

Schedule A
(As Referenced in § 1-18D of the Code Adoption Ordinance)

Chapter 1, General Provisions.

Section 1-3A is amended as follows: "such person's driver's license may be suspended for a period of up to ~~two years~~ one year."

Original § 1.05F, Bond schedule, non-traffic violations, is repealed.

Chapter 5, Administration of Government.

Section 5-4A is amended to change "policeman" to "law enforcement officer."

Section 5-8F(1) is amended to delete the following: "If not a resident of the Village at the time of appointment, the Administrator shall become a resident of the Village of Allouez in accordance with the provisions of Resolution 78-9, as the same may have been heretofore and may hereafter be amended."

Section 5-9B(8) and D(5) are amended to change "Historical Preservation Committee" to "Historic Preservation Committee." Section 5-9D(5) is further amended to change "three two-year terms" to "two two-year terms."

Chapter 16, Citations.

Section 16-2G(5) is added to read as follows:

That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under § 800.093, Wis. Stats.

Section 16-4 is amended to change "office of the Chief of Police" to "Brown County Sheriff's Department."

Section 16-5B is amended to delete "Park security officers as specified in § 19.35(2), Wis. Stats." and "Street Superintendent."

Chapter 27, Court, Municipal.

Section 27-7 is amended to read as follows: "The Municipal Judge may impose a sanction authorized under § 800.12, Wis. Stats., for contempt of court, as defined therein."

Chapter 36, Elections.

Section 36-1 is amended to change "Municipal Board of Absentee Canvassers" and "absentee ballot board of canvassers" to "Municipal Board of Absentee Ballot Canvassers."

Chapter 39, Emergency Management.

Section 39-3 is amended to change "Traffic and Safety Committee" to "Public Works Committee" and to delete the following: "An Emergency Management Coordinator shall be appointed by the Village President as head of Emergency Management Services, subject to the confirmation of the Village Board."

Section 39-4A is amended to change "Village police representative" to "Brown County Sheriff's Department."

Section 39-4C is amended to change "Emergency Management Program" to "Emergency Operations Plan."

Section 39-9A is amended to read as follows: "The cost of equipment and services related directly to the implementation of the Village Emergency Operations Plan shall be paid through the Village budget."

Chapter 44, Ethics, Code of.

Section 44-1 is amended to revise the third sentence to read as follows: "The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village."

Subsection (5) of the definition of "financial interest" in § 44-5B is amended to change "Gifts of \$500 or more" to "Gifts of \$50 or more."

Section 44-8A is amended to revise the first sentence to read as follows: "The Ethics Board shall be established as provided in § 5-9 of the Village Code."

Chapter 50, Finance and Taxation.

Section 50-1 is amended to read as follows:

The Board of Review shall be established as provided in § 5-9 of the Village Code and shall perform the duties as are imposed by the provisions of § 70.47, Wis. Stats., and as the same may be amended from time to time, and otherwise as provided by law. No member shall serve contemporaneously on any Board of Review of Brown County.

Original § 2.07B, Term, is repealed.

Section 50-4 is amended to change "shall be \$9.50 per hour" to "shall be established by the Village Board."

Section 50-5 is amended as follows: "Whenever the Assessor, in the performance of the Assessor's duties, requests or obtains income and expense information pursuant to § 70.47(7)(af), Wis. Stats., or any successor statute thereto, then such income and expense information that is provided to the Assessor shall be held by the Assessor on a ~~confidentiality~~ confidential basis..."

Section 50-6 is amended to delete the definition of "gross receipts."

Section 50-7 is amended to delete the following sentence: "Such tax shall not be subject to the selective sales tax imposed by § 77.52(2), Wis. Stats."

Section 50-13 is amended to change the maximum forfeiture from \$300 to \$500.

Chapter 110, Salaries and Compensation.

Section 110-1 is amended to change "Municipal Justice" to "Municipal Judge."

Chapter 142, Alarm Systems.

Section 142-2 is amended to change "police" to "law enforcement" in the definition of "alarm system" and to delete the following definitions: "burglary alarm system," "fire alarm," "hold-up alarm system" and "proprietary system."

Section 142-3A, False alarm fees, is amended to read "See Chapter 225, Fees and Charges."

Chapter 151, Animals.

Section 151-6B is amended to add: "This subsection shall not apply to service animals as defined in § 106.52(1), Wis. Stats."

