



VILLAGE OF WILLIAMS BAY

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NOTICE

BUILDING, ZONING & ORDINANCE (BZO) COMMITTEE MEETING

THURSDAY, MAY 1, 2025 AT 8:30 AM

Village Hall Council Room

250 Williams Street

Williams Bay, WI 53191

There may be a quorum of Village Trustees present, no board business will be conducted.

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

- I.** Call to Order
- II.** Roll Call
- III.** Public Comments. *Public comments on non-agenda items by attendees will be limited to a maximum of 3 minutes per person and a maximum of 10 minutes in total.*
- IV.** Discussion and Possible Action on Rescinding Existing Village Ordinance Chapter 281 Public Waters and Beached Article I General Regulations 281-12 Re Commercial Use Launch Area.
- V.** Discussion and Possible Action on Zoning Administrator Position
- VI.** Review of Ordinance 110-5 Village Board Bylaws (D) to amend the order in which business is transacted by the Board during meetings. Consideration of ways to provide for flexibility in the order of agenda items as long as all items are addressed. Consider a single requirement for Board and Committee agendas regarding public comment periods during meetings.
- VII.** Discussion regarding authority/responsibility of the Building, Zoning & Ordinances Committee, specifically, defining the "building and zoning permits" and "zoning" issues that fall under this committee and an understanding of what falls under the Plan Commission and Zoning Board of Appeals respective authorities.
- VIII.** Acknowledgment of Ordinance 2025-01 Annexation (NCM) and Ordinance 2025-02 Zoning Map Amendment (NCM) which, as Non-Code Material, do not require action by the Building Zoning & Ordinance Committee
- IX.** Discussion regarding the possible development of a process and schedule for code maintenance, including establishing a code review schedule, prioritization for review, standards for evaluating codes, and level of community engagement.
- X.** Adjourn

Susan Franzen

Building, Zoning and Ordinances Chair

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 04/29/2025 5:00 PM

*Village of Williams Bay, WI
Monday, April 28, 2025*

Chapter 281. Public Waters and Beaches

Article I. General Regulations

§ 281-12. Commercial use of launch area.

- A. Definition. As used in this section, the following terms shall have the meanings indicated:

COMMERCIAL USE

A person using the Village municipal launch parking area and ramp as a bulk handling area for the loading or unloading of construction materials from or onto watercraft from or to locations on Geneva Lake. Such construction materials include building materials, landscaping materials, earth, stone, timbers and pier lumber.

- B. Prohibition. The commercial use of the Williams Bay municipal launch parking area and ramp is prohibited without a permit. Every person shall obtain a permit prior to the commercial use of the Williams Bay municipal launch parking area and ramp. The permit shall be issued by the Village Clerk upon the filing of an application and the payment of the required fee. The application shall contain the name, address, telephone number and gross vehicle weight of the loads proposed to be handled by the commercial user at the municipal launch parking area and ramp. The exact nature, including the weight thereof, of the construction materials to be handled and the equipment proposed for handling, must be stated in the application. The applicant is responsible for all damage to the Village-owned launch facility, including the pier, parking lot and ramp area, and will promptly reimburse the Village for any such damages. Any violation of this provision will result in the immediate revocation of the permit, the commencement of an action for the imposition of the standard penalties of this Code and/or an action for money damages.

COMMERCIAL BOAT LAUNCH FEE ISSUE LEGAL OPINION SUMMARY

If the Department has not provided any grants for acquisition, development, maintenance or improvement to this public boat launch site, the entity owning this launch site does not need to comply with s. NR 1.91, Wis. Admin Code, unless the site is subject to another WDNR decision of the types cited in s. NR 1.91(1), Wis. Admin. Code. Department funding, permitting, and/or any other type of Department decision can be the event that makes s. NR 1.91, Wis. Admin. Code requirements apply to a public boating access site, and if s. NR 1.91, Wis. Admin. Code applies, the site owner may only impose launch fees as allowed under s. NR 1.91(11), Wis. Admin. Code for any parking and access area subject to s. NR 1.91, Wis. Admin. Code. If residents launch for free, everyone must be able to launch for free; if residents pay a launch fee, the launch fee for non-residents may not be more than 150% of the resident's fee.

The Department has determined that municipalities owning public boat launches cannot charge higher fees based on whether the person using the public boat ramp is engaging in recreational or commercial uses. Commercial as well as noncommercial use of navigable waters is protected by the Public Trust doctrine. S. 30.77, Stats., and s. NR 1.91(11), Wis Admin. Code do not distinguish between commercial and non-commercial users or allow surcharges based on commercial use of the launch. s. NR 1.91(11)(e) limits launch fees for all users to the base fee and any Department approved surcharges and differential residency fee specified in s. NR 1.91(11). Whether the person using the launch is engaged in commercial or recreational use is not included in the rule as a consideration for higher fees or a surcharge.

