

AGENDA FOR REGULAR MEETING OF COMMON COUNCIL

To be held on Tuesday, March 18, 2014 at 6:30 P.M. in the City Hall
Council Chambers, 30 West Central Street, Chippewa Falls, WI

1. CLERK CALLS THE ROLL

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Approve minutes of the Council Meeting of March 4, 2014.

3. PERSONAL APPEARANCES BY CITIZENS No matter presented by a citizen shall be acted on at the meeting except in emergencies affecting the public health, safety or welfare.

4. PUBLIC HEARINGS

(a) Public Hearing to consider Floodplain Zoning Ordinance Provisions for the City of Chippewa Falls. (see Ordinance #2014-05)

(b) Public Hearing regarding amending the Zoning Code of the City of Chippewa Falls for Parcel #349, Lot #10, Block #42, Chippewa Falls Plat, 209 W. Grand Avenue, from C-3 Central Business District to R-2 Family Residential District. (see Ordinance #2014-06)

5. COMMUNICATIONS - None

6. REPORTS

(a) Consider Board of Public Works minutes of March 10, 2014.

(b) Consider Plan Commission minutes of March 10, 2014.

(c) Consider Business Improvement District minutes of March 11, 2014.

7. APPLICATIONS

(a) Consider Operator (Bartender) Licenses as approved by the Police Department. (Complete list provided prior to Council meeting)

(b) Consider Sidewalk Use Permit Application from Sheldon Gough of Foreign 5/Lucy's Deli for outside seating at 117 N. Bridge Street from April 14 – October 18, 2014. (as considered by Committee #3).

(c) Consider Street Use Permit Application from James Docksey for the Spring Fest Fun Run to be held on April 26, 2014 from 11:00 am – 11:45 am to allow runners to cross Jefferson Avenue into Irvine Park. (see BPW minutes)

(d) Consider Street Use Permit Application from the Chippewa County Historical Society for The Past Passed Here event to be held on May 2 – 12, 2014 at Allen Park also utilizing the empty lot at 1 S. Bridge and 12 S. Bridge.

(e) Consider Application for Temporary Class "B" Beer Retailer's License from the Knights of Columbus for the KC Annual Smelt Feed to be held on April 25, 2014 at 236 Pump House Road.

(f) Consider Application for Temporary Class "B" Beer / "Class B" Wine Retailer's License from the Chippewa Youth Hockey Association for Northwest Beer Fest to be held on April 26, 2014 at the Chippewa Ice Arena, 839 First Avenue.

(g) Consider Application for Class "E" Dance and Live Music License from the Chippewa Youth Hockey Association for the Chippewa Ice Arena, 839 First Avenue, on April 26, 2014.

(h) Consider Street Use Permit Application from Chippewa Falls Main Street for the Downtown Earth Day Cleanup to be held on Saturday, April 26, 2014 from 8:00 am – 2:00 pm to clean up Harmony Courtyard and business district including the riverfront.

(i) Consider Street Use Permit Application from Chippewa Falls Main Street for the Lake Wissota Garden Club Sale to be held on June 7, 2014 in 1/2 of Market Lot (between Spring and Central Streets, east of Rushman Drive).

(j) Consider Street Use Permit Application from Chippewa Falls Main Street for the Farmer's Market to be held on June 12 – October 16, 2014 (Thursdays only) in 1/2 of Market Lot (between Spring and Central Streets, east of Rushman Drive).

8. PETITIONS - None

9. MAYOR ANNOUNCES APPOINTMENTS - None

10. **MAYOR'S REPORT**

(a) Present proclamation declaring March 29, 2014 as Vietnam Veterans Recognition Day in the City of Chippewa Falls.

11. **COUNCIL COMMITTEE REPORTS** in the order in which they are named in Section 2.21 of the Municipal Code

(a) Consider Committee #3 Transportation, Construction, Public Safety, and Traffic minutes of March 18, 2014. (*minutes to be distributed prior to meeting*)

(b) Library Board minutes of February 12, 2014.

(c) Park Board minutes of March 11, 2014.

12. **REPORT OF OFFICERS** - None

13. **ORDINANCES**

(a) Second Reading of **Ordinance #2014-04 Entitled:** An Ordinance Amending the Restricted Burning Code Section – 9.31 of the Chippewa Falls Municipal Code.

(b) Second Reading of **Ordinance #2014-05 Entitled:** An Ordinance Repealing and Recreating Chapter 22 of the Chippewa Falls Municipal Code, Floodplain Zoning Code.

(c) Second Reading of **Ordinance #2014-06 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls (regarding rezoning 209 W. Grand Avenue from C-3 Central Business District to R-2 Two Family Residential District).

(d) First Reading of **Ordinance #2014-07 Entitled:** An Ordinance Amending the Special Assessment Procedures Code Section – §3.08(10)(c) of the Chippewa Falls Municipal Code.

(e) First Reading of **Ordinance #2014-08 Entitled:** An Ordinance Establishing the Width of Pavement on Central Street (Pine St. to Governor St.) at 36 Feet Face to Face of Curbs.

(f) First Reading of **Ordinance #2014-09 Entitled:** An Ordinance Establishing the Width of Pavement on Main Street (Greenville St. to Wisconsin St.) Rural Street (Bluff St. to Central St.) at 30 Feet Face to Face of Curbs.

14. **RESOLUTIONS** - None

15. **OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW**

(a) Discuss/consider revised Developer's Agreement between the City of Chippewa Falls and the Chippewa Falls Area Chamber of Commerce for the construction of a new Visitor's Center/Chamber Office building on the Empire Building site and consider authorizing the Mayor to execute the Developer's Agreement.

(b) Introduction of Resolution Regarding the Discontinuance of the Southerly 99 Feet of Grove Street between the South Right-of-Way Line of Grand Avenue and the North Right-of-Way Line of Central Street.

(c) Set hearing date on the passage of the Resolution introduced in (b) for May 6, 2014 at 6:30 pm at the Regular Meeting of the Chippewa Falls Common Council and direct that Notice of the Hearing be given in accordance with the provisions of §§ 66.1003 (4)(b) and 66.1003 (8), Wis. Stats.

(d) Consider ratification of the Agreement between the City of Chippewa Falls and Chippewa Falls International Association of Firefighters Local 1816 for 2013 and 2014.

16. **CLAIMS**

(a) Consider claims as recommended by the Claims Committee.

17. **CLOSED SESSION**

(a) Closed Session under Wis Statutes 19.85(1)(e) for "deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining implications require a Closed Session" to discuss and consider the following:

1. Offer to purchase Lot 35 in Riverside Industrial Park from Advanced Laser Machining, Inc.

May return to Open Session.

18. ADJOURNMENT

The Claims Committee will meet at 6:00 PM to review the claims of various boards and departments of the City.

NOTE: REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2779.

Please note that attachments to this agenda may not be final and are subject to change.

This agenda may be amended as it is reviewed.

CERTIFICATION OF OFFICIAL NEWSPAPER

I, hereby, certify that a copy of this notice has been posted on the bulletin board at City Hall and a copy has been given to the Chippewa Herald on March 13, 2014 at 12:45 pm by BNG.

MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, March 4, 2014, in the City Hall Council Chambers. Mayor Greg Hoffman called the meeting to order at 6:32 pm. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: Mike Hanke, Rob Kiefer, Amy Mason, Chuck Hull, Jane Lardahl, Bill Hicks, and George Adrian.

Also Present: City Attorney Robert Ferg, Finance Manager/Treasurer Lynne Bauer, City Planner/Transit Manager Jayson Smith, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, Fire Chief Tom Larson, Police Chief Wendy Steller, Utility Office Manager Connie Freagon, Parks and Recreation Director Dick Hebert, and City Clerk Bridget Givens.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) **Motion by Hanke/Adrian** to approve the minutes of the Regular Council Meeting of February 18, 2014. **All present voting aye, motion carried.**

PERSONAL APPEARANCES BY CITIZENS

(a) Mr. Paul Nadreau, 430 W Wisconsin Street, appeared to discuss his thoughts regarding Union Pacific trains frequently blocking intersections and read a letter detailing specific dates and times when this has occurred. Councilor Hanke indicated the Police Department is taking action as there is an ordinance addressing trains blocking intersections; however, limits of authority have to be defined as Union Pacific is federally regulated. Mayor Hoffman shared that he spoke with Josh Schaefer of Union Pacific who stated they are taking steps to shorten the trains or have additional engines on hand if power becomes an issue. Councilor Mason suggested Mr. Nadreau contact our legislators to make them aware of the issues and safety concerns. Mr. Nadreau suggested the City employ a text alert system to make residents aware of issues that arise in the City. This topic will be addressed at the next Board of Public Works meeting, and revisited by the Council.

PUBLIC HEARINGS

(a) City Planner Smith advised that the City has received \$506,000 in Community Development Block Grant funds which have been utilized for our Downtown Redevelopment Projects including building acquisition and demolition. The public hearing is a requirement of administration of the block grant.

Mayor Hoffman opened the Public Hearing at 6:49 pm.

There being no requests to speak, the Public Hearing was closed at 6:49 pm.

COMMUNICATIONS - None

REPORTS

(a) **Motion by Mason/Hicks** to approve the Board of Public Works minutes of February 24, 2014. **Roll Call Vote: Aye – Mason, Hicks, Hull, Lardahl, Adrian, Hanke, Kiefer. Motion carried.**

APPLICATIONS

(a) **Motion by Adrian/Hanke** to approve the Operator (Bartender) Licenses as approved by the Police Department. **All present voting aye, motion carried.**

(b) **Motion by Mason/Kiefer** to approve the Temporary Class "B" Beer Retailer's License from the Leinenkugel Blades Hockey Club for their Annual Men's Hockey Tournament to be held at the Chippewa Ice Arena, 839 First Avenue, on April 11 - 13, 2014. **All present voting aye, motion carried.**

(c) **Motion by Hanke/Hull** to approve the Street Use Permit Application from the Chippewa Falls Patriotic Council for the Memorial Day Parade to be held on May 26, 2014 on various City streets. **All present voting aye, except Adrian who abstained, motion carried.**

PETITIONS - None

MAYOR ANNOUNCES APPOINTMENTS

(a) **Motion by Hicks/Hanke** to approve the appointment of Charles Klukas as an Election Inspector for the 2014-2015 election cycle. **All present voting aye, motion carried.**

MAYOR'S REPORT

(a) Mayor Hoffman presented proclamations to Collin Schrader, Brennan Schrader, and David Arneberg recognizing their accomplishment of earning the rank of Eagle Scout.

COUNCIL COMMITTEE REPORTS

(a) **Motion by Mason/Lardahl** to approve the Joint Committee #1 Revenues, Disbursements, Water and Wastewater and Committee #2 Labor Negotiations, Personnel, Policy and Administration minutes of March 4, 2014. **Roll Call Vote: Aye – Mason, Lardahl, Hicks, Adrian, Hanke, Kiefer, Hull. Motion carried.**

(b) The Park Board minutes of February 17, 2014 were presented.

REPORT OF OFFICERS - None

ORDINANCES

(a) **Motion by Hicks/Mason** to approve **Ordinance #2014-03 Entitled:** An Ordinance Creating the Request for City Services Code Section - §3.15 of the Chippewa Falls Municipal Code. **Roll Call Vote: Aye – Hicks, Mason, Hull, Lardahl, Adrian, Hanke, Kiefer. Motion carried.**

(b) The First Reading of **Ordinance #2014-04 Entitled:** An Ordinance Amending the Restricted Burning Code Section – 9.31 of the Chippewa Falls Municipal Code was held.

(c) The First Reading of **Ordinance #2014-05 Entitled:** An Ordinance Repealing and Recreating Chapter 22 of the Chippewa Falls Municipal Code, Floodplain Zoning Code was held.

(d) The First Reading of **Ordinance #2014-06 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls (regarding rezoning 209 W. Grand Avenue from C-3 Central Business District to R-2 Two Family Residential District) was held.

RESOLUTIONS - None

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW - None

CLAIMS

(a) **Motion by Hull/Hanke** to approve the claims of the various boards and departments of the City as recommended by the Claims Committee as follows:

City General Claims:	\$87,535.18
Authorized/Handwritten Claims:	\$324,036.63
Department of Public Utilities:	\$245,500.98
Total of Claims Presented	<u>\$657,072.79</u>

Roll Call Vote: Aye – Hull, Hanke, Kiefer, Mason, Lardahl, Hicks, Adrian. Motion carried.

(b) **Motion by Hicks/Mason** to deny the claim submitted by Scot Michels, 1318 Therbrook Street, as recommended by Statewide Services, Inc. **Roll Call Vote: Aye – Hicks, Mason, Hull, Lardahl, Adrian, Hanke, Kiefer. Motion carried.**

CLOSED SESSION - None

ADJOURNMENT

Motion by Hull/Adrian to adjourn at 7:10 pm. **All present voting aye, motion carried.**

Submitted by:
Bridget Givens, City Clerk

**NOTICE OF PUBLIC HEARING
CHANGE IN ZONING DISTRICTS
CITY OF CHIPPEWA FALLS, WISCONSIN**

PLEASE TAKE NOTICE that the Common Council of the City of Chippewa Falls, Wisconsin, will conduct a Public Hearing on **Tuesday, March 18, 2014** in the Council Chambers, Municipal Building, 30 West Central St., Chippewa Falls, Wisconsin, commencing at 6:30 P.M. on the proposed change of districts in the Zoning Ordinance of the City of Chippewa Falls of the following real estate:

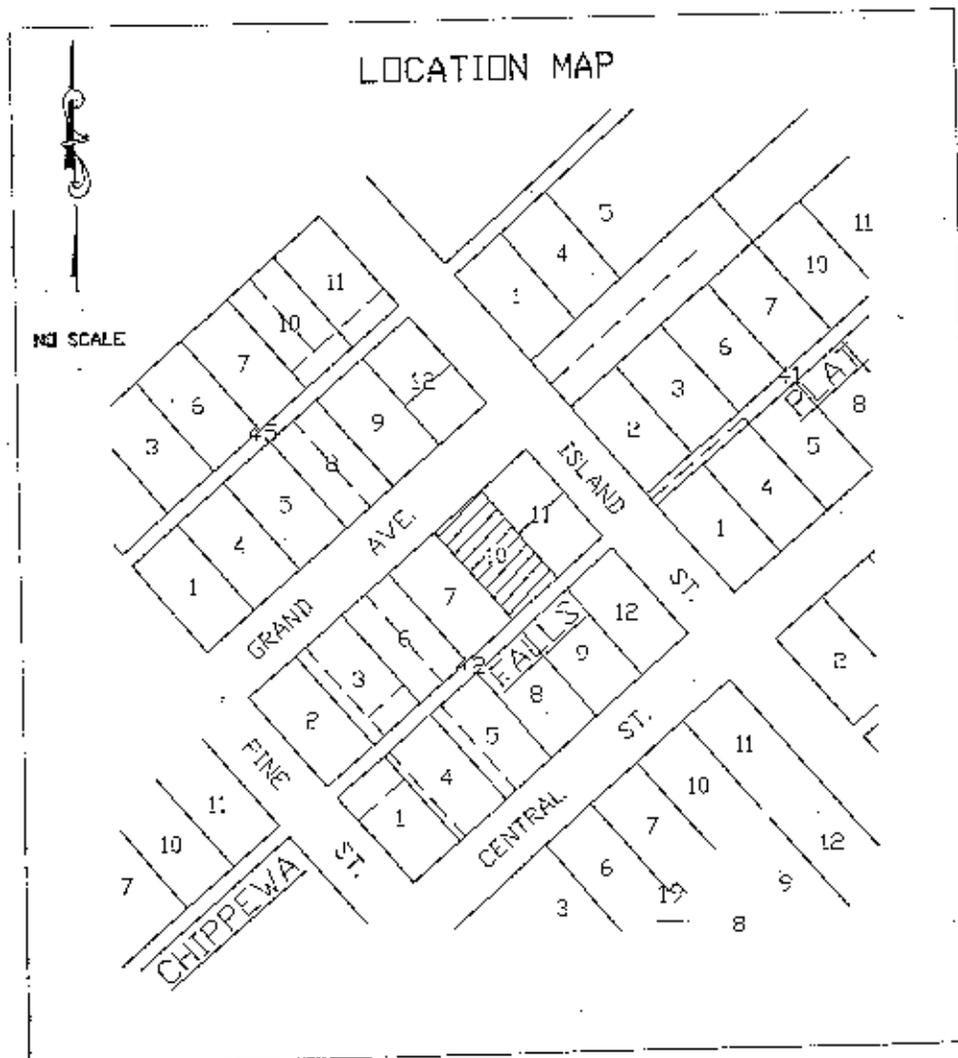
**Parcel #349
Lot #10
Block #42
Chippewa Falls Plat
209 W. Grand Avenue**

C-3 Central Business District to R-2 Two Family Residential District

Following the hearing, the Common Council will consider passage of an ordinance changing the zoning district map of the City of Chippewa Falls, Wisconsin.

