



A PERFECT ENVIRONMENT

Residential Recreational Responsible

Chair
Ron Troy
Supervisors
Edward Kranick
Steve Michels
Joe Woelfle
Magalie Miller
Clerk/Treasurer
Dan Green

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
TUESDAY, JUNE 14, 2022
5:30 PM OR IMMEDIATELY FOLLOWING THE JOINT TOWN BOARD &
PLAN COMMISSION MEETING
DELAFIELD TOWN HALL – W302 N1254 MAPLE AVENUE, DELAFIELD, WI**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Citizen Comments: Public comments from citizens regarding items on, or not on the agenda. The Board may not engage in a discussion with the citizen making the comments. Individual presentations are limited to three minutes and citizens shall follow the rules set forth in Section 2.04(1)(d) of the Town Code.
5. Approval of Minutes:
 - A. May 24, 2022, Town Board Minutes
6. Action on vouchers submitted for payment:
 - A. Report on budget sub-accounts and action to amend 2022 budget
 - B. 1) Accounts payable; 2) Payroll
7. Communications (for discussion and possible action)
8. Unfinished Business - None
9. New Business
 - a. Discussion and possible action on the approval of bartender licenses for Hailey Papa, Sierra Muth, and Justine Nordling-Wamser, for the licensing period of July 1, 2022, to June 30, 2024.
 - b. Discussion and possible action on the approval of a chicken license for Courtney Berthelsen for the property located at N23W30661 Golf Hills Drive.
 - c. Discussion and possible action on the approval of purchasing a 4-ton Asphalt Hot Box and 18" Planer for a total cost not to exceed \$62,931.16.
 - d. Discussion and possible action on the sale of a John Deere zero-turn mower.
 - e. Discussion and possible action on a Direct Seller's Permit for Samuel Marcus, Randy Ruelas, Dylan Heim, Gus Marcus, Griffin Freret, and Jonathan Sherman, dba EcoShield Pest Control, 16540 W. Rogers Drive, New Berlin.
 - f. Discussion and possible action on the following recommendations from Plan Commission:
 - i. Establishment of Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction and establishment of proposed zoning districts to include A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts, all located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE

¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield. (Recommendation was approved by the Plan Commission, 4-1).

ii. Zoning amendment under Waukesha County Shoreland and Floodland Zoning from C-1 Conservancy Overlay District to A-2 Rural Home District on a property located at W289 N106 Elmhurst Road. (Recommendation failed, 3-2).

- g. Discussion and possible action on the purchase of an iron curtain and water softener for the Highway Department for a total cost of \$5,496.00.
- h. Discussion and possible action on the adoption of Ordinance 2022-01, an ordinance to repeal and re-create Section 12.03(3)(f) regarding the issuance of operator's licenses.

10. Announcements and Planning items

- A. Board of Review – Monday, June 20th @ 5:00 PM
- B. Plan Commission – Tuesday, July 12th @ 6:30 PM
- C. Town Board – Tuesday, July 12th Immediately following the Plan Commission Meeting
- D. The following Town Board meetings will be cancelled: June 28, 2022, July 26, 2022, and August 9, 2022.

11. Adjournment



Dan Green
Town of Delafield Clerk/Treasurer

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that a quorum of other governmental bodies of the municipality 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 above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Town Clerk Dan Green (262) 646-2398.

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
MAY 24, 2022 @ 6:30 PM**

Video Link: <https://www.youtube.com/watch?v=O-bZaVBiU00>

First order of business: Call to Order

Chairman Troy called the meeting to order at 6:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Roll Call

Present: Supervisor Kranick, Supervisor Miller, Supervisor Woelfle, Supervisor Michels, and Chairman Troy. Also present was Administrator Dan Green.

Fourth order of business: Citizen Comments: None

Fifth order of business:

- A. Approval of the May 10, 2022, Town Board Minutes

Motion by Supervisor Kranick to approve the minutes from May 10, 2022, with a correction to the name Spero Kemos under public comment. Seconded by Supervisor Woelfle. Motion passed 5-0.

Sixth order of Business: Action on vouchers submitted for payment:

- A. Report on budget sub-accounts and action to amend 2021 budget

- B.1) Accounts payable; 2) Payroll

Motion by Supervisor Kranick to approve payment of check #65715 and checks #65718-#65741 in the amount of \$58,174.33, and payrolls dated May 27, 2022, in the amount of \$14,619.87. Seconded by Supervisor Michels. Motion passed 5-0.

Seventh order of Business: Communications (for discussion and possible action)

Eighth order of Business: Unfinished Business: NONE

Ninth order of Business: New Business:

- a. Discussion and possible action on the approval of Alcoholic Beverage "Class B" Liquor, and "Class B" Beer renewal licenses for the licensing period of July 1, 2022, to June 30, 2023, to Pewaukee Yacht Club Inc., Western Lakes Golf Club, and BuckRub Outfitters, Ltd.

Motion by Supervisor Michels to approve Alcoholic Beverage "Class B" Liquor, and "Class B" Beer renewal licenses for the licensing period of July 1, 2022, to June 30, 2023, to Pewaukee Yacht Club Inc., Western Lakes Golf Club, and BuckRub Outfitters, Ltd. Seconded by Supervisor Woelfle. Motion passes 5-0.

