

ORDINANCE INDEX

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
3	Set Back	June 7, 1960
4	Zoning	June 7, 1960
30	Zoning Ordinance	April 20, 1960
41	Boating	April 25, 1960

RESOLUTION INDEX

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
4	Transfer \$6,500.00 to Law Enforcement	April 19, 1960
12		
13	County Court Jury Fees	Tabled April 19, 1960
24	Settlement of 1959 General Taxes	April 20, 1960
25	County Fair Premiums	April 20, 1960
26	Transfer of Funds Supervising Teacher	April 20, 1960
28	Transfer of Funds Grandstand Roof	April 20, 1960
29/31	Corporation Council	Defeated April 25, 1960
32	Transfer of Funds Salary Increase – D. A.	April 25, 1960
35	2% Annual Reduction National Debt	April 25, 1960
36	Transfer of Funds Calf Barn	April 25, 1960
37	State Office Building – Durand	April 25, 1960
38	Lots at Prescott	April 25, 1960
39	Transfer of Funds Addressograph Plate File	April 25, 1960
42	Placing a Town Road on C. T. H. System – Gilman	Tabled April 25, 1960
43	Increasing Highway Committee	Defeated April 25, 1960
48	Highway Committee Per Diem	Tabled April 25, 1960
2	Bay City Watershed Maintenance Fund	June 7, 1960
3	Bay City Watershed Operations Fund	June 7, 1960
6	Transfer \$115.00 Haight House	June 7, 1960

7	Transfer \$700.00 Acting Welfare Director's Compensation	June 7, 1960
8	Dates for Fall Sessions	June 7, 1960
10	Per Diem County Highway Committee	June 7, 1960
2	Memorial – A. C. Bjornson	November 2, 1960
26	Great River Road Representative	November 3, 1960
27	Relocation C. T. H. System Resolution on County Highway System	November 3, 1960
28	Authorization – Federal Aid Secondary Highway Programs	November 3, 1960
29	Authorization – Purchasing Highway Equipment Purchase of Highway Equipment Pierce County	November 3, 1960
30	Authorization Transfer Funds Highway Machine to Highway Building	November 3, 1960
34	County Aid Bridge Construction Under Section 81.38 of the Statutes County of Pierce	November 4, 1960
35	C. T. H. – Program 1961	November 4, 1960
36	County Aid Construction and Maintenance During the Calendar Year 1961	November 4, 1960
37	Transfer of Funds - \$400.00 Mimeograph Machine County Agent's Office	November 4, 1960
38	Deer Party Permits	November 4, 1960
41	Town Road on C. T. H. System	November 4, 1960
42	Sale of Fermented Malt Beverages August 8, 1960	Defeated November 4, 1960
45	Transfer of Funds - \$1500.00 Transfer of Funds – Disabled Aid	November 4, 1960
48	Drag Saw	November 4, 1960
49	New Janitor	November 4, 1960
50	Condolence – Fred Thompson	November 4, 1960
51	Authorization for D. A. to Sue on Kay Bridge Loss	November 4, 1960
52	Relocation – C. T. H. "E"	November 4, 1960
53	Bridges Under 81.38	November 4, 1960
55	Opposing Change in County Government	November 4, 1960
56	Welfare Merit System Plan	November 4, 1960
58	Contribution to Indianhead Country	November 4, 1960
59	Bank Depositories	November 4, 1960
60	County Treasurer Office Desk	November 4, 1960
64	School Tax Levy	November 4, 1960
65	Bridge Tax Levy – 81.38	November 4, 1960
66	General Tax Levy	November 4, 1960
67	County Order Checks	November 4, 1960
49	Salary – of Family Court Commissioner	February 10, 1960

50	Addition to S.T.H. System	February 10, 1960
51	Distribution of Nomination Papers	February 10, 1960
52	Transfer of Funds \$35,000.00 to Institutional Fund	February 10, 1960
53	County Order Checks	February 10, 1960

**ORDINANCE NO. 3
PIERCE COUNTY HIGHWAY
SETBACK ORDINANCE**

An ordinance establishing highway setback lines in Pierce County, Wisconsin, in accordance with Section 59.97 of the Wisconsin Statutes.

**SECTION 1. SETBACK LINES
ESTABLISHED**

The County Board of Supervisors of Pierce County, Wisconsin, does hereby find, determine and ordain:

That in order to promote the public safety, general welfare and convenience, it is necessary that highway setback lines be and they are hereby established in Pierce County outside the limits of incorporated cities and village; along all public highways and at the intersections of highways with highways with railways: Where a highway is located on a city or village boundary, this ordinance is not intended to be effective on the side within the city or village; nor on the side within another county, where the highway is located on a county boundary.

It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing easement, covenants or agreements between parties or with any rules, regulations or permits previously adopted or issued pursuant to laws; provided however, that where this ordinance imposes a greater restriction upon the location of buildings or premises, the provisions of this ordinance shall govern;

SECTION 11. DEFINITIONS

As used in this ordinance and for its purposes, the following words mean:

SETBACK LINES. Lines established along highways at specified distances from the center line, which prohibited building or structures shall be setback of, or outside of, and within which they may not be placed except as hereinafter provided. "Within" the setback line means

between the setback line and the highway.

