

ORDINANCE No. 2013-3

**AN OMNIBUS ORDINANCE AMENDING VARIOUS
PROVISIONS OF THE VILLAGE OF BRISTOL CODE OF ORDINANCES**

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION 1. ADOPTION OF PROVISIONS.

Section 1-1-6(i) of the Village of Bristol Code of Ordinances pertaining the general penalty for violations is adopted to read as follows:

- "(i) **Outstanding Forfeitures and Fees to the Village.** No permit or license will be issued under this Code of Ordinances if the party or applicant:
- (1) Has taxes, assessments or other claims of the Village which are unpaid or delinquent.
 - (2) Is delinquent in paying any forfeiture or penalty resulting from a violation of a Village ordinance.
 - (3) Has unpaid license, permit or user fees owed the Village."

Cross-Reference: Sections 7-14-1 and 7-14-2

SECTION 2. AMENDMENT OF PROVISIONS.

Section 2-4-2(b)(1) of the Village of Bristol Code of Ordinances pertaining to Plan Commission composition is amended to read as follows:

- "(1) **Composition.** The Village of Bristol Plan Commission shall consist of seven (7) members and two (2) alternates. The Plan Commission shall have, at a minimum, three (3) citizen members who are not current Village officers. The Village President shall appoint members of the Plan Commission, subject to confirmation by the Village Board. The Village President may appoint himself/herself or another Village Board member to the Plan Commission. Regular Plan Commission members who are unable to attend an upcoming Commission meeting shall notify the Village Clerk-Treasurer of the anticipated absence a minimum of two (2) business days prior to the meeting date, if possible, so that an alternate

Commissioner may be notified for temporary service on the Commission; the Clerk-Treasurer shall rotate such calls for service between the two (2) alternate Plan Commission members."

SECTION 3. AMENDMENT OF PROVISIONS.

Section 6-5-1(a) of the Village of Bristol Code of Ordinances pertaining to general purposes regarding local trees and shrubs regulations is modified by amending the first sentence to read as follows:

"To help protect property values, clean air, and clean water by protecting trees, especially Heritage trees, it is the policy of the Village of Bristol to regulate and establish policies for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public, right-of-way and terrace/boulevard areas, including public parks, of the Village of Bristol to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks, right-of-ways, public trails or other public areas; to promote and enhance the beauty and general welfare of the Village; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs, both public and private, within the Village of Bristol against the spread of disease, insects and pests."

SECTION 4. ADOPTION OF PROVISIONS.

Section 6-5-2(n) of the Village of Bristol Code of Ordinances is created to read as follows:

"(n) **Heritage Tree.** Any tree of twenty-six (26") inches diameter or greater, which cannot be removed without a permit under this Chapter."

SECTION 5. AMENDMENT OF PROVISIONS.

Section 6-5-7(e)(1)d of the Village of Bristol Code of Ordinances is amended to read as follows:

"d. The good health of all trees planted hereunder shall be guaranteed for three (3) years by the applicant, after which time such trees shall become the property of the Village of Bristol."

SECTION 6. ADOPTION OF PROVISIONS.

Section 6-5-10(a)(8) of the Village of Bristol Code of Ordinances is created to read as follows:

"(8) Remove any Heritage tree without a permit, without cause demonstrated for removal; a replacement tree shall be planted per inch DBH replacement."

SECTION 7. ADOPTION OF PROVISIONS.

Section 6-5-10(a)(9) of the Village of Bristol Code of Ordinances is created to read as follows:

- "(9) New property owners as of the time of adoption of this Chapter shall not clear cut trees on private property unless replacement trees two (2") inches in diameter or greater at breast height is planted. If a removed tree cannot be replaced on private property, a replacement tree shall be planted on public property as directed by the Village Forester. The private property owner shall pay the cost of replacement trees. This requirement is not applicable to parcels zoned agricultural."

SECTION 8. AMENDMENT OF PROVISIONS.

Section 7-2-19(c) of the Village of Bristol Code of Ordinances regarding fees for outdoor commercial licenses for Class "B" licenses is amended to read as follows:

- "(c) **Payment of Fees.** A fee per Sec. 1-3-1, per Section 125.26(4), Wis. Stats., will be required for any license and shall be paid at the office of Village Clerk-Treasurer before the granting of a license under this Section. No fee shall be refunded unless the license is denied. The outdoor commercial license shall be in addition to the base Class "B" license. The license fee is not required for Village-supported community events (i.e. Progress Days, Farmers' Market, etc.)."

SECTION 9. AMENDMENT OF PROVISIONS.

Section 7-2-20(c)(1)b of the Village of Bristol Code of Ordinances regarding fees for regular cabaret licenses is amended to read as follows:

- "b. Whenever such an application for a regular cabaret license is received by the Village Clerk-Treasurer, the Clerk-Treasurer shall follow the notice and hearing requirements found in Subsection (b)(2). The fee shall be as prescribed in Sec. 1-3-1. The license fee is not required for Village-supported community events (i.e. Progress Days, Farmers' Market, etc.)."

SECTION 10. ADOPTION OF PROVISIONS.

Section 7-4-1(o)(4) of the Village of Bristol Code of Ordinances regarding fees for large assemblies of persons permits is created to read as follows:

- "(4) **Village-Supported Events.** No permit fee is required for Village-supported community events (i.e. Progress Days, Farmers' Market, etc.)."

SECTION 11. AMENDMENT OF PROVISIONS.