A municipality owning a public boat launch cannot flatly prohibit a member of the public from using the public boat launch for commercial purposes; however, the municipality may develop policies that help them manage the facility more effectively; for example, limiting the time a boat is moored at the launch, use of open rental slips, or charging for damage or excessive wear and tear. S. 30.77, Stats., and ss. NR 1.90 and 1.91, Wis. Admin. Code regulate public access to navigable waters, and apply only to the public access facilities (the boat launch, launch piers, and associated parking and restrooms, etc.). Department authority to regulate public access does not extend to use and operation of the marina (boat slips, piers) and other facilities (marina parking area, etc.). A municipality may also set policy as to whether a person who owns several boats could launch all his or her boats with one season pass or if a season pass would be needed for each boat. S. NR 1.91 does not specifically address this issue, but the Department believes that a "one pass/one boat" (like state park season windshield stickers) requirement is probably simplest to administer.

If the commercial use essentially monopolizes the site for a period of time, then the launch owner may want to consider drafting an ordinance that provides for time limits or time-of day restrictions or that charges the user a reasonable fee for rental of the site. We believe that a launch owner may also be able to prohibit use of the boat ramp by boats above a specified weight and/or size if it is clear that those boats would cause damage or excessive wear and tear on the boat ramp. We believe that this is an allowable restriction to prevent damage to the property. Since such restrictions could be challenged, any ordinance imposing limits or rental fees should be supported by facts showing that the regulations are reasonably necessary to address public health or safety concerns or to protect against harm to public property. Launch owners considering such restrictions should consult with their counsel and should consider making the restrictions as least restrictive as possible to alleviate or minimize the impact on the access to navigable waters. The restrictions should be consistent with statute and code, consistently applied to all users, and not a significant deterrent to those who are entitled to access the public waters of Wisconsin.

MAXIMUM DAILY BOAT LAUNCHING FEES INLAND WATER FACILITIES

- A. Base Fee = \$13.00**
B. Surcharge for facility with restroom or attendant = \$13.00 x 0.20 = \$2.60
C. Surcharge for facility with restroom and attendant = \$13.00 x 0.40 = \$5.20
D. Surcharge for boat length of at least 20 ft but less than 26 ft = .30; \$13.00 x 0.30 = \$3.90
E. Surcharge for boat length of 26 ft or greater = .60; \$13.00 x .60 = \$7.80

Non-motorized or non-trailerred watercraft (Resident and Non-resident boaters):

Base Fee	\$13.00
Base Fee plus tax*	\$13.75 (A + \$0.72 (tax on \$13.00) = \$13.72, rounded to nearest \$0.25)

Motorized Boats under 20 feet in length (the following fees cover both Resident and Non-resident boaters. Fees for non-residents may not exceed 150% of the fee charged a resident, and non-resident fees may not exceed the maximum allowable amounts for boats under 20 feet):

Base Fee	\$13.00
Base Fee plus tax*	\$13.75 (A + \$0.72 (tax on \$13.00) = \$13.72, rounded to nearest \$0.25)
Facility w/restroom or attendant	\$15.50 (A + B = \$15.60, rounded to nearest \$0.25)
Facility w/restroom or attendant plus tax*	\$16.25 (\$15.50 + \$0.85 (tax on \$15.50) = \$16.35, rounded to nearest \$0.25)
Facility w/restroom and attendant	\$18.25 (A + C = \$18.20, rounded to nearest \$0.25)
Facility w/restrooms and attendant, plus tax*	\$19.25 (\$18.20 + \$1.00 (tax on \$18.25, rounded to nearest \$0.25)

Motorized boats 20 feet in length or more but less than 26 feet (the following fees cover Resident boaters only; non-residents can be charged a differential fee of 150% for this category of boats):

Base Fee plus length surcharge	\$17.00 (A + D = \$16.90, rounded to nearest \$0.25); Non-resident = \$25.50
Base Fee plus length surcharge plus tax*	\$18.00 (\$17.00 + \$0.94 (tax on \$17.00) = \$17.94, rounded to nearest \$0.25); Non-resident = \$27.00
Facility w/restroom or attendant	\$19.50 (A + D + B = \$19.50); Non-resident = \$29.25
Facility w/restroom or attendant plus tax*	\$20.50 (\$19.50 + \$1.07 (tax on \$19.50) = \$20.57, rounded to nearest \$0.25); Non-resident = \$30.75
Facility w/restroom and attendant	\$22.00 (A + D + C = \$22.10, rounded to nearest \$0.25); Non-resident = \$33.00
Facility w/restrooms and attendant, plus tax*	\$23.25 (\$22.00 + \$1.21 (tax on \$22.00) = \$23.21, rounded to nearest \$0.25); Non-resident = \$35.00