- b. Discussion and possible action on the approval of bartender licenses for Christopher Elrod, Tiana Jenig, Joseph Moriarty, Garrett Mack, Jason Hoelz, Megan Zielsdorf, Elsa Sheperd, Jacob Warren, Madeline Warren, Abigail Zorn, Elizabeth Ostop, and Jennifer Bartolomeo, for the licensing period of July 1, 2022, to June 30, 2024.

Motion by Supervisor Michels to approve bartender licenses for Christopher Elrod, Tiana Jenig, Joseph Moriarty, Garrett Mack, Jason Hoelz, Megan Zielsdorf, Elsa Sheperd, Jacob Warren, Madeline Warren, Abigail Zorn, Elizabeth Ostop, and Jennifer Bartolomeo, for the licensing period of July 1, 2022, to June 30, 2024. Seconded by Supervisor Woelfle. Motion passed 5-0.

- c. Discussion and possible action on the replacement of the old furnace and installation of an air conditioning unit in Fire Station #2 by Sprung Heating and Pump Service LLC.

Motion by Supervisor Kranick to approve the replacement of the old furnace and installation of an air conditioning unit in Fire Station #2, with a cost not to exceed \$8,382.00. Seconded by Supervisor Woelfle. Motion passed 5-0.

- d. Discussion and possible action on the sale of a 1998 International plow truck from the Highway fleet with a reserve of \$15,000.

Motion by Supervisor Kranick approve the sale of a 1998 International plow truck from the Highway fleet with a reserve of \$15,000. Seconded by Supervisor Woelfle. Motion passed 5-0.

- e. Discussion and possible action on the approval of the 2022 Amended Fee Schedule.

Motion by Supervisor Kranick to approve the 2022 Fee Schedule. Seconded by Supervisor Woelfle. Motion passed 5-0.

- f. Closed Session: The items to be discussed in Closed Session are as enumerated in Section 19.85(1)(c) of the Wisconsin Statutes. (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically: Town Administrator performance review.

Motion by Supervisor Michels to enter closed session. Seconded by Supervisor Woelfle.

Roll Call Vote:

Supervisor Miller - yes

Supervisor Kranick - yes

Supervisor Woelfle - yes

Supervisor Michels - yes

Chairman Troy - yes

Motion passed 5-0.

Motion by Supervisor Michels to reconvene to open session. Seconded by Supervisor Woelfle. Motion passed 5-0.

Motion by Supervisor Kranick to approve a 10% increase for the Town Administrator/Clerk Treasurer, effective June 5, 2022. Seconded by Supervisor Woelfle. Motion passed 5-0.

Tenth order of Business: Announcements and Planning items

- A. Plan Commission – Tuesday, June 7th @ 6:30 PM
- B. Town Board – Tuesday, June 14th @ 5:30 PM
- C. Board of Review – Monday, June 20th @ 5:00 PM
- D. The following Town Board meetings will be cancelled: June 28, 2022, July 26, 2022, and August 9, 2022.

Thirteenth order of Business: Adjournment:

Motion by Supervisor Woelfle to adjourn the Tuesday, May 24, 2022, Town Board meeting at 7:06 PM. Seconded by Supervisor Kranick. Motion passed 5-0.

Respectfully submitted:

Dan Green, CMC/WCMC

Administrator - Town Clerk/Treasurer



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To: Town Chairman
Town Board Members
From: Dan Green, Administrator
Date: June 14, 2022
Subject: Bartender License Applications

Overview:

Below, please find the following applicants for their perspective establishments who are applying for, or renewing their bartender licenses. All applicants have no criminal record.

Western Lakes Golf Club

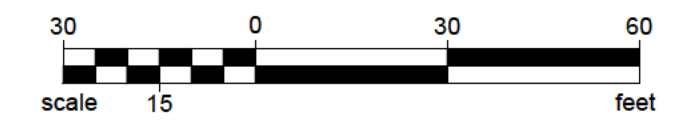
Hailey Papa
Sierra Muth
Justine Nordling-Wamser

Recommendation: Staff recommends approval of the above list of bartender licenses for the licensing period of July 1, 2022, thru June 30, 2024.

PLAT OF SURVEY

BEING ALL OF LOT 1 CERTIFIED SURVEY MAP 4601,
LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
SECTION 15, TOWNSHIP 7 NORTH, RANGE 18 EAST,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE
DELAFIELD, WI 53018
(262)370-0165
KKINDRED@SEHINC.COM



BEARINGS AND DISTANCES REFERENCED TO THE
STATE PLANE COORDINATE SYSTEM, SOUTH ZONE,
GRID NORTH ON THE SOUTH LINE OF THE
SOUTHWEST 1/4, AS N89°52'00"E, SECTION 15-7-18

SURVEY FOR:
ERIC R BERTHELSEN
C/O TIM RIGSBY
W303N1694 ARBOR DR
DELAFIELD, WI 53018
TIM@RIGSBYGROUPINC.COM
(414)520-7172

NOTE:

- UTILITIES SHOWN ARE AS MARKED IN THE FIELD BY DIGGERS HOTLINE, TICKET #20214511028

LEGAL DESCRIPTION:

BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP 4601, LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 15, TOWNSHIP 7 NORTH, RANGE 18 EAST, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

