

**Town of Egg Harbor**  
**Ordinance No. 205**  
**Amendment, Renumbering & Repeal of Municipal Code Sections**

The Town Supervisors of the Town of Egg Harbor do hereby ordain as follows:

**Section 1: Title/Purpose**

This ordinance is for the purpose of updating regulations of the Town of Egg Harbor Municipal Code.

The purpose of this ordinance is to regulate construction and signs to protect public health, safety and convenience of the public.

**Section 2: Authorization**

This ordinance is authorized by Wis. Stat. 60.22(1) and 61.34.

**Section 3: Repeal and Recreation**

- A. The Town of Egg Harbor Municipal Code Section 1.03(3) is hereby repealed, and recreated to provide as follows:

**(3) Meetings.** The Town Board shall meet on the third Monday of each month at a time to be set by the Town Board in the Town Hall or such other time or place as the Board shall designate and notice pursuant to the Wisconsin Open Meetings law. Any regular meeting of the Town Board falling upon a legal holiday shall be held on the day designated by the Town Board. Special meetings may be called by the Chairperson. Notice of all Town Board meetings shall be given in compliance with the Wisconsin Open Meeting Law, as required by Wisconsin Statutes. No business shall be transacted at a special meeting except for the purpose which was stated in the notice thereof.

- B. The following provision is hereby added as Town of Egg Harbor Municipal Code Section 1.03(9):

**1.03 (9) Vice-Chair.** The members of the Town Board may elect a vice-chair from their members, by majority vote, who shall act when the Town Chairman is unavailable for any reason. The Vice-chair may act on building permit and driveway permit requests and other requests not addressed to the Town Board.

- C. The Town of Egg Harbor Municipal Code Section 1.06(7)(e) is hereby repealed, and recreated to provide as follows:

e. *Destruction of recordings of Town meetings.* Any recordings of a governmental meeting of the Town, except Board of Review meetings and public hearings, made by and for the Town may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting. Board of Review and public hearing recordings shall be destroyed, erased or reused only when authorized by law and order of the Town Board.

D. The Town of Egg Harbor Municipal Code Section 1.06(9) is hereby repealed.

E. The Town of Egg Harbor Municipal Code Section 1.07(8) is hereby repealed, and recreated to provide as follows:

**(8) Notices.** The Clerk-Treasurer, unless otherwise directed by the Chairperson, is designated to effect notice of Town Board meetings through posting or publishing as required by applicable Wisconsin Statutes.

F. The Town of Egg Harbor Municipal Code Section 1.07(15) is hereby repealed.

G. The Town of Egg Harbor Municipal Code Section 1.07(8) is hereby repealed, and recreated to provide as follows:

**(17) Boards of Review.** The Clerk-Treasurer shall attend sessions, keep minutes and administer recording or other method of record keeping, furnish copies of records requested pursuant to State law and Town policies, and make changes to the assessment rolls and comply with procedures set forth in Chapters 70 & 74 Wis. Stats. for Clerks-Treasurers or their successors.

H. The Town of Egg Harbor Municipal Code Section 1.06(21) is hereby repealed, and recreated to provide as follows:

I. **(21) Ordinance Notice.** Within 30 days of passage of a Town Ordinance, the Clerk-Treasurer shall cause such Ordinance to be published or posted as required by Wisconsin Statutes.

J. The Town of Egg Harbor Municipal Code Section 1.06(22) is hereby repealed, and recreated to provide as follows:

**(22) Bids.** The Clerk-Treasurer shall arrange for publication of bids being sought, disseminate information approved by the Town Board or its representative

overseeing the project, receive bids when contemplated by the Town Board and secure them in accordance with state law and local procedure.

- K. The Town of Egg Harbor Municipal Code Section 1.07(1) and (2) are hereby repealed.
- L. The Town of Egg Harbor Municipal Code Section 1.09(1), (2), (3), (4), and (5) are hereby repealed, and recreated to provide as follows:

**1.08 A. JOINT FIRE DEPARTMENT (1) Authorization.** The Village and Town of Egg Harbor does hereby authorize the establishment and operation of a Joint Fire Department to provide fire protection and prevention services to their respective communities to be known as the EGG HARBOR FIRE DEPARTMENT (the "Department").

(2) **Organization and Operation.** The Department shall be operated under the control of a Fire Chief and such subordinates as shall be determined. The Treasurer of the Department shall be the duly elected or appointed Town Treasurer. Quarterly balance sheet and budget expenditure reports shall be provided to the Village by the Town Treasurer. The Department shall operate under such rules, regulations and policies as shall be approved by the Village, the Town, in the manner provided herein.

(3) **Department Assets.** All Department vehicles, equipment and supplies, now held or hereafter acquired by the Department, shall be owned equally by the Village and the Town. All real property used by the Department shall be owned by the Town or the Village as indicated on the record title thereto.

(4) **Budget.** The Department Budget shall be prepared by the Chief and shall be presented to the Town and Village for review, approval and adoption within their respective budget processes. The Department shall operate within the approved budget.

(5) **Capital and Operating Expenses:** The Town Treasurer shall serve as Treasurer for the Fire Department. The Town and the Village shall share all operating expenses of the Department, including equipment maintenance and acquisition costs, equally. The Town Treasurer shall receive all operations funds on behalf of the Department to the Joint Municipal account and shall pay the costs and expenses of the Department. The Town and Village will contribute equally to the department in January, February, and August of each year following the settlement with the County Treasurer for the approved budgeted costs and expenses. Capital Funds will remain in the respective municipalities' accounts and will be forwarded to the Town Treasurer upon purchase of agreed upon expenditures. Unexpended budgeted funds

for operations at end of year shall remain in the joint account to offset the subsequent year's expenditures.

