

## Ord. 04-17

**ORDINANCE REPEALING, RECREATING AND/OR CREATING VARIOUS SECTIONS OF  
THE TOWN OF LISBON CODE**

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**THE TOWN BOARD OF THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN,  
DOES ORDAIN AS FOLLOWS**

**SECTION 1:** Section 1.10(d) is hereby repealed and recreated as follows:

**1.10 CITATIONS FOR ORDINANCE VIOLATIONS; CASH DEPOSITS.**

(d) Schedule of Cash Deposits.

The Schedule of cash deposits established for use with citations issued for ordinance violations shall be as adopted by the Town Board from time to time, and such Schedule shall be on file in the offices of the Sheriff's Department and Town Clerk. In addition, penalty assessments, jail assessments and court costs shall be added to the cash deposit, which assessments and court costs are determined in accordance with the deposit schedule established, adopted and as amended from time to time by the Wisconsin Judicial Conference. Deposits shall be in cash, money order or certified check to the Clerk of Municipal Court, who shall provide a receipt therefore.

**SECTION 2:** Section 1.11 is hereby repealed and recreated as follows:

**1.11 CIGARETTE LICENSE FEES.**

No person shall sell, exchange, barter dispose of or give away, or keep for sale any cigarettes without a license therefore as prescribed by the Wisconsin Statutes. The license fee for such license shall be set by resolution adopted by the Town Board from time to time. The license shall expire on June 30 of such year.

**SECTION 3:** Sections 2.10(d)(6) and 2.10(d)(6)(a) are hereby repealed and recreated as follows:

**2.10 MAINTENANCE AND INSPECTION OF TOWN RECORDS.**

(d) Public Access to Records.

(6) A requester shall be charged a fee to defray the cost of locating and copying records as follows. Fees shall be set by resolution adopted by the Town Board from time to time.

A. The cost of has been calculated not to exceed the actual, necessary and direct cost of reproduction.

**SECTION 4:** Section 2.11 Town Park Committee is hereby created.

**2.11 TOWN PARK COMMITTEE**

There is hereby created a Town Park Committee consisting of seven (7) members. The Town Chairperson shall nominate members of the Park Committee, whose appointments shall be confirmed by the Town Board. Appointments to the Park Committee shall be for a term of three (3) years, commencing as of the first day of July in the year in which the appointment to the Committee member is made. All appointments shall be made as of the expiration of the term of Committee members currently serving under prior Town ordinances creating the Town Park Commission. All Committee members shall take and file an official oath with the Town Clerk.

**SECTION 5:** Section 2.12 Pauline Haass Public Library Board is hereby repealed.

**SECTION 6:** Section 3.09(f) is hereby repealed and recreated as follows:

**3.09 ROAD RIGHT-OF-WAY RESTRICTIONS AND DRIVEWAY PERMIT.**

- (f) The cost of the Permit for work in the right-of-way and driveway permit shall be set by resolution adopted by the Town Board from time to time.

**SECTION 7:** Section 5.07(f) is hereby repealed and recreated as follows:

**5.07 SEWERAGE SLUDGE DISPOSAL.**

- (f) Permit Fee.

The applicant shall file with his application a non-refundable annual permit fee which shall be set by resolution adopted by the Town Board from time to time, however, the Town Board may waive this requirement.

**SECTION 8:** Sections 5.11(e) and 5.11(g)(2) are hereby repealed and recreated as follows:

**5.11 ADULT-ORIENTED ESTABLISHMENTS**

- (e) Fees.

A license fee shall be set by resolution adopted by the Town Board from time to time shall be submitted with the application for a license. If the Application is denied, one-half of the fee shall be returned.

- (g) Renewal of License of Permit.

(2) A license renewal fee and late penalty shall be set by resolution adopted by the Town Board from time to time. The renewal fee shall be submitted with the application. In addition to the renewal fee, a late penalty shall be assessed against the applicant who files for a renewal less than 60 days before the license expires. If the application is denied, one-half of the total fees collected shall be returned.