The Ordinance covering these changes is available for inspection in the City Clerk's Office.

Bridget Givens
City Clerk



**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, MARCH 10, 2014 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, March 10, 2014 at 5:30 PM. Present were Director of Public Works Rick Rubenzer, Finance Manager Lynne Bauer, Alderperson George Adrian and Darrin Senn. Absent was Mayor Greg Hoffman. Also, present at the meeting: Assistant City Engineer Matt Decur, Council President Bill Hicks and 3rd Ward Alderperson Amy Mason.

1. **Motion** by Bauer, seconded by Adrian to approve the minutes of the February 24, 2014 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. The Board discussed the attached ordinance for Main Street, (Greenville St. to Wisconsin St.), and Rural Street, (Bluff St. to Central St.). The Engineering information and support sheet was discussed. Traffic volumes on both streets are low, most residences have alley approach garages and the existing thirty foot face of curb to face of curb widths are proposed to remain the same. Wider streets would mean additional material costs, higher special assessments, more storm water runoff and less green space.
Motion by Senn, seconded by Adrian to recommend the Common Council approve the existing thirty foot face of curb to face of curb street width for Main Street, (Greenville St. to Wisconsin St.), and the ordinance stating the same. **All present voting aye. MOTION CARRIED.**
Motion by Senn, seconded by Adrian to recommend the Common Council approve the existing thirty foot face of curb to face of curb street width for Rural Street, (Bluff St. to Central St.), and the ordinance stating the same. **All present voting aye. MOTION CARRIED.**
The Board briefly discussed the traffic volumes and information sheet for Central Street.
Motion by Senn, seconded by Adrian to recommend the Common Council approve the existing thirty-six foot face of curb to face of curb street width for Central Street, (Pine St. to Governor St.), and the ordinance stating the same. **All present voting aye. MOTION CARRIED.**

3. The Board discussed the attached four railroad crossing repairs and improvements at Garden St., Wisconsin St., Main St. and Woodward Avenue. Rubenzer was concerned that all the proposed crossings aren't scheduled for improvement until September of 2014. Council President Hicks stated that he had received concerns and complaints as three of the crossings are located in the sixth ward. **No action was taken**

4. The Board discussed the recent closures of Main St., Woodward Ave., Garden St. and Wisconsin St. due to stalled Union Pacific trains at those respective railroad crossings. Attorney Ferg and Chief of Police Stelter were not able to attend but submitted the attached opinion concerning the closures. Third Ward Alderperson Mason asked if the increased train traffic and crossing closures were due to E.O.G. sand trains. Council President Hicks stated that it was important to fine Union Pacific for violation of City Municipal Code 7.15, (attached), and the Board agreed. The Board also discussed repair of the rail crossing at Chippewa Mall Drive.

Please note, these are draft minutes and may be amended until approved by the Common Council.

Motion by Rubenzer, seconded by Adrian to recommend the Common Council take the necessary action to fine or cite Union Pacific Railroad for violation of City Municipal Code Chapter 7.15 and to also request that Union Pacific move up repairs to railroad crossings at Main St., Woodward Ave., Garden St. and Wisconsin St. if possible. **All present voting aye. MOTION CARRIED.**

5. The Board discussed the attached application for a Street Use Permit from Jim Docksey for the Spring Fest Fun Run to be held April 26, 2014. The only need for City services is for a Patrol Officer for an estimated 30 minutes for the start of the race. A cost estimate for this service is \$50.

Motion by Adrian, seconded by Scan to recommend the Common Council approve the Street Use Permit application from Jim Docksey for the Spring Fest Fun Run to be held April 26, 2014 with an estimated cost of \$50. **All present voting aye. MOTION CARRIED.**

6. **Motion** by Adrian, seconded by Bauer to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 6:00 P.M.


Richard J. Rubenzer, PE
Secretary, Board of Public Works

CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, FEBRUARY 24, 2014 - 5:30 PM

The Board of Public Works met in City Hall on Monday, February 24, 2014 at 5:30 PM. Present were Mayor Greg Hoffman, Director of Public Works Rick Rubenzer, Finance Manager Lynne Bauer and Aiderperson George Adrian. Absent was Darrin Sern. Also, present at the meeting: Matt Decur, Assistant City Engineer, Frank Morley and Leroy Jansky.

1. Motion by Adrian, seconded by Bauer to approve the minutes of the February 10, 2014 Board of Public Works meeting. All present voting aye. MOTION CARRIED.

2. Frank Morley appeared to support his petition request to discontinue the southerly ninety-nine feet of Grove Street between Grand Avenue and Central Street. It was noted that other adjacent property owners of the ninety-nine feet of frontage were not necessarily aware of the petition to discontinue. The terrain of the proposed discontinuance is a steep slope. Director of Public Works Rubenzer noted that there were no public works or utility needs for the parcel. He stated that using state statute 66.1003(4), (attached), the Common Council could declare the discontinuance of a particular street right-of-way to be in the public interest and introduce a resolution to do the same. He continued that the adjacent property owners would be notified of the public hearing to consider the proposed discontinuance. Motion by Hoffman, seconded by Rubenzer to recommend the Common Council find it in the public interest to discontinue the southerly ninety-nine feet of Grove Street between the south right-of-way line of Grand Avenue and the north right-of-way line of Central Street. In addition, to introduce a resolution to do the same and conduct a public hearing to consider the same discontinuance using the procedures set forth in state statute 66.1003(4). Said motion contingent on review and approval of City Attorney Ferg. All present voting aye. MOTION CARRIED.

3. Leroy Jansky appeared on behalf of Chippewa Falls Patriotic Council to support the Street Use Permit application for the annual Memorial Day parade. Mr. Jansky and the Board discussed the need for public works or police staff for the event which are detailed on the attached permit application. Mayor Hoffman pointed out that it wasn't feasible to charge an organization that the City annually supported financially for a community event hosted by the organization. Motion by Hoffman, seconded by Rubenzer to recommend the Common Council approve the Street Use Permit application of the Chippewa Falls Patriotic Council for the annual Memorial Day parade on Monday, May 26, 2014. In addition that charges for Chippewa Falls police department or public works services be waived in consideration of the City of Chippewa Falls annual financial support of the Chippewa Falls Patriotic Council. Voting aye were Hoffman, Rubenzer and Bauer. No one opposed, Adrian recused himself and abstained from the vote. MOTION CARRIED on a three-zero vote.

4. Motion by Bauer, seconded by Adrian to adjourn. All present voting aye. MOTION CARRIED. The Board of Public Works meeting adjourned at 5:49 P.M.


Richard J. Rubenzer, PE
Secretary, Board of Public Works

AN ORDINANCE ESTABLISHING THE WIDTH OF PAVEMENT ON
MAIN STREET (Greenville St. to Wisconsin St.)
RURAL STREET (Bluff St. to Central St.)
AT 30 FEET FACE TO FACE OF CURBS

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO
ORDAIN AS FOLLOWS:

1. That Section 8.01 (2) (i) 4. k), l) be and is hereby created to read as follows:
 4. The roadway width shall be 30 feet face to face of curbs on the following streets:
 - k) Main Street – (Greenville St. to Wisconsin St.)
 - l) Rural Street – (Bluff St. to Central St.)
2. That this Ordinance shall take effect upon passage and publication.

Dated this 1st day of April, 2014.

1st READING: March 18, 2014

2nd READING: April 1, 2014

ADOPTED: _____
Council President

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

PUBLISHED: _____

**Classification and Width Determination for Rural Street
(Bluff Street – Central Street)
BPW 03/10/2014**

Considerations:

The following traffic counts were completed on Rural Street. The information presented reflects a 24-hour average count.

Traffic Counts (24 - hour period, three day average)

Rural Street - (Bluff St. – Church St.)	153 vpd
Rural Street - (Church St. – Allen St.)	144 vpd
Rural Street - (River St. – Spring St.)	138 vpd
Rural Street - (Spring St. – Central St.)	79 vpd

Other Considerations:

- Existing Widths
 - Rural Street - (Bluff St. to Central St.) – 30' F-F
- Similar streets nearby range in width from 30' – 38' F-F.
- Parking is a concern on this section of street.
- If the current width were maintained a minimal amount of trees other than those that represent a utility conflict, pose a safety concern, or affect boulevard drainage would be affected in the improvement project.

Conclusions:

Due to the traffic counts Rural Street would fall into the category of a local road. The recommendations for a minor arterial are listed below. **The Engineering Department is recommending a width of 30 feet from Face of Curb to Face of Curb from Greenville Street to Wisconsin Street (Current Width – 30 feet) with parking allowed on both sides.**

Functional Classification of Streets	Number of Traffic Lanes	Curb to Curb Width			
		No Parking		With Parking	
		Range of Normal Widths	Desirable	Range of Normal Widths	Desirable
Local	2	28' - 32'	30'	30' - 38'	33'
Collector	2	30' - 34'	32'	36' - 40'	38'
Minor Arterial	2	34' - 38'	35'	40' - 52'	42'
Principal Arterial - Other than freeways and expressways	2 - 4	36' - 52'	2 ft - 38'		
			4 ft - 62'		

**AN ORDINANCE ESTABLISHING THE WIDTH OF PAVEMENT ON
CENTRAL STREET (Pine St. to Governor St.)
AT 36 FEET FACE TO FACE OF CURBS**

**THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO
ORDAIN AS FOLLOWS:**

1. That Section 8.01 (2) (i) 7. c) be and is hereby created to read as follows:
 7. The roadway width shall be 36 feet face to face of curbs on the following streets:
 - c) Central Street (Pine St. to Governor St.)
2. That this Ordinance shall take effect upon passage and publication.

Dated this 1st day of April, 2014.

1st READING: March 18, 2014

2nd READING: April 1, 2014

ADOPTED: _____

Council President

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

PUBLISHED: _____

**Classification and Width Determination for Central Street
(Pine Street - Governor Street)
BPW 03/10/2014**

Considerations:

The following traffic counts were completed on Central Street. The information presented reflects a 24-hour average count.

Traffic Counts (24 - hour period, three day average)

Central Street - (Pine St. – Superior St.)	1715 vpd
Central Street - (Superior St. – Albert St.)	1367 vpd
Central Street - (Carson St. – Peck St.)	1065 vpd
Central Street - (Peck St. – Governor St.)	906 vpd

Other Considerations:

- This street is adjacent to the Chippewa Falls Downtown Business District.
- Existing Widths
 - Central Street - (Pine St. – Governor St.) – 36' F-F
- Similar streets nearby range in width from 34' – 38' F-F.
- Parking is a concern on this section of street.
- If the current width were maintained a minimal amount of trees other than those that represent a utility conflict, pose a safety concern, or affect boulevard drainage would be affected in the improvement project.

Conclusions:

Due to the traffic count between Pine Street and Superior Street, Central Street would fall into the category of a minor arterial. The recommendations for a minor arterial are listed below. **The Engineering Department is recommending a width of 36 feet from Face of Curb to Face of Curb from Pine Street to Governor Street (Current Width = 36 feet) with parking allowed on both sides.**

Functional Classification of Streets	Number of Traffic Lanes	Curb to Curb Width			
		No Parking		With Parking	
		Range of Normal Widths	Desirable	Range of Normal Widths	Desirable
Local	2	26'-32'	30'	30'-36'	32'
Collector	2	30'-34'	32'	35'-40'	38'
Minor Arterial	2	34'-38'	36'	40'-44'	42'
Principal Arterial - Other than Freeways and Expressways	2-4	36'-52'	2 in - 36'	---	---
			4 in - 52'		

Rick Rubenzer

From: Jamie O'Shea [joshea@roadsafetraffic.com]
Sent: Thursday, February 13, 2014 11:56 AM
To: Rick Rubenzer
Subject: Upcoming Union Pacific Railroad Closures

Mr. Rubenzer,

I received your message. The Union Pacific has four tracks they need to work on within the city limits. The locations and dates for full closure with detours are as follows:

Garcon St. September 1st through the 2nd, Link:

<https://maps.google.com/maps?q=44.917212,-91.3987570&hl=en&@=44.917212,-91.3987571&spn=0.011928,0.01929&sll=44.906241,-91.409619&sspn=0.01193,0.01929&t=m&z=16>

Wisconsin St, September 3rd through the 4th, Link:

<https://maps.google.com/maps?q=44.919097,-91.3975670&hl=en&@=44.919097,-91.39756&spn=0.011928,0.01929&sll=44.917212,-91.398761&sspn=0.011928,0.01929&t=m&z=16>

Main St. September 8th through the 9th, Link:

<https://maps.google.com/maps?q=44.924597,-91.3906000&hl=en&@=44.924597,-91.390607&spn=0.011926,0.01929&sll=44.919087,-91.39756&sspn=0.011928,0.01929&t=m&z=16>

Woodward Ave., September 10th through the 11th, Link:

<https://maps.google.com/maps?q=44.9261669,-91.3890955&hl=en&@=44.926161,-91.389105&spn=0.011928,0.01929&sll=44.924597,-91.392607&sspn=0.011926,0.01929&t=m&z=16>

Please let me know the city requirements for approval on temporary road closures.

Thank you for your time and help in this matter.

Jamie

RoadSafe
TRAFFIC SYSTEMS

Jamie O'Shea | Office Manager | RoadSafe Traffic Systems, Inc
1608 Frazer Ave. Sparks, NV 89431
Ph 775-356-0103 | Fax 775-356-0109 | E-Fax 602-322-0955

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Rick Rubenzer

From: Robert Ferg [rferg@ferglaw.org]
Sent: Wednesday, March 05, 2014 3:15 PM
To: Rick Rubenzer; Greg Hoffman (work)
Subject: Re:

The police department was seeking opinions on our ordinance last week and I advised them that we could proceed under our ordinance. There is a practical problem. We are limited to \$500.00 plus costs for a total of \$767.50. The railroad is skimping on engines and enlarging the load in order to maximize profit. My guess is that the forfeiture is a drop in the bucket to them compared to their profit. There is also sec. 182.285, Stats., but that has an imprisonment penalty so it can only be enforced in the name of the State and that means the District Attorney has to pursue it. Thanks. Bob.

----- Original Message -----

From: Rick Rubenzer
To: rferg@ferglaw.org ; Greg Hoffman (work)
Sent: Wednesday, March 05, 2014 8:42 AM

Bob: As discussed briefly at last night's Common council meeting, the BPW will address train stalls and closures at street intersections due to various reasons on Monday, March 10, 2014. Can you please review the attached statutes and comment as to whether the city can enforce these statutes or not? Greg, you mentioned the UP representative you had spoke with. Should we invite him to the meeting? If so do you have a phone number or email for him? Thanks



*Richard J. Rubenzer, PE
Director Of Public Works, City Engineer, Utilities Manager
City of Chippewa Falls
50 west Central Street
Chippewa Falls, WI 54729
715 726-2736 Office,
715 726-2736 Facsimile,
715 577-4917 Cell*

Rick Rubenzer

From: Wendy L. Stelter
Sent: Thursday, March 06, 2014 9:12 AM
To: Rick Rubenzer
Cc: Greg Hoffman (work); Alderman Group Email
Subject: Train Issues

Rick,

For purposes of the Monday Board of Public Works Meeting I have the following.

1. I have mailed a letter to the Commissioner of Railroads, Mr. Jeff Piale, to see if he can assist in this matter. It is his office that monitors blocked roadways by railroads. As of today, I have not heard from him. He would have received the letter Monday (3/3).
2. We have contacted the City Atty. and the District Atty about enforcement. Both agree that the we can cite but the it will likely be dismissed based upon this is a federal entity and would require federal enforcement. Additionally, a fine of less than \$200 is minimal to the RR's.
3. I have requested a report from the Dispatch Center during the month of Jan and Feb of dates when road blockages have been called in and by whom. Below is the result.

So far I have come up with the following:

02/18/14 – 2346 hrs, called in by Union Pacific Dispatch (blocked approx. 5 hours)

02/23/14 – 0225 called by Union Pacific Dispatch about people vandalizing the train, don't believe that we were aware that it was stopped prior to that. 0347 hrs UP called and asked the status of the vandalism call and that the train would be moving shortly. We believe the train did not start moving until at least another 1.5 hours.

02/24/14 - 0040 hrs reported by Officer Jacobson. We called UP and they had no idea that it was blocked. It looks like this one extended until at least 1400 hrs the next afternoon.

02/26/14 – 2336 hrs reported by Officer Jacobson, we called UP dispatch and they were not aware of it. Officer Jacobson requested the number for UP so he could call them. Not sure of the duration on this one.

02/28/14 – UP dispatch called us at 2323 hrs to report the train had stalled, city officer reported that the intersection was still blocked at 0217 hrs. Sgt on duty indicates still blocked at 0500.

We will have to do some further checking tomorrow in January for more occurrences, it's possible that they occurred but were not reported. We get calls countywide about RR crossings being blocked all the time. I believe that most of them are documents by dispatch. Hope this helps.

