

## **SECTION 3.0 - ADMINISTRATION**

### **3.1 Town Board.**

The Town Board is the public body having authority to change or amend this Ordinance. The Town Board may also direct by majority vote that Zoning Permits and Conditional Use Permits be issued when in compliance with this Ordinance.

### **3.2 Building Inspector.**

- (1) Duties. It shall be the duty of the Building Inspector to administer, supervise and literally enforce the provisions of the Town of Plymouth Ordinance 2013-03, as may be amended, known as the Building Code for All Buildings in the Town of Plymouth, and any commercial or non-dwelling building code that may hereafter be adopted by the Town Board of the Town of Plymouth.
- (2) Building Permit and Building Code. The Building Inspector shall prepare building permit forms; assist any applicant in preparing any building permit application; advise the applicant as to the provisions of the Building Code for All Buildings in the Town of Plymouth; inspect each project for which a permit has been applied for or granted; report violations; and provide information to the Planning and Zoning Committee. The Building Inspector may issue Building Permits which are in strict compliance with the requirements of the Building Code of the Town of Plymouth and this Zoning Ordinance provided, however, that if a Zoning Permit is required, no Building Permit shall be issued by the Building Inspector until the issuance of a Zoning Permit by the Zoning Officer. Whenever there is a question as to the literal requirements of the Building Code in the Town of Plymouth this Ordinance, such question is to be brought by the Building Inspector directly to the Planning & Zoning Committee for its consideration.

### **3.3 Zoning Officer.**

- (1) Position. There is herewith created the office of Zoning Officer, which office may be a full-time or part-time position, as the Town Board in its discretion shall determine. Unless otherwise designated by the Town Board, the Zoning Officer shall be the Chairperson of the Planning and Zoning Committee. If the Town Board elects to appoint a person to the position of Zoning Officer who is not the Chairperson of the Planning and Zoning Committee, said person shall hold office until replaced by the Town Board.
- (2) Duties. The Zoning Officer's duties shall be to administer, supervise, and literally enforce the provisions of this Ordinance. His or her compensation shall be determined by the Town Board.

- (3) Violations. The duty of the Zoning Officer shall be to investigate all complaints, give notice of violations, and to enforce this Ordinance. The Zoning Officer may enter, at any reasonable time as permitted by the property owner, onto any public or private lands or waters to make inspection. If the Zoning Officer is refused entry, a special inspection warrant shall be issued for said premises pursuant to Section 66.0119 of the Wisconsin Statutes. The Zoning Officer may set time limits and conditions for the correction of violations.
- (4) Reports. The Zoning Officer shall make monthly report of his or her activities to the Town Board and the Town Planning and Zoning Committee.
- (5) Zoning Permits. The Zoning Officer shall prepare Zoning Permit forms; assist the applicant as to the provisions of this Ordinance; inspect each project for which a permit has been applied for or granted; report violations; and provide this information to the Planning & Zoning Committee. The Zoning Officer may issue Zoning Permits which are in strict compliance with the requirements of this Ordinance. Whenever there is a question as to the literal requirements of this Ordinance, it is to be brought directly to the Planning & Zoning Committee for its consideration.

### **3.4 Town Planning & Zoning Committee.**

- (1) Establishment of Committee.

There is hereby established a Planning & Zoning Committee for the Town.

- (2) Members and Organization.

The Town Planning & Zoning Committee shall be formed and organized as follows:

- (A) The Committee shall consist of five members, all of whom shall be appointed by the Chairperson of the Town Board and approved by the Town Board, and all of whom shall be adult residents of the Town of Plymouth.
- (B) If the position of Zoning Officer is not held by the Chairperson of the Planning and Zoning Committee, the Zoning Officer shall be an ex officio member of the Committee and may attend all meetings, but shall not be a voting member.
- (C) The Committee's Chairperson and Secretary shall be appointed by the Town Board Chairperson.
- (D) The terms of the Committee members shall be staggered three-year periods.

- (E) Vacancies on the Committee shall be filled for an unexpired term in the same manner as appointments for a full term.
  - (F) Each member of the Committee shall take an official oath in accordance with Section 19.01 of the Wisconsin Statutes within ten days of receiving notice of appointment.
  - (G) Compensation for Committee members shall be determined by the Town Board.
  - (H) Terms of members of the Committee hereunder shall begin on the first day of May.
  - (I) Any member of the Committee who has any interest in a matter before the Committee shall not vote thereon and shall remove himself or herself from any meeting or hearing at which said matter is under consideration.
  - (J) All Committee members shall be persons with recognized experience and qualifications.
  - (K) A Committee member shall be removable by the Town Board for cause, upon written charges and after public hearing.
- (3) Matters Referred To The Planning & Zoning Committee.

The Town Board or other public body, having authority thereon shall refer to the Planning & Zoning Committee for its consideration and report before final action is taken by the Town Board or public body the following matters:

- (A) The location and architectural design of any public building.
- (B) The location of any statue or other memorial.
- (C) The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition, or lease of land for any street, alley or other public way, park, playground, airport, area for parking facilities, or other memorial or public grounds.
- (D) The location, extension, authorization, or abandonment of any public utility, whether publicly or privately owned.
- (E) All proposed certified surveys and subdivision plats in the Town.
- (F) The location, character, and extent of acquisition, leasing, or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children.

- (G) The abandonment or repeal of any ordinance adopted pursuant to the Town's zoning authority.

Unless such report is made within 45 days or such longer period as may be stipulated by the Town Board, the Town Board or other public body may take final action without the recommendations of the Planning & Zoning Committee.

(4) Powers.

The Planning & Zoning Committee shall have the following powers:

- (A) To issue Zoning Permits within the provisions of this Ordinance and to delegate this authority to the Zoning Officer.
- (B) To issue Conditional Use Permits within the provisions of this Ordinance.
- (C) To review and recommend to the Town Board the approval, conditional approval, or denial of preliminary land divisions. Conditions of approval may be recommended by the Committee to the Town Board as part of obtaining preliminary approval.
- (D) To review and recommend approval, conditional approval, or denial of any proposed amendment to the Official Zoning Map or the text of this Ordinance.
- (E) To hear and grant applications for substitution of more restrictive nonconforming uses for existing nonconforming uses, provided no structural alterations are to be made. Whenever the Committee permits such a substitution, the use may not thereafter be changed without another application for substitution.
- (F) To hear and grant applications for unclassified and unspecified uses, provided that such uses are similar in character to the principal uses permitted in the district.
- (G) To hear and grant applications for temporary uses in any district, provided that such uses are of a temporary nature, do not involve the erection of a substantial structure, and are compatible with the neighboring uses. The permit shall be temporary, revocable, subject to any conditions required by the Planning & Zoning Committee, and shall be issued for a period not to exceed 12 months. Compliance with all other provisions of this Ordinance shall be required.
- (H) To review and make recommendations to the Board of Zoning Appeals on all applications for interpretations of this Ordinance.

(5) Meetings.

Regular meetings shall be held monthly or as specifically determined by the Planning and Zoning Committee. Special meetings may be called by the presiding officer of the Committee or upon written request of two Committee members. Notice of any special meeting shall be given by personal service to all members at least 24 hours prior to the called special meeting and public notices shall be published or posted.

(6) Minutes.

The minutes shall be recorded at every meeting of the Planning and Zoning Committee by the Secretary or a member of the Planning and Zoning Committee and a copy of which shall thereafter be forwarded to the Town Clerk.

(7) Quorum.

Three out of five members shall constitute a quorum to transact any business and formulate its proper action thereon.

(8) Organization.

The Committee may also formulate any lawful rules for its operation and procedures.