**SECTION 9:** Section 6.04(a) is hereby repealed and recreated as follows:

**6.04 DOG LICENSE**

- (a) Every owner or keeper of a dog five (5) months of age or more on January 1 of any year shall, at the time and in the manner provided by law for the payment of personal property taxes as provided in Section 174.05, Wisconsin Statutes, pay a dog license fee and obtain a license therefore as required by the Wisconsin Statutes. The owner or keeper of a dog which becomes five (5) months of age after January 1 of any license year shall, within 30 days after such dog becomes 5 months of age, pay a dog license fee and obtain a license therefore as required by the Wisconsin Statutes. The license fees for neutered males, spayed females, unneutered males, unsplayed females and late fees shall be set by resolution adopted by the Town Board from time to time. Any license fee for a dog which is not paid when due, will have an additional fee for each dog, which is licensed late.

**SECTION 10:** Section 6.05 is hereby repealed and recreated as follows:

**6.05 KENNEL LICENSE FEE**

A fee shall be set by resolution adopted by the Town Board from time to time shall be paid each year by the operator of a kennel license within the Town of Lisbon. Such fee shall be paid at the time that dog license fees are due, and subject to the same penalty provision contained in Section 6.03 if paid late.

**SECTION 11:** Section 8.04(d) is hereby repealed and recreated as follows:

**8.04 RESERVATION OF PARK FACILITIES**

- (d) The Clerk shall inquire as to whether fermented malt beverages and/or intoxicating liquors will be used and/or consumed by any members of the party or group during use of the facilities, and in the event use or consumption is so indicated, a refundable cash deposit fee shall be set by resolution adopted by the Town Board from time to time, shall be required and be delivered to the Town Clerk along with the application for reservation.

**SECTION 12:** Sections 13.05(a)(1) and 13.05(a)(2)(a) through (d) are hereby repealed and recreated as follows:

**13.05 FEES**

(a) Application Fees

- (1) An application for a sign permit shall be filed with the SCA along with a non-refundable application review fee for each individual sign permit application. In addition to the application review fee, a separate sign permit fee shall be submitted with the application in accordance with the [adopted fee](#) schedule for the following sign types. Fees shall be set by resolution adopted by the Town Board from time to time.

- (A) Wall and Window Signs
- (B) Projecting Signs
- (C) Ground/Monument Signs
- (D) Changeable Message Sign

**SECTION 13:** Sections 14.05(c) and 14.05(e) are hereby repealed and recreated as follows:

**14.05 LICENSE FOR MOBILE HOME PARK; APPLICATION AND RENEWAL:**

- (c) The license is not transferable without prior approval of the Town Board and a transfer fee which shall be set by resolution adopted by the Town Board from time to time.
- (e) The application for such license or the renewal thereof shall be filed with the Town Clerk and shall be accompanied by a fee which fee shall be set by resolution adopted by the Town Board from time to time for each space in the existing or proposed park and shall further include the name and address of the applicant, the name and address of the owner in fee of the parcel upon which the park is located (if the fee is vested in some person other than the applicant, a verified statement by that person that the applicant is authorized by him to construct or maintain a mobile home park thereon and to apply for the license is required) and the location and legal description of the premises upon which the mobile home park is to be or is located. The application or renewal shall be accompanied by two (2) copies of a park plan, with the following:

**SECTION 14:** Section 15.03 is hereby repealed and recreated as follows:

**15.03 PERMIT**

No person shall construct, install, enlarge, or alter any private swimming pool unless permits have first been obtained from the Building and Electrical Inspectors. The pool building permit fee shall be set by resolution adopted by the Town Board from time to time. The fee shall defer the cost of issuance of the permit and two (2) inspections to be conducted during the course of construction. In the event additional inspections are required, a fee shall be set by resolution adopted by the Town Board from time to time per additional inspection shall be assessed the permit applicant. Electrical fee is based on pool specifications. Application shall be on forms provided by the Building Inspector and shall be accompanied by plans drawn on a survey to scale showing pool dimensions, location of pool on lot an distance from lot lines; fencing based on attached model survey work sheet. The Building Inspector shall refer the application for any pool which he considers to be unsafe to the Plan Commission. The Commission shall have the authority to approve, deny, or impose appropriate changes or safeguards. Its decision shall be based upon the avoidance of a substantial adverse effect upon property values in the neighborhood. Fencing to be approved prior to issuance of the permit.