TO PLACE. The putting of a building or structure in a particular situation, whether this is by original construction or erection or by moving a building or structure to the particular situation.

TRAFFIC LANE. A strip of roadway intended to accommodate a single line of moving vehicles.

CENTER LINE. A line connection the points on highways from which setback distances shall be measured, at any point on the highway.

SURVEYS AND PLANS. Surveys and plans as referred to hereinafter shall be considered as accepted by the county or town board if county or town funds have been used in the improvement carried out with such plans.

CLASSES OF HIGHWAYS AND CENTER LINES. Highways are classified and the position of the center line shall be determined as follows:

CLASS 1 HIGHWAYS. Town roads that have not been improved in accordance with engineering surveys and plans accepted by the county or town board. The center line is at the midway point between fences or other markers indicating the boundaries of the highway on opposite sides thereof.

CLASS 2 HIGHWAYS. Town roads that have been improved in accordance with engineering surveys and plans accepted by the county or town board. The center line is at the center of the surfacing or pavement, or if there be none, the center of the graded roadbed.

CLASS 3 HIGHWAYS. State trunk highways that have been improved according to surveys and plans of the state highway commission or plans accepted by the county board. The center line is the center of the pavement or surfacing, or if there be none, the center of the graded roadbed, or the center of the directional separator if the highway is to be paved as a double divided road.

CLASS 4 HIGHWAYS. Any and all of those highways or parts of highways declared by or under the authority of the Congress of the United States to be parts of the Interstate Highway System.

CLASS 5 HIGHWAYS. Streets in platted subdivisions.

JUNCTION. The point upon which 2 highway center lines, as herein established, or a highway center line and the center line of a railway right-of-way, meet.

SECTION 111. STRUCTURES PROHIBITED WITHIN SETBACK LINES

No new building, new sign or other new structure or part thereof shall be placed between the setback lines established by this ordinance and the highway except as provided by this ordinance, and no building, sign or structure or part thereof existing within such setback lines on the effective date of this ordinance, shall be altered, enlarged, or added to in any way that increases or prolongs the permanency thereof, or be reconstructed in its original existing location after having been destroyed by fire, storm or other catastrophe to the extent of 60 per cent or more of its last assessed value.

SECTION IV. STRUCTURES PERMITTED WITHIN SETBACK LINES

The following kinds of structures may be placed between the setback line and the highway:

- (1) Open fences.
- (2) Telephone, telegraph and power transmission poles and lines, and microwave radio relay structures, together with all appurtenances thereto that are readily removable as a unit, including public utility equipment housings or structures, may be constructed within the setback lines, and additions to and replacements of any such existing poles, lines and structures may be made, provided the owner will file, with Pierce County, an

agreement in writing to the effect that the owner will remove all new constructions, additions and replacements erected after the adoption of this ordinance at his expense, when necessary for the improvement of the highway.

(3) Underground structures not capable of being used as foundations for future prohibited overground structures, except wells and septic tanks or other similar structures.

(4) Access or service highways constructed according to plans as approved by the county highway committee. In giving such approval, the county highway committee shall give due consideration to highway safety and maximum sight distance.

This section shall not be interpreted so as to prohibit the planting and harvesting of field crops, shrubbery or trees; provided, however, that no building or structure, trees or shrubbery shall be so located, maintained or permitted to grow so that the view across the sectors at the intersections, as provided by Section V, subsections (2), (3), (4) and (5), shall be obstructed.

SECTION V. SETBACK DISTANCES

Except as otherwise provided, the distances from the center line to the setback line applicable to the various classifications of highways as defined by Section 11 of this ordinance shall be as provided by the following paragraphs of this section, respectively.

Whenever a highway is improved to a classification requiring a greater setback distance than that required by this ordinance prior to such improvement the setback distance shall be that applicable to the latter classification.

In cases where the provisions of this ordinance may be interpreted to provide for different setback distances, the greater setback distance shall prevail.

(1) **ALONG HIGHWAYS GENERALLY.** The setback distances from the center line, at any point, for the respective classes of highways shall be as follows:

Class	1	Highways	setback distance	75 feet.
Class	2	Highways	setback distance	100 feet.
Class	3	Highways	setback distance	110 feet.
Class	4	Highways	setback distance	150 feet.

Provided, however, that in no case shall the distance of the setback line outside of and from the nearest point on the boundry line of the highway be less than the following:

For	Class	1	Highways,	42 feet.
For	Class	2	Highways,	67 feet.
For	Class	3	Highways,	77 feet.
For	Class	4	Highways,	117 feet.
For	Class	5	Highways,	66 feet.

(2) **AT ORDINARY HIGHWAY INTERSECTIONS.** At grade intersections of highways with other highways, there shall be vision clearance triangles in each sector of such intersection. Each such vision clearance triangle shall be established by a supplementary setback line, which shall be a straight line connecting points located on the setback lines along the intersecting highways and 50 feet back from the intersection of such setback lines. See Diagram.

(3) **AT HIGHWAY INTERSECTIONS WITH TRANSITIONAL WIDENING.** At intersections of highways with other highways provided with transitional widening of pavement or surfacing, such transitional widening shall be considered as additional width, and the setback line on the side which is widened shall be increased by an amount equal to the width of the additional pavement. See diagram.