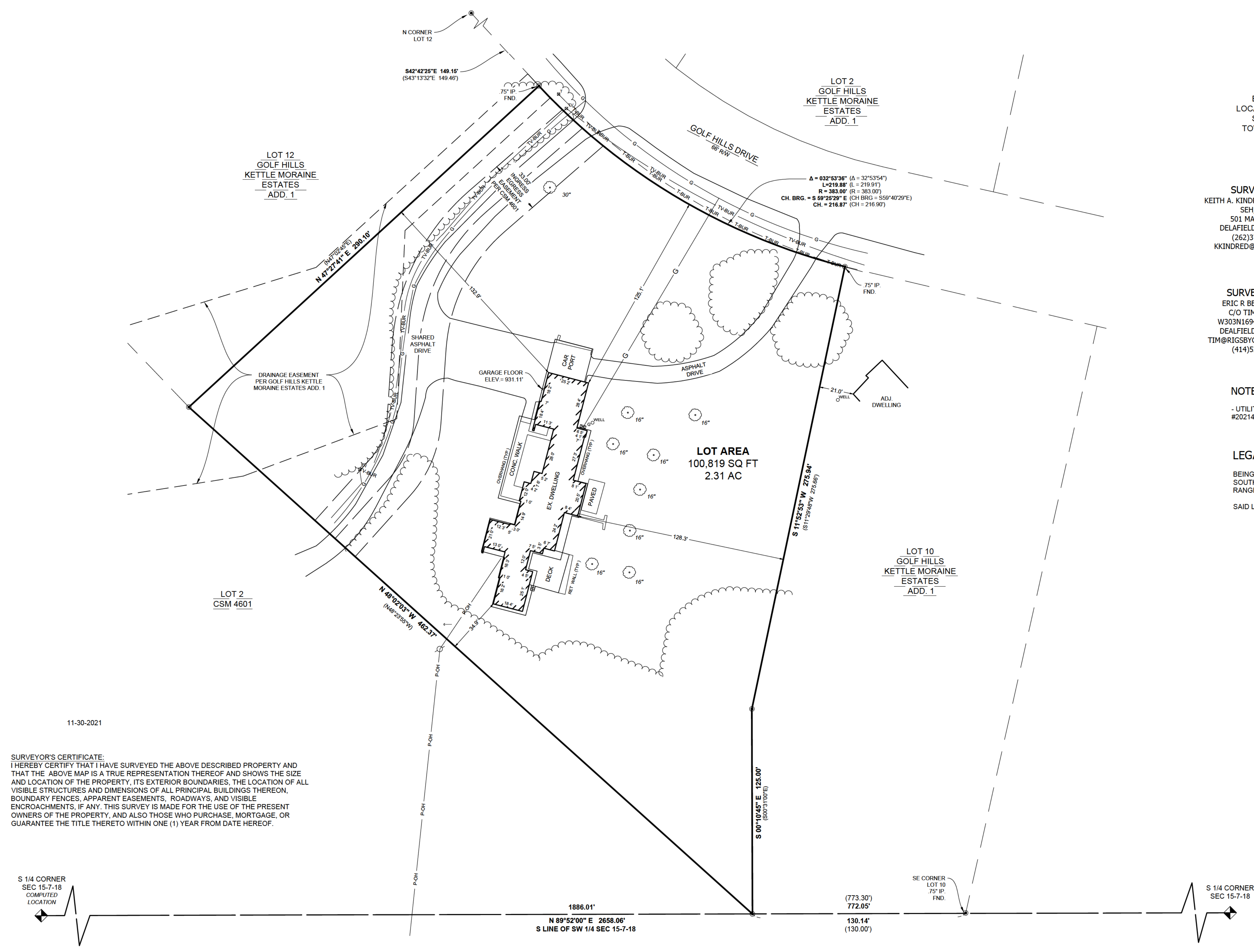
SAID LANDS CONTAIN 100,819 SQUARE FEET, 2.31 ACRES.

LEGEND

- CONCRETE MONUMENT WITH BRASS CAP FOUND (UNLESS OTHERWISE STATED)
- 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- (XXXXXX) - RECORDED AS
- P-OH - OVERHEAD POWER LINE, POWER POLE, AND GUY WIRE
- G - BURIED GAS LINE AND METER
- T-BUR - BURIED TELEPHONE LINE AND PEDESTAL
- TV-BUR - BURIED TV LINE AND PEDESTAL
- VEGETATION / TREE LINE
- WELL
- DECIDUOUS TREE W/ DIAMETER

Impervious Surface Area			
Existing			
House	=	3,744	Sq. Ft.
Overhang / Car Port / Deck	=	2,321	Sq. Ft.
Asphalt*	=	8,369	Sq. Ft.
Retaining Walls (1 lin ft = 1 s.f.)*	=	126	Sq. Ft.
Paved*	=	191	Sq. Ft.
Total Impervious Surface Area	=	14,751	Sq. Ft.
Lot Size	=	100,819	Sq. Ft.
Total % of Impervious Surface	=	14.63%	

* = EXCLUDING IMPERVIOUS SURFACES THAT FALL UNDERNEATH OVERHANGS
CONCRETE WALK EXCLUDED FROM CALCULATIONS DUE TO BEING UNDERNEATH DWELLING OVERHANG



SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAYS, AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

11-30-2021



Midwest Paving Equipment, Inc.
 757 DuPage Blvd Suite 2387
 GLEN ELLYN, IL 60137 US
 (630) 453-0772

Midwest Paving Equipment, Inc.