Motorized boats 26 feet in length or greater (the following fees cover Resident boaters only; non-residents can be charged a differential fee of 150% for this category of boats)

Base Fee plus length surcharge	\$20.75 (A + E = \$20.80); Non-resident = \$31.25
Base Fee plus length surcharge plus tax*	\$22.00 (\$20.75 + \$1.14 (tax on \$20.75) = \$21.89, rounded to nearest \$0.25); Non-resident = \$33.00
Facility w/restroom or attendant	\$23.50 (A + E + B = \$23.40, rounded to nearest \$0.25); Non-resident = \$35.25
Facility w/restroom or attendant plus tax*	\$24.75 (\$23.50 + \$1.29 (tax on \$23.50) = \$24.79, rounded to nearest \$0.25); Non-resident = \$37.25
Facility w/restroom and attendant	\$26.00 (A + E + C = \$26.00); Non-resident = \$39.00
Facility w/restrooms and attendant, plus tax*	\$27.50 (\$26.00 + \$1.43 (tax on \$26.00) = \$27.43, rounded to nearest \$0.25); Non-resident = \$41.25

Notes about launch fees:

- The governance of launch fees is covered under section NR 1.91(11), Wisconsin Administrative Code.
- All fees listed above use the \$13.00 maximum Base Fee, which is based on the \$13.00 Daily State Park Entrance Fee for residents. You may set a lower Base Fee based upon local needs. Section NR 1.91(11)(e), Wis. Adm. Code, requires that before a local unit of government adopts a launch fee exceeding \$13.00, it must submit the fee schedule to the Department for approval and include information demonstrating: (a) that it maintains facilities or services that justify charges exceeding \$13.00; and (b) that season passes are available.
- Fees collected by the operating authority shall be used only for the operation and maintenance of boat launching facilities.
- Parking is included with launch fees. Segregated fees for parking are not allowed.
- If a launch fee is charged, a season pass at a fee not to exceed 10 times the daily fee shall be provided for both residents and non-residents.
- In no case shall the fee charged a non-resident exceed 150% of the fee charged a resident.

*Tax rate used = 5.5%. An operating authority may incorporate the state sales tax into the Base Fee for ease of collection, but must pay the sales taxes collected to the Wisconsin Department of Revenue.

*Village of Williams Bay, WI
Tuesday, April 29, 2025*

Chapter 110. Village Board

§ 110-5. Village Board bylaws.

- A. Regular meetings. The regular meetings of the Village Board shall be held in the Village Hall on the first and third Mondays of each month at 6:30 p.m., unless noticed otherwise. The Board may adjourn any regular meeting to any future date at which new business may be introduced as well as unfinished business completed.
[Amended 7-5-2022 by Ord. No. 2022-11]
- B. Presiding officer. The President or presiding officer shall preside at all meetings and preserve order, deciding all questions of order, subject to an appeal to the Board.
- C. Calling meetings to order. The President shall take the chair at the hour appointed and immediately call the meeting to order. In the absence of the President, the Clerk or, in the Clerk's absence, any member of the Board may call the meeting to order, and thereupon the Board shall appoint one of its members President Pro Tempore. In the absence of the Clerk, the Board may appoint one of the members present to serve as Clerk during the session. The Chair shall confirm public notice compliance with the Clerk or other Village staff representative.
[Amended 1-15-2018 by Ord. No. 2018-1]
- D. Order of business. The business of the Board shall be transacted in the following order:
[Amended 6-6-2016 by Ord. No. 2016-6]
- (1) Roll call.
 - (2) Reading the minutes of the preceding meeting and approving same if correct, correcting mistakes if any occur.
 - (3) Consent agenda.
 - (4) Presentation of accounts and petitions.
 - (5) Plan Commission.
 - (6) Public comments. The public may speak on any item that is not included on this agenda as a "Public Hearing or Forum." Anyone who wishes to comment should identify himself or herself and provide his or her local address. Board members may discuss any matter raised by the public. However, the Board will refrain from extensive dialogue and should not take action on matters raised by the public during a public comment period. Referrals to committees or staff members might be made. Members may ask the commenter to clarify his or her remarks. The Board President or the presiding officer will maintain control of the meeting.
 - (7) President's remarks.
 - (8) Ordinances and resolutions.
 - (9) Committee reports.
 - (10) Public comments.
 - (11) Adjournment.