Section 151-9C(4), (5), (7) and (8) are amended to change "Traffic and Safety Committee" to "Public Works Committee."

Section 151-9C(9) is amended to change "10 days" to "five days."

Section 151-10E is amended to change "licensing decisions" to "permit decisions."

Section 151-11E(4) is amended to change "Hens are to be confined – must follow the current animal ordinance" to "Hens are to be confined as provided in this chapter."

Section 151-11F(1) is amended to change "Public Safety Coordinator" to "Animal Control/Humane Officer."

Chapter 163, Bicycles.

The definition of "bicycle" in § 163-1 is amended to read as follows: "Every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any two of which are not less than 14 inches in diameter."

Section 163-4C is amended to change the maximum forfeiture from \$100 to \$500.

Section 163-4D is amended to change "County Sheriff Traffic Department" to "Brown County Sheriff's Department."

Chapter 169, Boating.

Section 169-4 is amended to change the maximum forfeiture from \$200 to \$500.

Chapter 175, Building Construction.

Section 175-2 is amended to read as follows:

§ 175-2. Definitions.

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

LANDOWNER – Any person holding title to or having interest in land.

LAND USER – Any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

Section 175-5B is amended to change "registered land surveyor" to "professional land surveyor."

Section 175-9B is amended to change "special tax" to "special charge."

Section 175-21 is amended to read as follows: "Construction site erosion control regulations are contained in Chapter 200, Construction Site Erosion Control, of this Code."

Chapter 180, Bulkhead Lines.

Section 180-3 is amended to replace the fee with a reference to Chapter 225, Fees and Charges.

Chapter 188, Canvassers and Transient Merchants.

Section 188-5B is amended to change "shall carry said license" to "shall carry said permit."

Chapter 195, Cigarettes and Tobacco Products.

Section 195-7 is amended to delete "except for the definition of 'enclosed place'" from the end of the section.

Chapter 210, Electrical Standards.

Section 210-3A is amended to add "and also the National Electrical Code (NEC)" after "Wisconsin Administrative Code."

Chapter 216, Escorts.

Throughout this chapter, references to the Allouez Police Department are amended to the Brown County Sheriff's Department.

Section 216-6 is amended to read as follows: "A nonrefundable application fee and a license fee as set by the Village Board shall be submitted with the application for a license. See Chapter 225, Fees and Charges."

Section 216-8B is amended to read as follows: "A license renewal fee as set by the Village Board shall be submitted with the application for renewal. See Chapter 225, Fees and Charges."

Section 216-9E(1) is amended to delete "subject to review under Ch. 68, Wis. Stats." from the end of the subsection.

Section 216-11D is amended to read as follows: "The registration fee shall be set by the Village Board, which shall be paid to the Brown County Sheriff's Department to cover the costs of the identification card and administration. See Chapter 225, Fees and Charges."

Chapter 225, Fees and Charges.

Section 225-1 is amended to read as follows: "The Village of Allouez Schedule of Fees and Charges shall be established and may be amended from time to time by a resolution of the Village Board. The Village of Allouez Schedule of Fees and Charges shall be kept on file in the office of the Village Clerk-Treasurer."

Chapter 229, Fences.

Section 229-5G and K are amended to change "Building Official" to "Building Inspector."

Section 229-5J is amended to change "residential homes" to "residential zones."

Chapter 234, Fires and Fire Prevention.

Section 234-3A(1) is amended to change "NFPA 1 2009" to "NFPA 1 2012."

Section 234-16 is amended to delete "It shall be unlawful for any person to sell, offer for sale, or install any gas appliances or accessories or gas piping system if the same when installed for use could be in violation of any of the provisions of this code or would be unsafe or dangerous" and to revise Subsection B to read as follows:

Installation of appliances, accessories and piping that complies with the International Mechanical Code (IMC), 2009 Edition, shall be considered prima facie as conforming to reasonable standards of safety, the provisions of which are incorporated herein by reference as though set forth in full. The Village Clerk-Treasurer shall keep available a copy of such code or its revision in his office for study and inspection by any interested parties.

Chapter 248, Historic Preservation.

The definition of "State Register" in § 248-2 is amended to read as follows: "State Register of Historic Places as maintained by the Wisconsin Historical Society, as the State Historic Preservation Office, according to the National Historic Preservation Act of 1966."

Section 248-3 is amended to read as follows: "The Historic Preservation Committee shall be established as provided in § 5-9 of this Code."

