

ORDINANCE NO. 277
Village of Campbellsport
Fond du Lac County, Wisconsin

Ordinance Establishing a Plan Commission

The Village Board of the Village of Campbellsport, Fond du Lac County, Wisconsin does ordain as follows:

Section 1. Title

This ordinance is entitled the "Village of Campbellsport Plan Commission Ordinance."

Section 2. Purpose

The purpose of this ordinance is to establish a Village of Campbellsport Plan Commission and set forth its organization, powers, and duties, to further the health, safety, and welfare and wise use of resources for the benefit of current and future residents of the Village and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement,

Section 3. Authority; Establishment

The Village Board of the Village of Campbellsport, hereby establishes a seven (7) member Plan Commission under sees. 61.35 and 62.23, Wis. Stats.

Section 4. Membership

The Plan Commission shall consist of seven (7) members which may include village elected or appointed officials, except that at least three (3) must be citizen members who are not otherwise Village officials, and who shall be persons of recognized experience and qualifications.

Section 5. Appointments

The Village President shall appoint the members of the Plan Commission and designate a Plan Commission Chairperson during the month of April to fill any expiring term. The Village President may appoint himself or herself or another Village Board member to the Plan Commission, and may designate himself or herself, the other Village Board member, or a citizen member as Chairperson of the Plan Commission. In a year in which any Village Board member is elected at the spring election, any appointment or designation by the Village President shall be made after the election and qualification of the Village Board members elected. Any citizen appointed to the Plan Commission shall take

and file the oath of office within five (5) days of notice of appointment, as provided under sees. 19.01 and 61.21, Wis. Stats.

Section 6. Terms of Office

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

(1) Initial Terms. The citizen members initially appointed to the Plan Commission shall be appointed for staggered terms.

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

Section 7. Vacancies

A person who is appointed to fill a vacancy on the Plan Commission shall serve the remainder of the term.

Section 8. Compensation; Expenses

The Village Board of the Village of Campbellsport hereby sets a per diem allowance of ___ per meeting for citizen and Village Board members of the Plan Commission, as allowed under sec. 66.0501(2), Wis. Stats.

Section 9. Experts & Staff

The Plan Commission may, under sea. 62.23(1), Wis. Stats., recommend to the Village Board the employment of experts and staff, and may review and recommend to the approval authority proposed payments under any contract with an expert.

Section 10. Rules; Records

The Plan Commission, under sec. 62.23(2), Wis. Stats., may adopt rules for the transaction of its business, subject to Village ordinances, and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record under sees. 19.21-19.39, Wis. Stats.

Section 11. Chairperson & Officers

(1) Chairperson. The Plan Commission Chairperson shall be appointed and serve a term as provided in sections 5 and 6 of this ordinance. The Chairperson shall, subject to Village ordinances and Commission rules:

- (a) provide leadership to the Commission;
- (b) set Commission meeting and hearing dates;
- (c) provide notice of Commission meetings and hearings and set their agendas, personally or by his or her designee;
- (d) preside at Commission meetings and hearings; and
- (e) ensure that the laws are followed.

(2) Vice Chairperson. The Plan Commission may elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.

(3) Secretary. The Plan Commission shall elect, by open vote or secret ballot under sec. 19.88(1), Wis. Stats., one of its members to serve as Secretary, or, with the approval of the Village Board, designate the Village Clerk or other Village officer or employee as Secretary.

Section 12. General & Miscellaneous Powers

The Plan Commission, under sec. 62.23(4), Wis. Stats., shall have the power:

(1) Necessary to enable it to perform its functions and promote Village planning.

(2) To make reports and recommendations relating to the plan and development of the Village to the Village Board, other public bodies, citizens, public utilities and organizations.

(3) To recommend to the Village Board programs for public improvements and the financing of such improvements.

(4) To receive from public officials, within a reasonable time, requested available information required for the Commission to do its work.

(5) For itself, its members and employees, in the performance of their duties, to enter upon land, make examinations and surveys, and place and maintain necessary monuments and marks thereon. However, entry shall not be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant. If such permission has been refused, entry shall be made under the authority of an inspection warrant issued for cause under sec. 66.0119, Wis. Stats., or other court-issued warrant.

Section 13. Referrals to the Plan Commission

(1) Required referrals under sec. 62.23f 5X Wis. Stats. The following shall be referred to the Plan Commission for report:

- (a) The location and architectural design of any public building.
- (b) The location of any statue or other memorial.

- (c) The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any
 - (i) street, alley or other public way;
 - (ii) park or playground;
 - (iii) airport;
 - (iv) area for parking vehicles; or
 - (v) other memorial or public grounds.
- (d) The location, extension, abandonment or authorization for any publicly or privately owned public utility.
- (e) All plats under the Village's jurisdiction under ch. 236, Wis. Stats., including divisions under a Village subdivision or other land division ordinance adopted under sec. 236.45, Wis. Stats.
- (f) The location, character and extent or acquisition, leasing or sale of lands for
 - (i) public or semi-public housing;
 - (ii) slum clearance;
 - (iii) relief of congestion; or
 - (iv) vacation camps for children.
- (g) The amendment or repeal of any ordinance adopted under sec. 62.23, Wis. Stats., including ordinances relating to: the Village Plan Commission; the Village comprehensive plan under sec. 66.1001, Wis. Stats.; a Village official map; and Village zoning.