Lt Tim Blizek
Chippewa County Sheriff's Dept
735-726-7989

If you would like me to do anything more for your meeting Monday night, let me know. Once I hear more from Tim Blizek about the month of January, I will let you know.

Wendy

7.16 OBSTRUCTION OF CROSSINGS BY TRAINS. (Cr. #73-20; Ren. MSC '85)

(1)

No person shall stop and leave standing any railroad train, locomotive or car upon or across any street in the City longer than 5 mins.

(2)

No person shall operate or permit to be operated any railway train, locomotive or car upon or across any street crossing to the obstruction of public travel thereon for longer than 5 mins.

(3)

No person shall obstruct any street crossing in the City for a continuous period of more than 5 mins. by the operation of more than one train or locomotive over the same crossing.

(4)

Any conductor, engineer, switchman, brakeman or other employee or agent in charge of such offending train, locomotive or car or otherwise responsible therefor in violation of this section, shall be subject to the penalty provided in §7.25 of this Municipal Code.

7.25 PENALTY. (Am. MSC '91)

(1)

The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §53.46(1), Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats.

(2)

Any forfeiture for violation of the State Statutes adopted by reference in §7.01 of this chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

(3)

The penalty for violation of §§7.02 through 7.16 of this chapter shall be as provided in §25.04 of this Municipal Code.

25.04 PENALTY PROVISIONS.

(1)

GENERAL PENALTY. Except as otherwise provided, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

(a)

First Offense. Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$500, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.

(b)

Second Offense. Any person found guilty of violating any ordinance or part of an ordinance of this Code who has previously been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$10.00 nor more than \$500 for each such offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 6 months.

(2)

CONTINUED VIOLATIONS. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

(3)

EXECUTION AGAINST DEFENDANTS PROPERTY. Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the City, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.

(4)

CITATION METHOD ADOPTED. (Ord. #79-59)

(a)

Authority. (A m. MSC '89) Pursuant to §66.119, Wis. Stats., the City authorizes the citation method of enforcement for violations of ordinances, including those for which a statutory counterpart exists.

(b)

Form and Provisions of Citation. The citation shall contain the following information:

1.

The name and address of the alleged violator.

2.

3. The factual allegations describing the alleged violation.
4. The time and place of the offense.
5. The section of the ordinance violated.
6. A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
7. The time at which the alleged violator may appear in court.
7. A statement which, in essence, informs the alleged violator:
 - a. That he may make a cash deposit based on the schedule established in this chapter to be delivered or mailed to the Clerk of Circuit Court prior to the time of the scheduled court appearance.
 - b. That, if he makes such a deposit, he need not appear in court unless he is subsequently summoned.
 - c. That, if he does not make a cash deposit and does not appear in court, either he will be deemed to have tendered a plea of no contest and submitted to a forfeiture not to exceed the amount of the deposit, or he will be summoned into court to answer the complaint if the court does not accept that plea of no contest.
 - d. That, if no cash deposit is made and he does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
8. A direction that, if the alleged violator elects to make a cash deposit, he shall sign an appropriate statement which accompanies the citation to indicate that he read the statement required under subpar. 7. of this section and shall send the signed statement with the cash deposit.
9. Such other information as may be deemed necessary.

(c)

Deposit Schedule (A m. #89-15)

1.

The following schedule of cash deposits are required for the following ordinance violations for which a citation may be issued:

Chapter	Offense	Deposit and Cost
7	Illegal Parking in a Handicapped Zone	\$20
7	Improper Parking Offenses, Parking on Posted Private Property (Forfeiture doubles if not paid within 5 days of issuance of citation) (Am. #O-2002-09)	\$15
8	Streets and Sidewalks	\$25 and 7
9	Orderly Conduct (namely §§9.35 and 9.41) (Cr. #85-8)	25 plus amount currently owing the library and \$10
10	Public Nuisances	\$25 and 7
11	Health and Sanitation	25 and 7
12	Licenses and Permits	\$25 and 7
14	Building Code	\$25 and 7
15	Electrical Code	\$25 and \$7
16	Plumbing Code	25 and 7
17	Zoning Code	\$25 and 7

19	Sign Regulations	25 and 7
20	Gas Heating Code	25 and 7
21	Housing and Occupancy Code	25 and 7
22	Floodplain Zoning	25 and 7
23	Solid Material Heating Code	25 and 7
28	Historic Preservation Code (Cr. #96-19)	25 and 7
29	Wellhead Protection (Cr. #97-25)	25 and 7

2.

The above schedule of cash deposits are for a first offense. The deposit schedule for any person who shall violate any provision of this section who shall previously have been convicted of a violation of the same ordinance within one year of the date of the alleged second offense shall be subject to a deposit of \$50 plus \$7 costs and any person found guilty of violating any provision of this section for a third or subsequent time which alleged third or subsequent offense occurred within a one-year period shall be subject to a cash deposit of \$75 plus \$7 costs. Each violation and each day a violation continues or occurs shall constitute a separate offense.

3.

The above deposits shall be made in cash, money order or certified check to the Clerk of Circuit Court who shall provide a receipt therefor.

(d)

Issuance of Citations.

1.

Law enforcement officers may issue citations authorized under this section.

2.

The following officials are authorized to issue citations for violations of those ordinances which are directly related to their official responsibilities:

a.

Health Officer.

b.

Fire Inspector.

c.

City Inspector and Assistant City Inspector(s). (Am. #95-37)

d.

Library Director. (Cr. #85-2)

e.

The Street Superintendent or First Assistant Street Superintendent for violation of snow removal parking under §7.03(c). (Cr. #94-33)

f.

Director of Public Works. (Cr. #98-30)

g.

Superintendent of Public Utilities as concerns Chapter 13 of this Code of Ordinances. (Cr. #98-30)

(c)

Procedure. Section 66.119(3), Wis. Stats., relating to violators' options and procedure on default, is adopted and incorporated in this section by reference.

(f)

Relationship to Other Laws. The adoption and authorization for use of a citation under this section shall not preclude the City Council from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter. The issuance of a citation under this section shall not preclude the proceeding under any other ordinance or law relating to the same or any other matter; shall not preclude the issuance of a citation under this section.

(5)

The following schedule appertains to tickets issued for the following ordinance violations: (Cr. #06-11)

(a)

- 1-hour parking\$ 4.00
- (b) 2-hour parking6.00
- (c) 4-hour parking6.00
- (d) 8-hour parking8.00
- (e) 24-hour parking10.00
- (f) 48-hour parking10.00
- (g) 2:00 a.m.—6:00 a.m.12.00
- (h) Prohibited parking10.00
- (i) Loading zone parking10.00
- (j) Semi-drop parking25.00
- (k) Improper parking10.00
- (l) Handicap parking30.00
- (m) Posted parking20.00
- (n) Keys left in ignition50.00
- (o) Unattended vehicle left running50.00



CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

Applicant Name and Address: <u>James E. Docksey</u>	Applicant Phone Number: <u>715 723 8588</u>
--	--

<input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization:
--	---

Name of the event: <u>Springfest Fun Run</u>	Estimated number of persons participating: <u>100-150</u>
---	--

Date and start and end times requested for street use:
April 26 2014 @ 11:00am ending 11:45

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
Irvine Park entrance off of Jefferson Ave. (by wood carver)

Use, described in detail, for which the street use permit is requested:

City services requested for the event (e.g., Street Department or Police Department staff time):
We will need traffic control for the start.
Traffic control where runners will cross JEFF. AVE INTO PARK.

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

[Signature] 7/25/14
Signature of Applicant Date

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
Est. 30 min of 1.00 duty (not O.T.) Patrol officer for traffic control.

Requirements of Applicant: pick up barricades and cones (if needed) at the city garage (5 Appleton Ave) by 1pm on Friday April 25, and return on Monday April 28, 2014 9:00- 2/26/14

Approved by:
[Signature] [Signature]
Signature of Chief of Police Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied

Decision of City Council (required): Approved Denied

**MINUTES OF THE PLAN COMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, MARCH 10, 2014 – 6:30 PM**

The Plan Commission met in City Hall on Monday, March 10, 2014 at 6:30 P.M. Present were Commissioners Dave Cihasky, Peter Pohl, Mike Tzanakis, Dan Varga, Beth Arneberg, Alderperson Chuck Hull, Secretary Rick Rubenzer, and Vice-Chairperson Tom Hubbard. Absent were Mayor Greg Hoffman and Commissioner Jerry Smith. Also attending were Assistant City Engineer Matt Dectur and Joe Germain of 503 Squires Street, Chippewa Falls.

1. **Motion** by Varga, seconded by Tzanakis to approve the minutes of the February 10, 2014 Plan Commission meeting. **All present voting aye. Motion carried.**

2. Joe Germain appeared to support his petition to rezone Parcel #3301, Lot #1, Block #4, 1st Addition to Parkhurst Addition, located at 506-508 Macomber Street from R-1C Single Family Residential to R-2 Two Family Residential district. He stated that the existing building was a duplex and had been built in 1966. One of the tenant families have lived there for thirty-five years. Mr. Germain indicated he had performed a major remodel in 2013 and that he kept the building in really nice condition as Landlord. The Plan Commission investigated surrounding single and two-family zoning districts and determined that the proposed R-2 Two-Family zoning would not be detrimental to the neighborhood.
Motion by Varga, seconded by Hull to recommend the Common Council conduct a public hearing to consider rezoning Parcel #3301, Lot #1, Block #4, 1st Addition to Parkhurst Addition, located at 506-508 Macomber Street from R-1C Single Family Residential to R-2 Two Family Residential district. Said hearing to be scheduled upon receipt of the \$300 advertising and processing fee and the proper notification of adjacent property owners. **All present voting aye. Motion carried.**

3. **Motion** by Cihasky, seconded by Tzanakis to adjourn. **All present voting aye. Motion carried.** The Plan Commission adjourned at 6:36 P.M.


Richard J. Rubenzer, P.E., Secretary
Plan Commission

**MINUTES OF THE PLAN COMMISSION MEETING
CITY OF CHIPPEWA FALLS
MONDAY, FEBRUARY 10, 2014 - 7:30 PM**

The Plan Commission met in City Hall on Monday, February 10, 2014 at 7:30 P.M. Present were Commissioners Dave Cihasky, Peter Pohl, Dan Varga, Beth Arneberg, Jerry Smith, Alderperson Chuck Hall, Secretary Rick Rubenzer, Vice-Chairperson Tom Hubbard and Mayor Greg Hoffman. Absent was Commissioner Mike Tzanakis. Also attending were Assistant City Engineer Matt Decker, Alderperson Jane Lardahl, Dennis Hakes representing the rezoning request of parcel #349 and Jim and Luke Rooney representing Willow Creek.

1. **Motion** by Hubbard, seconded by Varga to approve the minutes of the January 13, 2014 Plan Commission meeting. All present voting aye. Motion carried.
2. The Plan Commission considered the time for Plan Commission meeting as is done from time to time. After discussion:
Motion by Cihasky, seconded by Hubbard to change the Plan Commission meeting time from 7:30 P.M. to 6:30 P.M. All present voting aye. Motion carried.
3. The Plan Commission considered the attached draft Revised Flood Plain Ordinance for the City of Chippewa Falls. It is Chapter 22 of the City of Chippewa Falls Municipal Code and is based on the Wisconsin DNR 2012 model ordinance. Rubenzer noted that the biggest change from the Flood Plain Ordinance adopted by the City of Chippewa Falls Common Council on February 16, 2010 was in Chapter 22.90 Enforcement and Penalties. The penalty previously listed as not less than \$100 and not more than \$500 was changed to \$50 per day as is outlined in State Statute #87.30 and as recommended by WIDNR. Rubenzer also stated that Attorney Ferg and WIDNR had reviewed and approved the draft ordinance being considered by the February 10, 2014 Plan Commission.
Motion by Hubbard, seconded by Varga to recommend the Common Council conduct a public hearing to consider adopting the attached revised Chapter 22 Flood Plain Ordinance, (based on the WIDNR 2012 model Flood Plain Ordinance), after proper newspaper publication and notification. All present voting aye. Motion carried.
4. Jim Rooney appeared to present the attached preliminary plat for Willow Creek Phase III and to support the Westwood Land Company petition for an amendment to C.U.P. Resolution 2012-04. The amendment proposes reducing 13 single family lots located around Brooke Court to 9 and changing 22 single family lots to 30 twin home lots adjacent to the northern extension of Timber Trail. The net change for the Willow Creek Subdivision is a four unit increase in density. Mr. Rooney stated that the twin homes would be owner-occupied. Rubenzer answered a question stating the Common Council approved or denied plats based on City of Chippewa Falls Subdivision and Platting Code Chapter 18 and State Statute 236.
Motion by Hubbard, seconded by Cihasky to recommend the Common Council approve the preliminary plat of Willow Creek Phase III subject to any stormwater management plan changes necessitated by the proposal and upon successful review by the Wisconsin

Department of Administration. All present voting aye. Motion carried.

Motion by Smith, seconded by Hubbard to recommend the Plan Commission conduct a public hearing to consider amending C.U.P. Resolution #2012-04 by recreating thirteen single family lots around Brooke court into nine larger single family lots and by recreating twenty-two single family lots along the northerly extension of Timber Trail into thirty twin home lots. Said public hearing to be scheduled upon receipt of the \$300 legal notice fee and proper notification of adjacent property owners. All present voting aye. Motion carried.

5. Dennis Rakos appeared to support the petition to rezone parcel #349, (lot #10, block #42 of the Chippewa Falls Plat located at #209 West Grand Avenue), from C-3 Central Business District to R-2 Two Family Residential. The Plan Commission discussed adjacent zoning types and the uses in those zones.

Motion by Smith, seconded by O'hasky that the Common Council conduct a public hearing to consider rezoning parcel #349, (lot #10, block #42 of the Chippewa Falls Plat located at #209 West Grand Avenue), from C-3 Central Business District to R-2 Two Family Residential. Said public hearing to be scheduled upon receipt of the \$300 legal notice fee and proper notification of adjacent property owners. All present voting aye. Motion carried.

6. Motion by Varga, seconded by Hubbard to adjourn. All present voting aye. Motion carried. The Plan Commission adjourned at 7:55 P.M.


Richard J. Kubenzer, P.E., Secretary
Plan Commission

Date Filed: 2-7-14

Fee Paid: 25.00 Date: 2-7-14 TR #: 42039

Fee Paid: _____ Date: _____ TR#: _____

PETITION FOR REZONING

TO THE CITY OF CHIPPEWA FALLS, WISCONSIN:

I/We, the undersigned, hereby petition the Common Council of the City of Chippewa Falls, WI, for a rezoning authorized by the Chippewa Falls Zoning Code, Section 17.16, for the following described property:

Address of Property: 506--508 Macomber St. 211-3301

Lot: 1st Block 4 Subdivision 1st Addition to Parkhurst Add. Parcel # 22809-0111 - 63480401
E 13' of Lot 2

or Legal Description: _____

Present zoning classification of property: R-1C Single Family

Zoning classification requested: R-2 (Duplex-Zoning)
Two Family

Name & Address of Petitioner:
Joe German
503 Squires St.
Chippewa Falls, WI 54729

Home/Business Address:

Phone Number: (715) 828-1113

Lot number of any real estate owned by the petitioner adjacent to the area proposed to be changed: _____

Existing use of all buildings on such land: Duplex - Currently

Principal use of all properties within 300 feet of such land: Duplex & Single Family

Purpose for which such property is to be used: Duplex

Recite any facts indicating that the proposed change will not be detrimental to the general public's interest and the purposes of this Chapter:

The Brick Duplex was built in 1966. It has been a Duplex for the entire life of the property. It is a very well maintained property in excellent condition. The current tenant has lived there for 35+ years.

Attach a plot plan or survey plat, drawn to scale, showing the property to be rezoned, location of structures, and property lines within 300 feet of the property to be altered. Attached _____.

Add any further information requested on the petition or which may be required by the Com:ron Council to faciitate the making of a comprehensive report to the Council:

I am trying to re-finance my property. The mortgage company will not allow this because the current zoning is R-1C - Single Family. The property to the north and all along Bridgewater Ave is Duplex Zoning. I do not plan to do anything different than what the property has been used for the last 39 years.

IN ORDER FOR THIS PETITION TO BE CONSIDERED, THE OWNER (S) OF THE PROPERTY MUST SIGN BELOW:

Owners/Addresses

Petitioners/Addresses

Joe German

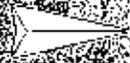
503 Squires St.

Chippewa Falls, WI

54729

Joe German

This map is a compilation of records as they appear in the Chippewa County Office affecting the area shown and is to be used only for reference purposes.



Duplex

Single
Family

Single
Family

Duplex

Single
Family

Duplex

Duplex

Duplex

SUB
MORTGAGE

WHEATON ST.

