a) entitled "Size and Location", subsection 82-25(a)(2) is hereby repealed and recreated to read as follows;

(2) Square Footage and Number of Accessory Buildings

(a) In all Districts, the aggregate floor area of accessory buildings shall not exceed the maximum per lot square footage as outlined in the following table. Accessory buildings shall also not exceed the floor area ratio requirements for the applicable district. Temporary buildings shall be included in calculating the square footages for any lot.

- EFO - 500 sq. ft.
- AE - 500 sq. ft.
- AT - 500 sq. ft.
- RH - 2,000 sq. ft.
- EC - 720 sq. ft.
- A-1 - 1,300 sq. ft.
- SE - 1,300 sq. ft.
- R-1 - 720 sq. ft.
- R-2 - 500 sq. ft.

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- R-3 - 500 sq. ft.
- B-1 - 1,000 sq. ft.
- B-2 - 1,000 sq. ft.

(b) Exceptions: The maximum square footage for accessory buildings set forth in subsection (a) above shall be subject to adjustment as follows:

1. Except in the "EC" Environmental Corridor District and subject to the applicable district floor area ratio requirements, the maximum square footage for accessory buildings shall be increased by 50 sq. ft. for every ½ acre of land that the subject property exceeds the district minimum lot size.
2. For parcels of three (3) acres of more in size in any zoning district other than the Environmental Corridor District, the accessory building areas may be greater than those requirements set forth in subsection 2(a), if the Town board in its discretion, upon consideration of a recommendation from the Plan Commission, grants a special exception and makes all of the following findings:

- a. That one or more rural accessory buildings(s) as defined herein, are located on the property;
- b. That such rural accessory buildings(s) is (are) not a nuisance or detriment to the existing neighborhood;
- c. That the property is in compliance with the floor area ratio requirements of the District in which it is located; and
- d. That the total floor area of all accessory buildings, excluding the floor area of such rural accessory building(s), is in compliance with the requirements set forth in subsection 2(a).

3. Environmental Corridor District Accessory Buildings

- a. For any size parcel in the EC Environmental Corridor District, the Town Board, may in its discretion, grant a special exception to the maximum square footage requirements for accessory building set forth in subsection 2(a) after receiving a recommendation from the Plan Commission where all of the following criteria have been met;

1. The Building Inspector determines that no more than 32,600 sq. ft. of land disturbance has or will occur for all structures, septic systems, driveways and parking areas, patios, decks, pools, lawns and play areas. For purposes of this section, the areas of disturbance shall include any area where, due to development, the natural vegetation has previously been removed or land altering activities have previously occurred and areas where, due to any proposed accessory building(s), natural vegetation will be removed or land altering activities will occur.
2. Only one accessory building will be allowed on a parcel which is entirely within the Environmental Corridor District.
3. The use of the accessory building is for personal use only by the person(s) occupying the subject parcel.

4. The location of the proposed accessory building is not high quality environmental corridor or wildlife habitat area. The Town Board or Plan Commission may require the applicant to provide an environmental assessment by a qualified professional as to the impact the proposed accessory building and any associated vegetative disturbance or land altering may have on the environmental quality of the corridor.
 - b. If a special exception is granted under subsection (A) above for a parcel in the EC Environmental Corridor District, the Board may designate a specific location for the accessory building to eliminate any unnecessary vegetative disturbance or land altering activity.
 - c. If a special exception is granted under subsection a. above, a Deed Restriction shall be filed prior to the issuance of a building permit setting forth the square footage of the allowable disturbance along with a detailed map designating the allowable area of disturbance for all improvements. Said Deed Restriction shall also restrict and set forth any additional conditions of approval of the special exception by the Plan Commission and/or Town Board and shall be approved by the Town Attorney as to form.
4. On parcels of 15-acres or more, in area, the building areas may be greater than those set forth in subsection 2(a) when used solely for agricultural purposes and when consistent with the floor area ratio requirements of the Zoning Ordinance.