Estimate

ADDRESS

Town Of Delafield Highway
 Department
 N14W30782 Golf Road
 Delafield, WI 53018

SHIP TO

Town Of Delafield Highway
 Department
 N14W30782 Golf Road
 Delafield, WI 53018

ESTIMATE # 1531

DATE 05/25/2022
EXPIRATION DATE 06/24/2022

SHIP VIA

Dealer Delivery

VIN NUMBER

1F9P41727MM339081

ACTIVITY	QTY	RATE	AMOUNT
5D4TR 2021 4-Ton Falcon Asphalt Recycler & Hot Box Trailer DUAL BURNER 12-Volt Battery Triple Wall Construction and Fully Insulated Automatic Temperature Control Diesel Burner VIP Technology - Voltage Indicator and Protector Controller Automatically Prevents Burner(s) from Operating Below Burner Manufacturer's Required Voltage One-Piece, Seamless Ceramic Combustion Chamber Tandem Axle Trailer Frame - 2" x 6" x 1/4" Tubular Steel Independently Certified 92% Fuel Efficiency Diamond Tread Plate Hopper Access Platform Electric Brakes w/ Safety Breakaway Conspicuity Tape Included Options: Battery Charger Package Single diesel burner Dump Box (12-Volt Electric Over Hydraulic) Standard frame - 16' LED Lighting Upgrade - Two Red Stop/Tail/Turn Lights and One Amber Strobe Per Side LED night work lights Strobe Warning Light Upgrade to ST235/80R 16" Tires - Load Range E Release agent basket 24 hour timer	1	42,242.00	42,242.00

ACTIVITY	QTY	RATE	AMOUNT
3 position tool holder			
Paint	1	0.00	0.00
Color Falcon Red			
Trailer Plug	1	0.00	0.00
RV plug Round Plug 7 Flat pins			
Discount	-1	4,415.00	-4,415.00
MPE Demo Discount			
			Subtotal: 37,827.00
Falcon NOW Options	1	0.00	0.00
Falcon NOW Options			
NJP0056	1	3,138.00	3,138.00
Hoist w/ 12-Volt Winch for Lifting 500 lbs.			
NJP0045	1	366.00	366.00
Basket for mounting Plate Compactor (id 24" x 24")			
NJP0099Z	1	189.00	189.00
Curbside Filler Plate			
NJP0031	1	473.00	473.00
Release Agent Tank w/ Drain Plug Round with Lid on Top allowing two shovels to ride in tank			
NJP0067	1	275.00	275.00
Step (to Hopper Access Platform)			
NJP0099i	1	458.00	458.00
Tool Box 25x10x10 Mounted on Curbside filler plate			
NJP0077	1	815.00	815.00
Water Tank (15-Gallons) w/ Mounting Bracket - For Filling Roller or Compactor Water Tank			
BVP 10/36-2W	1	2,690.72	2,690.72
Bomag Plate Compactor (with water)BVP10/36-2W and wheel Kit			
			Subtotal: 8,404.72
Warranty	1	0.00	0.00
Two Year Factory, Lifetime Frame Warranty			
Falcon CCMFG	1	0.00	0.00
5 Year Combustion Chamber Maintenance Free Guaranty			
Manual	1	0.00	0.00
Operator, Parts and Service Manual			
Training	1	0.00	0.00
On-site Operation and Service Training			
Why a FALCON?	1	0.00	0.00
Why Falcon?			
It's Versatile			
• Recycle leftover asphalt, chunks and millings (a dual burner unit is required to recycle millings)			
• Transport asphalt and keep it hot all day and hold it overnight			
• Heat and re-heat cold patch			
It's Cost-Effective			
• When used as a hot box, it eliminates asphalt waste that			

ACTIVITY	QTY	RATE	AMOUNT
<p>occurs in the back of an unheated truck bed</p> <ul style="list-style-type: none"> • When used as a recycler, it recycles leftover asphalt and asphalt chunks torn up from the pavement • Independently certified 92% fuel efficiency – uses less than 3 gallons of fuel per 8-hour shift <p>It's Reliable</p> <ul style="list-style-type: none"> • VIP Technology (patent pending) – Protects burner components by automatically preventing burner from operating with low battery voltage • A Falcon is designed to allow the burner to run while in tow - preventing material from cooling while being transported • Heat management system is engineered to provide even hopper temperatures – eliminating material scorching from hot spots and material hardening from cold spots • Standard 2-year machine warranty and lifetime frame warranty <p>It's a Falcon</p>			

***Current Lead time is 30 Days for delivery (will be verified at time of order)
 ***Prices are reflective of Sourcewell Contract # 052417-FRM

SUBTOTAL	46,231.72
TAX	0.00
TOTAL	\$46,231.72

Accepted By

Accepted Date



Bobcat

Product Quotation

Quotation Number: AMS-06106

Date: 2022-03-25 09:08:58

Customer Name/Address:	Bobcat Delivering Dealer	ORDER TO BE PLACED WITH: Contract Holder/Manufacturer
TOWN OF DELAFIELD N14 W30782 GOLF ROAD DELAFIELD, WI 53018	Ken Mehringer Mid-State Group, Inc, Watertown, WI N8690 HIGH ROAD WATERTOWN WI 53094-9405 Phone: (920) 261-8118 Fax: (920) 261-8172	Clark Equipment Co dba Bobcat Company 250 E Beaton Dr, West Fargo, ND 58078 Phone: 701-241-8719 Fax: 855-608-0681 Contact: Heather Messmer Heather.Messmer@doosan.com