(4) **AT HIGHWAY INTERSECTIONS WITH CURVE CONNECTIONS.** At intersections of highways with other highways, where the intersecting highways are connected with pavement or surfacing constructed on a curve, the pavement or surfacing on the curve shall be classified as provided by Section 11, and the setback distance along the curve shall be measured from the

center line of the curved section determined accordingly. See diagram.

(5) **AT RAILROAD GRADE CROSSINGS.** At grade intersections of highways with railroads, there shall be vision clearance triangles in each sector of such intersections. Each such vision clearance triangle shall be established by a supplementary setback line, which shall be a straight line connecting points located on the setback line, which shall be a straight line connecting points located on the setback lines along the highway and the railroad right-of-way lines and 100 feet back from the intersections of such highway setback lines and railroad right-of-way lines. See diagram.

SECTION VI. BOARD OF ADJUSTMENT

(1) **MEMBERS.** There shall be a board of adjustment consisting of 3 members appointed by the chairman of the county board with the approval of the county board. The members first appointed shall be for terms of 1, 2 and 3 years, respectively. Successors shall be appointed in like manner at the expiration of each term, and their terms of office shall be 3 years in all cases, beginning July 1 in the year in which they are appointed and until their successors are appointed and approved. The board shall choose its own chairman. The members shall

all reside within Pierce County and outside the limits of incorporated cities or villages; provided, however, that no 2 members shall reside in the same town. One member of the board of adjustment may be a member of the county board.

The members of the board of adjustment shall be entitled to per diem and expenses as determined by the county board.

(2) **POWERS OF THE BOARD.** The board of adjustment shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the highway commissioner.

(b) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where, owing to special and peculiar conditions applicable only to the specific property in question, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(c) To interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan of this ordinance.

(d) The board of adjustment shall have the power to call on any other county department for assistance in the performance of its duties and it shall be the duty of such other department to render such assistance as may be reasonably required.

(e) In exercising the foregoing powers, the board of adjustment may in appropriate cases establish suitable conditions and safeguards in harmony with the general purpose and intent of this ordinance.

(f) In every case where a variance from these regulations has been granted by the board of adjustment, the minutes of the board shall affirmatively show that an unnecessary hard-

ship exists and the records of the board shall clearly show in what particular and specific respects an unnecessary hardship would be created.

(3) **RULES, MEETINGS, MINUTES.** The county board shall adopt rules for the conduct of the business of the board of adjustment. The board of adjustment may adopt further rules as necessary to carry into effect the terms of this ordinance.

Meetings of the board shall be held at the call of the chairman and such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.

The board shall keep minutes of its proceedings showing the vote of each member on each question, or if absent or failing to vote, indicating such facts and shall keep records of its examinations or other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

(4) **APPEALS, HEARINGS.** Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of any municipality affected by any decision of the highway commissioner. Such appeal shall be taken within a reasonable time as provided by the rules of the board, by filing with highway commissioner and with the board of adjustment a notice of appeal specifying the grounds thereof. The highway commissioner shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to the parties in interest, and shall decide the same within a reasonable time. Upon the hearing,

any party may appear in person or by agent or by attorney.

(5) STAYS. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the highway commissioner shall certify to the board of adjustment after the notice of the appeal shall have been filed with him by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board of adjustment or by a court of record on application on notice to the highway commissioner and on due cause shown.

SECTION VII. COUNTY HIGHWAY COMMISSIONER— DUTIES

The county highway commissioner shall have the following duties in connection with the administration of this ordinance.

(1) RECORD OF EXISTING BUILDINGS. He shall prepare a record of all buildings and structures situated within the setback lines as established by this ordinance or any amendment thereto, which shall include the distances of such buildings or structures from the center line, their size, type of construction and use, the quarter section in which they are situated, and the names and addresses of the owner and occupant of the premises and the date on which the record is made. Such record shall be kept current, and shall show any such buildings or structures that may be removed or damaged to the extent that their reconstruction will be contrary to this ordinance.

(2) ISSUE BUILDING SETBACK PERMITS. No building or structure shall hereafter be placed, erected or structurally altered within 250 feet of the center line of any highway until a building setback permit therefor shall have been applied for and

issued. Such application shall be made to the county highway commissioner on forms provided by him. It shall be accompanied by drawings in duplicate showing the situation of the proposed building or structure with reference to the highway, its width on the side nearest the highway, the distance between the nearest point on the building or structure and the center line of the highway, and such other information as shall be called for on the form or shall be deemed necessary in any particular case. If the highway commissioner finds that the placing of the proposed building or structure will not be in violation of this ordinance, he shall issue a building setback permit, retain one copy of the drawing, and return the other with his approval; otherwise, he shall reject the application and inform the applicant of the reasons, in writing. Such permit shall be issued or the application be denied within 10 days after the receipt of the application. Such building setback permit shall be posted on the premises so as to be visible from the highway at all times until such construction has been completed.

Statements made in the application shall be as if made under oath, and any willfully false statement in the application shall subject the person making it to the penalties of this ordinance in addition to other penalties for false swearing.

No buildings setback permit shall be required for farm buildings and structures having a ground area of not more than 240 square feet, not permanently fixed to the ground and readily removable in their entirety. This exemption, however, shall not apply to roadside stands used for the sale of farm products or other goods or services.