**SECTION 15:** Sections 21.04(a) through (c) are hereby repealed and recreated and subsequently renumbered as follows:

**21.04 LICENSE FEES**

License fees for Junk Businesses and Junk Dealers shall be set by resolution adopted by the Town Board from time to time.

- (a) Each licensee engaged in collecting or gathering junk shall be furnished with a plate with the number of his license described thereon which shall be securely fastened by the licensee in some conspicuous place on the cart or vehicle used by him.

**SECTION 16:** Section 22.13(a) is hereby repealed and recreated as follows:

**22.13 TRANSIENT PUBLIC ENTERTAINMENT PERMIT FEES**

- (a) A permit fee for transient public entertainment shall be set by resolution adopted by the Town Board from time to time.

**SECTION 17:** Section 23.03 is hereby repealed and recreated as follows:

**23.03 Sales**

Every person who shall not have become a permanent merchant in the town and who sells or exposes for sale any goods, wares or merchandise, and who shall advertise, represent and hold forth that the sale thereof is an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, job lot or closing out sale, or a sale of goods, wares, or merchandise damaged by smoke, fire, water or otherwise, or that by reason of financial difficulty or other special or peculiar circumstances, such goods, wares or merchandise will be disposed of at less than their real value shall, before commencing or advertising for a sale thereof, procure a local license in the manner provided for transient merchants and shall pay a license fee which shall be set by resolution adopted by the Town Board from time to time. This section shall not apply to any sale made by virtue of any judgment, order or process of any court, or pursuant to any law of this state or the United States or in the enforcement of any contract or lien. Before making or offering to make such sale, such person shall exhibit the state license to the Town Clerk and upon payment of the local license fee, the Clerk shall record the state license, endorse upon it the words, "local license fee paid," affix his official signature and the date of his endorsement and issue a local license authorizing the sale.

**SECTION 18:** Section 24.02(b) is hereby repealed and recreated as follows:

**24.02 LICENSE**

- (b) License Fee

The applicant shall accompany the application with a fee which shall be set by resolution adopted by the Town Board from time to time.

**SECTION 19:** Section 25.02 is hereby repealed, recreated and subsequently renumbered as follows:

**25.02 LICENSE FEES**

Fees shall be charged for licenses issued by the Town Board for the sale of intoxicating liquors and fermented malt beverages within the town. Fees shall be set by resolution adopted by the Town Board from time to time and may be prorated at the time of issuance. Those licenses include:

- Class "A" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption off the premises. Examples: grocery or convenience stores.
- "Class A" liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption off the premises. Examples: liquor stores or grocery stores with full liquor sales sections.

- "Class A" (cider only) licenses allow retail sale of cider (any alcohol beverage made from the fermentation of the juice of apples or pears and that contains not less than 0.5% alcohol by volume and not more than 7% alcohol by volume) for consumption off the premises. Class "A" licensees applying for a "Class A" (cider only) license shall be issued the "Class A" (cider only) license. The municipality may not charge an initial issuance fee or annual fee for the "Class A" (cider only) license, but may charge a fee for newspaper publication of the alcohol beverage license application.
- Class "B" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption on or off the premises. Examples: restaurants, "beer bars."
- "Class B" liquor and reserve liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption on the premises, and wine in original sealed containers for consumption off the premises. If the community elects to, it may also permit sale of not more than four liters of intoxicating liquor (there are no limits on wine), in the original sealed container, for consumption off the premises. Check local ordinances for the allowance. State law also allows carryout of a single, opened (resealed) bottle of wine if sold with a meal. Examples: taverns and restaurants with full alcohol service.
- "Class C" wine licenses allow the sale of wine for consumption only on the premises and allow the carryout of a single opened (resealed) bottle if sold with a meal.
- Temporary Class B licenses (often called picnic licenses) allow retail beer and/or wine sales, at temporary events like fairs and festivals. Only certain organizations qualify for such a license. Temporary licenses may be issued to:
  1. Bona fide clubs.
  2. State, county, or local fair associations, or agricultural societies.
  3. Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.
  4. Posts of veterans organizations.
  5. Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.
- Operator's licenses (often called bartenders licenses) allows persons who qualify to sell liquor, wine, beer, and fermented malt beverages in licensed establishments. To qualify for an operator's license, you must
  - be at least 18 years old,
  - meet criminal record requirements, and
  - have completed a responsible beverage server course. Contact your local Wisconsin technical college, or see "Training" on the Department of Revenue website.

