

## **SECTION 1.00 INTRODUCTION**

### **1.01 AUTHORITY**

These regulations are adopted under the authority granted by Sections 60.22(3), 60.62, 61.35, and 62.23(7) of the Wisconsin Statutes and amendments thereto. The Town Board of the Town of Wayne do ordain as follows:

### **1.02 PURPOSE**

The purpose of this Ordinance is to promote the comfort, health, safety, morals, prosperity, aesthetics, and general welfare of the Town of Wayne, Wisconsin.

### **1.03 INTENT**

It is the general intent of this Ordinance to regulate and restrict the use of all structures, lands and waters; and to:

- A. Regulate Lot Coverage and the size and location of all structures so as to prevent overcrowding and to provide adequate sunlight, air, sanitation, and drainage;
- B. Regulate Population Density and Distribution so as to avoid sprawl or undue concentration and to facilitate the provision of adequate public service and utilities;
- C. Regulate Parking, Loading and Access so as to lessen congestion in and promote the safety and efficiency of streets and highways;
- D. Secure Safety from fire, pollution, contamination and other dangers;
- E. Stabilize and Protect existing and potential property values;
- F. Preserve and Protect the beauty of the Town of Wayne;
- G. Prevent and Control Erosion, sedimentation, and other pollution of the surface and subsurface waters;
- H. Further the Maintenance of safe and healthful water conditions;
- I. Provide for and Protect a variety of suitable commercial and industrial sites;
- J. Protect the traffic-carrying capacity of existing and proposed arterial streets and highways;
- K. Implement those town, county, watershed, and regional comprehensive plans or components of such plans adopted by the Town of Wayne; and
- L. Provide for the administration and enforcement of this Ordinance and provide penalties for the violation of this Ordinance.

### **1.04 ABROGATION AND GREATER RESTRICTIONS**

It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

### **1.05 INTERPRETATION**

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town and shall not be construed to be a limitation or repeal of any other power now possessed by the Town of Wayne.

### **1.06 SEVERABILITY**

- A. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid,

unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

- B. If Any Application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

### **1.07 CONTINUATION OF EXISTING PROVISIONS**

The provisions of this ordinance, to the extent that they are substantially the same as those of the ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances. In addition, the adoption of this ordinance shall not affect any action, prosecution or proceeding brought for the enforcement of any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance for the time that such provision was in effect, and the repeal of any such provisions is stayed pending the final resolution of such actions, including appeals.

### **1.08 REPEAL**

All other ordinances or parts of ordinances of the Town inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

### **1.09 TITLE**

This Ordinance be referred to or cited as the “ZONING ORDINANCE, TOWN OF WAYNE, WISCONSIN” and is hereafter referred to as the “Ordinance”.