SUB

Single
Family

Single
Family

Single
Family

Single
Family

_____	Roads
_____	Federal/State
_____	County
_____	Town
_____	City/Village
_____	Easement
_____	Forest
_____	Water

MAGOME

Scale = 1 in : 63 ft

Printer: Edman, Inc. 0000

**MINUTES OF THE
CHIPPEWA FALLS BUSINESS IMPROVEMENT DISTRICT
BOARD OF DIRECTORS**

Tuesday, March 11, 2014

The Business Improvement District (BID) Board of Directors met in the Chippewa Falls City Hall on Tuesday, March 11, 2014 at 8:00 a.m. Present were: Jerry Jacobson, Dot Reischel, Kurt Gaber, Dave Gordon, Mary Schnobrich, and Bill Volker. Also present: Teri Ouimette and Jayson Smith.

1. Motion by Jacobson, seconded by Volker, to approve the minutes from the October 23, 2013 BID Board meeting. All present voting aye. Motion carried.
2. Jayson Smith presented the 2013 BID Annual Report and 2013 BID expenditures.

Motion by Gordon, seconded by Gaber, to approve the 2013 BID Annual Report. All present voting aye. Motion carried.

3. Teri Ouimette briefed the Board on current and planned Main Street activities. Teri noted that Main Street is expanding the banners and way finding signs in downtown in 2014. Teri also noted that the planters would be changed in 2014 and added to. It was also noted that the Amundson's building was undergoing some renovation and that the Kousella building had been sold and will be renovated.
4. Main Street requested the first half payment of 2013 BID funding.

Motion by Schnobrich, seconded by Jacobson, to authorize the City to pay the 2014 first half BID funding to Main Street, with the exception of \$500 to be retained in the account. All present voting aye. Motion carried.

The meeting adjourned at 8:35 a.m.

Submitted by:

Jayson C. Smith, Secretary
City Planner

CITY OF CHIPPEWA FALLS
BUSINESS IMPROVEMENT DISTRICT

2013

BUSINESS IMPROVEMENT DISTRICT
ANNUAL REPORT

Prepared By:
Jayson Smith, City Planner
Teri Ouimette, Executive Director, Main Street, Inc.

**2013 ANNUAL REPORT
CHIPPEWA FALLS
BUSINESS IMPROVEMENT DISTRICT**

This report summarizes the activities of the Chippewa Falls Business Improvement District (BID) during 2013. The report is made in accordance with Wisconsin State Statute 66.608.

The goals of the BID were designed to provide for a successful downtown economic development and promotional program in an effort to create a positive image of Downtown Chippewa Falls, increase the economic diversity of the downtown and city, increase the retail and service opportunities for the consumer, increase retail sales in the downtown, encourage both private and public sector investment in the downtown, create job opportunities, and expand the tax base of the downtown BID and City.

To accomplish the goals, the 2013 BID Operating Plan and Budget were developed to provide funding to support Chippewa Falls Main Street, Inc. The 2013 budget was set by the BID Board at \$57,000.00, which accounted for about one third of the Chippewa Falls Main Street budget. The 2013 BID expenditures included \$36,403 to the Main Street program on May 2, 2013 and \$20,597 to Main Street on September 19, 2013. The BID Board maintained a \$500 balance in the BID account to cover any contingency expenses that may occur. However, no additional expenditures were necessary in 2013 and the \$500 balance was carried over to the 2014 calendar year. Currently the BID Board maintains a \$500 balance for any miscellaneous expenses, which may be necessary.

As in 1989, when it was established, the BID Board continues to view its primary purpose as a means to raise operating funds to support Chippewa Falls Main Street activities. This avoids duplication of efforts and wasted energy and funds. The BID Board feels strongly that its goals will be accomplished through the funding and implementation of the Main Street program. To stay abreast of Main Street activities the BID Board is notified of all Main Street Board meetings by receiving agendas and minutes. BID Board members have served on several of the Main Street Standing Committees and the Main Street Board of Directors. BID Board members also receive the Main Street annual calendar of events/meetings and all newsletters.

Primary Main Street activities during 2013 have included:

Chippewa Falls Main Street, Inc



Downtown Revitalization . Historic Preservation . Business Assistance

314 NORTH BRIDGE STREET . CHIPPEWA FALLS, WISCONSIN . 54725 . PHONE 715-734-6661

February 27, 2013

Chippewa Falls BID District Board,

Please find a list of our major accomplishments for 2013. As in former reports, these are listed by the committees which develop that accomplishment. Our committees are aligned with the National Trust Main Street Center's Four-Point Approach.

Chippewa Falls Main Street is redefining the way revitalization is done in the downtown area. We continue to focus our organization's mission and scope by promotion of rehabilitation of buildings, marketing of downtown and its businesses, social media and networking.

About Main Street

- Board of Directors consist of 7 members from the community
- Full-time Executive Director, 1 part-time employee
- Volunteer base, over 350
- Retail/Organization Committee is to promote the downtown as the community's social, cultural and economic center
- Design Committee is to encourage visual improvement through good design that is compatible with historic features and the City Entryway Plan
- Economic Restructuring Committee is to strengthen and broaden the economic base of downtown Chippewa Falls.

Organization/Retail Committees

- New event--Chippewa Falls Main Street will be the new host for the Pure Water Days Parade

Numerous events held in the downtown area include:

- Farmers' Market
- Annual Meeting
- Earth Day
- Paint the Town Red
- Paint the Town Pink * Recipient of Award for Best Retail event, WEDC
- Memorial Day Celebration
- Halloween Trick or Treating/Haunted House
- Haunted House and Trick or Treating
- Haunted Chippewa History Tour
- Who Let the Dogs Out?
- Horse Drawn Wagon Rides
- Santa's House and Santa's Arrival
- Postal Cancellation Stamp
- Christmas Coloring contest

- Santa letters
- Bridge to Wonderland Parade
- Paint the Town Christmas
- Annual Pure Water Days Duck Splash Festival and Raffle
- Music in Harmony Courtyard every Friday night

Brochures and Publications

- 2014 Directory
- Downtown Eating and Retail Establishments
- Pub Guide
- Historic Walking Tour/Teaming up with St. Joseph's Hospital for their (GO) campaign, listing calories burned
- Haunted History Tour

Sales of Downtown Gift Certificates amounting to over \$60,000 in downtown spending

Economic Restructuring:

Chippewa Falls Main Street continues to promote the downtown area through publications, radio, television, brochures, events and networking.

- Downtown Directory of 264 businesses
- Downtown Eating and Retail Establishment, Pub Guide, Historic Walking brochure design, print, and distribute
- Coordinated advertising for the downtown events. Many publications and websites were used including the Chippewa County Visitor Guide, Chippewa Herald, Horizon Television, The Leader-Telegram, Tri-County Advisor, and Volume One, social networking and Facebook
- Appearances on both TV 13 and TV 18 news broadcasts promoting downtown Christmas and other activities

The Downtown Support Small Business (SSB) Program provides the financial assistance to encourage and develop new business in downtown Chippewa Falls. The key objective is to assist with the creation of and to help ensure success of potential new businesses by providing rent assistance. The Economic Restructuring (ER) Committee of Main Street Chippewa Falls runs the program with guidance through SCORE.

Program Eligibility

1. Be located within the designated downtown BID district boundaries
2. Demonstrate terms of agreement with SCORE
3. Provide acceptable business plan
4. Be a new business or an established business relocating to the downtown BID district
5. Nature of business must be a retail or eating establishment located on the ground floor

Design: Downtown Public Improvements

Chippewa Falls Main Street continues to consult with property owners and businesses to promote successful design for facades. We continue to invest in and care for our downtown's physical environment to make it a more appealing place to shop, live, and play and visit.

- Flower Beautification Program-ongoing
- Street scaping
- Add to banners, across both bridges, River Street and side streets

Downtown Building Improvements – Main Street continues to facilitate Revolving Loans for Rehabilitation of Downtown Businesses-

JOYCE PUGH, COUNTRY TREASURES BUILDING WAS THE RECIPIENT OF THE WISCONSIN ECONOMIC DEVELOPMENT CORPORATION HONORABLE MENTION AWARD 2013

Main Street and non-profit and profit organizations have teamed up for events and networking opportunities such as:

- The American Cancer Society
- Leash Association
- St. Joseph's Hospital
- Marshfield Clinic
- Family Support
- Happy Tail's Dog Park
- Chippewa Humane Society
- The Chamber of Commerce
- Economic Development of Chippewa County
- Northern Wisconsin State Fair Association
- Kiwanis
- Rosary
- Optimist Club
- Schools (public and parochial)
- Chippewa Falls Police Department
- Chippewa Falls Fire Department
- City and County of Chippewa Falls
- Vision 2020
- Steering Committee for Chippewa Falls Comprehensive Plan 2030
- Parks and Recreation Department
- Master Gardeners
- Veteran's Assistance Program
- Groundwater Guardians
- Xcel Energy
- Ageing and Disability Resource Center
- Edwards and Hannon Rutledge Charities
- Chippewa Valley Art Association
- Boy Scout and Girl Scouts
- Wal-Mart
- Great Northern Rail
- DW
- Mason Companies
- EDG
- Sandy's County Market
- Chippewa Liars Club
- Chippewa County Historical Society and Genealogical Society
- Boyd Center for the Arts
- Cook-Rutledge Mansion
- Sutton Creek Bicycle and Pedestrian Trail
- Lake Wisconsin State Park and Rays Beach
- Premium Waters
- Life Mart
- Chippewa Manor Nursing Home
- Northwestern Bank
- M & I Bank
- RCU

2013	
New Building Investment	\$12,507,000.00
Building Rehab Investment	\$15,400,475.00
Total Private Investment	\$27,907,475.00
Total Public Investment	\$12,460,952.00
Total Public & Private Investment	\$40,368,427.00
Total Main Street Investment	\$2,031,223.00
ROI Main Street	\$25.04
ROI	\$98.92
ROI	\$21.36

Anchor Bank
All downtown Business owners

Focus for 2014

Promotion of downtown and downtown businesses as the center of the community to include:

- Downtown Entryway Plan
- SFH building on Spring and Bridge Streets
- Rehabilitation plans for property owners, rehab of storefronts
- Wayfinding signage/Banner Program
- Set up and teach maintenance to downtown business owners-Face Book and Websites

With your help we will continue promoting our downtown and community.

We appreciate your continued support!

Tori Quimette
Executive Director
Chippewa Falls Main Street, Inc



SIDEWALK USE PERMIT APPLICATION

Name Of Applicant: <i>Sinden Gough Foreign 5/Lucy's</i>	Address Of Applicant: <i>117 N Bridge St</i>
Telephone Number: <i>715-723-6389</i>	Date And Length Of Time Requested For Use Of Sidewalk: <i>April 14 - Oct 18 2014</i>
Description Of The Portion Of Sidewalk To Be Used: <i>Front of Foreign 5/Lucy's along Bridge St</i>	
Describe In Detail The Purpose For Which The Sidewalk Will Be Used: <i>Outside Seating. See attached.</i>	

The applicant agrees to indemnify, defend and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City on account of any injury to, or death of, any person or any damage to property caused by or resulting from the activities for which the permit is granted.

This Sidewalk Use Permit may be revoked by the City Council for any violation of any condition of such permit as set out in Ordinance 94-13, passed on May 17, 1994. Such revocation shall be after affording the permit holder a hearing before the City Council after service on the permit holder of notice of hearing at least 3 days but not more than 30 days from the date and service of the notice and a detailed statement of the facts alleged to constitute any such violation.

Bond Certificate and sketch of area to be used must be attached.

Signature of Business Owner

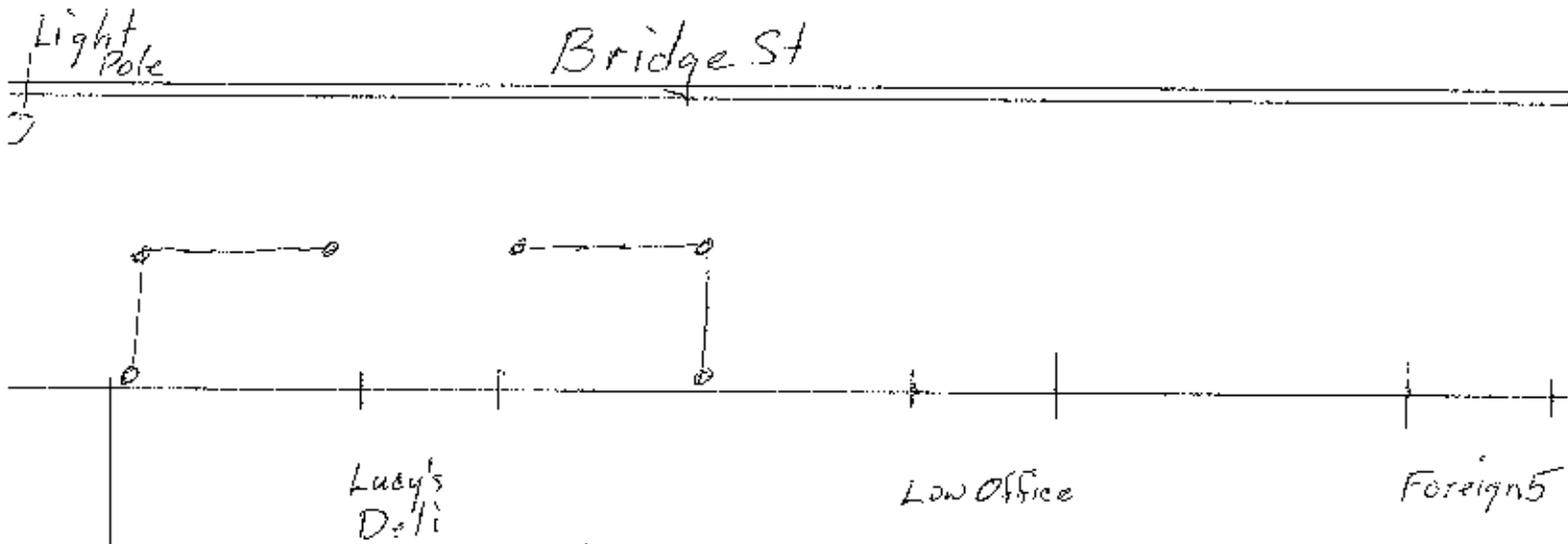
[Handwritten Signature]

Date Signed

2/24/14

Date of Council Approval

Sidewalk Use Permit
Foreign 5 / Lucy's Deli
2014



This is the same layout with chain barrier
as last year



CERTIFICATE OF LIABILITY INSURANCE

FOREI-2 OP ID: CJ

DATE TIME/ZONE:

02/25/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Mower Insurance Agency, Inc. 515 West Prairie View Rd P.O. Box 248 Chippewa Falls, WI 54729-0248 Tim C Mower	CONTACT NAME: Tim C Mower	FAX: 715-723-5157
	PHONE: 715-723-5525	EMAIL ADDRESS: tmower@mowerins.com
INSURED: G2 Holdings LLC DBA Foreign 5 & Luci's Deli 123 N Bridge St Chippewa Falls, WI 54729	INSURER(A) AFFORDING COVERAGE:	
	INSURER A: Liberty Mutual Insurance Co	NAIC #:
	INSURER B: Employers Assurance Co	
	INSURER C: Auto Owners	18988
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ASSIGNED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WAIVER OF CERTIFICATE, THIS CERTIFICATE MAY BE ISSUED OR MAY CONTAIN THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL EXCLUSIONS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURER	TYPE OF INSURANCE	AGENCY OR RISK (NAIC)	POLICY NUMBER	POLICY START (MM/DD/YYYY)	POLICY END (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CONTRACT - <input checked="" type="checkbox"/> OTHER		BZS1855849348	01/15/2014	01/15/2015	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (per occurrence) \$ 2,000,000 MEDICAL (Any one person) \$ 15,000 PERSONAL AND ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
NON-AGGREGATE LIMIT APPLIES PER:						
<input checked="" type="checkbox"/>	POLICY	<input type="checkbox"/>	PROJECT	<input type="checkbox"/>	LOC	
C	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		4937889900	01/15/2014	01/15/2015	COMBINED SINGLE LIMIT (per accident) \$ 1,000,000 BODILY INJURY (per person) \$ BODILY INJURY (per accident) \$ PROPERTY DAMAGE (per accident) \$ T
C	<input checked="" type="checkbox"/> UM/BIER LIABILITY <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> SOLELY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> RETENTION \$ 100,000		4937889901	01/15/2014	01/15/2015	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS LIABILITY <input type="checkbox"/> ANY PROPRIETARY/INDEPENDENT CONTRACTORS (mandatory in WI) <input type="checkbox"/> If yes, describe under DESCRIBE IN OTHER ENDORSEMENTS	Y/N	IG1255151-03	01/15/2014	01/15/2015	<input checked="" type="checkbox"/> NO STATE OR FEDERAL DL EACH ACCIDENT \$ 500,000 DL DISEASE - EARLY NOTICE \$ 500,000 DL DISEASE - LATE NOTICE \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Include ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CITYCF1

City of Chippewa Falls
30 W Central St.
Chippewa Falls, WI 54729

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Tim C Mower

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CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

Applicant Name and Address: <u>James E. Docksey</u>	Applicant Phone Number: <u>715 723 8588</u>
--	--

<input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization:
--	---

Name of the event: <u>Springfest Fun Run</u>	Estimated number of persons participating: <u>100-150</u>
---	--

Date and start and end times requested for street use:
April 26 2014 @ 11:AM ending 11:45

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
Irvine Park entrance off of Jefferson Ave. (by wood carver)

Use, described in detail, for which the street use permit is requested:

City services requested for the event (e.g., Street Department or Police Department staff time):
We will need traffic control for the start.
Traffic control where runners will cross Jeff. Ave into Park.

