

VILLAGE OF ELM GROVE

13600 Juneau Boulevard
Elm Grove, WI 53122

LEGISLATIVE COMMITTEE

Tuesday, October 13, 2020 * 5:30 PM * Parkview Room

AGENDA

1. Call the Meeting to Order and Roll Call.

2. Review and Act on Prior Meeting Minutes

Documents:

[2020-08-19 lc minutes draft.pdf](#)

3. Review and possible action on Ordinance for Chapter 171-4 of the Municipal Code regarding the approval of Operator Licenses by the Village Clerk.

Documents:

[EG Operator License Ordinance Amendment V2.pdf](#)

4. Other Business

5. Adjournment

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Michelle Luedtke, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.

Village of Elm Grove Legislative Committee
Minutes

DRAFT

Call to Order

The meeting was called to order by the Chair at 5:33PM via Zoom.

Roll Call:

Trustee Domaszek

President Palmer

Trustee Haas

Committee Member Jodie

Committee Member Book

David De Angelis, Village Manager

Tom Harrigan, Zoning Administrator

Michelle Luedtke, Village Clerk

Review and act on meeting minutes dated 6/9/20.

**MOTION BY PRESIDENT PALMER, SECOND BY COMMITTEE MEMBER BOOK, TO
ACCEPT THE MEETING MINUTES DATED 6/9/2020.**

ALL WERE IN FAVOR. MOTION CARRIED.

Review and make possible recommendations on draft ordinance §95-20 Chickens.

Trustee Domaszek read the memo attached to the packet aloud. Discussion for the changes to the proposed ordinance were as follows:

1. Changing the title of the document – Article VI “Keeping of Animals”
2. Asking about the jump from §95-10 to §95-20
 - a. Discussion about expanding the articles to include other animals was discussed.
3. Changing “section” to “article”
4. Fee information will come later. President Palmer suggested \$100 initially and \$50 for renewal.
5. Adding “shall mean the” to the definition of chicken
6. Removing “The permit process requires a completed application accompanied by the fee payment prescribed in §1-16. as well as proof of registration of any chickens with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.”
From section B.
7. C(1)(a) was modified to “A description and scale drawing of the lot that clearly represents all existing structures thereon, the location where the chickens will be kept on the lot, the location and dimensions of the coop and the run, and the shortest distances of both the coop and run to adjacent lot lines and to the principal structure on the lot.”
8. C(1)(b) included “The drawings shall show any electrical and plumbing fixtures provided for such coop, fenced area and other structures.”

Village of Elm Grove Legislative Committee
Minutes

DRAFT

C(2)(c) was modified to “If there is an objection from such owners, there shall be a public hearing before the Plan Commission, and the Plan Commission shall approve the application only upon finding that the proposal to keep chickens:

[1] Has minimal impact on the neighboring properties; and [2] Complies with the conditions in Subsection D. of this Article.

If approved by the Plan Commission, the coop shall be forwarded to the Building Board for review.

9. C(2)(d) was inserted “The Zoning and Planning Administrator shall issue a permit under this Article upon approval of the coop by the Building Board.”
10. D(5) was modified to “Chickens shall be provided with a sanitary and adequately sized covered chicken coop that is at least sixteen (16) square feet and no more than XXX square feet in size and a fenced run shall be provided which does not exceed an area of sixty-four (64) square feet. Fencing shall be a maximum three (3) feet in height and be of solid wire, not braided wire, and properly fastened to the ground with stakes. All chickens shall be contained in these areas at all times.”
11. D(6)(3) was modified to include “chicken coop or the run”

Other changes for spelling, grammar, punctuation, and fees were discussed. A full review and change from the original with the new recommendations will be put together by Village staff. The clean version will be emailed to the Legislative Committee, the Planning Commission, and the Board of Trustees when completed.

Other Business – None.

Adjournment

There was no further business.

MOTION BY PRESIDENT PALMER, SECOND BY TRUSTEE HAAS, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MOTION CARRIED. MEETING ADJOURNED AT 6:22PM.

Minutes transcribed by: Michelle Luedtke

Minutes Approved on:

1 STATE OF WISCONSIN WAUKESHA COUNTY VILLAGE OF ELM GROVE

2
3 CHAPTER 171-4
4 CLASSES OF LICENSES AND PERMITS

5
6 THE VILLAGE BOARD OF THE VILLAGE OF ELM GROVE DOES ORDAIN AS FOLLOWS:

7
8 Section 1: § 171-4 Classes of licenses and permits of the Village of Elm Grove Code of Ordinances is hereby
9 amended by the addition of underlined text and the deletion of text as follows:

10
11 J. Operator's license

- 12 (1) Pursuant to § 125.17, Wis. Stats., an operator's license may be issued by the Village ~~Board~~Clerk for
- 13 purposes of compliance with §§ 125.32(2) and 125.68(2), Wis. Stats. after a background check has
- 14 been completed that shows no arrest or conviction for alcohol or drug related offenses.
- 15 (2) No operator's license may be issued unless the applicant provides a written application to the Village
- 16 ~~Board~~Clerk with evidence of compliance with license training provisions contained in § 125.17(6), Wis.
- 17 Stats.
- 18 (3) If the applicant for an operator's license ~~has an~~ arrest or conviction for an alcohol or drug related
- 19 offense or the Village Clerk is uncertain whether the applicant satisfies any other requirement for an
- 20 operator's license, the application shall be referred to the Village Finance and Licensing Committee,
- 21 which shall make a recommendation to the Village Board regarding the approval or denial of the
- 22 operator's license. In which case, the Village Board shall decide whether the operator's license shall be
- 23 granted.
- 24 (4) A provisional operator's license maybe issued to an applicant by the Village Clerk upon written
- 25 application. The applicant must be 18 years of age and a resident of the State of Wisconsin and must
- 26 have applied for an operator's license and have provided proof of enrollment in the training class
- 27 required by § 125.17(6), Wis. Stats. No provisional operator's license shall be granted if the applicant
- 28 previously had been denied an operator's license by the Village ~~Board of Elm Grove~~ or if the applicant,
- 29 subject to §§ 111.321, 111.322 and 111.335, Wis. Stats., has an arrest or conviction record of an alcohol
- 30 or drug related offense. The provisional operator's license shall cost \$15 and expire 60 days from the
- 31 date of issuance or when an operator's license is issued by the Village ~~Board of Elm Grove~~, whichever
- 32 is sooner. The Village Clerk shall immediately revoke the provisional operator's license in the event the
- 33 holder fails to successfully complete the course required by § 125.17(6), Wis. Stats.
- 34 (5) The application fee for an operator's license application fee shall be \$50 and the license shall be valid
- 35 for two years.

36
37 K. Temporary operator's license. A temporary operator's license may be issued by the Village ~~Board~~Board or
38 Clerk for purposes of compliance with §§125.32(2) and 125.68(2), Wis. Stats, to persons employed by or
39 donating their services to nonprofit corporations. No person may hold more than one two temporary operator's
40 licenses per year. The temporary operator's license shall cost \$10 and shall be valid for the period stated on
41 the license, which shall be from one day to 14 days.

42
43 Section 2: If any section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or
44 unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and
45 independent provision, and such holding shall not affect the validity of the remainder of such ordinance.

46
47 Section 3: This ordinance shall take effect and be in full force from and after its passage.

48
49 VILLAGE OF ELM GROVE

50 Dated this _____ of _____, 2020.

51
52 _____
53 Neil H. Palmer - Village President

54
55 _____
56 Michelle Luedtke - Village Clerk/Deputy Treasurer