



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-011

AN ORDINANCE TO AMEND CHAPTER 66 SOLID WASTE, SECTION 66.115 EXTERIOR STORAGE STANDARDS FOR MULTIPLE-FAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES TO EXPLICITLY REFER TO THE REQUIREMENTS WITHIN CHAPTER 94 ZONING CODE, SECTION 94.12.06(2) EXTERIOR STORAGE STANDARDS FOR MULTIFAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES.

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 66, Section 66.115 Exterior Storage Standards for Multiple-Family Dwellings and Non-Residential Facilities and Properties is amended to read as follows:

Sec. 66.115. Exterior Storage Standards for Multiple-Family Dwellings and Non-Residential Facilities and Properties.

- (a) All exterior storage of recyclable and non-recyclable containers, within multiple-family dwellings and non-residential facilities and properties, shall be placed and maintained within a three-sided enclosure and enclosed on the fourth side with a gate to contain garbage, refuse, waste, recycling and other debris. The enclosure shall further meet all of the ~~following~~ requirements as specified in Section 94.12.06(2):

~~(1) Subject to accessory structure regulations, per the Village of Weston Zoning Code Chapter 94 Sec. 94.12.06(2).~~

~~(2) Must be at least 10 feet from any combustible walls, openings, or combustible roof eave lines, as per NFPA 1 (most recent addition).~~

~~(3) Not placed in any minimum required front or street side yard.~~

- ~~(4) Must be placed to the interior side or rear of the principal structure, unless such a location is not possible in the determination of the Zoning Administrator.~~
- ~~(5) Must be a minimum of 30 feet long by 10 feet wide.~~
- ~~(6) Must be 8 feet tall.~~
- ~~(7) Must be placed on a permanent paved or concrete surface.~~
- ~~(8) The recyclable and non-recyclable containers shall be fully screened and not visible from public rights-of-way and adjacent properties from the ground level; the screening shall consist of a solid fence constructed of masonry, commercial grade wood fencing, or other commercial grade material approved by the Planning and Development Department. Chain link fences and gates with slats are not permitted for this purpose.~~
- ~~(9) This fence shall be constructed in such a manner so as to prevent paper, debris, and other refuse material from being blown through the fence.~~
- ~~(10) The Village's Refuse and Recycling Site Application must be submitted and approved by the Village prior to installation. The owner shall provide proof to the Village, from the owner's contracted solid waste/recycling hauler, that the design provides safe and reasonable access to the hauler to provide the contracted service.~~
- ~~(b) The owners of a multi-family dwelling and/or non-residential facilities and properties shall be responsible for full compliance with the requirements of this Ordinance.~~
- ~~(c) The owner or designated agent may apply for a special exception from the Village's Planning and Development Department regarding the minimum size of the enclosure, and may apply for a special exception on the location, shape, and style of enclosure used. The Village may grant a special exception if the applicant clearly shows that the ordinance requirement creates an unnecessary hardship and granting the special exception will not harm the public interest or undermine the purpose of this ordinance.~~

~~(d) The exterior storage of non-recyclable and recyclable material, and associated containers, and enclosures, which are not in compliance with this subsection as of October 24, 2014, shall have one year from such date to comply.~~

(Ord. of 3-20-2014; Ord. of 10-24-2014) [Amended via Ord. No 15-027, 11/18/2015]

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 17th day of April, 2017

WESTON VILLAGE BOARD

By: Barbara J. Ermeling
Barbara Ermeling, its President

Attest:

Sherry Weinkauff
Sherry Weinkauff, its Clerk

APPROVED: 4-17-17

PUBLISHED: 4-19-17

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Board of Trustees - 04/10/2017

FROM: Jennifer Higgins, Director of Planning & Development
Valerie Parker, Planning Technician

DESCRIPTION: Ordinance 17-011 An Ordinance to Amend Chapter 66 Solid Waste, Section 66.115 Exterior Storage Standards for Multiple-Family Dwellings and Non-Residential Facilities and Properties to Explicitly Refer to 94.12.06 Exterior Storage Standards (2) Exterior Storage Standards for Multi-Family Dwellings and Non-Residential Facilities and Properties.

ACTION:	<input checked="" type="checkbox"/> Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

QUESTION:

Should the Village Board approve the proposed ordinance amending Section 66.115 Exterior Storage Standards for Multiple-Family Dwellings and Non-Residential Facilities and Properties as recommended by the Plan Commission

BRIEF:

Staff is requesting to modify the solid waste ordinance to refer the requirements for new refuse and recycling enclosures to explicitly be defined in Section 94.12.06(2) to ensure ease of use and consistency in the code.

FISCAL IMPACT: N/A

RECOMMEND: Village staff recommends approval.

COMMITTEE: Recommendation endorsed by Plan Commission (4/10/2017)

REQUEST: Approve Ordinance #17-011 under Policy Question.

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- Is there an additional briefer with this agenda item?
 Are there additional reference documents which have been attached to this report?
Ordinance No. 17-011

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on April 17, 2017, the following Ordinances:

- Ordinance No 17-006 An Ordinance to Amend Section 94.11.02: Landscape Requirements to Update a Maximum Percentage of Tree Species Planted and A Municipal Code Reference.
- Ordinance No 17-007 An Ordinance to Amend Section 94.12.06: Exterior Storage Standards for Multi-Family Dwellings and Non-Residential Facilities and Properties to Discontinue the Prohibition of Privacy Slats Within Chain-link Fences.
- Ordinance No 17-008 An Ordinance to Amend Section 94.12.08 Access and Driveway Standards to Explicitly Refer the Requirements for Widths of Driveways Connected to A Public Right-Of-Way to Chapter 71.
- Ordinance No 17-009 An Ordinance to Amend Section 94.12.09: Off Street Parking and Traffic Circulation Standards to Provide a Definition of Reconstruction and Maintenance and Their Associated Requirements.
- Ordinance No 17-010 An Ordinance to Amend Section 94.4.05(12) Commercial Animal Establishment Land Use Definition to Prohibit Outdoor and Overnight Activities Within The B-1 And B-2 Zoning Districts And To Amend Figure 3.05 To Allow Commercial Animal Establishments Within B-2 Zoning District As A Permitted Use By Right And Within The B-1 And Li Zoning Districts As A Conditional Use.
- Ordinance No. 17-011 An Ordinance to Amend Chapter 66 Solid Waste, Section 66.115 Exterior Storage Standards for Multiple-Family Dwellings and Non-Residential Facilities and Properties to Explicitly Refer to 94.12.06 Exterior Storage Standards (2) Exterior Storage Standards for Multi-Family Dwellings and Non-Residential Facilities and Properties.
- Ordinance No. 17-012 An Ordinance to Amend Section 90.103(k) Planting of Trees and Shrubs.
- Ordinance No. 17-013 An Ordinance to Amend Section 71.5.01(1) Relating to Width of Access of Driveways.

The full text of the above Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov>.

Dated this 18th day of April, 2017
Sherry Weinkauff, Village Clerk

Published: 4/19/17

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 - 321 - 000

Description: WDH publication

Ord 17-006 to 17-013

Approved by [Signature] 5/3/17
initials Date

\$43.95

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0002077486
No. of Affidavits: 1
Total Ad Cost: \$43.95
Published Dates: 04/19/17

(Signed) [Signature] (Date) 4/25/17

Legal Clerk



Signed and sworn before me

[Signature]

My commission expires

5-25-18

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Dated this 18th day of April, 2017
Sherry Weinkauff, Village Clerk
RUN: April 19, 2017 WNAXLP

WESTON VILLAGE OF
Re: newly enacted ord.