(2) Required referrals under sections of the Wisconsin Statutes other than sec. 62.23(5), Wis. Stats. The following shall be referred to the Plan Commission for report:

- (a) An application for initial licensure of a child welfare agency or group home under sec. 48.68(3), Wis. Stats.
- (b) An application for initial licensure of a community-based residential facility under sec. 50.03(4), Wis. Stats.
- (c) Proposed designation of a street, road or public way, or any part thereof, wholly within the jurisdiction of the Village, as a pedestrian mall under sec. 66.0905, Wis. Stats.
- (d) Matters relating to the establishment or termination of an architectural conservancy district under sec 66.1007, Wis. Stats.
- (e) Matters relating to the establishment of a reinvestment neighborhood required to be referred under sec. 66.1107, Wis. Stats.
- (f) Matters relating to the establishment or termination of a business improvement district required to be referred under sec, 66.1109, Wis. Stats.

- (g) A proposed housing project under sec. 66.1211(3), Wis. Stats,
- (h) Matters relating to urban redevelopment and renewal in the Village required to be referred under subch. XIII of ch. 66, Wis. Stats,
- (i) The adoption or amendment of a Village subdivision or other land division ordinance under sec. 236.45(4), Wis. Stats,
- (j) Any other matter required by the Wisconsin Statutes to be referred to the Plan Commission.

(3) Required referrals under this ordinance. In addition to referrals required by the Wisconsin Statutes, the following matters shall be referred to the Plan Commission for report:

- (a) A proposed driveway access ordinance or amendment.
- (b) A proposed Village official map ordinance under sec. 62.23(6), Wis. Stats., or any other proposed Village ordinance under sec. 62.23, Wis. Stats., not specifically required by the Wisconsin Statutes to be referred to the commission.
- (c) A proposed Village zoning ordinance or amendment adopted under authority separate from or supplemental to sec. 62.23, Wis. Stats., including a Village construction site erosion control and stormwater management zoning ordinance under sec. 60.627(6), Wis Stats.
- (d) An application for a special exception.
- (e) A proposed site plan.
- (f) A proposed extraterritorial zoning ordinance or a proposed amendment to an existing ordinance under sec. 62.23(7a), Wis. Stats.
- (g) A proposed boundary change pursuant to an approved cooperative plan agreement under sec. 66.0307, Wis. Stats., or a proposed boundary agreement under sec. 66.0225, Wis. Stats., or other authority,
- (h) A proposed zoning ordinance or amendment pursuant to an agreement in an approved cooperative plan under sec. 66.0307(7m), Wis. Stats,
- (i) Any proposed plan, element of a plan or amendment to such plan or element developed by the regional planning commission and sent to the Village for review or adoption.
- (j) Any proposed contract, for the provision of information, or the preparation of a comprehensive plan, an element of a plan or an implementation measure, between the Village and the regional

planning commission, under sec. 66.0309, Wis. Stats., another unit of government, a consultant or any other person or organization.

- (k) A proposed ordinance, regulation or plan, or amendment to the foregoing, relating to a mobile home park under sec. 66.0435, Wis. Stats,
- (l) A proposed agreement, or proposed modification to such agreement, to establish an airport affected area, under sec. 66.1009, Wis. Stats.
- (m) A proposed Village airport zoning ordinance under sec. 114.136(2), Wis. Stats.
- (n) A proposal to create environmental remediation tax incremental financing in the Village under sec. 66.1106, Wis. Stats.
- (o) A proposed county agricultural preservation plan or amendment, under subch. IV of ch. 91, Wis. Stats., referred by the county to the Village, or proposed Village agricultural preservation plan or amendment.
- (p) Any other matter required by any Village ordinance or Village Board resolution or motion to be referred to the Plan Commission.

(4) Discretionary referrals. The Village Board, or other Village officer or body with final approval authority or referral authorization under the Village ordinances, may refer any of the following to the Plan Commission for report:

- (a) A proposed intergovernmental cooperation agreement, under sec. 66.0301, Wis Stats., or other statute, affecting land use, or a municipal revenue sharing agreement under sec. 66.0305, Wis. Stats.
- (b) Any other matter deemed advisable for referral to the Plan Commission for report.

(5) Referral Period. No final action may be taken by the Village Board or any other officer or body with final authority on a matter referred to the Plan Commission until the Commission has made its report, or thirty (30) days, or such longer period as stipulated by the Village Board, has passed since referral. The thirty (30) day period for referrals required by the Wisconsin Statutes may be shortened only if so authorized by statute. The thirty (30) day referral period, for matters subject to required or discretionary referral under the Village's ordinances, but not required to be referred under the Wisconsin Statutes, may be made subject by the Village Board to a referral period shorter or longer than the thirty (30) day referral period if deemed advisable.

Section 14. Effective Date

Following passage by the Village Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 61.50, Wis. Stats.

ADOPTED this _____ day of _____, 20____.

_____ (Village Board President)

[Published / Posted] this _____ day of _____, 20____.

Attest: _____ (Village Clerk)