The last requirement can be waived if it is a renewal application or if you held a Wisconsin alcohol beverage license, including an operator's license, within the past two years. The municipality may issue you a provisional operator's license if you are enrolled in a responsible beverage server course when you apply. An operator's license is only good in the municipality that issues it.

**SECTION 20:** Section 25.15 is hereby repealed.

**SECTION 21:** Chapter 26 is hereby repealed.

**SECTION 22:** Section 29.03 is hereby repealed and recreated as follows:

**29.03 BUILDING PERMIT FEE**

Fees shall be set by resolution adopted by the Town Board from time to time.

**SECTION 23:** Section 30.05(c) is hereby repealed and recreated as follows:

**30.05 BUILDING INSPECTOR**

The compensation of the Building Inspector shall be established by the Town Board, from time to time. Fees shall be set by resolution adopted by the Town Board from time to time

**SECTION 24:** Section 31.06 is hereby repealed.

**SECTION 25:** Section 31.08(b) is hereby repealed and recreated as follows; and Section 31.08(c) is hereby repealed:

**31.08 ELECTRICAL PERMITS**

(b) Permit Fees.

Inspection of all electrical equipment and installations shall be charged fees which shall be set by resolution adopted by the Town Board from time to time.

**SECTION 26:** Sections 33.03(b) and 33.03(c) are hereby repealed and recreated as follows:

**33.03 PERMIT**

(b) Annual Permit

Annual permit fees shall be set by resolution adopted by the Town Board from time to time and shall be submitted with any application for issuance of a permit:

(c) Temporary Permit

The Town Clerk may issue temporary permits which shall be for a duration of 30 days commencing on the day of issuance of the permit and expiring 30 days thereafter. No more than two (2) temporary permits shall be issued for any given site within the permit year. Temporary permit fees shall be set by resolution adopted by the Town Board from time to time and shall be submitted with any application for issuance of a permit:

**SECTION 27:** Section 34.26(d)(1) is hereby repealed and recreated as follows:

**34.26 FIRE PROTECTION WATER TANK REQUIREMENTS (Residential Subdivisions)**

(d) Administrative Procedures

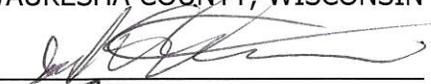
- (1) The developer/subdivider or installer of the tank shall notify the Fire Department of completion of the installation for purpose of inspection. Forty-eight hour notification shall be provided and an inspection fee shall be set by resolution adopted by the Town Board from time to time and shall be submitted to the Fire Department to cover the costs of the inspection. All new or upgraded installations shall require inspection. Once approved, tanks shall be filled by the Fire Department. Water tank inspection forms must be obtained from the Town Clerk or the Fire Department.

**SECTION 28:** All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

**SECTION 29:** This ordinance shall take effect upon passage and posting as provided by law.

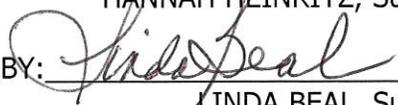
**PASSED AND ADOPTED** by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 27<sup>th</sup> day of March, 2017.

TOWN BOARD, TOWN OF LISBON  
WAUKESHA COUNTY, WISCONSIN

BY:   
JOSEPH OSTERMAN, Chairman

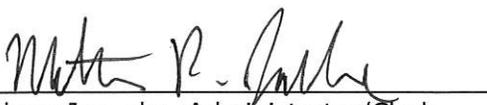
BY:   
RYAN LIPPERT, Supervisor

BY:   
HANNAH HEINRITZ, Supervisor

BY:   
LINDA BEAL, Supervisor

BY:   
REBECCA PLOTECHER, Supervisor

ATTEST:

BY:   
Matthew Janecke, Administrator/Clerk