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

Signature of Applicant: [Signature] Date: 2/25/14

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
Est. 30 min of 1 on duty (not O.T.) Patrol officer for traffic control.

Requirements of Applicant: pick up materials and cones (if needed) at the city garage @ 8:00am on Friday, April 25, and return on Monday, April 28, 2014 @ 2:00pm

Approved by: [Signature] Signature of Chief of Police
[Signature] Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied
Decision of City Council (required): Approved Denied



CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

Applicant Name and Address: Chippewa County Historical Society	Applicant Phone Number: 715-723-4399
--	--

<input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual. Mary Brown, Co-Chair, 715-723-0619 666 Summit Avenue, Chippewa Falls, WI 54729	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization: Dave Gordon, President Chippewa County Historical Society 123 Allen street, Chippewa Falls, WI 54729
---	--

Name of the event: The Past Passed Here	Estimated number of persons participating: 1,000 -1,200
---	---

Date and start and end times requested for street use:
Friday, May 2 is set up through May 12th tear down. Port-a-potties will be delivered May 2 and picked up May 12.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
Allen Park Pavilion and empty lot at 1 S. Bridge Street that is owned by the city. Use of the vacant lot at 12 S. Bridge Street (old gas station) & area south of Valley Roofing.

Use, described in detail, for which the street use permit is requested:
We will have French fur traders, lumberjacks and trader re-enactor camps. Please see attached for description.

City services requested for the event (e.g., Street Department or Police Department staff time):
We are requesting 4 barricades, snow fence & powder from the Street Department delivered to the park when they are going by the park on Friday, May 2, 2014.

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

<i>Mary Brown</i> Signature of Applicant	_____ Date
---	---------------

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
\$ barricades & snow fence, powder will be delivered while on normal route on Friday, May 2, 2014 so no charge from public works.

Requirements of Applicant:

Approved by: Signature of Chief of Police	 Signature of Director of Public Works
--	---

Recommendation of Board of Public Works (if required): Approved Denied

Decision of City Council (required): Approved Denied

Chippewa County Historical Society

AREA HISTORY CENTER • 123 Allen Street, Chippewa Falls, WI, USA • 54729-7893
715-723-4299 • www.ChippewaCountyWIHistoricalSociety.org



March 11, 2014

Bridget Givens, City Clerk
City of Chippewa Falls
30 W. Central Street
Chippewa Falls, WI 54729

RE: "The Past Passed Here -- Celebrating Chippewa County History"

Dear Bridget:

This year *The Past Passed Here* is again being presented by the Chippewa County Historical Society. We are pleased to present the French Fur Trade and lumbering era encampments that have been a huge success in the past. We will have approximately 600 4th grade children along with their teachers attending again this year.

"The Past Passed Here" is a special event featuring four and one-half days of hands-on activities highlighting the historic sights and sounds of early Chippewa Falls. Our event held during National Historic Preservation Month will take place May 7th through the 11th and includes historic re-enactors portraying characters from the Fur Trade Era and the Lumbering Era. Visitors to the historic encampment will experience camp skill competitions, 1800's style food and browse a trader's row selling period merchandise.

Enclosed is a copy of the sponsorship opportunity form. This letter and information is being furnished so you can share our planning activities with the Mayor, appropriate city departments and the City Council.

Thank you for your support of our project. Please contact me at 723-0619 with comments questions or suggestions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Brown".

Mary Brown
Chairman

Enclosure



APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional information on reverse side. Contact the municipal clerk if you have questions.

FFE \$ 10.00

Application Date: MAR 4, 2014

Town Village City of Chippewa Falls County of Chippewa

The named organization applies for: (check appropriate box(es))

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(3), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning APR 25, 2014 and ending APR 25, 2014 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Boy's Life Club Church Lodge/Society Veterans' Organization Fair Association

(a) Name Knights of Columbus

(b) Address 236 Pumphouse Rd Town Village City

(c) Date organized _____

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers: (cell phone/telephone number)

President Dale G. Schutte 715-219-3107 12420 67th Ave N. CF.

Vice President _____

Secretary Lee O. Marks

Treasurer Kenneth Gudow 715-722-4573 651 S. MAIN ST CF.

(g) Name and address of manager or person in charge of affair: Dale G. Schutte
 12420 67th Ave N. CF. (M) 715 720 5906 (C) 715 219 3107

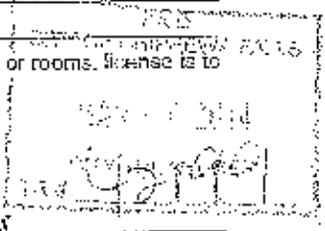
2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 236 Pumphouse Rd Chippewa Falls, WI

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? All

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: Lic Bartender on site
 All Applicable Laws will be observed



3. NAME OF EVENT

(a) List name of the event KC Annual Smelt Feed Minors Present? Yes

(b) Dates of event & times APR 25, 2014 4-11 PM Reason for Minors being present: Annual Community Smelt Fry - open to all.

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer _____ Knights of Columbus
(Name of Organization)

Officer Dale G. Schutte 3/3/14 Officer Lee O. Marks 3/3/14
(Signature/Date) (Signature/Date)

Officer Kenneth Gudow 3/3/14 Officer _____
(Signature/Date) (Signature/Date)

Date Filed with Clerk _____ Date Reported to Council or Board _____

Date Granted by Council _____ License No. _____

Police Dept Approval: Chief Stettin Date: 03-07-2014

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

Fee \$ 10.00

Application Date: 3/13/14

Town Village City of Chippewa Falls County of Chippewa

The named organization applies for (check appropriate box(es))

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 4/26/14 and ending 4/26/14 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bone fide Club Church Lodge/Society Veteran's Organization Fair Association

- (a) Name Chippewa Youth Hockey Association
- (b) Address 839 First Ave, Chippewa Falls, WI 54729
(Street) Town Village City
- (c) Date organized 1989
- (d) If corporation, give date of incorporation 1972
- (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:
- (f) Names and addresses of all officers: (cell phone/telephone number)
 President Robert Niemi 640 S. Main St, Chippewa Falls, WI 54729 715-458-4316
 Vice President Steve Gibbs 3320 Grand St, Chippewa Falls, WI 54729 715-323-2872
 Secretary Michael Rynch 6091 167th St, Chippewa Falls, WI 54729 715-322-3144
 Treasurer Don La May 14 Chippewa St, Chippewa Falls, WI 54729 715-563-6016
- (g) Name and address of manager or person in charge of affair: Robert Niemi
715-776-8331 (cell), 715-458-4316 (C) 640 S. Main St, Chippewa Falls, WI 54729

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

- (a) Street number 839 First Ave, Chippewa Falls, WI 54729
- (b) Lot _____ Block _____
- (c) Do premises occupy all or part of building? All - Includes both buildings interior only
- (d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, and space is to be covered. Do not check entrance and exit bands given. No alcohol allowed outside building.

3. NAME OF EVENT

- (a) List name of the event: Northwest Beer Fest Minors Present? Yes
- (b) Dates of event & times: April 26, 2014 Reason for Minors being present: For food + fun during event only. Not during event
5:00 PM - MIDNIGHT

The Officer(s) of the organization, individually and together, declare under penalty of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Chippewa Youth Hockey Association
(Name of Organization)

Officer Robert Niemi 3/13/2014 Officer _____
(Signature/Date) (Signature/Date)

Officer _____ Officer _____
(Signature/Date) (Signature/Date)

Date Filed with Clerk MAR - 3 2014 Date Reported to Council or Board _____

Date Granted by Council _____ License No. _____

AT-515 (2.8-11)

Wisconsin Department of Revenue

Police Dept Approval: Chief [Signature] Date: 03-07-2014

3/13/14



APPLICATION FOR DANCE AND LIVE MUSIC LICENSE

Name of Applicant: <i>Chippewa Youth Mockery Association</i>	Address of Applicant: <i>839 First Ave, Chippewa Falls, WI 54729</i>																									
Name of Premises to be Licensed: <i>Chippewa Area Ice Arena</i>	Address of Premises: <i>839 First Ave, Chippewa Falls, WI 54729</i>	Date(s) of Event (Class "E" Licenses only): <i>April 26, 2014</i>																								
Class of License Applied for:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Class "A" Annual</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$125.00</td> </tr> <tr> <td style="padding: 2px;">Class "B" Annual</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$80.00</td> </tr> <tr> <td style="padding: 2px;">Class "C" Annual</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$30.00</td> </tr> <tr> <td style="padding: 2px;">Class "D" Annual</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$25.00</td> </tr> <tr> <td style="padding: 2px;">Class "D" If holder of Class "C"</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$10.00</td> </tr> <tr> <td style="padding: 2px;">Class "E"</td> <td style="padding: 2px;"><input checked="" type="checkbox"/></td> <td style="padding: 2px;">\$10.00/day</td> </tr> <tr> <td style="padding: 2px;">Live Music Annual</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$30.00</td> </tr> <tr> <td style="padding: 2px;">Juke Box</td> <td style="padding: 2px;">[]</td> <td style="padding: 2px;">\$30.00 (annual)</td> </tr> </table>		Class "A" Annual	[]	\$125.00	Class "B" Annual	[]	\$80.00	Class "C" Annual	[]	\$30.00	Class "D" Annual	[]	\$25.00	Class "D" If holder of Class "C"	[]	\$10.00	Class "E"	<input checked="" type="checkbox"/>	\$10.00/day	Live Music Annual	[]	\$30.00	Juke Box	[]	\$30.00 (annual)
Class "A" Annual	[]	\$125.00																								
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Class "D" Annual	[]	\$25.00																								
Class "D" If holder of Class "C"	[]	\$10.00																								
Class "E"	<input checked="" type="checkbox"/>	\$10.00/day																								
Live Music Annual	[]	\$30.00																								
Juke Box	[]	\$30.00 (annual)																								

CITY OF CHIPPEWA FALLS
 RECEIVED
 CITY CLERK
 APR 23 2014

EXCERPT FROM MUNICIPAL CODE 12.04 (3) DANCES

APPLICATION AND REPRESENTATIONS. Each applicant shall represent at the time of application that the premises for the license meets all fire, safety and sanitary requirements of the City Code and the State Department of Health and that the premises comply with any applicable building code requirements together with such other requirements as may from time to time be imposed by the City Council. The applicant shall further represent that such compliance will continue at all times during which the license is held.

I have read and understand the above.

Robert Neumann
Signature of Applicant

3/3/2014
Date

Attest: *Bridget Quiens*
City Clerk/Deputy Clerk

Date of Council Approval: _____

License No.: _____



CITY OF CHIPPEWA FALLS

STREET USE PERMIT APPLICATION

Applicant Name and Address: <u>Teri Culmette, 514 N. Bridge St. Chippewa Falls</u>	Applicant Phone Number: <u>(715) 723-6661</u>
<input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization: <u>Chippewa Falls Main Street, Inc. (same address as above)</u>
Name of the event: <u>Lake Wissota Garden Club Sale</u>	Estimated number of persons participating: <u>100-150</u>

Date and start and end times requested for street use:
Sat. June 7th, 2014

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
1/2 of Market Lot (between Spring & Central Streets east of Rushmore Dr.)
Use, described in detail, for which the street use permit is requested: (- See attachment)

LAKE WISSOTA'S GARDEN CLUB ANNUAL PLANT SALE

City services requested for the event (e.g., Street Department or Police Department staff time)
We will need about 20 traffic cones dropped off for this event & left for use at the Farmers Market.

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or amount of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

[Signature] _____ Date: 2/28/14

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
Police - none.

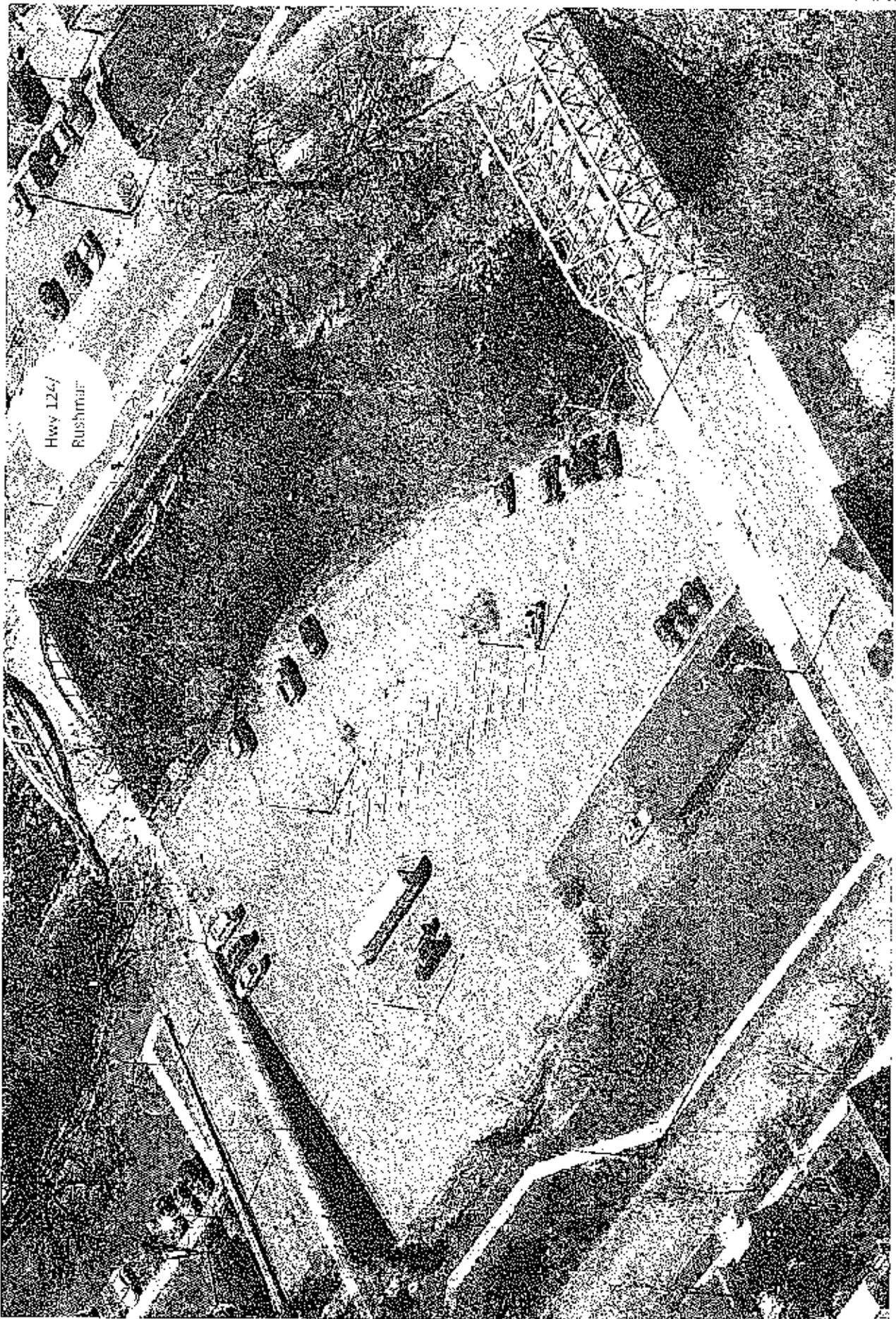
Requirements of Applicant: Note: Street Dept. Personnel will do all during normal hours & during normal routes so no time or charge necessary EPR 2/28/14

Approved by: [Signature] _____ Signature of Chief of Police

[Signature] _____ Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied

Decision of City Council (required): Approved Denied



= area to permit off



CITY OF CHIPPEWA FALLS

STREET USE PERMIT APPLICATION

Applicant Name and Address: <u>Teri Dumette, 514 N. Bridge St. Chippewa Falls</u>	Applicant Phone Number: <u>715-725-1111</u>
<input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization: <u>Chippewa Falls Main Street, Inc. (same info. as above)</u>

Name of the event: <u>Farmers Market</u>	Estimated number of persons participating: <u>200-300 each week</u>
---	--

Date and start and end times requested for street use:
June 12th, 2014 - October 16th, 2014 - Thursdays only from 11 a.m. - 6 p.m. (Market is open from noon - 5:30 p.m.)

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
1/2 of Market Lot (between Spring & Central Streets, east of Rushman Drive) - See Attachment

Use, described in detail, for which the street use permit is requested:
Farmers Markets - vegetables, fruits, bakery items, crafts - all locally made & grown items.