Section 248-7 is amended to read as follows:

Nothing contained in this chapter shall prohibit the necessary construction, reconstruction, alteration, or razing of part or all of a historic structure, improvement, landmark or landmark site contributing to a historic district, pursuant to order of a court or authorized governmental official, for the purpose of remedying emergency conditions determined to be dangerous to life, health or property. In such cases, documenting the action to the Historic Preservation Committee only shall be required.

Chapter 253, Housing Standards.

The definition of "Inspector" in § 253-2A is amended to read as follows: "The Health Inspector, Building Inspector, Code and Safety Enforcement Coordinator, Fire Chief or his designee or a law enforcement officer."

The definition of "rooming house" in § 253-2A is amended to change "Hotel and Restaurant Division of the Wisconsin State Board of Health" to the Department of Health Services.

The definition of "State Building Code" in § 253-2A is amended to read as follows: "Chapters SPS 320 to 325 and SPS 361 to 366, Wis. Adm. Code."

Sections 253-3A and 253-4A are amended to add "Building Inspector" after "Health Inspector."

Section 253-11N is amended to delete the following sentence: "For posting of signs in rooming units, see Section 27.03C(11)."

Section 253-11V and Y are amended to change "Health Officer" to "Health Inspector."

Section 253-11W is amended to change "Public Safety Director" to "Fire Chief."

Chapter 285, Minors.

Section 285-2 is amended as follows: "except when such child is lawfully employed and is en route by the most practical direct route between his residence and the place of employment and except when such child is returning to his home from a supervised or organized event."

The definition of "habitual truant" in § 285-5 is amended to read as follows: "A pupil who is absent from school without an acceptable excuse under §§ 118.15 and 118.16(4), Wis. Stats., for part or all of five or more days on which school is held during a school semester."

Section 285-7A(1) is amended to read as follows: "Suspend the child's motor vehicle operating privilege, as the same is defined in § 340.01(40), Wis. Stats., for not less than 30 days nor more than one year. The court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the Department of Transportation a notice stating the reason for and the duration of the suspension."

Chapter 290, Mobile Homes.

Section 290-4 is amended to change the maximum forfeiture from \$200 to \$1,000.

Chapter 302, Noise.

Subsection A in the definition of "zones" in § 302-3 is amended to delete "first residence and second residence off-street parking."

Section 302-8B(5) is amended as follows: "Application for extension of time limits specified in ~~special variance permits~~ conditional variances or for modification of other substantial conditions shall be treated like applications for initial ~~special~~ conditional variances."

Section 302-9A is amended to delete the following: "subject to the owner refusing or neglecting to allow the vehicle from being inspected by the Police Department."

Chapter 307, Nuisances.

Section 307-2A is amended to change "A public and private nuisance" to "A public nuisance."

Section 307-3H is amended to delete "therefrom" after "Village limits."

Original § 7.03(13), Outdoor solid fuel furnaces, is repealed.

Section 307-4N is amended to change "as defined in § 944.25, Wis. Stats." to "as defined by the Wisconsin Statutes."

Section 307-12 is amended to revise the first sentence to read as follows: "For the purposes of this article, 'officer' shall mean law enforcement officers and the Fire Chief, the Village Building Inspector, the Code and Safety Enforcement Coordinator and their designees."

The following sections are amended to change "police" to "law enforcement": §§ 307-14, 307-16A, 307-17 and 307-18.

The definition of "officer" in § 307-15 is amended to read as follows: "The Brown County Sheriff, Zoning Administrator, Building Inspector, Code and Safety Enforcement Coordinator or Fire Chief or his or her designee."

The definition of "premises" in § 307-15 is amended to change "An individual dwelling, unit or multifamily" to "An individual dwelling unit or multifamily dwelling."

Chapter 318, Parking and Storage.

Section 318-3A is amended to change "back yard" to "rear yard."

Section 318-3C is amended as follows: "All vehicles and equipment subject to this article shall be at all times owned/maintained and be in proper working condition and have necessary safety equipment and accessories also in proper working condition as required by law."

Section 318-3F is amended to add "Except as provided herein" to the beginning of the subsection.

Sections 318-4A and 318-8 are amended to change the maximum forfeiture from \$200 to \$1,000.

Chapter 322, Parks and Recreation.

Section 322-1 is amended to change "Department of Parks and Recreation, and its Maintenance Department" to "Department of Parks, Recreation and Forestry" and to delete the following: "to prevent the carrying or use of firearms on public park grounds."