(C) Number of Accessory Structures.

1. No more than (2) accessory buildings per parcel are permitted in any district except as follows:
 - a. On parcels of 15-acres or more, in area used solely for agricultural purposes, more than two accessory buildings may be permitted by the Plan Commission subject to compliance with the floor area ratio requirements of the Zoning Ordinance.
 - b. In the B-3 and all Industrial Districts, the Plan Commission may approve more than two accessory buildings as part of a site plan and plan of operation when such accessory buildings are accessory to the principal use and constructed and used in accordance with the approved site plan and plan of operation.
 - c. Where a Conditional Use Permit has been issued for the lot that expressly permits more than two accessory buildings/structures.

- 2. On parcels of three (3) acres or more in size, more than two (2) accessory buildings may be permitted by the Town Board, upon consideration of a recommendation from the Plan Commission, if the Town Board makes all of the following findings:
 - a. That there are one or more rural accessory building(s), as defined herein, on the property;
 - b. That such rural accessory building(s) is (are) not a nuisance or detriment to the existing neighborhood; and
 - c. That, excluding any rural accessory building(s), there are not more than two (2) accessory buildings on the property.

SECTION 3: SEVERABILITY.

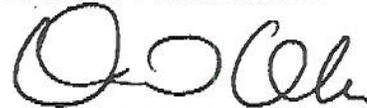
The several sections, subsections, and paragraphs of this Ordinance are hereby declared to be severable. If any section, subsection, paragraph, or subparagraph of this Ordinance shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the Ordinance, or of the section of which the invalid portion or paragraph may be a part.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon passage and publication by the Town Board and upon approval of the County Board of Supervisors, said publication to consist of posting of three (3) copies thereof in three (3) public places in said town.

Dated this 17th day of January, 2007.

TOWN OF MUKWONAGO



Dave Dubey, Town Chairm

ATTEST:


Katherine W. Wilson, Town Clerk

Published and posted this 18th day of January, 2007.

ORDINANCE NO. 2007-4

AN ORDINANCE TO REPEAL, CREATE AND RECREATE
SECTION 82-25(f) (4) d & SECTION 82-25(f) (8) a. and b. OF THE TO BE CODIFIED
MUNICIPAL CODE OF THE TOWN OF MUKWONAGO CHAPTER 82

WHEREAS, the Town Planner and Town Building Inspector has referred the issue of outdoor wood burning fireplaces to the Town Plan Commission to consider classification of such uses in accordance with Section 82-20(d) Unclassified Uses of the to be codified Municipal Code of the Town of Mukwonago; and

WHEREAS, the Plan Commission for the Town of Mukwonago has reviewed the issue and found it to be of legitimate concern; and

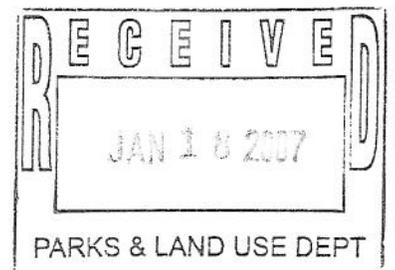
WHEREAS, the Town Board of the Town of Mukwonago concurs with the Plan Commission for the Town of Mukwonago and has determined that these types of furnaces should be considered special use systems under Section 82.25(f) of the Municipal Code of the Town of Mukwonago; and

WHEREAS, subject to Section 82-264 of the Municipal Code of the Town of Mukwonago and the provisions of Section 60.62 of Wisconsin Statutes, the Town Board may from time to time after first submitting a proposal to the Planning Commission for a report, and after notice of public hearing amend, supplement or change the regulations in the Municipal Code of the Town of Mukwonago; and

WHEREAS, upon referral of the petition by the Town Clerk, the Plan Commission of the Town of Mukwonago scheduled a public hearing for the Town Board of the Town of Mukwonago and the Plan Commission of the Town of Mukwonago as soon as practical; and