M. The Town of Egg Harbor Municipal Code Section 1.09(B) is hereby renumbered to 108(B), and subsections (5)(o)(3) and (p) thereof are hereby repealed.

N. The Town of Egg Harbor Municipal Code Section 1.08(B)(1) as renumbered above is hereby repealed, and recreated to provide as follows:

(1) **Authorization.** The Village and Town do hereby authorize the establishment of a Joint Fire Commission for the administration, management and operation of the Department to be known as the "EGG HARBOR JOINT FIRE COMMISSION" (the "Commission") to operate consistent with and pursuant to the Joint Fire Agreement between the Village of Egg Harbor and the Town of Egg Harbor. The provisions of the Joint fire Agreement shall govern over any inconsistent provisions herein.

O. The Town of Egg Harbor Municipal Code Section 2.03(2) is hereby repealed, and recreated to provide as follows:

(2) **Use of Credit Cards Authorized.** If the criteria set forth in (1) (a) 1. to 4. above are met, the Town Chairperson and Town Clerk-Treasurer may charge to any credit card issued in the name of the Town routine or emergency supplies for operation, maintenance or repair of Town property, facilities or services in amounts not exceeding \$2,000 for any single item without prior authorization of the Town Board.

P. The Town of Egg Harbor Municipal Code Section 3.07(2) and (3) are hereby repealed, and recreated to provide as follows:

(2) **Forfeiture.** If the Town Board finds any person violating any provision of this Code, the person shall forfeit not less than One Hundred Dollars (\$100) and not more than One Thousand Dollars (\$1,000) plus the cost of enforcement, and any required State penalty assessments or fees. Each day the violation exists may be considered a separate offense.

(3) **Removal.** If the Town Board finds a structure built or placed on a property within the Town without a building permit from the Town Board, the Town Board may order the Town attorney to issue an order to the owner to remove the structure and if the owner fails to do so, to commence an action in the Door County Circuit Court for an injunction ordering such removal and a forfeiture as provided in 3.07(1).

Q. The Town of Egg Harbor Municipal Code Section 4.03 is hereby repealed, and recreated to provide as follows:

**4.03 PERMITS.** All applications for road, driveway or culvert permits shall be filed with the Town Clerk/Treasurer. A Town road permit shall be valid for one year from the date of issuance. If construction is not completed within one (1) year a new permit must be applied for and a new fee paid.

**(1) Construction of Road or Driveway.** No person shall construct a road or driveway in the Town without first obtaining a Town road permit.

a) If a road or driveway provides access from abutting land to a State Trunk Highway, no Town permit shall be issued until the applicant has obtained written approval from the Wisconsin Department of Transportation.

b) Permits for constructing roads must be accompanied by a 125% security of the estimated cost of road installation to ensure proper completion of the road. No building permits will be issued until a private road permit has been issued.

c) At the time an application is submitted for a permit, the road or driveway shall be staked out and all plans, surveys and maps shall be turned over to the Town.

**(2) Work on or Under Town Road.** No person shall work on or under any portion of a Town road right of way without first obtaining a Town road permit. Before this permit can be granted, the applicant must submit a bond to guarantee that the part of the road worked on will not sink or rise with respect to the rest of the road for five years. Following the completion of work the right of way area shall be restored and reseeded to its condition prior to the work.

R. The Town of Egg Harbor Municipal Code Section 4.08 is hereby repealed, and recreated to provide as follows:

#### **4.08 MAINTAINING TOWN ROADS**

**(1) Placing of Offal, Vegetables, Garbage, etc. on Roads Prohibited.** No person shall directly or indirectly scatter, throw, cast, drop, deposit, lay or direct any offal, vegetables, garbage, coal, nails, metals, glass, ashes, clay, earth or other thing upon any public road or right-of-way or sidewalk within the Town. This does not include placing ashes, sand, sawdust or salt upon a public sidewalk for safe pedestrian travel.

(2) **Vehicles Not to Track Mud.** No person shall operate a vehicle upon the roads or highways of the Town in a manner that causes excessive soil, dirt, mud, earth, sand, gravel or other organic materials to be deposited on a public right-of-way.


(3) **Deposit of Material in Gutter, Ditch or Culvert Prohibited.** No person shall dump or otherwise dispose of any matter, including but not limited to rubbish, brush, tree stumps, rocks or any type of debris, in ditches, gutters or culverts along any public road or highway in the Town.

(4) **Damage Caused by Deposit on Roads.** Any person depositing materials in or upon a public road right-of-way within the Town in violation of the provisions of this section shall be liable for all damages which may accrue to the public due to the presence of such materials and for any costs incurred by the Town for clean-up.

(5) **Brushing.** The Town has authority, pursuant to Wis. Stats. 66.1037, to cut, trim, or remove any tree, shrub, or vegetation within the Town right of way up to the edge of such right of way, including any clearance required for vision safety for highway users.

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

EGG HARBOR TOWN BOARD

BY:   
Steve Schopf, Town Chairman

Certification

I, Pam Krauel, Clerk of Town of Egg Harbor, hereby certify that the above is a true and correct copy of an ordinance that was adopted as an agenda item at a properly noticed meeting occurring on the 15 day of April, 2024 by the Town Board of Supervisors of the Town of Egg Harbor.



Pam Krauel, Town Clerk/Treasurer  
Town of Egg Harbor