Description	Part No	Qty	Price Ea.	Total
18" Planer, High Flow	M7018	1	\$11,990.52	\$11,990.52
--- Drum 18 Fastcut	M7018-R01-C10	1	\$2,843.92	\$2,843.92
Total of Items Quoted				\$14,834.44
Dealer P.D.I.				\$100.00
Freight Charges				\$319.00
Dealer Assembly Charges				\$0.00
Other Charges: Material and Logistics				\$1,446.00
Quote Total - US dollars				\$16,699.44

**Prices per the Sourcewell Contract #040319-CEC.*
**Terms Net 60 Days. Credit cards accepted.*
**FOB Destination*
**State Sales Taxes apply. IF Tax Exempt, please include Tax Exempt Certificate with order.*
**TID# 38-0425350*
**Orders Must Be Placed with: Clark Equipment Company dba Bobcat Company, Govt Sales, 250 E Beaton Drive, West Fargo, ND 58078.*
**Quote valid for 30 days*

ORDER ACCEPTED BY:

_____	_____
SIGNATURE	DATE
_____	_____
PRINT NAME AND TITLE	PURCHASE ORDER NUMBER

DELIVERY ADDRESS: _____

BILLING ADDRESS (if different than Ship To): _____

TAX EXEMPT? YES NO

Exempt in the State of _____

Tax Exempt ID:

FEDERAL - _____

STATE - _____

Expiration Date: _____

Plan Commission Report for June 7, 2022

Waukesha County – Establishment of Shoreland jurisdiction and establishment of zoning districts within the Shoreland district. Agenda Item No. 5. A.

Applicant:	Waukesha County
Project:	Establishment of Shoreland jurisdiction and establishment of zoning districts within the Shoreland district.
Requested Action:	Recommendation to Town Board
Zoning:	A-2 (Town) TBD (County)
Location:	Lands located south and east of Sylvan Trail and Sylvan Court

Report

Background

A few years ago, a resident was installing a driveway on a portion of his land that included a 66 foot wide strip of land east of the east end of Sylvan Trail and continuing south along his east lot line. In doing so, a neighbor expressed concern regarding a potential wetland/pond that may be affected. The WDNR was contacted and subsequently determined that the wetland/pond was navigable. State law provides that Counties have shoreland and floodland zoning jurisdiction within 1000 feet of a navigable lake or pond and 300 feet from a navigable river or stream. By the WDNR's determination that the pond is navigable, the County has shoreland zoning jurisdiction.

Current Action

The County is now formally recognizing that they have jurisdiction, and establishing the jurisdictional boundary as well as the zoning districts within the boundary. The districts to be placed on the properties affected include:

- A-1 (in a small area in the southwest corner of their jurisdiction adjacent to lands in the Town that are zoned A-1.
- A-2 for much of the jurisdictional area, subject to several overlay districts. Similar to what the Town had the land zoned prior to the navigability determination, except for a small portion of land in the southeast corner that was zoned A-1.
- HG (High Groundwater) district in lands that coincide with existing Pella soils (ground water at/near the surface)
- C-1 Conservancy Overlay that corresponds with the mapped wetland
- EC Environmental Corridor Overlay which corresponds with the 2015 version of the Environmental Corridor as mapped by SEWRPC.

Staff Recommendation:

The WDNR determines the navigability of lakes, ponds, rivers and streams. Once the determination is made, I am not aware of a method to challenge or appeal the determination. By State Statute, the County has zoning jurisdiction in the designated shoreland areas. The proposed underlying zoning (A-1 and A-2) reflects what existed as Town zoning prior to the navigability determination. The County and Town's zoning categories for A-1 and A-2 are similar in terms of uses, but not for all requirements (i.e. setbacks, open space).

In the southeast corner of their jurisdiction, the County is proposing A-2 zoning for a small portion of an existing parcel (Tax Key No. DELT 0861-999) that the Town has zoned as A-1. I suggest that the small corner be designated A-1 to match the balance of the land. I have contacted the County to get their input on this suggestion.

The designation of HG, C-1 and EC zones on existing properties will add additional restrictions to those properties; however, the preservation of environmentally sensitive lands follows the recommendations of the County and Town land use plan.

I recommend that the Town acknowledge that shoreland and floodland protection jurisdiction is being designed in the subject area. I further recommend that the Pan Commission provide a positive recommendation for the establishment of the zoning district designations as proposed, subject to the southeast corner being revised from A-2 to A-1 on the parcel known as tax Key No. DELT 0861-999.

Tim Barbeau, Town Engineer
May 25, 2022

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Delafield Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **June 7, 2022**, at **6:30 p.m.** at the Delafield Town Hall, located at W302 N1254 Maple Avenue, Delafield, WI, 53018, to consider a comprehensive rezoning request **(RZ101), Waukesha County Department of Parks and Land Use, 515 W. Moreland Blvd., Rm AC230, Waukesha, WI 53188.** The Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction is proposed to be established over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts. There are 19 properties affected. The properties are located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE ¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield.