E. Passage of ordinances.

- (1) Every proposed ordinance shall have two separate readings previous to its passage but shall not be read at any other time than regular sessions except by unanimous consent. The second reading may be waived by vote of the Board.
- (2) The second reading of an ordinance shall be by section at which time amendments may be offered. If no amendments are made, the question shall be, "Shall the ordinance pass?" If amendments are offered and made, the chair shall so report and the ordinance shall be so read as amended before the question of its passage is taken.

F. Rules of procedure. The rules of parliamentary practice embraced in Robert's Rules of Order, Newly Revised, shall govern the Board where applicable and where not inconsistent with the standing rules, bylaws and order of the Board.

G. Special meetings.

- (1) How called. Special meetings may be called by the President or any two trustees in writing filed with the Clerk. If at least 24 hours remain before such meeting, the Clerk shall notify each member of the Board of the time, place and purpose of such special meeting by mailing a written notice thereof to each member of the Board and by telephoning him, if possible. If less than 24 hours but at least six hours remain before such meeting, the Clerk shall give notice to each trustee by personal service and by telephone, if possible. No special meeting shall be called upon less than six hours' notice except with the unanimous consent of all members of the Board expressed orally or in writing.
- (2) Statutes adopted. Section 19.85, Wis. Stats., is hereby adopted and by reference made a part of this section as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this section.

H. Business to be presented by Trustee. No business shall be considered by the Board unless presented by a member of the Board.

I. Approval of claims. Every account presented to the Board shall, if required, be verified by affidavit as provided by law and shall not be allowed or directed to be passed until it shall have been examined and certified as correct by the proper committee and reported to and audited by the Board.

J. Amendment of bylaws. These bylaws may be amended, stricken out or added to at any regular meeting of the Board upon a majority vote of all the members, provided that notice thereof shall be given at the regular meeting of the Board immediately preceding the one in which such amendment is to be acted upon.

K. Consent agenda.

[Added 6-6-2016 by Ord. No. 2016-6]

- (1) Criteria. The Village Clerk may create a subsection on any Board agenda entitled "consent agenda." In a consent agenda, the Clerk shall place matters that, in the Clerk's judgment, are routine and noncontroversial and do not require a super majority vote or separate action by the Board.
- (2) Procedure. The following procedure shall apply when a consent agenda is used:
 - (a) No separate discussion or debate may be permitted on any matter listed on the consent agenda except as provided in Subsection **K(2)(b)**.
 - (b) A single motion, seconded and adopted by a majority vote of the Board shall be required to approve, adopt, enact or otherwise favorably resolve all matters listed on the consent agenda.

- (c) Any member of the Board may request removal of any item included in the consent agenda. At the time the consent agenda is considered, any such item shall be removed without debate or vote.
- (d) If any item has been removed from the consent agenda in accordance with this subsection, that item shall be considered by the Board under the appropriate heading of the regular agenda of the Board.

*Village of Williams Bay, WI
Tuesday, April 29, 2025*

Chapter 110. Village Board

§ 110-3. Village Board committees.

The committees of the Village Board shall be appointed annually by the Village President at the organization meeting and shall comprise the following committees:

- A. Finance and Personnel. This Committee is responsible for the formulation of the annual budget and annual tax levy and all personnel concerns including collective bargaining agreements. All contracts with the Village will be reviewed and endorsed by this Committee.
- B. Streets and Highways. This Committee administrates all matters concerning Village streets, highways, sidewalks and stormwater drainage. This Committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee. This Committee is responsible for the maintenance of all public works buildings.
- C. Protective Services. This Committee administrates all matters concerning Village Fire Department, Police Department, Emergency Medical Service (Rescue) Squad, and Dive Team. This Committee works closely with the Chiefs of the above-mentioned departments on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- D. Parks and Lakefront.
 - (1) This Committee administrates all matters concerning Village parks, lakefront and Park District. This Committee works closely with Director of Public Works and the Park District on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Finance and Personnel Committee.
 - (2) This committee is also responsible for the maintenance of the following buildings: Village Hall, Field House, Lakefront Concession Building, Library Hall, Beach House, Horvath Building and the pavilion at Edgewater Park.
- E. Building, Zoning and Ordinance. This Committee works closely with the Building Inspector on all matters regarding the issuance of building and zoning permits and zoning issues. This Committee also is responsible for ordinance development, adoption and codification.
- F. Water and Sewer. This Committee administrates all matters concerning the Water Utility and Sewer Department within the Village. This Committee works closely with Director of Public Works on all matters including, but not limited to, the formulation of an annual budget which is then submitted to the Village Board for its approval. This Committee is also responsible for the maintenance of all the buildings owned by the Water Utility and Sewer Department.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]