City services requested for the event (e.g., Street Department or Police Department staff time):
None (except that we be able to use the 20 traffic cones that are dropped off for The Lake Wassota Garden Club Plant Sale).

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

Signature of Applicant: <u>[Signature]</u>	Date: <u>2/25/14</u>
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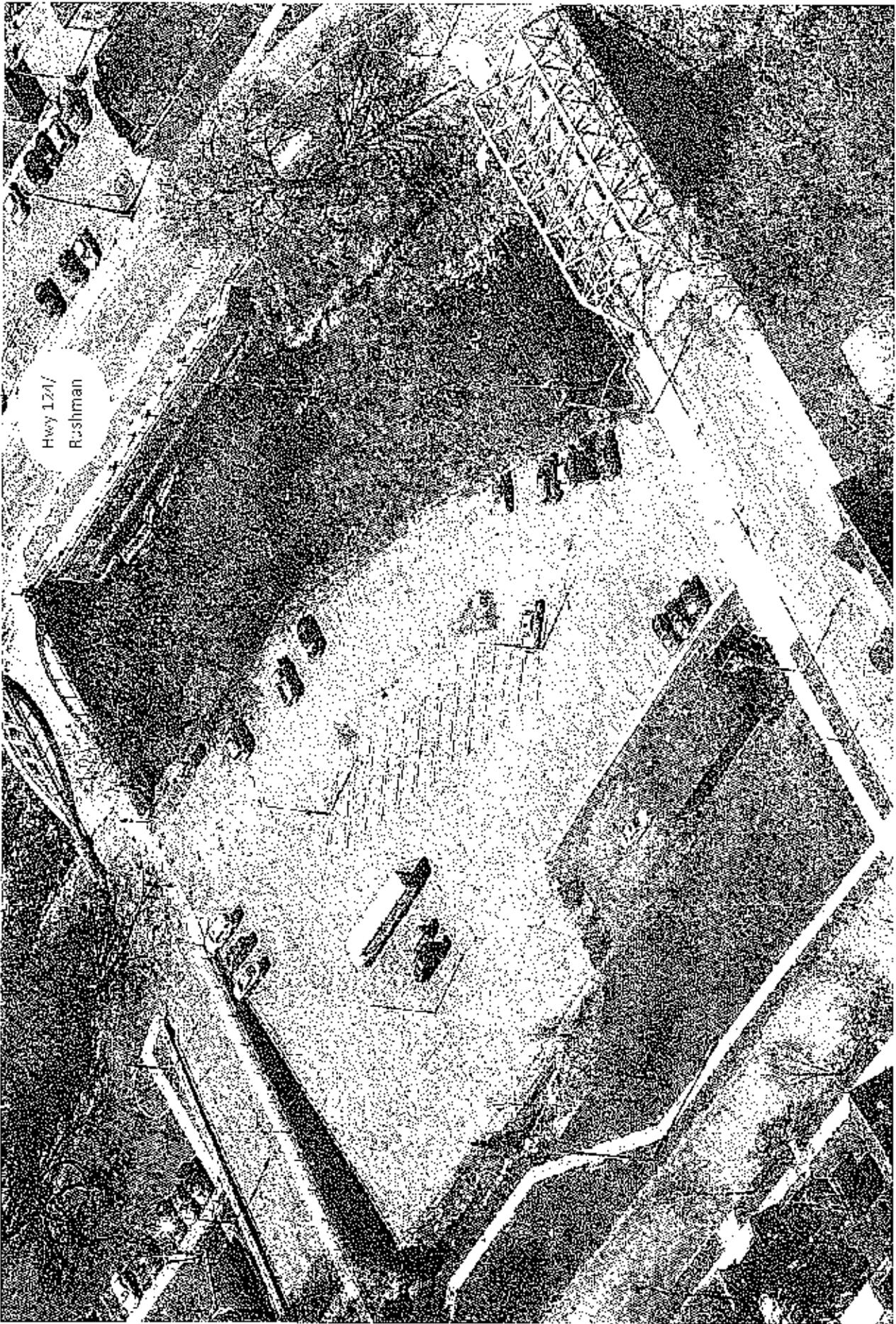
OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
Police - None

Requirements of Applicant:

Approved by: <u>[Signature]</u> Signature of Chief of Police	<u>[Signature]</u> 2/28/14 Signature of Director of Public Works
--	---

Recommendation of Board of Public Works (if required):	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Decision of City Council (required):	<input type="checkbox"/> Approved <input type="checkbox"/> Denied



Hwy 124/
Rushman

= area to permit off-



Proclamation- Vietnam Veterans Recognition Day

39 years after American personnel left Vietnam, we honor and remember the deeds of a group of veterans who served as selflessly as any in our history.

Together we have come through three decades of disillusionment and doubt and reached a new consensus born of conviction -- that, however long the wisdom and merits of U.S. policy in the Vietnam era may be debated, no one can withhold from those who wore our country's uniform in Southeast Asia the homage that is "their due". Our Vietnam-era veterans pledged their lives -- and almost 60,000 lost them during the war in Vietnam.

On this day, we recall those sacrifices and say again to our Vietnam Veterans: We have not forgotten you. We will not forget you. To those who were killed in Vietnam we say: Your names are inscribed not only on the walls of black granite at our Nation's Capital, but in the hearts of your fellow Americans.

This day is also for every Veteran who served in the military during the Vietnam Era. All of you gave of your time and service. We pay tribute to each and every one of you.

We also want to acknowledge and thank our American Hmong and Laos Veterans who fought courageously on behalf of the American people. Many gave the ultimate sacrifice. Vietnamese Veterans you too are not forgotten. Family, this day is very much your day too.

It was the Vietnam Veterans who initiated the highground Veteran Memorial. It was the Vietnam Veterans who rolled up their sleeves and paved the way to make sure that the next generation of veterans and their families were taken care of. It is the Vietnam Veterans who are returning to help the people of Vietnam. There are many Vietnam Era Veterans that are leaders in their communities.

To ALL of our Vietnam-Era veterans, we rededicate ourselves on this day to offer our continuing praise and thanks for your service and sacrifices. We pledge that our Nation will never forget the men and women who gave so much of themselves. This is a day of healing, unity, education, a bridging of the gap, and a coming together on common ground.

NOW, THEREFORE, I, Greg Hoffman, Mayor of the City of Chippewa Falls, do hereby proclaim March 29, 2014, as Vietnam Veterans Recognition Day. I urge all citizens, community leaders, and government officials to observe this day with programs, ceremonies, and activities that commemorate the service and sacrifices of all our Vietnam Era Veterans. We encourage all Vietnam Era Veterans, their families, and members of the community to attend the Annual Vietnam Era Veteran's Day event.

IN WITNESS THEREOF, I have hereunto set my hand and signed this on the 18th day of March, 2014.

Greg Hoffman, Mayor

**Minutes of the
Meeting of the Chippewa Falls Public Library Board of Trustees
February 12, 2014**

1. Call to Order

Meeting was called to order by President Bob Hoekstra at 5:01 P.M.

2. Roll Call of Members

Members Present: Ambelang, Hicks, Hoekstra, King, Miller, Rasmus.

Absent: Russell

Others Present: Director Virginia Roberts; Confidential Administrative Assistant Deb Braden

3. Approval of Agenda

Motion by King to approve the agenda, seconded by Rasmus. All present voting Aye. Motion carried.

4. Disposition of Minutes of Regular Meeting of January 15, 2014 Board Meeting

Motion by Miller to approve the minutes of the regular meeting of the library board held January 15, 2014, seconded by Rasmus. All present voting Aye. Motion carried.

5. Disposition of the vouchers to be paid from the 2013 budget after February 18, 2014.

Motion by Miller seconded by King to approve payment of vouchers to be paid from the 2013 budget for after February 18, 2014. All present voting Aye. Motion carried.

6. Disposition of the vouchers to be paid from the 2014 budget after February 18, 2014.

Motion by King, seconded by Rasmus to approve payment of vouchers to be paid from the 2014 budget for after February 18, 2014.

7. Public appearances by citizens.

None

8. Correspondence

None

9. Management Report

The management report was presented by Virginia. She attended the Library Legislative Day on Tuesday, February 11th in Madison. She had the opportunity to talk to Senator Moulton and Representative Kathy Bernier about library issues with other area librarians and library supporters. Science Saturday was held on Saturday, February 8th and it had at least 36 participants. Virginia will be meeting with the Literacy Executive Director and the Education Coordinator on Thursday, February 13th. The last meeting for the County Library Plan Committee will be Monday, February 17th at 5:30 p.m. at the Library. All are invited to attend.

10. Committee reports

None

11. Current Business

a) Presentation by John Thompson, IFLS, on the WIN Project

John Thompson from IFLS talked about the WIN Project. The WIN Project is an exploratory discussion between three library systems about the possible of merging into one catalog to become more efficient. If the three library systems were to merge their collection catalogues instead of just 49 libraries

In the MORE catalog of IFLS there would be an additional 50 libraries joining from the two other systems. The three systems are the Wisconsin Valley, IFLS, and Northern Waters. The WIN Project has six committees plus a leadership group. All have representatives from each of the three systems plus one member of the Administrative Committee. The committees are Governance/Budget, Patron Experience, Operations, Courier, Cataloging and Technology. Timeframe has all reports due by the end of February. The reports then go to leadership which comes up with a draft report. By the end of April a final report will be shared with staff and boards. This will see if the project should move forward. A state grant could be applied for to help with the project if it goes further.

b) DPI Report Update

Virginia presented the completed DPI report. It has been submitted to IFLS for review before it goes to the Department of Public Instruction.

c) Chippewa County Library Plan Committee update

The plan is pretty much a template of most plans. They are raising the 70% support from the County up to 80% in the next five years. This will be an increase of 2% each year for the next five years. The next meeting of the committee will be Monday, February 17th at 5:30 p.m. at the Library. The next step will be when the Library Plan will be presented to the County Board at their Board Meeting on March 11th. It is recommended as many members of the BOT and library supporters attend as able.

12. Announcements

a) The March meeting is scheduled for March 12th but Director Virginia Roberts will be attending a Conference in Indianapolis and will not be available. Hoekstra suggested the date for the meeting be changed to Monday, March 10. Motion made by King, seconded by Ambeisng to move the March meeting to Monday, March 10th at 5:00 p.m. at the library. All present voting Aye. Motion carried.

13. Items for future consideration

a) Circulation Policy Review

The Circulation Policy needs to be reviewed. A new revision will be drafted and presented to committee in the next month.

Motion by King, seconded by Ambeisng to adjourn. All present voting Aye. Motion carried.
Meeting adjourned at 6:06 p.m.

Respectfully Submitted,
Deb Braden, Confidential Administrative Assistant

PARKS, RECREATION & FORESTRY BOARD MEETING
Tuesday, March 11, 2014

1. Call to order by Beth Arneberg at 6:02 p.m.

Roll Call: Members Present: Audrey Stowell, Dale Berg, Beth Arneberg, Heidi Hoekstra and Carmen Muenich. Absent: Curt Stepanek and Rob Kiefer.

Department Staff present: Dick Hebert and Tommy Eisenhauer.

2. Approval of February 17, 2014, Minutes: **Motion by Berg/Muenich, to approve the February 17, 2014, minutes.** Motion carried.

3. Personal Appearances By Citizens. None.

4. Discuss / Consider Special Event Applications:

- a. Patriotic Council Memorial Day Program, Monday, May 26, 2014, Irvine Park Band Shell. L.roy Jansky from the Patriotic Council is present. This event is the program held at the band shell after the parade on Memorial Day. It is a well attended community event. **Motion by Muenich/Hoekstra, to approve the special event application with waiver of all fees.** Motion carried.

Dick reports there is a second special event that will be discussed later.

5. Discuss/Consider.

- a. Presentation on Marshall Park Floodplain by City Building Inspector, Paul Lasiewicz. Paul Lasiewicz has reviewed the City ordinance and how the floodplain affects the pool bathhouse. He has also been in contact with the DNR. He states a pitched roof can be placed on the bathhouse without going through any special process. Should we wish to increase the footprint size of the bathhouse, a hydraulic analysis would need to be completed. Dick states the roof is the immediate need and recommends focusing on replacing the roof. This will be placed on next month's agenda for further discussion.
- b. Presentation by UW-EC Irvine Park History Project. Dr. John Mann of the UW-EC History Department provides an overview of the Public History Project where students are paired with a community partner to provide assistance with history preservation. This semester, students will be working on Irvine Park's history, the important people involved, the Zoo, and the structures in the Park. Two of the students, Jenny Barth & Everson Struwo, discussed the intended work on the inventory of artifacts, our collections policy, digitizing documents, and a documentary being done by the graduate students. They are working with community members for input. We should provide any suggestions items/focal points to be included in the documentary to Mr. Struwo via Dick Hebert.

Discuss / Consider Special Event Applications: Continued.

- b. Eau Claire Children's Theatre. Sharon McIlquham presents a new event on behalf of the Eau Claire Children's Theatre. They are looking at doing a 5K color run on Friday, June 20. It would start at the fairgrounds with participants

then running thru Irvine Park. They intend to use glow in the dark colors, so it would be a night-time event that would start at dark. Discussed concerns with the night-time aspect of the event. There are no lights in the Park, and the roads are in poor condition with many potholes along the proposed route.

Motion by Muenich/Hoekstra, to deny the special event application, but we would reconsider if participants were out of the park by 9:30 p.m.

Motion carried.

Discuss/Consider. Continued.

- c. Department Special Events Policy. Dick Hebert distributed list of fees charged by the City of Eau Claire for comparison. Discussed possibly adding a use of park fee to our policy for those groups that do not rent a shelter but are using various aspects of the park as well as having set charges based number of attendants for extra garbage, porta-potty policy, etc. Tommy Eisenhower will look into best practices for care and capacity of a park our size.
 - d. Director's Report. Dick Hebert presents. The available bandshell park benches have been sold. Benches for row 2 will be ordered. The Community Assessment Study has been started, and the Study committee members have met. Looking to have a presentation in May, perhaps jointly with the Council. Dick discussed a bridge project on the path at Kell's Corner. Because other groups also meet on the 2nd Tuesday of the month, our meeting location may vary, so we should check the meeting notice to verify location. Discussed that there is \$60,000 of bonded money for the bathhouse roof at the pool. Dick will get a scope of service and bids for the roof.
6. Approve Claims. **Motion by Berg/Muenich, to approve claims of \$57,841.88.** All present voting aye, motion carried.
 7. Board Member comments or concerns. Comments made concerning the north end of Irvine Park, the new turtle, the ice rink, and the bull elk. Dick also mentions that Macy's is doing a fundraiser this month for parks nationwide. The Eau Claire store selected donations to go to Irvine Park.
 8. Adjournment. **Motion by Muenich/Hoekstra, to adjourn at 7:50 p.m.** All present voting aye, motion carried.

Submitted by:

Audrey Slowell, Secretary

ORDINANCE NO. 2014-04

AN ORDINANCE AMENDING THE RESTRICTED
BURNING CODE SECTION 9.31 OF THE
CHIPPEWA FALLS MUNICIPAL CODE

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN,
DO ORDAIN AS FOLLOWS:

1. That § 9.31 of the Chippewa Falls Municipal Code, regarding restricted burning, and which presently provides as follows:

9.31 BURNING RESTRICTED.

No person shall kindle or maintain any bonfire or fire or direct the same to be done in any street, alley or public place or upon any private lot except in a suitable outdoor fireplace or fire container used for outdoor cooking, unless a written permit to do so is obtained from the Fire Department.

be amended to provide as follows:

9.31 BURNING RESTRICTIONS AND PERMITS.

The following provisions apply to any person kindling or maintaining any fire, directly or indirectly, upon any street, alley, public place, or private premises within the City of Chippewa Falls.

- (1) The burning of the following types of materials in outdoor fires are not legal and are banned:
 - (A) Garbage and disposed of food products;
 - (B) Oils and oily substances;
 - (C) Asphalt and roofing materials;
 - (D) Plastics and treated lumber;
 - (E) Rubber products;
 - (F) Leaves and grass; and
 - (G) The burning of any material or substance in a burning barrel, any burning in a burning barrel being prohibited.
- (2) The following may be burned Monday through Friday only (except holidays) with a City of Chippewa Falls Fire Department burning permit:
 - (A) Brush piles;
 - (B) Wooden construction debris; and
 - (C) Bonfires by a school or bona fide civic organization.

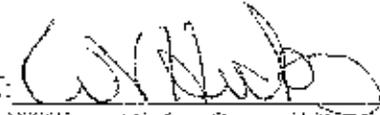
(D) For the burning of brush piles and/or wooden construction debris and/or bonfires, free burning permits shall be obtained through the

Chippewa Falls Fire and Emergency Services Department. The City fire inspector or his designee(s) shall go to the requested location and check the area for safety concerns, proper clearances, weather conditions and proper materials to burn. A burning permit may be issued if the said conditions pass inspection.