WHEREAS, upon publication of the required notice of public hearing and mailing of said notice for the public hearing to all parties of interests as required by Section 82-265 of the Municipal Code of the Town of Mukwonago, the Plan Commission of the Town of Mukwonago and the Town Board of the Town of Mukwonago held a public Hearing on Wednesday, January 3, 2007 at approximately 6:30 p.m., as required by Section 82-266 of the soon to be codified Municipal Code of the Town of Mukwonago; and

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WHEREAS, the Plan Commission for the Town Board has recommended to the Town Board of the Town of Mukwonago that said ordinance be adopted; and

WHEREAS, the Town Board of the Town of Mukwonago, after carefully reviewing the recommendation of the Town Plan Commission of the Town of Mukwonago, having given the matter due consideration, and having based its determination on the effect of approving the petition on the health, general welfare, safety and economic prosperity of the Town, and has given due consideration into the municipal problems involved, hereby determines that the use will not violate the spirit or intent of the Zoning Code for the Town of Mukwonago, will not be contrary to the public health, safety or general welfare of the Town of Mukwonago, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke, odor or other similar factors and will not for any other reason cause a potential adverse affect on the property values and general desirability of the Town.

NOW, THEREFORE, the Town Board of the Town of Mukwonago, Waukesha County Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1:

The Municipal Code of the Town of Mukwonago in Chapter 82 entitled "Zoning", subsection 82-25 entitled, "Accessory Buildings and Structures", subsection 82-25(f) entitled, "Special Use Systems" subsection 82-25(f) (4) entitled "Types of Special Use" subsection 82-25(f)(4)d entitled "Exterior Fuel-Fired Heating Devices" is hereby created to read as follows;

82-25(f) (4) d. Exterior Fuel-Fired Heating Devices Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source that is not located in the structure for which it is producing heat or energy.

SECTION 2:

The Municipal Code of the Town of Mukwonago in Chapter 82, entitled "Zoning", subsection 82-25 entitled "Accessory Buildings and Structures" subsection 82-25(f) entitled "Special Use Systems" subsection 82-25(f) (8) entitled "Special Requirements" is hereby repealed and recreated to read as follows;

82-25(f) (8) Special Requirements,

- a. No Exterior Fuel-Fired Heating Devices shall be allowed on any parcel one (1) acre or less in size.
- b. In addition to the general standard requirements as stated in this section, such Special Uses shall be subject to more specific standards and

requirements pertinent to the particular use, which standards and requirements may be set in a supplementary guide for a Special Use regulation adopted by the Town Board, and modified from time to time in order that they reflect the best and most contemporary regulatory practices.

SECTION 3: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance which shall remain. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

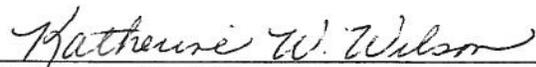
This Ordinance shall take effect immediately upon passage and posting or publication as required by law following approval by the Waukesha County Board of Supervisors.

Dated this 17th day of January, 2007.

TOWN OF MUKWONAGO


Dave Dubey, Town Chairman

ATTEST:


Katherine W. Wilson, Town Clerk

Published and posted this 18th day of January, 2007.



161-0-090

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/27/07

(ORD) NUMBER-1610090

- 1 K. HERRO.....AYE
- 3 T. ROLFS.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 J. TORTOMASI.....AYE
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 T. BULLERMANN.....AYE
- 31 V. STROUD.....
- 33 K. HAMMITT.....AYE
- 35 P. MEYER.....AYE

- 2 R. THELEN.....AYE
- 4 R. HUTTON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....
- 12 T. SCHELLINGER.....AYE
- 14 S. WIMMER.....AYE
- 16 R. STEVENS.....AYE
- 18 B. MORRIS.....AYE
- 20 P. WOLFF.....AYE
- 22 G. BRUCE.....
- 24 J. VITALE.....AYE
- 26 F. RUF.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-31

TOTAL NAYS-00

CARRIED_____

DEFEATED_____

UNANIMOUS X

TOTAL VOTES-31