

Current Language

10.8 Enforcement:

- A. Compliance and Penalty: It shall be the responsibility of the applicants, as well as their agent or other persons acting on their behalf, to comply with the provisions of the Manitowish Waters Zoning Ordinance 2006-1, as amended. Any person, firm or corporation, including those doing work for others, who violates any of the provisions of this Ordinance shall be subject to an initial fine of double the applicable permit fee(s). Further, upon written notification of the violation(s) by the Zoning Administrator or designated deputy, the cited party shall have 30 days from the date of notification to bring the violation(s) into compliance. Each day after the 30-day period that a violation exists, there may be further forfeitures of not less than \$50.00 nor more than \$500.00. Each day a violation exists shall constitute a distinct and separate violation of this Ordinance, and as such, forfeitures shall apply accordingly. Every violation of this Ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated pursuant to Section 62.23 (7) (F) of the Wisconsin Statutes.

Proposed Language

10.8 Enforcement:

- A. Penalty: Any person, firm or corporation, including those doing work for others, who violates any of the provisions of this Ordinance shall be subject to an initial fine of \$1,000.00 (Exception: Tree removal in violation of, or absence of, a required permit in a location greater than 300 feet from the Ordinary High Water Mark of any lake, named stream, or river, shall be subject to initial fines of \$500.00). Each day that a violation continues to exist after actual receipt of a written notice of violation shall be subject to daily forfeitures (as per 10.8(B)(3)). Every violation of this Ordinance is a public nuisance, and the creation thereof may be enjoined, and the maintenance thereof may be abated pursuant to Section 60.61(6) of the Wisconsin Statutes.
- B. Responsibility for Compliance: The landowner and/or occupier, and any person, firm or corporation working on behalf of the landowner or occupier, making improvements to a property that violates this Ordinance shall each be subject to a separate initial fine. For example, if a contractor removes a tree in violation of this Ordinance, the contractor shall be subject to the initial fine of 10.8(A.), the owner shall be subject to a separate initial fine of the same amount, and anyone who directs the removal of the tree by the contractor shall be subject to a separate fine of the same amount. Further, upon written notification of the violation(s) by the Zoning Administrator or designated deputy, a cited party shall have 30 days from the date of receipt of such notification to (1.) Bring the violation(s) into compliance, or (2.) Enter into a written agreement with the Office of the Zoning Administrator which details a plan for restoration and/or

remediation, or (3.) Upon failing to fulfill either (1.) or (2.), become subject to daily forfeitures of not less than \$50.00 nor more than \$500.00. Each day a violation exists shall constitute distinct and separate violation of this Ordinance, and as such, forfeitures shall apply accordingly.

Current Language

4.1 Single Family Residential District 1 (R1)

B. Permitted Uses:

1. Single family detached dwelling unit and one accessory structure which meet the yard requirements of the district. The minimum livable square foot area for any one living unit must be 960 square feet with minimum seven foot ceiling height which may include finished exposed basement.
2. Metal clad accessory building not exceeding 26 x 30 shall be permitted in this district.
3. Essential Services.
4. Hobby Farms on lots greater than 5 acres and where no buildings or activity such as animal grazing occurs within 300 feet of the OHWM.

C. Conditional Uses:

1. Hobby farms other than those identified in 4.1.B.4.
2. Additional accessory buildings.
3. Parks, playgrounds.
4. Bed and breakfast.
5. Home occupations.
6. Guest Houses
7. Forest Management.

H. Side Yard Requirements: Principal building is 25 feet. Accessory building 15 feet.

Proposed Language

B. Permitted Uses:

1. One Single Family detached dwelling unit which meets the yard requirements of the district. The minimum finished habitable living area

for the dwelling unit shall be 960 square feet with a minimum seven foot ceiling height. Finished exposed basement space may be included in the area calculation.

2. One accessory building with a maximum footprint of 1,000 square feet. An accessory structure must be associated with a Principal Structure on the same lot, i.e., constructed after, or concurrently with, the Principal Structure.
3. Essential Services.
4. Hobby Farms on lots greater than 5 acres and where no buildings or activity such as animal grazing occurs within 300 feet of the OHWM.

C. Conditional Uses:

1. Hobby farms other than those identified in 4.1(B)(4).
2. Accessory buildings in addition to the single unit permitted in 4.1(B)(2).
3. Accessory buildings with a footprint greater than 1,000 square feet. The maximum footprint allowed is 2,400 square feet.
4. Parks, playgrounds.
5. Bed and breakfast.
6. Home occupations.
7. One Guest House, which is not subject to the 960 square foot minimum size limitation of 4.1(B)(1).
8. Forest Management.

H. Side Yard Requirements:

1. Principal building: 25 feet.
2. Accessory structure: 30 feet. The Article 8.2 allowance for a reduction in side yard setbacks for substandard lots does not apply to accessory structures.

5.10 Forest Management and Tree Removal (Proposed adds one sentence and strikes 4(c).)

B. Permitting Requirements

1. General. All tree removal and logging require a Zoning/Land Use Permit from the Town Zoning Administrator. **Permits obtained under Article 5.10 are at no cost to the applicant.**
4. Exceptions.
 - e. ~~The provisions of this Article shall not apply to removal of dead, diseased, or dying trees or shrubbery at the discretion of the landowner.~~