Section 322-2E is added to read as follows: "Operate any off-road vehicle, minibike, all-terrain vehicle (ATV), utility terrain vehicle (UTV), or similar vehicle on or within public park grounds."

Section 322-2F is added to read as follows: "Operate a snowmobile on or within public park grounds except on a designated snowmobile trail."

Section 322-4 is amended to add "or its designee" after "Village Board" in Subsection A and to add Subsection B to read as follows: "Camp on public park grounds, except as allowed by permit issued by the Village Board or its designee."

Section 322-5E is amended to add "or its designee" after "Village Board."

Section 322-9 is added to read as follows: "Any park or part thereof may be declared closed to the public by the Village Board or its designee, at any time and for any interval of time, either temporarily or at regular or stated intervals. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been closed to the public unless a permit has been obtained from the Village Board or its designee."

Section 322-10 is added to read as follows: "Golf is prohibited in all parks."

Section 322-11 is added to read as follows: "Mechanical rides, dunk tanks, inflatables, or other temporary structures are prohibited except for programs that have obtained a permit from the Village Board or its designee and have placed a certificate of liability insurance on file naming the Village as an additional insured."

Section 322-12 is amended to change "Department of Parks and Recreation, or its Maintenance Department" to "Department of Parks, Recreation and Forestry."

Chapter 326, Pawnbrokers and Secondhand Dealers.

Section 326-2A is amended to add "and all states where the applicant has previously resided."

Section 326-2C is amended to change "within the preceding five years of a misdemeanor" to "within the preceding 10 years of a misdemeanor."

Section 326-5C(3) is added to read as follows:

Every secondhand article dealer shall on a weekly basis prepare a list that contains the name and address of each customer of the secondhand article dealer during the week for which the list was prepared, the date, time, and place of each transaction with each of those customers, and a detailed description of the secondhand article, including the secondhand article's serial number and model number, if any. The secondhand article dealer shall retain the list for not less than one year after the date on which the list was prepared. The secondhand article dealer shall make the list available to any law enforcement officer for inspection at any time that the secondhand article dealer's principal place of business is open to the public or at any other reasonable time.

Section 326-5D(2) is amended to change "10 days" to "21 days."

Section 326-5D(3) is amended to change "15 days" to "21 days."

Chapter 330, Peace and Good Order.

Section 330-1A is amended to delete the references to §§ 29.288 and 941.03 of the statutes (both repealed) and to add § 941.30, Recklessly endangering safety.

Section 330-9A is amended to change the definition of "law enforcement" to "law enforcement officer" and to delete the following two sentences:

No person, except an authorized police officer, shall discharge, or cause to be discharged, any firearm within the Village limits as defined in this section except for the purpose of self-defense or any other lawful purpose as authorized by state and/or federal law.

Any person who enters or remains in any aforementioned Village building contrary to such signage shall be considered a trespasser subject to penalty as prescribed under Sec. 1.05 of this code.

Section 330-10D is amended to change "Chief of Police" to "Brown County Sheriff."

Section 330-27A is amended change "police officer" to "peace officer."

Section 330-28 is amended to change "Park Director" to "Director of Parks, Recreation and Forestry."

Section 330-30 is amended to read as follows: "Except where another penalty is prescribed, any person convicted of violating any provision of this chapter shall be subject to the penalties imposed by § 1-3 of this Code."

Chapter 345, Property Maintenance.

Sections 345-2B and 345-3A(2) are amended to change "Weed Commissioner" to "Village of Allouez."

Section 345-4 is amended to change the maximum forfeiture from \$200 to \$1,000.

Chapter 367, Sex Offenders.

Section 367-9 is amended to change "Chief of Police or his/her designee" to "Brown County Sheriff's Department" and to add "for not more than 90 days" after "may be imprisoned as provided by law."

Chapter 378, Snowmobiles.

Section 378-4A is amended to change "Village police officer" to "law enforcement officer."

Chapter 385, Stormwater.

Section 385-7B(2) is amended as follows: "When channels are relocated, a stormwater easement or drainage right-of-way conforming to the lines of the relocated watercourse and such further width or construction, or both, as will be adequate for the purpose and as may be necessary to comply with this section will be provided."

Section 385-9B is amended to change "Director of Public Works/Engineer" to "Public Works Director."

Sections 385-12A and 385-15A and C are amended to change "Administrator/Clerk/Treasurer" to "Village Administrator."

