

**Title 5 Chapter 16**  
**Town of Lake Mills Placement of Homes and Structure**

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Placement of Homes or Structures on  
Parcels of Land Outside of a Platted Subdivision

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**Contents**

5-16-1	Short Title:.....	2
5-16-2	Purpose:.....	2
5-16-3	Authority: .....	2
5-16-4	Definitions:.....	2
5-16-5	Application Procedure:.....	3
5-16-6	Exemptions:.....	3
5-16-7	Approval Procedure: .....	3
5-16-8	Fee: .....	3
5-16-9	Penalties: .....	3
5-16-10	Rules and Regulations: .....	3
5-16-11	Severability:.....	4
5-16-12	Adoption and Amendments:.....	4
5-16-13	Application: .....	5

**Title 5 Chapter 16**  
**Town of Lake Mills Placement of Homes and Structure**

24 **5-16-1 Short Title:**

25 This chapter shall be known and may be cited as the “PLACEMENT OF HOMES AND  
26 STRUCTURES” Ordinance

27 **5-16-2 Purpose:**

- 28 A. To review and approve the location of structures on parcels of land larger than five (5)  
29 acres which are located outside of a platted subdivision.  
30 B. To promote the orderly layout and use of land in the Town of Lake Mills.  
31 C. To preserve tillable land, wetlands, and other special environmental assets.  
32 D. To minimize the length of access drives.  
33 E. To prevent soil erosion damage to shorelines, lakes, and streams.  
34 F. To conserve and protect land, water, and air resources and to protect surface and  
35 groundwater quality.

36 **5-16-3 Authority:**

37 The Town Board has been granted village powers by the electorate under Wis. Stats. 60.22(3)  
38 and therefore the Town Board may exercise certain zoning authority under Wis. Stats. 61.35,  
39 which allows for a planning commission which shall be known hereunder as a Town Planning  
40 Commission under Wis. Stats. 62.23, it is also including but not limited to powers granted in  
41 Wis. Stats. 60.62 and all other powers granted by Wisconsin State Statutes to the Town regarding  
42 the use of a planning commission to assist the Town to manage and plan future growth in the  
43 Town of Lake Mills, including any zoning powers wherever granted.

44 **5-16-4 Definitions:**

45  
46 **Applicant:** A person who has submitted an application for permit pursuant to this chapter. The  
47 person a permit will be or has been issued pursuant to this chapter. Each person applying for a  
48 permit or registration.  
49

50 **Application:** A document to be filled out and submitted for registration or permit pursuant to  
51 this chapter.  
52

53 **Movable structure:** A structure that by design is free standing, is not structurally fixed to the  
54 ground, has no permanent foundation, and can be relocated quickly and easily by dragging,  
55 lifting or rolling.  
56

57 **Day:** A period of 24 hours or calendar day, unless otherwise indicated.  
58

59 **Permit:** A document issued by the town to allow, authorize, or sanction activity pursuant to this  
60 chapter.  
61

62 **Person:** A natural human being (person), sole proprietorship, partnership, limited liability  
63 company (LLC), corporation, or association or the owner of a single –owner entity that is  
64 disregarded as a separate entity under Chapter 71, Wis. Stats.  
65

66 **Town:** The Town of Lake Mills, Jefferson County, Wisconsin.  
67

68 **Town Chairperson:** The chair of the Town Board of the Town of Lake Mills, Jefferson County,  
69 Wisconsin.

**Title 5 Chapter 16**  
**Town of Lake Mills Placement of Homes and Structure**

70 **5-16-5 Application Procedure:**

- 71 A. Applicant is to apply with the Town Clerk and complete a "Structure Placement Review"  
72 form.
- 73 B. Applicant is to provide the clerk with a proposed site plan when applying for the  
74 review.
- 75 C. The Site plan is to be drawn to scale and shall be scalable when given to the clerk.
- 76 1. Site plan is to show all setbacks from property lines and any easements.
- 77 2. The proposed structure along with any existing structure shall be located.
- 78 3. The entire parcel shall be shown on the site plan and any contiguous land under  
79 the same ownership shall also be included. Aerial photo recommended.
- 80 D. Application must be filed 15 days prior to the date of the meeting.

81 **5-16-6 Exemptions:**

82 The following shall be exempt from review under this ordinance:

- 83 A. Moveable structure
- 84 B. Structure less than or equal to 100 sq. ft.

85 **5-16-7 Approval Procedure:**

- 86 A. Applicant must appear before the Town Planning Commission for site review.
- 87 B. The planning commission will review and comment on the proposed site plan.
- 88 C. When the Town Planning Commission and the applicant agree on structure placement  
89 the Town Planning Commission shall issue a written approval.
- 90 D. The applicant may then apply for a building permit if one is required.