- (3) The following types of outdoor fires are legal and are allowed seven days a week without a burning permit from the Chippewa Falls Fire and Emergency Services Department:
 - (A) Brick and mortar fireplaces;
 - (B) Commercially manufactured fireplaces;
 - (C) Commercially manufactured grills and fire containers which are primarily used for cooking, excluding burning barrels which are prohibited; and
 - (D) Small outdoor campfires in fire rings, portable metal mesh containers, and other fireproof containers, excluding burning barrels which are prohibited.
- (4) All outdoor fires in the City of Chippewa Falls must be attended to at all times until the fire is completely burned out or extinguished.
- (5) All types of allowed outdoor burning within the City of Chippewa Falls shall be done without excessive smoke or causing smoke complaints. If a smoke complaint is made police department and/or fire department officers shall respond to the area and investigate. If it is determined that smoke is indeed causing breathing or nuisance problems the outdoor fire may be ordered extinguished immediately. Permitted bonfires shall receive special consideration due to their nature.
- (6) During conditions of extremely dry weather, for the safety and protection of citizens and property, the Chippewa Falls Fire Chief is authorized to put into effect a burning ban within the City of Chippewa Falls. No Fire Department burning permits will be issued during these times. The burning ban shall remain in effect until ground and weather conditions improve at the discretion of the Fire Chief. During official burning bans, attended to small fire places, grills, and fire containers used for cooking, small outdoor campfires in fire rings, and portable metal mesh containers and other fireproof containers, all as allowed as set forth above, will still be allowed with discretion.
- (7) Anyone violating this ordinance section may be required to forfeit up to \$500.00 plus applicable court costs as required by law.

Dated this 18th day of March, 2014.

ALDERPERSON:



William Hicks, Council President

FIRST READING: March 4, 2014 _____

SECOND READING: March 18, 2014 _____

APPROVED: _____

Gregory S. Hoffman, Mayor

ATTEST: _____

Bridget Givens, City Clerk

ORDINANCE NO. 2014-05

AN ORDINANCE REPEALING AND RECREATING
CHAPTER 22 OF THE CHIPPEWA FALLS
MUNICIPAL CODE, FLOODPLAIN ZONING CODE.

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS,
WISCONSIN, DO ORDAIN AS FOLLOWS:

1. That the Federal Emergency Management Agency (FEMA) has mandated that the City of Chippewa Falls Floodplain Ordinance and panel maps be revised and updated by April 26, 2014.

2. That the Common Council of the City of Chippewa Falls, held a public hearing on the repealing and recreation of Chapter 22 Floodplain Ordinance for the City of Chippewa Falls, on Tuesday, March 18, 2014, after publication of Class 2 notices in the official newspaper.

3. That Chapter 22 - Floodplain Zoning Code of the City of Chippewa Falls Municipal Code be and is hereby repealed and recreated per the attached Ordinance.

4. That this Ordinance shall take effect upon its passage and the summary publication attached hereto as allowed by Sec. 62.11(4)(c)2., Wis. Stats.

FIRST READING: March 4, 2014

SECOND READING: March 18, 2014

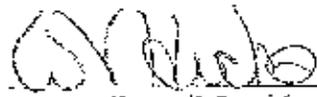
PUBLIC HEARING: March 18, 2014

ADOPTED: _____

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

PUBLISHED: _____



Council President



**WISCONSIN DEPARTMENT OF NATURAL
RESOURCES**

MODEL FLOODPLAIN ORDINANCE

Effective January 1, 2012

STATUTORY APPROVAL REQUIREMENTS

The public hearing notice must be published twice, THE SECOND TIME AT LEAST 7 DAYS BEFORE THE HEARING, to meet statutory notice requirements to legally adopt any zoning ordinance or amendment. The community must also furnish a certified copy of the ordinance and proof of publication or posting of the amended ordinance.

There are five places in this document where blanks must be completed. After filling in those blanks (and putting in proper map references), publishing a Class 2 public hearing notice, and conducting the hearing, this document may be adopted as is by the municipality's governing body.

This model ordinance includes both the minimum regulatory standards required in ch. NR 116, Wis. Admin. Code, and those of the National Flood Insurance Program 44 CFR 59-72. Section 87.30(1)(b), Stats., permits a county, city, village or town to adopt a floodplain zoning ordinance that is more restrictive than the provisions required by the State, but not less restrictive. Other model ordinances are available from DNR, or we will help you develop alternative regulations to meet state and federal guidelines.

Submit the proposed ordinance to the DNR Regional Office zoning specialist for review at least 30 days before the public hearing to determine whether it meets all minimum standards. After public hearing and adoption, it is an added expense to change unacceptable ordinance language. No floodplain zoning ordinance amendment is effective until officially approved by DNR. All amendments must also be submitted to the Federal Emergency Management Agency.

Model ordinances and FEMA flood insurance maps are periodically revised. Contact the DNR before public hearing or adoption to assure you are using the most recent and accurate map and ordinance text available.

A handbook entitled *The Floodplain-Shoreland Management Guidebook* has been developed and distributed to all counties, cities and villages with floodplain or shoreland zoning ordinances. Look for publication in your municipal zoning office for answers to many questions about floodplain, wetland and shoreland zoning, dam safety, and the NFIP. The *Guidebook* is also available for download on the DNR website.

If possible, please submit your draft ordinance electronically. If you have made any changes to the model ordinance, please note the location of the changes in the draft.

The community must fill in these sections prior to adoption:

Section

1.4	City of Chippewa Falls	2
1.5(2)	Insert source, name, date, and location of official floodplain zoning maps and other related maps	3
1.5(12)	Chippewa County	5
7.2(1)	Plan Commission	22
9.0	Insert correct amounts, both minimum and maximum	27

Date of Public Hearing: March 18, 2014 Class 2 Hearing Notice Publication

Date of Adoption:

Date of Publication: February 22, 2014 & March 1, 2014 (Second must be at least 7 days before hearing, see definition)

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22.10 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS

22.11 STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in §61.35 and §62.23, for villages and cities; §59.69, §59.692, and §59.694 for counties; and the requirements in §87.30, Stats.

22.12 FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

22.13 STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

22.14 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Chippewa Falls, Wisconsin.

22.15 GENERAL PROVISIONS

(1) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

(2) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see §22.80 *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the City Inspector,

City of Chippewa Falls, WI. If more than one map or revision is referenced, the most restrictive information shall apply.

(a) OFFICIAL MAPS : Based on the FIS:

1. Flood Insurance Rate Map (FIRM), panel numbers 55017C0558E, 55017C0559E, 55017C0562E, 55017C0566E, 55017C0567E, 55017C0578E, 55017C0579E, 55017C0586DE and 55017C0590E, dated March 2, 2010; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated April 16, 2014, volume number 55017CV000B.
2. Flood Hazard Boundary Map (FHBM), panel number

(b) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into three districts as follows:

- (a) The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- (b) The Floodfringe District (FF) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- (c) The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to §22.80. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required.

The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to §22.73(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to §22.80 *Amendments*.

- (a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (b) Where flood profiles do not exist for projects, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for

removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to §22.80 *Amendments*.

(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if §13.48(13), Stats. applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when §30.2022, Stats. applies.

(8) ABROGATION AND GREATER RESTRICTIONS

- (a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under §62.23 for cities or §87.30, Stats. which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- (b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Chippewa County floodplain zoning provisions in effect on the date of

annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and the 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

22.20 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in §22.71(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

22.21 HYDRAULIC AND HYDROLOGIC ANALYSES

(1) No floodplain development shall:

- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
- (b) Cause any increase in the regional flood height due to floodplain storage area lost.

(2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height based on the officially adopted FIRM or other adopted map, unless the provisions of §22.80 Amendments are met.

22.22 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of §22.21 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to §22.80 Amendments, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

22.23 CHAPTERS 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to §22.80 Amendments.

22.24 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health Services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in subsection (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either §22.30, §22.40 or §22.50 for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

22.30 FLOODWAY DISTRICT (FW)

22.31 APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to §22.54.

22.32 PERMITTED USES

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
 - they meet the standards in §22.33 and §22.34; and
 - all permits or certificates have been issued according to §22.71.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
 - (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of §22.33(4).
 - (4) Uses or structures accessory to open space uses, or classified as historic structures that comply with §22.33 and §22.34.
 - (5) Extraction of sand, gravel or other materials that comply with §22.33(4).
 - (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
 - (7) Public utilities, streets and bridges that comply with §22.33(3).

22.33 STANDARDS FOR DEVELOPMENTS IN THE FLOODWAY

(1) GENERAL

- (a) Any development in the floodway shall comply with §22.20 and have a low flood damage potential.
- (b) Applicants shall provide the following data to determine the effects of the proposal according to §22.21:
 1. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 2. An analysis calculating the effects of this proposal on regional flood height.
- (c) The zoning administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for subd. (b) above.

(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- (a) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- (b) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the

bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

- (c) Must be anchored to resist flotation, collapse, and lateral movement;
- (d) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
- (e) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(3) PUBLIC UTILITIES, STREETS AND BRIDGES

Public utilities, streets and bridges may be allowed by permit, if:

- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
- (b) Construction meets the development standards of §22.21.

(4) FILLS OR DEPOSITION OF MATERIALS

Fills or deposition of materials may be allowed by permit, if:

- (a) The requirements of §22.21 are met;
- (b) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to §404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (d) The fill is not classified as a solid or hazardous material.

22.34 PROHIBITED USES

All uses not listed as permitted uses in §22.32 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (5) Any public or private wells which are used to obtain potable water, except those for

recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;

- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under NR 110.15(3)(b), Wis. Adm. Code; and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

22.40 FLOODFRINGE DISTRICT (FF)

22.41 APPLICABILITY

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to §22.54.

22.42 PERMITTED USES

Any structure, land use, or development is allowed in the Floodfringe District if the standards in §22.43 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in §22.71 have been issued.

22.43 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

§22.21 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of §22.60 *Nonconforming Uses*;

(1) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of §22.60 *Nonconforming Uses*;

- (a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of §22.43 (1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.
- (b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
- (d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - 1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled

vehicles during a regional flood event; or

2. The municipality has a DNR-approved emergency evacuation plan.

(2) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(3) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of §22.43(1). Subject to the requirements of §22.43(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in §22.75. Subject to the requirements of §22.43(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with §22.75. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

(a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with §22.75.

(b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to §22.75(3), to the flood protection elevation and meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to §22.75(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) **DEPOSITION OF MATERIALS**

Any deposited material must meet all the provisions of this ordinance.

(11) **MANUFACTURED HOMES**

(a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

(b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

1. have the lowest floor elevated to the flood protection elevation; and
2. be anchored so they do not float, collapse or move laterally during a flood

(c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in §22.43(1).

(12) **MOBILE RECREATIONAL VEHICLES**

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in §22.43 (11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

22.50 GENERAL FLOODPLAIN DISTRICT (GFP)

22.51 APPLICABILITY

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

22.52 PERMITTED USES

Pursuant to §22.54, it shall be determined whether the proposed use is located within the floodway or floodfringe.

Those uses permitted in the Floodway (§22.32) and Floodfringe (§22.42) Districts are allowed within the General Floodplain District, according to the standards of §22.53, provided that all permits or certificates required under §22.71 have been issued.

22.53 STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

§22.30 applies to floodway areas, §22.40 applies to floodfringe areas. The rest of this ordinance applies to either district.

(1) In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:

- (a) at or above the flood protection elevation; or

(b) two (2) feet above the highest adjacent grade around the structure; or

(c) the depth as shown on the FIRM

(2) In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

22.54 DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

(1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

(2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.

(a) A Hydrologic and Hydraulic Study as specified in §22.71(2)(c).

(b) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;

(c) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

22.60 NONCONFORMING USES

22.61 GENERAL

(1) APPLICABILITY

If these standards conform with §59.69(10), Stats., for counties or §62.23(7)(h), Stats., for cities and villages, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

(2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

(a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and

the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §22.43(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §22.43(1).
- (f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §22.43(1).
- (g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- (h) For nonconforming buildings that are substantially damaged or destroyed by a

nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of §22.75(2).
- b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in §22.53(1).
- f. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

2. Nonresidential Structures

- a. Shall meet the requirements of §22.61(2)(h)1a-f.
 - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in §22.75(1) or (2).
 - c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in §22.53(1).
- (3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with §22.33(1), flood resistant materials are used, and construction practices and floodproofing methods that comply with §22.75 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of §22.61(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

22.62 FLOODWAY DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any

structure with a nonconforming use in the Floodway District, unless such modification or addition;

- (a) Has been granted a permit or variance which meets all ordinance requirements;
 - (b) Meets the requirements of §22.61;
 - (c) Shall not increase the obstruction to flood flows or regional flood height;
 - (d) Any addition to the existing structure shall be floodproofed, pursuant to §22.75, by means other than the use of fill, to the flood protection elevation; and
 - (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 4. The use must be limited to parking, building access or limited storage.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, §22.75(3) and ch. SPS 383, Wis. Adm. Code.
- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, §22.75(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

22.63 FLOODFRINGE DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of §22.43 except where §22.63(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in §22.73, may grant a variance from those provisions of

subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - (b) Human lives are not endangered;
 - (c) Public facilities, such as water or sewer, shall not be installed;
 - (d) Flood depths shall not exceed two feet;
 - (e) Flood velocities shall not exceed two feet per second; and
 - (f) The structure shall not be used for storage of materials as described in §22.43(5).
- (3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, §22.75(3) and ch. SPS 363, Wis. Adm. Code.
- (4) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, §22.75(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

22.70 ADMINISTRATION

Where a zoning administrator, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under §59.69, §59.692 or §62.23(7), Stats., these officials shall also administer this ordinance.

22.71 ZONING ADMINISTRATOR

(1) DUTIES AND POWERS

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
- (c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:
 - 1. All permits issued, inspections made, and work approved;

2. Documentation of certified lowest floor and regional flood elevations;
3. Floodproofing certificates.
4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
5. All substantial damage assessment reports for floodplain structures.
6. List of nonconforming structures and uses.

(e) Submit copies of the following items to the Department Regional office:

1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
2. Copies of case-by-case analyses and other required information including an annual summary of floodplain zoning actions taken.
3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

(f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

(g) Submit copies of amendments and biennial reports to the FEMA Regional office.

(2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

(a) GENERAL INFORMATION

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) SITE DEVELOPMENT PLAN

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on-site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;

6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
 7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
 8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of §22.30 or §22.40 are met; and
 9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to §22.21. This may include any of the information noted in §22.33(1).
- (c) **HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT**
 All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains:

a. Hydrology

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. the most current version of HEC__RAS shall be used.
- vi. a survey of bridge and culvert openings and the top of road is required at each structure.

- vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
- ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping

A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains

a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model.

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.

iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.

- vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of §22.75 are met.

(4) OTHER PERMITS

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under §404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

22.72 ZONING AGENCY

(1) The Plan Commission shall:

- (a) oversee the functions of the office of the zoning administrator; and
- (b) review and advise the governing body on all proposed amendments to this ordinance, maps and text.

(2) The Plan Commission shall not:

- (a) grant variances to the terms of the ordinance in place of action by the Board of Adjustment/Appeals; or
- (b) amend the text or zoning maps in place of official action by the governing body.

22.73 BOARD OF ADJUSTMENT/APEALS

The Board of Adjustment/Appeals, created under §59.694, Stats., for counties or §62.23(7)(e), Stats., for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

(1) POWERS AND DUTIES

The Board of Adjustment/Appeals shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(2) APPEALS TO THE BOARD

- (a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The board shall:

- a. Resolve boundary disputes according to §22.73(3);
- b. Decide variance applications according to §22.73(4); and
- c. Decide appeals of permit denials according to §22.74.

- (c) **DECISION:** The final decision regarding the appeal or variance application shall:

1. Be made within a reasonable time;
2. Be sent to the Department Regional office within 10 days of the decision;
3. Be a written determination signed by the chairman or secretary of the Board;
4. State the specific facts which are the basis for the Board's decision;
5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- (a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- (b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to §22.80 *Amendments*.