Section 7-5-1(c)(1) of the Village of Bristol Code of Ordinances regarding permits and fees for fireworks possession and use is amended to read as follows:

- "(1) **Permit Required.** No person may possess or use fireworks without a user's permit from the Village Board or from an official or employee of the Village as designated by the Village Board. A user's permit may only be issued to a civic or community organization. No person may use fireworks or a device listed under Subsection (a)(5)-(7) and (9)-(14) while attending a fireworks display for which a permit has been issued to a person listed under Subparagraph (c)(3)a-e or under Subparagraph (c)(3)f if the display is open to the general public. A permit fee is not required for Village-supported community events."

SECTION 12. AMENDMENT OF PROVISIONS.

Section 7-7-1(a) of the Village of Bristol Code of Ordinances regarding special event vending permits is amended to read as follows:

- "(a) **Permit Required.** There shall be a per day charge as prescribed in Section 1-3-1 for a special event vending permit. The permit fee is not required for Village-supported community events (i.e. Progress Reports, Farmers' Market, etc.). The Village Board will determine whether the applicant qualifies for a special event vending permit. The permit shall set forth the exact dates on which and the exact location where such business shall be carried on and shall be valid only during the dates and at the locations specified. In addition, the vendor shall have adequate liability insurance in force as required by this Section."

SECTION 13. AMENDMENT OF PROVISIONS.

Section 7-8-1(f) of the Village of Bristol Code of Ordinances regarding street use permits is amended to read as follows:

- "(f) **Special Community Event Exception.** The requirements of Subsections (d) and (g) above are not applicable to certain community events recognized by the Village Board as falling within this exception. Open consumption and/or sales of alcoholic beverages may be allowed for these limited community events. The license fee prescribed by Sec. 1-3-1 is not required for Village-supported community events (i.e. Progress Days, Farmers' Market, etc.)."

SECTION 14. AMENDMENT OF PROVISIONS.

Section 7-11-1(b)(2)b of the Village of Bristol Code of Ordinances regarding amusement parks is amended to read as follows:

- "b. The license fee for the initial application and for annual renewals of said license shall be as prescribed in Sec. 1-3-1. However, the license fee is not required for Village-supported community events (i.e. Progress Days, Farmers' Market, etc.)."

SECTION 15. AMENDMENT OF PROVISIONS.

Section 10-1-11(c) of the Village of Bristol Code of Ordinances establishing Class B weight limitations on Village streets is amended by the addition of the following streets, with existing subsequent subsection Class B streets renumbered in appropriate consecutive order:

81st Street from 195th Avenue to 198th Avenue.

84th Place from U.S. Hwy. 45 to 198th Avenue.

SECTION 16. AMENDMENT OF PROVISIONS.

Section 10-1-12(b) of the Village of Bristol Code of Ordinances establishing speed limits is amended by the addition of the following speed zones, with existing subsequent subsection street speed zones renumbered in appropriate consecutive order:

88th Street east of Cty. Hwy. MB.

90th Street east of 136th Avenue.

192nd Avenue west of U.S. Hwy. 45.

SECTION 17. AMENDMENT OF PROVISIONS.

Section 10-1-13(a) of the Village of Bristol Code of Ordinances establishing stop intersections is amended by the addition of the following intersections, with existing subsequent subsection intersections renumbered in appropriate consecutive order:

- () **78th Street.** Vehicles traveling west on 78th Street shall stop before entering the intersection of 128th Avenue.
- () **78th Street.** Vehicles traveling west on 78th Street shall stop before entering the intersection of 130th Avenue.

- () **88th Street.** Vehicles traveling west on 88th Street shall stop before entering the intersection of Cty. Hwy. MB/160th Avenue.
- () **130th Avenue.** Vehicles traveling north on 130th Avenue shall stop before entering the intersection of 75th Street.
- () **192nd Avenue.** Vehicles traveling north on 192nd Avenue shall stop before entering the intersection of U.S. Hwy. 45/Bristol Road.

SECTION 18. AMENDMENT OF PROVISIONS.

Section 10-1-13(b) of the Village of Bristol Code of Ordinances establishing yield intersections is amended by the addition of the following intersections, with existing subsequent subsection intersections renumbered in appropriate consecutive order:

- () **85th Street.** Vehicles traveling on 85th Street at Cty. Hwy. AH shall stop/yield to persons in the marked crosswalk.
- () **Chaucer Circle East.** Vehicles traveling on Chaucer Circle east at 85th Street/Trail shall stop/yield to persons in the marked crosswalk.
- () **Chaucer Circle West.** Vehicles traveling on Chaucer Circle west at 85th Street/Trail shall stop/yield to persons in the marked crosswalk.

SECTION 19. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION 20. EFFECTIVE DATE.

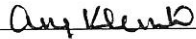
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 11th day of February, 2013.

VILLAGE OF BRISTOL, WISCONSIN



President



Clerk-Treasurer

INTRODUCED: 1/28/2013

PUBLISHED: 2/28/2013

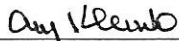
PASSED: 2/11/13

State of Wisconsin:

County of Kenosha:

I hereby certify that the foregoing ordinance is a true, correct, and complete copy of an ordinance duly and regularly adopted by the Village Board of the Village of Bristol on the 11th day of February, 2013, and that said ordinance has not been repealed or amended and is now in full force and effect.

Dated this 21st day of February, 2013.



Amy Klemko, Clerk-Treasurer