SECTION VIII. ENFORCEMENT

This ordinance shall be enforced by the county highway committee.

The county highway commis-

sioner shall report all violations of the terms of this ordinance to the highway committee, whereupon the highway committee shall promptly sign a complaint and report the same to the district attorney. It shall be the duties of the district attorney to expeditiously prosecute all such violations.

SECTION IX. VIOLATIONS AND PENALTIES

Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall, upon conviction, remove the building, structure or part thereof which violates the terms of this ordinance within 30 days of such conviction. Upon failure to do so, the highway committee shall remove such building, structure or part thereof which violates the terms of this ordinance and the cost of such removal shall become a lien upon the property, collectible as are other taxes.

SECTION X. CONFLICTING ORDINANCES

The provisions of this ordinance shall prevail over any previous

ordinances of Pierce County that may be or seem to be in conflict therewith.

SECTION XI. VALIDITY

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance or any part thereof, other than the part so declared to be invalid.

SECTION XII. AMENDMENTS

This ordinance may be amended in accordance with the procedure provided in section 59.97 (3), Wisconsin Statutes.

SECTION XIII. EFFECTIVE DATE

This ordinance, upon passage and publication, shall be effective in the town upon approval of the various town boards.

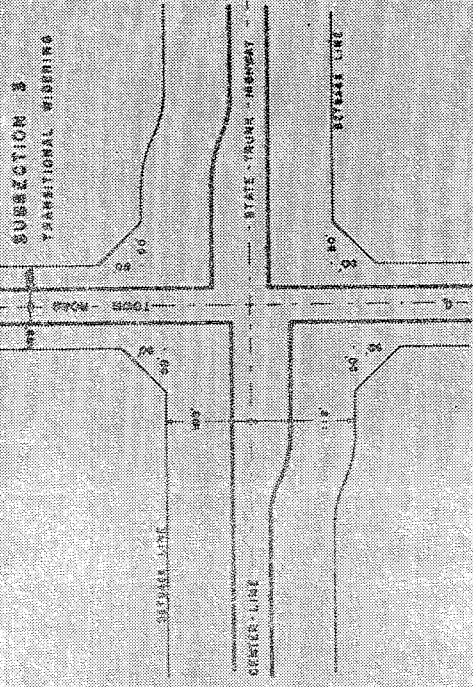
Dated June 7, 1960.

W. J. Hophan, Chairman
County Board Supervisors

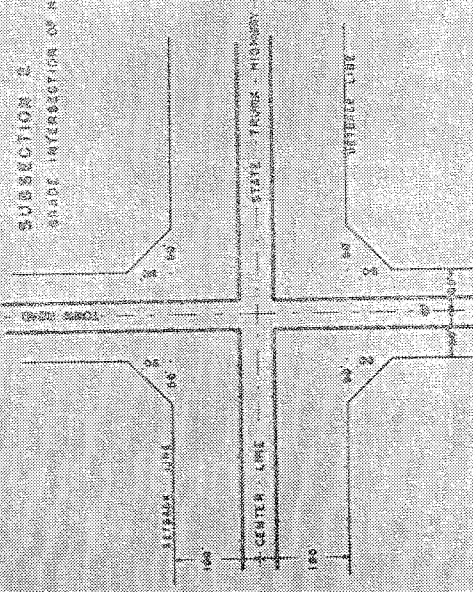
Attest: Donald O. Smith, Clerk
County of Pierce

Upon motion the board voted to adopt Ordinance No. 3.

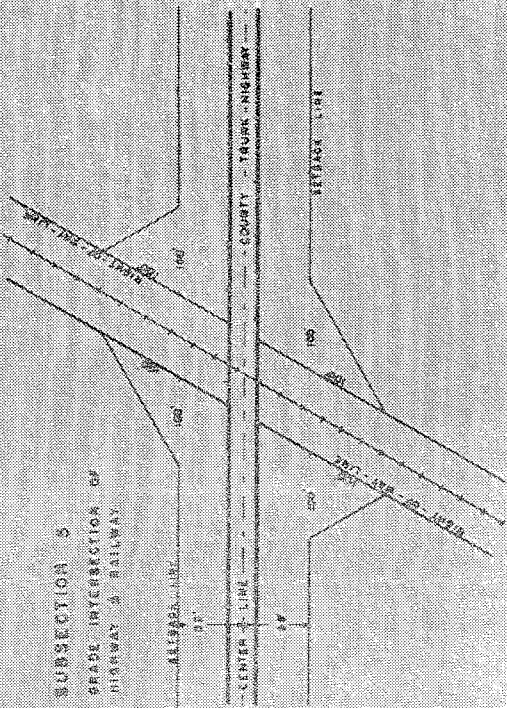
SUBSECTION 3
TRANSITIONAL WIDENING



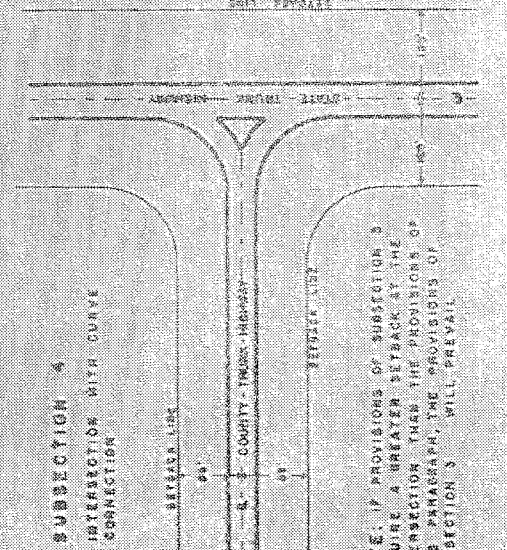
SUBSECTION 2
GRADE INTERSECTION OF HIGHWAYS