(4) VARIANCE

- (a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 1. Literal enforcement of the ordinance will cause unnecessary hardship;
 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
 3. The variance is not contrary to the public interest; and
 4. The variance is consistent with the purpose of this ordinance in §22.13.
- (b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:
 1. The variance shall not cause any increase in the regional flood elevation;
 2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and

3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

(c) A variance shall not:

1. Grant, extend or increase any use prohibited in the zoning district;
2. Be granted for a hardship based solely on an economic gain or loss;
3. Be granted for a hardship which is self-created.
4. Damage the rights or property values of other persons in the area;
5. Allow actions without the amendments to this ordinance or map(s) required in §22.80 *Amendments*; and
6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

22.74 TO REVIEW APPEALS OF PERMIT DENIALS

- (1) The Zoning Agency (§22.72) or Board shall review all data related to the appeal. This may include:
 - (a) Permit application data listed in §22.71(2);
 - (b) Floodway/floodfringe determination data in §22.54;
 - (c) Data listed in §22.33(1)(b) where the applicant has not submitted this information to the zoning administrator; and
 - (d) Other data submitted with the application, or submitted to the Board with the appeal.
- (2) For appeals of all denied permits the Board shall:
 - (a) Follow the procedures of §22.73;
 - (b) Consider zoning agency recommendations; and
 - (c) Either uphold the denial or grant the appeal.
- (3) For appeals concerning increases in regional flood elevation the Board shall:

- (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of §22.80 Amendments; and
- (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

22.75 FLOODPROOFING STANDARDS FOR NONCOMFORMING STRUCTURES OR USES

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - (a) certified by a registered professional engineer or architect; or
 - (b) meets or exceeds the following standards:
 - 1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. the bottom of all openings shall be no higher than one foot above grade; and
 - 3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
 - (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - (b) Protect structures to the flood protection elevation; and
 - (c) Anchor structures to foundations to resist flotation and lateral movement; and
 - (d) Minimize or eliminate infiltration of flood waters; and
 - (e) Minimize or eliminate discharges into flood waters.

22.76 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

22.80 AMENDMENTS

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §22.81.

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §22.81. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with §22.81.

22.81 GENERAL

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in §22.82 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in §22.15 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

22.82 PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of §62.23, Stats., for cities and villages, or §59.69, Stats., for counties. The petitions shall include all data required by §22.54 and §22.71(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of §62.23, Stats. for cities and villages or §59.69, Stats. for counties.

- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

22.90 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty not more than \$50.00 (fifty dollars), per day, per violation together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to §87.30, Stats.

22.100 DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1.A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

2.AH ZONE – See "AREA OF SHALLOW FLOODING".

3.AO ZONE – See "AREA OF SHALLOW FLOODING".

4.ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

5.ALTERATION – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

6.AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

7.BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

8. **BASEMENT** – Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.

9. **BUILDING** – See **STRUCTURE**.

10. **BULKHEAD LINE** – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to §30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.

11. **CAMPGROUND** – Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

12. **CAMPING UNIT** – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck or tent that is fully licensed, if required, and ready for highway use.

13. **CERTIFICATE OF COMPLIANCE** – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.

14. **CHANNEL** – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

15. **CRAWLWAYS** or **CRAWL SPACE** – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

16. **DECK** – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

17. **DEPARTMENT** – The Wisconsin Department of Natural Resources.

18. **DEVELOPMENT** – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

19. **DRYLAND ACCESS** – A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

20. **ENCROACHMENT** – Any fill, structure, equipment, use or development in the floodway.

21. **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** – The federal agency that administers the National Flood Insurance Program.

22. **FLOOD INSURANCE RATE MAP (FIRM)** – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

23. **FLOOD or FLOODING** – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

24. **FLOOD FREQUENCY** – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

25. **FLOODFRINGE** – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

26. **FLOOD HAZARD BOUNDARY MAP** – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

27. **FLOOD INSURANCE STUDY** – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

28. **FLOODPLAIN** – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

29. **FLOODPLAIN ISLAND** – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

30. **FLOODPLAIN MANAGEMENT** – Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

31. FLOOD PROFILE – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

32. FLOODPROOFING – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

33. FLOOD PROTECTION ELEVATION – An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)

34. FLOOD STORAGE – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

35. FLOODWAY – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

36. FREEBOARD – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

37. HABITABLE STRUCTURE – Any structure or portion thereof used or designed for human habitation.

38. HEARING NOTICE – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

39. HIGH FLOOD DAMAGE POTENTIAL – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

40. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

41. HISTORIC STRUCTURE – Any structure that is either:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

• Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

42. **INCREASE IN REGIONAL FLOOD HEIGHT** – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

43. **LAND USE** – Any nonstructural use made of unimproved or improved real estate. (Also see **DEVELOPMENT**.)

44. **LOWEST ADJACENT GRADE** – Elevation of the lowest ground surface that touches any of the exterior walls of a building.

45. **LOWEST FLOOR** – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

46. **MAINTENANCE** – The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

47. **MANUFACTURED HOME** – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

48. **MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

49. **MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING** – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

50. **MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING** – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

51. **MOBILE RECREATIONAL VEHICLE** – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

52. **MODEL, CORRECTED EFFECTIVE** – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

53. **MODEL, DUPLICATE EFFECTIVE** – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

54. **MODEL, EFFECTIVE** – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

55. **MODEL, EXISTING (PRE-PROJECT)** – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

56. **MODEL, REVISED (POST-PROJECT)** – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

57. **MUNICIPALITY or MUNICIPAL** – The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.

58. **NAVD or NORTH AMERICAN VERTICAL DATUM** – Elevations referenced to mean sea level datum, 1988 adjustment.

59. **NGVD or NATIONAL GEODETIC VERTICAL DATUM** – Elevations referenced to mean sea level datum, 1929 adjustment.

60. **NEW CONSTRUCTION** – For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

61. **NONCONFORMING STRUCTURE** – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential

structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

62. **NONCONFORMING USE** – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

63. **OBSTRUCTION TO FLOW** – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

64. **OFFICIAL FLOODPLAIN ZONING MAP** – That map, adopted and made part of this ordinance, as described in §22.15(2), which has been approved by the Department and FEMA.

65. **OPEN SPACE USE** – Those uses having a relatively low flood damage potential and not involving structures.

66. **ORDINARY HIGHWATER MARK** – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

67. **PERSON** – An individual or group of individuals, corporation, partnership, association, municipality or state agency.

68. **PRIVATE SEWAGE SYSTEM** – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

69. **PUBLIC UTILITIES** – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

70. **REASONABLY SAFE FROM FLOODING** – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

71. **REGIONAL FLOOD** – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

72. **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any

work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

73. STRUCTURE – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

74. SUBDIVISION – Has the meaning given in §236.02(12), Wis. Stats.

75. SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

76. SUBSTANTIAL IMPROVEMENT – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

77. UNNECESSARY HARDSHIP – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

78. VARIANCE -- An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

79. VIOLATION – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

80. WATERSHED – The entire region contributing runoff or surface water to a watercourse or body of water.

81. WATER SURFACE PROFILE -- A graphical representation showing the elevation of

the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

82. WELL – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

**AN ORDINANCE AMENDING THE ZONING CODE
OF THE CITY OF CHIPPEWA FALLS**

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO ORDAIN
AS FOLLOWS:

1. That the following described real estate situated in the City of Chippewa Falls,
Chippewa County, Wisconsin, be rezoned:

**Parcel # 349
Lot # 10
Block 42
Chippewa Falls Plat
209 W. Grand Avenue**

C-3 Central Business District to R-2 Two Family Residential District

2. That the Zoning District Map of the City of Chippewa Falls be and the same is
hereby amended in accordance with the foregoing.
3. That this Ordinance shall take effect from and after its passage and publication.

Dated this 18th day of March, 2014.

FIRST READING: March 4, 2014

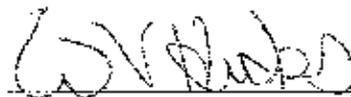
SECOND READING: March 18, 2014

PUBLIC HEARING: March 18, 2014

APPROVED: _____
Mayor

ATTEST: _____
Bridget Givens, City Clerk

PUBLISHED: _____



Council President

LOCATION MAP



NO SCALE



ORDINANCE NO. 2014-07

AN ORDINANCE AMENDING THE SPECIAL ASSESSMENT PROCEDURES CODE SECTION - §3.08(10)(c) OF THE CHIPPEWA FALLS MUNICIPAL CODE

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO ORDAIN AS FOLLOWS:

- 1. That § 3.08 (10)(c) of the Chippewa Falls Municipal Code, which presently provides as follows:

3.08 SPECIAL ASSESSMENT PROCEDURES.

...
(10) PROCEDURE WHERE NO SPECIAL ASSESSMENT HAS BEEN LIFTED.
...

(c) Upon approval of such application and before any connection is allowed to the sanitary sewer system or water system by the property owner, the applicant shall pay a connection fee. Each connection fee shall be determined by multiplying the current front foot special assessment rate for sanitary sewer or water main construction times the actual frontage of the parcel for which the connection is being made times a ratio determined by dividing the remaining life of each main pipe by the expected life span of 75 years. Such connection fee shall be paid in full to the City Treasurer or, at the written request of the owner, it may be placed on the tax roll and collected in the usual manner for special assessments. The revenue obtained from such fees shall be deposited in the Water Utility Fund or the City General Fund as appropriate.

be amended to provide as follows:

3.08 SPECIAL ASSESSMENT PROCEDURES.

...
(10) PROCEDURE WHERE NO SPECIAL ASSESSMENT HAS BEEN LIFTED.
...

(c) Upon approval... The revenue obtained from such fees shall be deposited in the Water, Wastewater, Stormwater Utility Fund or the City General Fund as appropriate.

Dated this 1st day of April, 2014.

ALDERPERSON: _____
William Hicks, Council President

FIRST READING: _____

SECOND READING: _____

APPROVED: _____
Gregory S. Hoffman, Mayor

ATTEST: _____
Bridget Givens, City Clerk

PUBLISHED: _____

AN ORDINANCE ESTABLISHING THE WIDTH OF PAVEMENT ON
CENTRAL STREET (Pine St. to Governor St.)
AT 36 FEET FACE TO FACE OF CURBS

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO
ORDAIN AS FOLLOWS:

1. That Section 8.01 (2) (j) 7. c) be and is hereby created to read as follows:
 7. The roadway width shall be 36 feet face to face of curbs on the following streets:
 - c) Central Street – (Pine St. to Governor St.)
2. That this Ordinance shall take effect upon passage and publication.

Dated this 1st day of April, 2014.

1st READING: March 18, 2014

2nd READING: April 1, 2014

ADOPTED: _____
Council President

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

PUBLISHED: _____

**Classification and Width Determination for Central Street
(Pine Street – Governor Street)
BPW 03/10/2014**

Considerations:

The following traffic counts were completed on Central Street. The information presented reflects a 24-hour average count.

Traffic Counts (24 - hour period, three day average)

Central Street - (Pine St. – Superior St.)	1715 vpd
Central Street - (Superior St. – Albert St.)	1367 vpd
Central Street - (Carson St. – Peck St.)	1065 vpd
Central Street - (Peck St. – Governor St.)	906 vpd

Other Considerations:

- This street is adjacent to the Chippewa Falls Downtown Business District.
- Existing Widths
 - Central Street - (Pine St. – Governor St.) -- 36' F-F
- Similar streets nearby range in width from 34' -- 38' F-F.
- Parking is a concern on this section of street.
- If the current width were maintained a minimal amount of trees other than those that represent a utility conflict, pose a safety concern, or affect boulevard drainage would be affected in the improvement project.

Conclusions:

Due to the traffic count between Pine Street and Superior Street, Central Street would fall into the category of a minor arterial. The recommendations for a minor arterial are listed below. **The Engineering Department is recommending a width of 36 feet from Face of Curb to Face of Curb from Pine Street to Governor Street (Current Width – 36 feet) with parking allowed on both sides.**

Functional Classification of Streets	Number of Traffic Lanes	Curb to Curb Width			
		No Parking		With Parking	
		Range of Normal Widths	Desirable	Range of Normal Widths	Desirable
Local	2	28–32'	30'	30–36'	33'
Collector	2	30–34'	32'	36–40'	38'
Minor Arterial	2	34–38'	36'	40'–52'	42'
Principal Arterial - Other than freeways and expressways	2-4	36–52'	2 in - 36'	—	—
			4 in - 52'		

Ordinance No. 2014-09

AN ORDINANCE ESTABLISHING THE WIDTH OF PAVEMENT ON
MAIN STREET (Greenville St. to Wisconsin St.)
RURAL STREET (Bluff St. to Central St.)
AT 30 FEET FACE TO FACE OF CURBS

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO
ORDAIN AS FOLLOWS:

1. That Section 8.01 (2) (i) 4. k, l) be and is hereby created to read as follows:
 4. The roadway width shall be 30 feet face to face of curbs on the following streets:
 - k) Main Street – (Greenville St. to Wisconsin St.)
 - l) Rural Street – (Bluff St. to Central St.)
2. That this Ordinance shall take effect upon passage and publication.

Dated this 1st day of April, 2014.

1st READING: March 18, 2014

2nd READING: April 1, 2014

ADOPTED: _____

Council President

APPROVED: _____

Mayor

ATTEST: _____

City Clerk

PUBLISHED: _____

**Classification and Width Determination for Rural Street
(Bluff Street – Central Street)
BPW 03/10/2014**

Considerations:

The following traffic counts were completed on Rural Street. The information presented reflects a 24-hour average count.

Traffic Counts (24 - hour period, three day average)

Rural Street - (Bluff St. – Church St.)	153 vpd
Rural Street - (Church St. – Allen St.)	144 vpd
Rural Street - (River St. – Spring St.)	138 vpd
Rural Street - (Spring St. – Central St.)	79 vpd

Other Considerations:

- Existing Widths
 - Rural Street - (Bluff St. to Central St.) -- 30' F-F
- Similar streets nearby range in width from 30' -- 38' F-F.
- Parking is a concern on this section of street.
- If the current width were maintained a minimal amount of trees other than those that represent a utility conflict, pose a safety concern, or affect boulevard drainage would be affected in the improvement project.

Conclusions:

Due to the traffic counts Rural Street would fall into the category of a local road. The recommendations for a minor arterial are listed below. **The Engineering Department is recommending a width of 30 feet from Face of Curb to Face of Curb from Greenville Street to Wisconsin Street (Current Width – 30 feet) with parking allowed on both sides.**

Functional Classification of Streets	Number of Traffic Lanes	Curb to Curb Width			
		No Parking		With Parking	
		Range of Normal Widths	Desirable	Range of Normal Widths	Desirable
Local	2	26'-32'	30'	30'-38'	38'
Collector	2	30'-34'	32'	36'-40'	38'
Minor Arterial	2	34'-36'	35'	40'-52'	42'
	2-4	35'-52'	2 n - 38'		
Principal Arterial - Other than freeways and expressways			4 n - 52'		

**RESOLUTION REGARDING THE DISCONTINUANCE OF
THE SOUTHERLY 99 FEET OF GROVE STREET BETWEEN
THE SOUTH RIGHT-OF-WAY LINE OF GRAND AVENUE
AND THE NORTH RIGHT-OF-WAY LINE OF CENTRAL
STREET**

WHEREAS, the Southerly 99 feet of Grove Street between the South right-of-way line of Grand Avenue and the North right-of-way line of Central Street (hereinafter "the parcel") is unimproved real estate;

WHEREAS, the parcel is part of a precipitous slope which will never be improved as a City Street;

WHEREAS, the Chippewa Falls Board of Public Works has recommended vacation of the parcel at its meeting of February 24, 2014;

WHEREAS, it is in the public interest to vacate the parcel and place it on the tax rolls and the public interest so requires; and

WHEREAS, the City of Chippewa Falls Common Council has duly considered the basis for this Resolution;

NOW THEREFORE, BE IT RESOLVED that pursuant to the provisions of §66.1003(4) of Wisconsin Statutes that the following portion of Grove Street, in the City of Chippewa Falls, Chippewa County, Wisconsin, be discontinued and vacated:

The Southerly 99 feet of Grove Street between the South right-of-way line of Grand Avenue and the North right-of-way line of Central Street (See attached map).

BE IT FURTHER RESOLVED THAT the City does retain an easement for any public utilities which may presently exist or be located in that portion of Grove Street herein discontinued and vacated.

DATED this 6th day of May, 2014.

PUBLIC HEARING: May 6, 2014

ALDERPERSON:

William Hicks

ADOPTED: _____

APPROVED: _____

Gregory S. Hoffman, Mayor

ATTEST: _____

Bridget Givens, City Clerk



GRAND

GROVE AVE

ST

CENTRAL

ST

D.U.P.

NOT OPENED

NET OPEN TO TRAVEL

NOT OPENED

★
D.U.P.

(433)

(434)

(291)

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(180)

NOTICE

NOTICE IS HEREBY GIVEN, that there is pending before the Common Council of the City of Chippewa Falls, Wisconsin, a Resolution dated May 6, 2014, that proposes by its terms that upon its adoption, to vacate and discontinue a portion of Grove Street, hereinafter described, pursuant to Section 66.1003 (4) of the Wisconsin Statutes; and

That such Resolution will be acted upon by the Common Council of the City of Chippewa Falls at a regular meeting to be held on May 6, 2014, commencing at 6:30P.M. or as soon thereafter as the matter can be heard; and a public hearing will be held at that time; and

That the following is a description of that portion of Grove Street, in the City of Chippewa Falls, Chippewa County, Wisconsin, which said Resolution proposes to have vacated and discontinued:

The Southerly 99 feet of Grove Street between the South right-of-way line of Grand Avenue and the North right-of-way line of Central Street. (See attached map)

DATED this 18th day of May, 2014.

Bridget Givens, City Clerk
City of Chippewa Falls, Wisconsin

1 column legal ad

Publish as Class 3 Notice