Immediately following the above public hearing, another Joint Public Hearing will be held by the Town of Delafield Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, to consider the rezoning request **(RZ100)** of **Daniel Studer and Sheyenne Brown Studer** (owners) and **Jon Spheeris** (applicant) to rezone two small areas equating to 1,359 sq. ft. from the C-1 Conservancy Overlay District to the A-2 Rural Home District to accommodate a residential driveway for a future home site. The property is described as Lot 1, Certified Survey Map No. 6889, part of the SW ¼ of Section 25, T6N, R18E, Town of Delafield. More specifically, the property is located at W289 N106 Elmhurst Road, Waukesha, WI 53188-9420 (Tax Key No. DELT 0819.992.001).

For additional information regarding this public hearing, please contact Rebekah Leto, Senior Planner of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Lake Country Now on
Wednesday, May 18, 2022 and
Wednesday, May 25, 2022.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Fee Pd. \$ _____ Receipt No. _____ Appl received by RL Petition No. CU101

**HONORABLE BOARD OF SUPERVISORS/COMMON COUNCIL/BOARD OF TRUSTEES IN
THE TOWN/CITY/VILLAGE OF _____ WAUKESHA COUNTY, WISCONSIN:**

I/We, the undersigned, owner(s) of the property described below, located in the Town/City/Village of Delafield do hereby petition to amend the MAP of the County Zoning Code and/or the County Shoreland and Floodland Protection Ordinance on this date, 5/2/2022, in the following manner:

Existing Zoning Classification(s): Not Established

Proposed Zoning Classification(s): HG High Groundwater District, A-1 Agricultural District
A-2 Rural Home District, EC-Overlay District, C-1 Conservancy Overlay District,

Existing Use(s) of the subject property: Residential, Agricultural

Proposed Use(s) of the subject property: Residential, Agricultural

Tax Key No(s). see attached

Address of subject premises: see attached

Legal Description of the subject property: NW 1/4 and NE 1/4 of Section 36 and the SE and SW 1/4 of Section 29, T7N, R18E, Town of Delafield

Reasons/Conditions which justify a change in the zoning (attach additional pages, if necessary):

The DNR, at the request of a property owner, conducted a navigability study on a waterway and determined the pond to be navigable. The amendment is to incorporate the County's Shoreland and Floodland Jurisdictional boundary 1,000 ft. from the Ordinary High Water Mark of the pond.

Owner: Multiple Applicant: Waukesha County Department of Parks and Land Use
515 W. Moreland Blvd, Rm AC230
Waukesha, WI 53188

Daytime Phone No.(_____) _____ Daytime Phone No.(262) 548-7790

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Co. Park and Planning Commission) meeting: n/a

The following information **must be** submitted with this application:

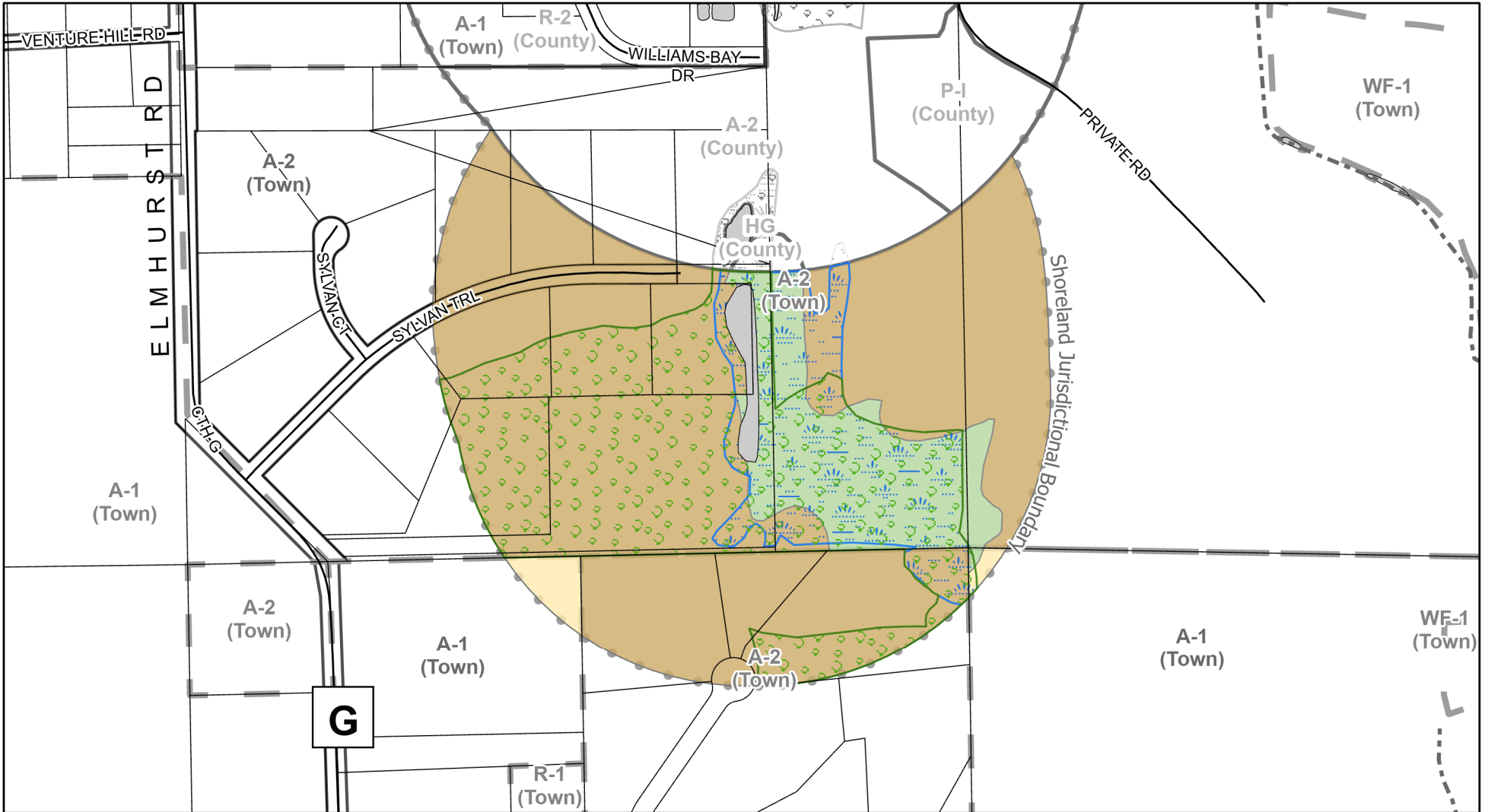
1. One electronic copy of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location **and** use of the buildings on the subject property, and the **use of all** properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that **all** of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site as necessary and related to this application even if the property has been posted against trespassing pursuant to Wis. Stat.; and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