SUBSECTION 5
GRADE INTERSECTION OF
HIGHWAY & RAILWAY



SUBSECTION 4
INTERSECTION WITH CURVE
CONNECTION



NOTE: IF PROVISIONS OF SUBSECTION 3
REQUIRE A GREATER SETBACK AT THE
INTERSECTION THAN THE PROVISIONS OF
THIS PARAGRAPH, THE PROVISIONS OF
SUBSECTION 3 WILL PREVAIL.

ORDINANCE NO. 4

Zoning

ZONING ORDINANCE

PIERCE COUNTY, WISCONSIN

An ordinance to promote the health, safety, morals and general welfare; to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot which may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures, and land for trade, industry, residence and other purposes; and for the said purposes to divide the County of Pierce, Wisconsin, into districts of such number, shape and area as are deemed best suited to carry out the said purposes; to provide a method for its administration and enforcement and to provide penalties for its violation.

The County Board of the County of Pierce, Wisconsin, do ordain as follows:

SECTION 1. INTERPRETATION AND PURPOSES

The provisions of this ordinance shall be held to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity and general welfare of the County of Pierce, Wisconsin.

It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing easement, covenants or agreements between parties or with any rules, regulations or permits previously adopted or issued pursuant to laws; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of a building or requires larger open spaces than are required by other rules, regulations or permits or by easements, covenants or agreements, the provisions of this ordinance shall govern.

SECTION 11. DISTRICTS

1. For the purposes of this ordinance, the County of Pierce, Wisconsin, is hereby divided into 3 districts, as follows:

- (1) Residence District.
- (2) Agricultural District.
- (3) Commercial District.

2. The boundaries of the aforesaid districts are hereby established as shown on the map entitled "District Map, Pierce County, Wisconsin", dated April 19, 1960, which map accompanies and is made a part of this ordinance. All notations and references shown on the district map are as much a part of this ordinance as though specifically described herein.

(a) The District boundaries are generally lines parallel or perpendicular to the center lines of the abutting streets or highways or such lines extended, or the shore lines of lakes or streams.

(b) Where its location is not otherwise indicated, the rear boundary of any district having frontage on a public street or highway is a line parallel to the center line of such street or highway and 200 feet distant from such center line, measured at a right angle to the center line. The length of each district or part of a district, parallel to the center line of the abutting street or highway, is to be determined by the use of the scale shown on the district map, and when the use of such scale, indicates that the length of a district boundary line is approximately equal to an aliquot part of the scale (1-2, 1-4, 1-16 etc), the length of such district boundary shall be construed to be such aliquot part of the scale.

(c) Where not otherwise indicated, the location of the district boundary lines shown on the district map shall be determined by use of the scale shown on such map.

SECTION III. DEFINITIONS

For the purposes of this ordinance, certain words and terms are defined as follows:

1. Words used in the present tense include the future; the singular number includes the plural number and the plural number includes the singular number; the word "building" includes the word "structure", the word "shall" is mandatory and not directory. Any words not herein defined shall be construed as defined in the state building code.

2. Accessory Building. A building or portion of a building subordinate to the main building and used for a purpose customarily incidental to the permitted use of the main building or the use of the premises; When an accessory building is a part of the main building or when a wall of such accessory building is located within 10 feet of the nearest wall of the main building, the side yard and rear yard requirements of the main building shall be applied to the accessory building.

3. Alley. A street or thoroughfare less than 21 feet wide and affording only secondary access to abutting property.

4. Apartment House. See "Dwelling, Multiple".

5. Basement. A story partly underground which, if occupied for living purposes, shall be counted as a story for purposes of height measurement.

6. Boarding House. A building other than a hotel where meals, or lodging and meals, are furnished for compensation for 4 or more persons not members of a family.

7. Building. Any structure used, designed or intended for the protection, shelter, enclosure or support of persons, animals or property. When a building is divided into separate parts by unperced walls extending from the ground up, each part shall be deemed a separate building.

8. Building, Height, of. The vertical distance from the average curb level in front of the lot or the finished grade at the building line, whichever is higher, to the highest point of the coping

of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a gambrel, hip or pitch roof.

9. Dwelling, One Family. A detached building designed for or occupied exclusively by one family.

10. Dwelling, Two Family. A detached or semidetached building designed for and occupied exclusively by 2 families.

11. Dwelling, Multiple. A building or portion thereof designed for and occupied by more than 2 families including tenement houses, row houses, apartment houses and apartment hotels.

12. Family. The body of persons who live together in 1 dwelling unit as a single house-keeping entity.

13. Frontage. All the property abutting on one side of a street between 2 intersecting streets or all of the property abutting on one side of a street between an intersecting street and the dead end of a street.

