

**TOWN OF ST JOSEPH  
ST CROIX COUNTY, WISCONSIN  
ORDINANCE 2020-02**

**An Interim Zoning Ordinance to Preserve  
Existing Land Uses Within the Town of St. Joseph**

WHEREAS pursuant to its Village powers, under Wis. Stat. § 61.34(1) the Town Board is authorized to act for the government and the good order of the Town, for its commercial benefit, and for the health, safety, and welfare of the public;

WHEREAS, on September 14, 2020, the Town Meeting adopted a resolution authorizing the Town Board of the Town of St. Joseph to enact town zoning ordinances under Wis. Stat. § 61.35;

WHEREAS, Wisconsin law, including, but not limited to, Wis. Stat. § 62.23(7)(da) recognizes that it is in the public interest to temporarily preserve existing land uses while a comprehensive zoning plan is being prepared;

WHEREAS, the Town Board finds that it is in the public interest to adopt an interim zoning ordinance preserving existing land uses while a comprehensive zoning plan for the Town of St. Joseph is being prepared;

NOW THEREFORE THE TOWN BOARD OF THE TOWN OF ST. JOSEPH ORDAINS AS FOLLOWS:

Section 1. Interim Zoning Ordinance. An interim zoning ordinance is hereby approved and enacted. This interim zoning ordinance preserves the land uses existing in the Town of St. Joseph on the date this ordinance is enacted and in accordance with the Town of St. Joseph Existing Land Use Map in the Town's Comprehensive Plan, which is on file in the Town Clerk's office. This interim zoning ordinance shall be in effect for no longer than two (2) years after enactment.

Section 2. Plan Commission to Recommend Zoning District Plan. The Town of St. Joseph Plan Commission shall formulate recommendations for a zoning district plan and regulations for the Town of St. Joseph that are consistent with the Town's Comprehensive Plan, pursuant to Wis. Stat. §§ 62.23 and 66.1001(3)(L). The Plan Commission may also make recommendations regarding changes to the Town's Comprehensive Plan, as necessary, to be consistent with its recommendations regarding a zoning district plan.

Section 3. Moratorium on construction or on any change in use of property. For a period of not more than two years from the effective date of this Ordinance, construction and/or installation of buildings, driveways, subdivisions, or any change in use or intensity of use of property in the Town of St. Joseph shall be prohibited.

Section 4. Moratorium on consideration of permit applications. While this ordinance is in effect, the Town shall not consider any zoning applications, permit applications, development plan

applications, subdivision applications, building permit applications, driveway permit applications, or any other applications, that are related to a change in use of property within the Town.

Section 5. "Change in use" under this ordinance shall include a change in intensity/scope of the same type of use, and is subject to the moratorium and the prohibitions under this ordinance.

Section 6. Exceptions. The Town Board, in its discretion, may approve exceptions to this ordinance in cases where the Town Board determines that the permit application is not related to any proposed change in use of the property, or change in intensity of the same type of use. Examples of such situations that may qualify for an exception include: permits for one primary single family residence consistent with subdivision ordinances, and any other applicable ordinance; additions to an existing residence with the foot-print of the proposed addition not to exceed seven hundred (700) square feet; additions to existing buildings or construction of new buildings in cases where no change in use or change in intensity of the existing use of the property is proposed. Such exceptions shall be considered on a case by case basis.

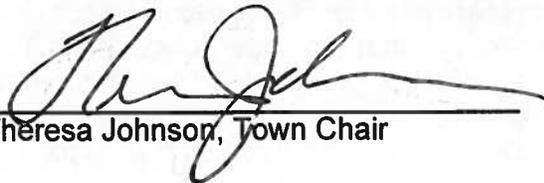
Section 7. Application Fee for Exceptions. Applications for exceptions to this ordinance shall pay a non-refundable application fee of 450. The fee must be paid at the time of application.

Section 8. Penalty for Violations. Any person or entity violating any provision of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$500.00 nor more than \$1,500.00, together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding ninety (90) days. Each day of violation constitutes a separate offense. In addition to forfeitures, the Town Board, in its discretion, may seek other remedies provided by law, including, but not limited to, injunctions.

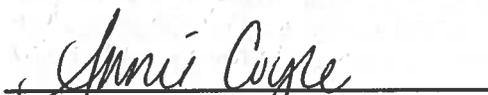
Section 9. Severability. If any section, provision, sentence, or any part of this ordinance is adjudged to be unconstitutional, unlawful, or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 10. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Town Board of the Town of St. Joseph on October 8, 2020.

  
Theresa Johnson, Town Chair

Attest:

  
Annie Coyle, Town Clerk-Treasurer