Section 385-12B(1)(a) is amended to change "storm sewer utility" to "Stormwater Utility."

Section 385-12B(1)(d) is amended as follows: "The Village Board may make such other ~~and~~ customer classifications as will be likely to provide reasonable and fair distribution of the costs of the Stormwater Utility."

Section 385-28A(1) is amended as follows: "Any person who has violated or continues to violate the provisions of this article may be subject to the enforcement actions outlined in this section or may be restrained by injunction or the violation may otherwise be abated in a manner provided by law."

Section 385-29A(2) is amended to change "within 30 days of receipt of the violation" to "within 30 days of receipt of the order."

Section 385-30C is added to read as follows:

C. Specific forfeitures.

(1) Forfeitures for the illicit discharge detection and elimination program vary from a minimum of \$100 to a maximum of \$500 for each day of noncompliance and each occurrence. Issuance of a forfeiture will depend on if the violator is nonresponsive or if the violation is blatant, intentional, repetitive or severe. The forfeitures are as follows:

Notice of Violation	Homeowner	Other
Failure to properly dispose of a pollutant or illicit discharge	\$100	\$500

Failure to take reasonable actions to eliminate an illicit discharge	\$100	\$500
Failure to take reasonable actions to locate an undocumented drain	\$100	\$500
Failure to implement WPDES industrial discharge permit	N/A	\$500
Failure to allow reasonable access for inspecting or sampling	\$100	\$500
Failure to install, maintain or calibrate monitoring equipment	N/A	\$500
Failure to install or maintain nonstructural and structural BMPs	N/A	\$500
Failure to notify Village of a spill or release of hazardous substance	\$100	\$500
Failure to take reasonable actions to prevent or contain a spill or release of a hazardous substance	\$100	\$500

(2) Mandatory training workshops and/or community service projects (e.g., stream cleanup, highway cleanup, etc.) could also be used to encourage behavior change if a violation is blatant, intentional, nonresponsive, repetitive, or severe.

Chapter 417, Vehicles, Abandoned.

Section 417-2B is amended to change "police officer" to "law enforcement officer."

Section 417-2D(2) and E are amended to change "Department of Motor Vehicles" to "Department of Transportation."

Chapter 421, Vehicles, All-Terrain.

Original § 423.33(1), Definitions, is repealed.

Section 421-2B(4) is amended to change "19 years" to "21 years."

Section 421-2D is amended to change "Department" to "Department of Natural Resources."

Chapter 424, Vehicles and Traffic.

Section 424-1 is amended to read as follows:

Except as otherwise specified herein, all provisions of Chapter 340, Vehicles--General Provisions, Chapter 341, Registration of Vehicles, Chapter 342, Vehicle Title and Anti-Theft Law, Chapter 343, Operators' Licenses, Chapter 344, Vehicles--Financial Responsibility, Chapter 345, Vehicles--Civil and Criminal Liability, Chapter 346, Rules of the Road, Chapter 347, Equipment of Vehicles, and Chapter 348, Vehicles--Size, Weight and Load, of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, including penalties and assessments to be imposed and the procedure for prosecution, are hereby adopted and by reference made a part of this

chapter as if fully set forth herein. Any act of any statute incorporated herein by reference required to be performed is hereby required to be performed, or prohibited is hereby prohibited.

Section 424-2 is amended to delete "Section 947.045, Drinking in motor vehicles on highway."

Section 424-3A is amended to update the reference to the State Highway Commission to the State Department of Transportation.

Section 424-11A(5) is amended to delete "including Section 7.05 Abandoned Vehicles."

Section 424-18A is amended to change "State Highway Division" to "State Department of Transportation."

Section 424-19 is amended to read as follows: "The provisions of § 345.60, Wis. Stats., shall apply to convictions under this chapter."

Section 424-22C is added to read as follows: "No person shall use compression brakes or operate a motor vehicle using brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof, unless such brakes are necessarily used in an emergency situation. The prohibition contained in this subsection shall not apply to fire, law enforcement, EMS and/or other emergency vehicles."

Section 242-25 is amended to change "police" to "law enforcement" and to change "Sheriff-Traffic Department" to "Sheriff's Department."

