

TOWN OF PENSsauKEE
ORDINANCE NO. 20041

Ordinance Creating the Town of Pensaukee Plan Commission

SECTION 1. Establishment

The Town Board of the Town of Pensaukee, does ordain as follows: There is hereby established a Town Plan Commission for the Town of Pensaukee, Oconto County, in accordance with Sections 60.10(2) (c), 60.62, 61.35, and 62.23 of the Wisconsin Statutes.

SECTION 2. Membership

The Town Plan Commission shall consist of five members. The Plan Commission shall consist of one (1) member of the Town Board, who may be the Town Chairperson as well as other town elected or appointment officials, and four (4) citizen members, who are not otherwise Town officials, and who shall be persons of recognized experience and qualifications.

The Chairperson shall be the appointed by the Town Chairperson.

The Secretary shall be appointed by the Chairperson.

Official Oaths Any citizen appointed to the Plan Commission shall take and file the oath of office within (5) days of notice of appointment, as provided under secs. 19.01 and 60.31, Wis. Stats.

Terms of Office for the Plan Commission Chairperson and each Plan Commissioner member shall be a period of three (3) years, ending on April 30, or until a successor is appointed and qualified, except:

A. Initial Terms: The four citizen members initially appointed to the Plan Commission shall be appointed for staggered terms.

B. The Plan Commission member who is a Town Board member or Town Board Chairperson, including a person designated the Plan Commission Chairperson, shall serve on the Commission for a period of two (2) years, as allowed under sec. 66.0501(2), Wis. Stats., concurrent with his or her term on the Town Board, except an initial appointment made after April 30 shall be for a term that expires two (2) years from the previous April 30.

Compensation; Expenses: The Town Board of the Town of Pensaukee, yearly at its annual budget meeting, will determine a per diem allowance (if any) per meeting for citizen and Town Board members of the Plan Commission, as allowed under sec. 66.0501(2), Wis. Stats. In addition, the Town Board may reimburse reasonable costs and expenses, as allowed under sec. 66.0321, Wis. Stats.

SECTION 3. Organization

The Plan Commission shall organize and adopt rules for its own government in accordance with the provisions of this ordinance.

Meetings shall be held monthly and at the call of the Chairperson or a majority of the full membership of the Commission and shall be open to the public. Meeting will conform to Wisconsin Stats. 19.81-19.

Special and Standing Committees may be appointed by the Chairperson.

Quorum shall be four (4) members, but all actions shall require approval of a majority of the full Commission except a motion to adjourn.

A Written Record shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made; and a copy shall be filed with the Town Clerk as a public record.

Voting Shall be in accordance with Wisconsin Stats. 19.88(1).

SECTION 4. Powers

The Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote municipal planning. Such powers include the following:

To Employ Experts and a Staff and to pay for their services, supplies, equipment, and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Town Board.

To Make Reports and Recommendations relating to the plan for development of the Town to public officials, agencies, utilities, and other organizations and citizens.

To Recommend Public Improvement Programs and financing thereof to the Town Board.

To Request Available Information from any public official to be furnished within a reasonable period of time.

To Enter Upon Any Land. The Plan Commission, its members and employees, may enter upon any land in the performance of its functions, make examinations and surveys, and place and maintain necessary monuments and marks thereon.

SECTION 5. Duties

The Plan Commission shall have the following functions and duties;

To Make and Adopt a Comprehensive Plan for the Town in accordance with secs. 62.23 and 66.1001 of the Wisconsin Statutes.

To Make and Recommend an Official Map to the Town Board in accordance with Section 62.23 (6) of the Wisconsin Statutes

To Prepare and Recommend a Zoning district plan and suggest necessary text amendments to the Oconto County Zoning Ordinance to the Town Board for consideration by the Town Board and Oconto County.

To Prepare and Recommend Land Division Regulations to the Town Board and Oconto County in accordance with Section 236.45 of the Wisconsin Statutes. Permitted use or conditional use permits will be also reviewed and approved by this commission.

To Make Any Changes to the Comprehensive Plan they deem necessary or desirable and to recommend any changes or amendments to the Town Board and/or Oconto County that they deem necessary or desirable concerning the Official Map, Zoning, and Land Division ordinances.

To Consider and Report and Recommend on all matters referred to them.

SECTION 6. Referrals

The Town Board or other public body or officer of the Town having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken, the following matters:

Location and Architectural Design of any public building.

Location of Any Statue or other memorial.

Location, Acceptance, Extension, alteration, vacation, abandonment, change of use, sale, acquisition or lease of land for any street, alley, or other public way, park, playground, airport, parking area or other memorial or public grounds.

Location, Extension, Abandonment, or authorization for any public utility whether publicly or privately owned.

Location, Character and Extent, or acquisition, leasing or sale of lands for public or semipublic housing, half way houses, known convicted sexual offender domiciles, slum clearance, relief of congestion, or vacation camps for children.

Proposed Fire Prevention Regulations.

All Annexations, incorporations, or consolidations affecting the Town.

All Proposed or Requested changes and Amendments to the Comprehensive Plan, Official Map, Zoning, or Land Division Ordinances.

SECTION 7. Additional Powers and Duties

The Plan Commission shall have all additional powers and duties granted or assigned by the Town Board or by Town Ordinances. All the powers and duties granted or assigned by the Wisconsin Statutes to City Plan Commissions and any amendments thereto are hereby granted or assigned to the Plan Commission and such Statutes are hereby adopted by reference.

SECTION 8. Severability and Conflict

If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the Town inconsistent with this Ordinance to the extent of the inconsistency only, are hereby repealed.

SECTION 9. Code of Ethics and Private Interests

In accordance with Section 236.45 of the Wisconsin Statutes, members of the commission will be required to abstain from official actions that would substantially affect a matter in which the official, an immediate family member or an associated business or organization would receive financial gain or interest from such actions.

SECTION 9. Effective Date

This ordinance shall be effective immediately after adoption and will be published by the Town Board of the Town of Pensaukee in accordance with their normal posting methods. A notarized copy of this signed document will be kept on permanent file with the Town of Pensaukee Town Clerk and a 2nd copy furnished to the Chairperson of the newly formed Town of Pensaukee Planning Commission.

Adopted ____ 13 ____ day of __ April ____, 2004.

Published ____ 14 ____ day of __ July ____, 2004.

Effective ____ 13 ____ day of __ April ____, 2004.

Original Signature on File

Original Signature on File

Gary Luedeman, Town Chairperson

ATTEST: Joyce Stoegbauer, Town Clerk

Cc Bay Lakes Regional Planning Commission (BLRPC)
Oconto County Zoning Office
Other affected parties as requested