14. Garage, Private. An accessory building or space for the storage only of not more than 2 motor-driven vehicles.

15. Garage, Public. Any building or premises, other than a private or a storage garage, where motor-driven vehicles are equipped, repaired, serviced, hired, sold or stored.

16. Garage, Storage. Any building or premises used for the storage only of motor-driven vehicles, pursuant to previous arrangements and not to transients, and where no equipment, parts, fuel, grease or oil is sold and vehicles are not equipped, serviced, repaired, hired or sold. No commercial motor vehicle exceeding 2 tons capacity shall be stored in any storage garage.

17. Home Occupation. A gainful occupation conducted by members of the family only, within their place of residence; provided that no article is sold or offered for sale on the premises except such as is

produced by such occupation, that no stock in trade is kept or sold, that no mechanical equipment is used other than such as is permissible for purely domestic purposes, that no sign other than 1 unlighted name plate not more than 1 foot square is installed and that no person other than a member of the immediate family living on the premises is employed.

18. Hotel. A building in which lodging, with or without meals, is offered to transient guests for compensation and in which there are more than 5 sleeping rooms with no cooking facilities in any individual room or apartment.

19. Lodging House. A building other than a hotel where lodging only is provided for compensation for not more than 3 persons not members of the family.

20. Lot. A parcel of land having a width and depth sufficient to provide the space necessary for one main building and its accessory building, together with the open spaces required by this ordinance and abutting on a public street or officially approved place.

21. Lot, Corner. A lot abutting on 2 or more streets at their intersection, provided that the interior angle of such intersection is less than 135 degrees.

22. Lot, Depth of. The mean horizontal distance between the front and rear lot lines.

23. Lot, Interior. A lot other than a corner lot.

24. Lot, Through. An interior lot having frontage on 2 non-intersecting streets.

25. Lot Lines. The lines bounding a lot as defined herein.

26. Motel. A building or group of buildings, containing 2 or more rooms, with or without cooking facilities, for the lodging of transients, with parking space for motor vehicles conveniently located to each room.

27. Nonconforming Use. A building or premises lawfully used or occupied at the time of

the passage of this ordinance or amendments thereto, which use or occupancy does not conform to the regulations of this ordinance or any amendments thereto.

28. Professional Office. The office of a doctor, practitioner, dentist, minister, architect, landscape architect, professional engineer, lawyer, author, musician or other recognized profession. When established in a residential district a professional office shall be incidental to the residential occupation, not more than 25 per cent of the floor area of only 1 story of a dwelling unit shall be occupied by such office and only 1 unlighted name plate, not exceeding 1 square foot in area, containing the name and profession of the occupant of the premises shall be exhibited.

29. Public Airport. Any airport which complies with the definition contained in Section 114.013 (3), (6) or (9), Wsconsin Statutes, or any airport which serves or offers to serve common carriers engaged in air transport.

30. Roadside Stand. A structure not permanently fixed to the ground that is readily removable in its entirety, covered or uncovered and not wholly enclosed, and used solely for the sale of farm products produced on the premises. No such roadside stand shall be more than 300 square feet in ground area and there shall be not more than one roadside stand on any one premises.

31. Setback. The minimum horizontal distance between the street line and the nearest point of a building or any projection thereof, excluding uncovered steps.

32. Stable. "Stable" shall have the same meaning as "garage", 1 draft animal being considered the equivalent of 1 self-propelled vehicle.

33. Street. All property dedicated or intended for public or private street purposes or subject to public easements therefor and 21 feet or more in width.

34. Story. That portion of a building included between the surface of a floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. A basement or cellar having one-half or more of its height above grade shall be deemed a story for purposes of height regulation.

35. Story, Half. The space under any roof except a flat roof which, if occupied for residential purposes shall be counted as a full story.

36. Street Line. A dividing line between a lot, tract or parcel of land and contiguous street.

37. Structure. Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground.

38. Structural Alterations. Any change in the supporting members of a building or any substantial change in the roof structure or in the exterior walls.

39. Temporary Structure. A movable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure.

40. Tourist Camp. A tract or parcel of land, with or without buildings, or other equipment, on which 1 or more camp cabins are located, or where temporary accommodations are provided for 2 or more automobile trailers or house cars, open to the public free or for a fee.

41. Vision Clearance. An unoccupied triangular space at the intersection two or more highways which is bounded by the highway right-of-way lines and a setback line connection points specified by measurement from the corner on each highway right-of-way line.

42. Yard. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

43. Yard, Front. A yard extending the full width of the lot

between the front line and the nearest part of the main building, excluding uncovered steps.

44. Yard, Rear. A yard extending the full width of the lot, being the minimum horizontal distance between the rear lot line and the nearest part of the building, excluding uncovered steps.

45. Yard, Side. A yard extending from the front yard to the rear yard, being the minimum horizontal distance between a building and the side lot line.

SECTION IV. GENERAL PROVISIONS

A. Except as otherwise provided:

1. The use and height of buildings hereafter erected, converted, enlarged or structurally altered and the use of any land shall be in compliance with the regulations established herein for the district in which such land or building is located.

2. No lot area shall be so reduced that the yards and open spaces shall be smaller than is required by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations hereby established for the district in which a building or premises is located.

No part of a yard or other open space provided about any building for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space required for another building.

3. Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot and in no case shall there be more than 3 main buildings on 1 lot.

4. Nonconforming Uses:

(a) The existing lawful use of a building or premises at the time of the enactment of this ordinance or any amendment thereto may be continued although such use does not conform with the provisions of this

ordinance for the district in which it is located, but such nonconforming use shall not be extended.

(b) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or a more restricted classification. Whenever a nonconforming use has been changed to a more restricted nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use.

(c) If a nonconforming use of a building or premises is discontinued for a period of 12 months, any future use of the building or premises shall conform to the regulations for the district in which it is located.

(d) When a building containing a nonconforming use is damaged by fire, explosion, act of God or the public enemy to the extent of more than 50 per cent of its current local assessed value, it shall not be restored except in conformity with the regulations of the district in which it is located.

5. Nothing herein contained shall require any change in the plans, construction, size or designated use of any building or part thereof for which a building permit has been issued before the effective date of this ordinance and the construction of which shall have been started within 6 months from the date of such permit.

6. In the Commercial District, wherever a lot abuts upon a public or private alley, sufficient space for the loading or unloading of vehicles shall be provided on the lot in connection with any commercial or industrial use so that the alley shall at all time be free and unobstructed to the passage of traffic.

7. Any side yard, rear yard or court abutting a district boundary line shall have a minimum width and depth in the less restricted

district equal to the average of the required minimum widths and depths for such yards and courts in the two districts which abut the district boundary line.

8. The county Highway Commission, by special written permit, after due notice and public hearing, may authorize the location of any of the following buildings or uses in any district from which they are otherwise excluded by this ordinance, provided that such building or use shall comply with all other regulations for the district in which it is proposed to be located:

(a) Gravel pits, sand pits or quarries, not including the manufacture of products excavated from the premises other than the production of crushed stone, gravel or sand.

(b) Private clubs and lodges, excepting those the chief activity of which is a service customarily carried on as a business.

(c) Hospitals and clinics.

(d) Educational, philanthropic or charitable institution.

(e) Cemeteries.

(f) Sewage disposal plants.

(g) Micro-wave radio relay structures.

B. Height and Area Exceptions.

The regulations contained herein relating to the height of buildings and the size of yards and other open spaces shall be subject to the following exceptions:

1. Churches, schools, hospitals, sanatoriums and other public and quasipublic buildings may be erected to a height not exceeding 60 feet nor 5 stories, provided the front, side and rear yards required in the district in which such building is to be located are each increased at least 1 foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.

2. Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, penthouses, stacks, scenery lofts, tanks, water towers,

ornamental towers, spires, wireless, television or broadcasting towers, masts or aerials, telephone, telegraph and power poles and lines, micro-wave radio relay structures and necessary mechanical appurtenances are hereby excepted from the height regulations of this ordinance and may be erected in accordance with other regulations or ordinances of the County of Pierce.

3. Residences in the Residence Districts may be increased in height by not more than 10 feet when all yards and other required open spaces are increased by 1 foot for each foot by which such building exceeds the height limit of the district in which it is located.

4. Where a lot abuts on 2 or more streets or alleys having different average established grades, the higher of such grades shall control only for a depth of 120 feet from the line of the higher average established grade.

5. Buildings on through lots and extending from street to street may waive the requirements for a rear yard by furnishing an equivalent open space on the same lot in lieu of the required rear yard provided that the setback requirements on both streets be complied with.

6. Where a lot has an area less than the minimum number of square feet per family required for the district in which it is located and was of record as such at the time of the passage of this ordinance, such lots may be occupied by 1 family.

7. Accessory buildings which are not a part of the main building shall not occupy more than 30 per cent of the area of the required rear yard, shall not be more than 12 feet high and shall not be nearer than 3 feet to any lot line.

8. Every part of a required yard shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and the ordinary projections of sills, belt courses, cornices and orna-

mental features projecting not more than 12 inches.

9. Open or enclosed fire escapes and fire towers may project into a required yard not more than 5 feet and into a required court not more than 3½ feet, provided they be so located as not to obstruct light and ventilation.

SECTION V. RESIDENCE DISTRICT

Use. In the Residence District no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Single family dwellings, two family dwellings.

2. Churches, public schools, parochial schools, public libraries, public museums and art galleries.

3. Municipal buildings, except sewage disposal plants, garbage incinerators, public warehouses, public garages, public shops and storage yards and penal or correctional institutions and asylums. See Section IX 5(b). Public recreational and community center buildings and grounds.

4. Telephone offices, branch telephone exchange, static transformer stations, telephone, telegraph and power transmission lines and structures, provided there is no service garage or storage yard. This regulation, however, shall not include micro-wave radio relay structures within 1000 feet of a residence unless and until the location thereof shall first have been approved by the county Highway Commissioner. See Section IX 5(b).

5. Farming, truck gardening, excepting chicken, fur and stock farms and farms operated for the disposal of garbage, rubbish or offal; nurseries and greenhouse heating plants and buildings in which farm animals are kept shall be distant not less than 75 feet from every lot line.

6. Accessory buildings or 1 private garage, or 1 private

stable when located not less than 75 feet from the front lot lines.