91 **5-16-8 Fee:**

92 Application fee shall be Fifty (\$50.00) dollars to be paid when filling out an application for  
93 structure placement review. If application is filed late the fee doubles (\$100.00)

94

95 **5-16-9 Penalties:**

96 Any person who violates, disobeys neglects, omits, or refuses to comply with, or who resists  
97 the enforcement of any of the provisions of this ordinance and structure placement  
98 agreement shall:

- 99 1. Upon conviction thereof, forfeit not less than One Hundred (\$100.00)dollars nor more  
100 than Five-Hundred (\$500.00) dollars and the cost of prosecution, including reasonable  
101 attorney fees, for each offense.
- 102 2. In default of payment of such forfeiture and costs, such person may be ordered to be  
103 imprisoned in the County jail of Jefferson County, Wisconsin, until the payment of such  
104 forfeiture and costs of prosecution, but not exceeding thirty (30) days for each offense.
- 105 3. Each day of violation shall constitute as a separate offense.

106 **5-16-10 Rules and Regulations:**

107 The Town Board shall have the authority from time to time to adopt, amend, alter, and repeal  
108 administrative rules and regulations as may be necessary for the proper administration of this  
109 chapter. Such regulations shall be adopted in accordance with the procedures established by Title  
110 1 Chapter 18 of this code.

**Title 5 Chapter 16**  
**Town of Lake Mills Placement of Homes and Structure**

111 **5-16-11 Severability:**  
112 Should any portion of this ordinance be declared unconstitutional or invalid by a court of  
113 competent jurisdiction, the other portions and/or sections of this ordinance shall not be affected.  
114

115 **5-16-12 Adoption and Amendments:**  
116 This ordinance shall be in full force and effect from its date of adoption and publication as  
117 provided by law.  
118 A. Adopted (Date)  
119 B. Amended (Date)  
120

121  
122 Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

123  
124  
125  
126 Attest: \_\_\_\_\_  
127 Robin Untz, Town Clerk  
128  
129 \_\_\_\_\_  
130 Hope Oostdik, Chairperson  
131  
132 \_\_\_\_\_  
133 David Schroeder, Supervisor I  
134  
135 \_\_\_\_\_  
136 James Colegrove, Supervisor II

**Title 5 Chapter 16  
Town of Lake Mills Placement of Homes and Structure**

137 **5-16-13 Application:**

138

139

**Structure Placement Review Form**

140 **Name of Land Owner(s):** \_\_\_\_\_

141 **Address of Land Owner(s):** \_\_\_\_\_

142 **Home Phone #:** \_\_\_\_\_ **Work Phone #:** \_\_\_\_\_

143 **Contractor's Name (if known):** \_\_\_\_\_

144 **Address of Contractor:** \_\_\_\_\_

145 **Work Phone #:** \_\_\_\_\_ **Fax #:** \_\_\_\_\_

146 **Parcel #:** \_\_\_\_\_ **Number of Acres:** \_\_\_\_\_

147 **Address of Property:** \_\_\_\_\_

- 148 A. Applicant is to provide the clerk with a proposed site plan when applying for the review. This site  
149 plan is to be drawn to scale and shall be scalable when given to the clerk. Site plan is to show all  
150 setbacks from property lines and any easements. The proposed structure along with any existing  
151 structure shall be located. The entire parcel shall be shown on the site plan and any contiguous land  
152 under the same ownership shall also be included.
- 153 B. Applicant must appear before the Town Plan Commission for site review. The Plan Commission will  
154 review and comment on the proposed site plan. When the Town Plan Commission and the applicant  
155 agree on structure placement the Town Plan Commission shall issue a written approval. The  
156 applicant may then apply for a building/structure permit, if one is required.
- 157 C. The Structure Site review form, Site Plan, and payment of **\$50.00** shall all be given to the Town  
158 Clerk fifteen (15) days prior to the next Town Plan Commission meeting. Town Plan Commission  
159 meetings are held the 1<sup>st</sup> Tuesday of each month at 8:00 pm, at the town hall, unless you are  
160 contacted with a different date.

161  
162 AS APPLICANT, I understand the above fee and agree to payment of the required fee, I UNDERSTAND  
163 THAT I MUST APPEAR BEFORE THE PLAN COMMISSION PRIOR TO APPROVAL OF THIS FORM,  
164 and I understand that the Plan Commission and Town Board may enter upon my property to ensure that I  
165 comply with the placement of any or all structures being applied for at this time.

166

167 **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

168

169 Signature of Plan Commission Chairperson: \_\_\_\_\_

170

171 **Date:** \_\_\_\_\_ **Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_

172

173 Any person who violates, disobeys, neglects, omits, or refuses to comply with, or who resists the enforcement of any of  
174 the ordinance Title 5 Chapter 16 and structure placement agreement, shall, upon conviction thereof, forfeit not less than  
175 \$100.00 nor more than \$500.00 and the cost of prosecution, including reasonable attorney fees, for each offense.