Section 424-27 is amended to read as follows:

The rules of the Wisconsin Department of Transportation in Chapter Trans 305, Standards for Vehicle Equipment, of the Wisconsin Administrative Code, for which the penalty is a forfeiture only, including penalties and assessments to be imposed, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or which is prohibited by any Administrative Code provision incorporated herein by reference is required or prohibited by this chapter. Any further amendments, revisions or modifications of the provisions incorporated herein are intended to be made part of this chapter in order to secure uniform state-wide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

Section 424-30A is amended to delete the reference to Chapter 947 of the statutes.

Section 424-30D is amended to delete "Abandoned vehicle, 7.05: \$298" from Subsection D(1); to delete "All handicap parking violations are \$200 per Section 340.011C" from Subsection D(2); and to delete "The forfeiture of a violation of Section 340.0011C shall be \$200."

Section 424-30F is amended to delete "the Police Department of the municipality."

Section 424-30I is amended to change "Wisconsin State Statute 340.10, E" to "Subsection H of this section."

Section 424-31C is amended to delete the reference to § 343.27 of the statutes (repealed in 1989).

Chapter 432, Waste Management.

The definition of "commercial garbage" in § 432-1 is amended to change "commercial debris" to "construction debris."

The definition of "recycling cart" in § 432-1 is amended to read as follows: "A sixty-five-gallon or ninety-five-gallon cart authorized for use in disposing collectible recyclables. Such carts must be obtained from the Village to be utilized for collectible recyclables."

Section 432-2C is amended to add "(no holiday)" after "first full week."

Section 432-2G is amended to read as follows: "Normal accumulations of garbage from commercial or manufacturing concerns shall be collected weekly by commercial hauler(s)."

Section 432-4A(2)(a) is amended as follows: "Residential garbage and collectible recyclables from buildings containing not more than four residential dwelling units will be prepared and placed for collection."

Section 432-4B(1) is amended as follows: "Before placing any garbage in the cart for collection, each patron shall ~~first wrap it in paper or secure~~ place it in a plastic garbage bag."

Section 432-4B(2) is amended to read as follows: "Commercial and manufacturing garbage shall be properly placed for collection by private haulers."

Section 432-4C(3) is amended to read as follows: "All garbage, collectible recyclables, and other collectible waste shall be placed for collection as required by this article no sooner than 6:00 p.m. the day before collection and no later than 6:00 a.m. on the designated collection day. Any garbage cart, waste, or other item which is not collected in accordance with applicable provisions of this article shall be removed from curbside not later than 12:00 midnight the day of collection."

Original § 5.01D(3)(d), Preparation time, is repealed.

Sections 432-12 and 432-24 are amended to change "not less than \$50 nor more than \$200" to "not less than \$100 nor more than \$500."

Section 432-21 is amended to change "not less than \$50 nor more than \$200" to "not less than \$100 nor more than \$1,000."

Original § 5.13I, Animal defecation, is repealed.

Section 432-33 is amended to read as follows: "Any person, firm or corporation violating any provision of this article, upon conviction, shall forfeit not less than \$50 nor more than \$500 and pay the costs of prosecution. Each act of violation shall constitute a separate violation."

Chapter 453, Floodplain Zoning.

Section 453-1 is amended to read as follows: "This chapter is adopted pursuant to the authorization in §§ 61.35 and 62.23, Wis. Stats., and the requirements in § 87.30, Wis. Stats."

Section 453-5H(1) is amended to revise the first sentence to read as follows: "This chapter supersedes all the provisions of any municipal zoning ordinance enacted under § 61.35 or 87.30, Wis. Stats., which relate to floodplains."

Section 453-7 is amended to change "local official" to "Zoning Administrator."

Section 453-16A(10) is amended to change "registered land surveyor" to "professional land surveyor."

Section 453-21A is amended to read as follows: "If these standards conform to § 62.23(7)(h), Wis. Stats., 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 chapter or any amendment thereto."

Section 453-24 is amended to read as follows: "Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under § 62.23(7), Wis. Stats., these officials shall also administer this chapter."

Sections 453-25A(6), 453-26B and 453-28A and B(2) are amended to change "zoning agency" to "Plan Commission."

Section 453-27 is amended to revise the first sentence to read as follows: "The Board of Appeals created under § 62.23(7)(e), Wis. Stats., is hereby authorized or shall be appointed to act for the purposes of this chapter."

Section 453-29C(1) is amended as follows: "Reinforcing walls and floors to resist rupture or collapse caused by water pressure or floating debris."

Section 453-32 is amended to delete "for cities and villages, or § 59.69, Wis. Stats., for counties" from the end of the first sentence on the opening paragraph and the last sentence in Subsection A and to change "zoning agency" to "Plan Commission."