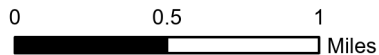
Signature of Owner Jason Fruth Date of Filing 5/2/2022






Signature of Applicant _____ Date of Filing _____



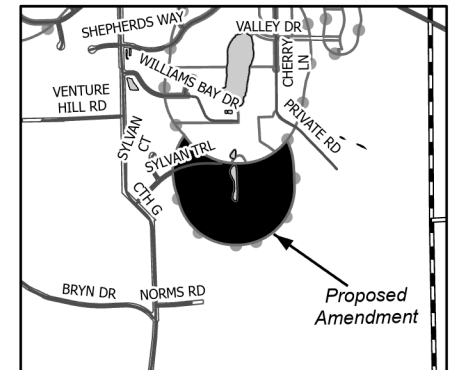
ZONING AMENDMENT

PART OF THE SW 1/4, SECTION 25,
TOWN OF DELAFIELD



-  Shoreland Zoning amendment to establish A-1 Zoning
-  Shoreland Zoning amendment to establish A-2 Zoning
-  Shoreland Zoning amendment to establish HG Zoning
-  Shoreland Zoning amendment to establish C-1 Conservancy (Wetlands) Overlay Zoning
-  Shoreland Zoning amendment to establish EC Environmental Corridor Overlay Zoning

FILE.....RZ101
 DATE OF PLAN COMMISSION.....5/19/22
 AREA OF CHANGE.....64.4 ACRES
 TAX KEY NUMBER.....MULTIPLE



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Town of Delafield Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, on **June 7, 2022**, at **6:30 p.m.** at the Delafield Town Hall, located at W302 N1254 Maple Avenue, Delafield, WI, 53018, to consider a comprehensive rezoning request **(RZ101), Waukesha County Department of Parks and Land Use, 515 W. Moreland Blvd., Rm AC230, Waukesha, WI 53188.** The Waukesha County Shoreland and Floodland Protection Ordinance jurisdiction is proposed to be established over an area extending 1,000 feet from the Ordinary High Water Mark of a navigable pond, as determined by the DNR. The proposed county zoning districts are the A-2 Rural Home, EC Environmental Corridor Overlay, C-1 Conservancy Overlay, HG High Groundwater and A-1 Agricultural Districts. There are 19 properties affected. The properties are located in the SE ¼ and SW ¼ of the SW ¼ of Section 25 and the NE ¼ and NW ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield.

Immediately following the above public hearing, another Joint Public Hearing will be held by the Town of Delafield Plan Commission and a staff representative of the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, to consider the rezoning request **(RZ100) of Daniel Studer and Sheyenne Brown Studer (owners) and Jon Spheeris** (applicant) to rezone two small areas equating to 1,359 sq. ft. from the C-1 Conservancy Overlay District to the A-2 Rural Home District to accommodate a residential driveway for a future home site. The property is described as Lot 1, Certified Survey Map No. 6889, part of the SW ¼ of Section 25, T6N, R18E, Town of Delafield. More specifically, the property is located at W289 N106 Elmhurst Road, Waukesha, WI 53188-9420 (Tax Key No. DELT 0819.992.001).

For additional information regarding this public hearing, please contact Rebekah Leto, Senior Planner of the Waukesha County Department of Parks and Land Use at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Waukesha, WI 53188

Legal notice to be published in the
Lake Country Now on
Wednesday, May 18, 2022 and
Wednesday, May 25, 2022.

Plan Commission Report for June 7, 2022

Studer Zoning Amendment (County) Agenda Item No. 5. B.

Applicant: Dan Studer

Project: Zoning Amendment from C-1 to A-2,
County Shoreland/Floodland zoning.