7. Not over 3 boarders or lodgers not members of the family.

8. Railroad right-of-way and passenger depots, not including switching, storage, freight yards or siding.

9. Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business; including home occupations not involving the conduct of a business on the premises.

10. Professional offices. See Section III-28.

11. Professional or announcement signs not over 4 square feet in area, except that public or religious institutions may have, for their own use, and announcement sign or bulletin board not over 12 square feet in area; signs not over 8 square feet in area pertaining to the lease, hire, or sale of a building or premises; provided that no advertising sign of any other character shall be permitted in the Residence District, and that all permitted signs shall be located within the lot lines and at least 15 feet from the inside sidewalk line or the street or highway right-of-way line.

HEIGHT AND AREA

In the Residence District the height of buildings, the minimum dimensions of yards and the minimum of area per family shall be as follows:

Height. Buildings hereafter erected or structurally altered shall exceed neither 35 feet nor $2\frac{1}{2}$ stories in height. See Section IV, B 1, 2, 3, 4.

Side Yard. There shall be a side yard on each side of a building. For buildings not over $1\frac{1}{2}$ stories high, the sum of the widths of the required side yards shall not be less than 25 feet, and no single side yard shall be less than 10 feet in width.

For buildings from $1\frac{1}{2}$ stories to $2\frac{1}{2}$ stories high, the sum of

the widths of the required side yards shall be not less than 30 feet, and no single side yard shall be less than 12 feet in width.

Provided, however, that on a single lot having a width of less than 60 feet and of record at the time of the passage of this ordinance, the sum of the widths of the side yards shall be not less than the equivalent of 5 inches per foot of lot width for buildings not over $1\frac{1}{2}$ stories high and of 6 inches per foot of lot width for buildings from $1\frac{1}{2}$ to $2\frac{1}{2}$ stories high; provided further, that the buildable width of any such lot in no case shall be reduced to less than 24 feet, nor shall the width of any single side yard be less than 40 per cent of the total required side yard width. See Section IV, A2, 7, 8; B 8, 9.

Setback. See Highway Setback Ordinance of Pierce County.

Rearyard. There shall be a rear yard having a minimum depth of 25 feet. See Section IV, A2, 7, 8; B 5.

Lot Area Per Family. Every building hereafter erected or structurally altered shall provide a lot area of not less than 10,000 square feet per family and no such lot shall be less than 100 feet in width. See Section IV, A 2, 7; B 6.

SECTION VI. AGRICULTURAL DISTRICT

Use. In the Agricultural District no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this ordinance, except for one or more of the following uses:

1. Single family dwellings, two family dwellings, multiple family dwellings.

2. Churches, public schools, parochial schools, public libraries, museums and art galleries.

3. Municipal buildings, except sewage disposal plants, garbage incinerators and penal or correctional institutions and asy-

lums. (See Item 24 below.)

Public recreational and community center buildings and grounds.

4. Airports.

5. Cemeteries.

6. Hospitals and clinics.

7. General farming, except farms operated for the disposal of garbage, rubbish, offal or sewage. Nurseries and greenhouses.

8. Sewage disposal plants.

9. Roadside stands for the sale of farm products produced on the premises.

10. Signs not over 8 square feet in area advertising the sale of farm products produced on the premises.

11. Motels, tourist camps, when such camps provide not less than 1500 square feet of lot area for each cabin, trailer, tent or housecar, and when such camp is clearly bounded by a fence or hedge and is located not less than 1000 feet from the boundary of any Residence District; provided further, that no person or party other than the owner shall occupy such tourist camp for more than 90 days in any one year.

12. Telephone offices, branch offices or telephone exchanges, static transformer stations, telephone, telegraph and power transmission lines and structures. This regulation, however, shall not include micro-wave radio relay structures within 1000 feet of a residence unless and until the location thereof shall first have been approved by the county Highway Commissioner. See Section IX 5(b).

13. Accessory buildings or 1 private garage or 1 private stable when located not less than 75 feet from the front lot line.

14. Railroads.

15. Mines, quarries and gravel pits.

16. The processing and manufacturing of natural resources indigenous, to Pierce County.

17. Canneries, condenseries,

creameries and cheese factories, pea viners.

18. Hydro electric power, navigation and flood control dams and structures.

19. Home occupations. See Section III-17.

20. Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business.

21. Professional offices. See Section III-28.

22. Professional or announcement signs not over 4 square feet in area, except that public or religious institutions may have, for their own use, an announcement sign or bulletin board not over 12 square feet in area; signs not over 8 square feet in area pertaining to the lease, hire or sale of a building or premises; provided that no advertising sign of any other character shall be permitted in the Agricultural District and that all permitted signs shall be located within the lot lines and at least 15 feet from the inside located within the lot lines and at least 15 feet from the inside sidewalk line or the street or highway right-of-way line.

23. Any of the following uses when the location of such use shall have been approved in writing by the county Highway Commissioner after investigation and public hearing.

(a) Penal or correctional institutions and asylums.

(b) Saw Mills.

(c) Drive-in theater, provided that such location shall be approved only if:

(1) There be no direct entrance to or exit from such drive-in theater to any state trunk highway.

(2) No parking be permitted on any street or highway on which a drive-in theater abuts or on any street or highway connecting with such street or highway anywhere within $\frac{1}{2}$ mile of an entrance to or exit from such drive-in theater.