Section 453-33 is amended to change the maximum fine from \$1,000 to \$50.

The definition of "municipality" in § 453-34 is amended to read as follows: "The Village of Allouez, Brown County, Wisconsin."

The definition of "variance" in § 453-34 is amended to change "Board of Adjustment/Appeals" to "Board of Appeals."

Chapter 468, Shoreland-Wetland Zoning.

Section 468-1A is amended to delete "for villages, §§ 62.23 and 62.231 for cities."

Section 468-3A(2) is amended to read as follows:

Floodplain zoning maps as provided in Chapter 453, Floodplain Zoning, § 453-5B, and other data collected from the following sources: Official Map of the Village; Wisconsin State Department of Transportation; Green Bay Metropolitan Sewerage Commission; United States Department of Agriculture, Natural Resources Conservation Service; the Wisconsin Department of Natural Resources; and such other local, state and federal governments, departments, agencies and bodies as may be appropriate.

Section 468-3A(4) is amended to change "Town" to "Village" and to change the map date to May 2011.

Sections 468-4C and 468-6F are amended to delete the references to § 62.231 of the statutes (applies to cities).

Section 468-5A(6) and 468-7 are amended to change "corporation counsel or municipal attorney" to "Village Attorney."

The definition of "boathouse" in § 468-8 is amended to read as follows: "As defined in § 30.01(1d), Wis. Stats., a structure with one or more walls or sides that has been used for one or more years for the storage of watercraft and associated materials, regardless of the current use of the structure."

The definition of "planning agency" in § 468-8 is amended to read as follows: "The Village Plan Commission established under § 5-9 of the Village Code."

Chapter 475, Zoning.

Section 475-2A is added to read as follows: "The provisions of this chapter shall be deemed to be the minimum requirements for the promotion of the public health, safety, convenience, prosperity or general welfare."

Section 475-3B is amended as follows:

References to the Department of Health and Social Services in the definitions of "child welfare agency," "day-care center," "day-care home, family" and "group home for children" are amended to the Department of Children and Families.

The definition of "community living arrangement" is amended to change "under the authority of the State Department of Health and Social Services" to "under the authority of State Department of Children and Families or the State Department of Health Services."

To delete the following definitions: "copy area," "construction site erosion control measure," "erosion control measure," "erosion control plan," "inactive," "land development activity," "land disturbing construction activity," "runoff," "set of one-year design storms" and "site."

The definition of "garage, private" is amended to change "1 2 tons" to "two tons."

The definition of "sign" is amended to read "As defined in Article IX, Signs, of this chapter."

Throughout this chapter, "High-Rise Residence District" is amended to "High-Rise District."

Throughout this chapter, "Highway Business Uses District" and "Highway Business District" are amended to "Highway Business Use District."

Original § 11.04C, Height, is repealed.

Section 475-7 is amended to change "in lieu of the required rear lots" to "in lieu of the required rear yard" in Subsection B and to delete the following:

Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except for the ordinary projection of sills, belt courses, chimneys, flues, buttresses, ornamental features, and eaves; provided, however, that none of the aforesaid projections shall project into a minimum side yard more than 1/3 of the width of such yard or more than 24 inches, whichever is less.

Open or lattice enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five feet shall be permitted where so placed as not to obstruct light and ventilation.

Section 475-13C(1) is amended to revise the district names in the table to read as follows: Row 1: "A" and "B" Residence Districts and High-Density District; Row 2: "C" Professional Office and Residence District, Commercial District, Light Industrial District, Highway Business Use District and Planned Development District.

Sections 475-14B, 475-15B and 475-19B are amended as follows: "the side yards are increased ~~1/2 square foot~~ two feet for each foot such building exceeds the height limit specified."

Sections 475-14C(2)(b) and 475-15C(2)(b) are amended to change "any side lot" to "any side lot line."

Section 475-17A is amended as follows:

Subsection A(4) is amended to read "A day-care center."

Subsection A(5) is amended to change "special use" to "conditional use."

Subsection A(7)(a) is amended to delete "by the Wisconsin Department of Regulation and Licensing."

Section 475-18D(2)(c) is amended to change "2 2 acres" to "two acres."

Section 475-22I is amended to change "1 2 ton rated capacity" to "two tons' rated capacity."

Section 475-29A is amended as follows: "When determination of the number of off-street parking spaces required by this chapter results in a fractional space, any fraction of ~~two~~ 1/2 or less may be disregarded, provided that at least one space is required, and any fraction in excess of ~~two~~ 1/2 shall require one parking space."

Section 475-31A(3) is amended to change "completion requirements" to "setback requirements."

Section 475-31A(4) and B(4) are amended to change "occupancy permit" to "certificate of occupancy."

Section 475-31D(1) is amended to change "1 2 parking spaces" to "1 ½ parking spaces."

Section 475-35A is amended to delete the following:

In the "A" Residence Districts, "B" Residence Districts, and the Commercial Districts, public and semi-public buildings may be erected to a height not exceeding 75 feet provided the side yards heretofore specified are increased two feet for each foot such building exceeds the height limit heretofore specified.

Section 475-35B is amended to delete the following: "Buildings on through lots and extending through from street to street may waive the requirements for a rear yard by furnishing an equivalent open space in lieu of such required rear yard" and "No building shall be moved into the Village of Allouez, nor from one location to another, until approval of the Village Board has been obtained."

Original § 11.14C, Driveways, Commercial and Light Industrial Districts, is repealed.

Section 275-35D is amended to read as follows: "Subsection B(1) of this section does not apply to High-Density Districts or "C" Professional Office and Residence Districts."

Section 475-36C is amended to change "any portion of this ordinance" to "any portion of the premises."

Section 475-37A is amended to read as follows:

The Board of Appeals shall have regular and alternate members as provided in § 5-9E(1) of this Code. The members of the Board shall serve without compensation and shall be removable by the Village Board for cause upon written charges and after a public hearing. The Village President shall designate one of the members as Chairperson. The Board of Appeals may elect one of its regular members the Vice Chairperson and shall designate a Secretary and an office in which its records shall be kept. Vacancies shall be filled for the unexpired terms of regular and alternate members whose terms become vacant in the same manner as original appointments.

Section 475-37C(2) is amended as follows: "If a quorum is present, the concurring vote of ~~four members of the Board~~ the majority of the Board members present shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variation in this chapter."

Section 475-40 is amended to read as follows:

No vacant land shall be used or occupied, except for agricultural purposes, and no building hereafter erected or structurally altered shall be used or changed in use until a certificate of occupancy shall have been issued by the Building Inspector stating that the building or the proposed use thereof complies with the provisions of this chapter. A like certificate shall be issued for the purpose of maintaining, renewing, changing, or extending a nonconforming use. A certificate of occupancy, whether for the whole or a part of a building, shall be issued within 10 days after the erection or structural alteration of such building or part shall have been completed in conformity with the provisions of this chapter. A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected. No permit for excavation for, or erection of, any building or part of a building, or for repairs to or alterations of a building, shall be issued until after a statement of its intended use has been filed by the applicant.

Original § 11.20, Interpretation, purpose and conflict, is repealed.

Section 475-43B is amended to revise the second sentence to read as follows: "Any person, firm or corporation violating such provisions, upon conviction thereof, shall be subject to a forfeiture of not more than \$1,000, except where another penalty is prescribed."

Section 475-52D(2) is amended to change "registered surveyor" to "professional land surveyor."

The definition of "beacon" in § 475-70 is amended to read as follows: "A stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention; except, however, that this term does not include lights required or necessary under the safety regulations prescribed by the Federal Aviation Administration or similar agencies."

The definition of "garage/yard/rummage sale sign" in § 475-70 is amended as follows: "A sign advertising the private sale of personal property used to dispose of personal household possessions."

Section 475-76C(6) is amended to change "Election signs" to "Political or campaign signs."

Section 475-78A(3) is amended to delete the following: "No individual lot shall be allowed more than one three-day garage, yard, or rummage sale in a single quarter of a calendar year."

Section 475-89B is amended to revise the first sentence to read as follows: "All proposed site plans shall be submitted to the office of the Zoning Administrator and reviewed by the Village Administrator, Building Inspector, Director of Parks, Recreation and Forestry, Fire Chief, Director of Public Works, County Sheriff and Zoning Administrator."

Section 475-95C(1) is amended to change "Parks Director" to "Director of Parks, Recreation and Forestry."

Section 475-95C(4) is amended to change "Parks Department" to "Department of Parks, Recreation and Forestry."

Section 475-97 is amended to change "the definition (of screening) contained in the definitions section" to "§§ 229-5 and 229-6 of this Code."