Requested Action: Recommendation to Town Board

Zoning: C-1 (County) to A-2 (County)

Location: W289 N106 Elmhurst Road

Report

This action is the second part of a two-step process. The first step is for Waukesha County to establish zoning on the Studer lands as part of the establishment of Shoreland Zoning on a number of properties located at the east end of Sylvan Trail. The County is proposing to designate a portion of the Studer land as C-1 Conservancy Overlay District based on the presence of wetlands. The request from Mr. Studer is to rezone two small portions of his land from C-1 to A-2 in order to accommodate a driveway between the east end of Sylvan Trail and a larger expanse of his property located east and south of the east end of Sylvan Trail. A portion of the driveway is already in place and was permitted by the WDNR for construction a few years ago. Mr. Studer plans to use the driveway for access to a future home site. The site would be created by a land split at some time in the future. The Studer lands, which includes “legs” to Elmhurst Road and to Sylvan Trail total 11.38 acres. The amount of land to be rezoned totals 1,359 square feet (.03 acres).

Staff Recommendation:

I have no objection to the requested rezoning. Prior to designation of the land as C-1, the Town’s zoning designation was A-2 Rural Home District. The zoning only applies to a small portion of land. The effect of the rezoning is that it allows a driveway from Sylvan Trail to the larger expanse of Mr. Studer’s property. The land where Mr. Studer may propose a land split in the future will be rezoned to EC (Environmental Corridor) and will be limited to a 5 acre density. Adequate land is available for him to split the land and he will be subject to County zoning restrictions for the land split.

I recommend that the Town Plan Commission provide a positive recommendation for the rezoning of two small areas of land on the Studer property (1,359 sq. ft.), as depicted on the drawings prepared by Land Tech Surveying, dated 3/31/22, from C-1 Conservancy to A-2 Rural Home District under Waukesha County Shoreland and Floodland Protection ordinance, subject to the County establishing zoning districts on this land, prior to action on this matter.

Tim Barbeau, Town Engineer

May 25, 2022

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
PLANNING AND ZONING DIVISION
515 W. Moreland Blvd. Room AC230
WAUKESHA, WISCONSIN 53188
(262) 548-7790

Email pod@waukeshacounty.gov Website www.waukeshacounty.gov/planningandzoning

**PETITION TO AMEND THE MAP OF THE COUNTY ZONING CODE and/or
THE COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE**

Fee Pd. \$ 550 Receipt No. 1003683 Appl received by EA Petition No. Z100

HONORABLE BOARD OF SUPERVISORS/Common Council/Board of Trustees in
THE TOWN/CITY/VILLAGE OF Delafield WAUKESHA COUNTY, WISCONSIN:

I/We, the undersigned, owner(s) of the property described below, located in the
Town/City/Village of Delafield do hereby petition to
amend the MAP of the County Zoning Code and/or the County Shoreland and Floodland
Protection Ordinance on this date, April 1, 2022, in the following manner:

Existing Zoning Classification(s): C-1

Proposed Zoning Classification(s): A-2

Existing Use(s) of the subject property: residential

Proposed Use(s) of the subject property: residential

Tax Key No(s). DEL T0819992001

Address of subject premises: 2289 N106 Elmhurst Rd., Delafield 53188

Legal Description of the subject property: see attached

Reasons/Conditions which justify a change in the zoning (attach additional pages, if necessary):

minor rezoning of part of a drive that is
existing from C-1 to A-2

Owner: Daniel Studer +
Shyenne Marie Brown-Studer

Applicant: Jon Sphaeris

2289 N106 Elmhurst Rd

115 E Wisconsin Ave. Suite A

Delafield, Wis. 53188

Oconomowoc, Wis. 53066

Daytime Phone No. [REDACTED]

Daytime Phone No. (262) 490-5558

Email address and/or fax number if you would like a copy of the staff report forwarded to you
prior to the (Co. Park and Planning Commission) meeting: [REDACTED]

The following information **must be** submitted with this application:

1. Three (3) copies of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of **all** properties within 300 feet of the subject property.

DEPT OF PARKS & LAND USE

APR 01 2022

RECEIVED

Email address and/or fax number if you would like a copy of the staff report forwarded to you prior to the (Waukesha Co. Park and Planning Commission) meeting: _____

The following information **must be** submitted with this application:

1. One electronic copy of a detailed and accurate site plan/map or plat of survey (preferred) drawn **TO SCALE**, showing the location of the proposed zoning district boundaries, the location and use of the buildings on the subject property, and the use of **all** properties within 300 feet of the subject property.
2. A filing fee payable to the Waukesha County Department of Parks and Land Use (inquire as to the current fee amount).

Note: Review of this application may include a site inspection.

The undersigned owner hereby certifies that **all** of the above statements, information and attachments contained herein are true and accurate to the best of his or her knowledge and belief. By signing this form, the owner or his/her authorized agent is giving their consent for the Dept. of Parks and Land Use to inspect the site, as necessary and related to this application, even if the property has been posted against trespassing pursuant to Wis. Stat.; and serves as your acceptance of the wetland statement included on your Property Owner letter issued with your permit, as applicable.

Signature of Owner

Tom Lee

Date of Filing

4-1-2022

Signature of Applicant

Jon Sheehan

Date of Filing

4-1-2022

N:\PRKANDL\Planning and Zoning\Forms\FORM Zoning Map amendment application blank.doc

Revised 02/16/22

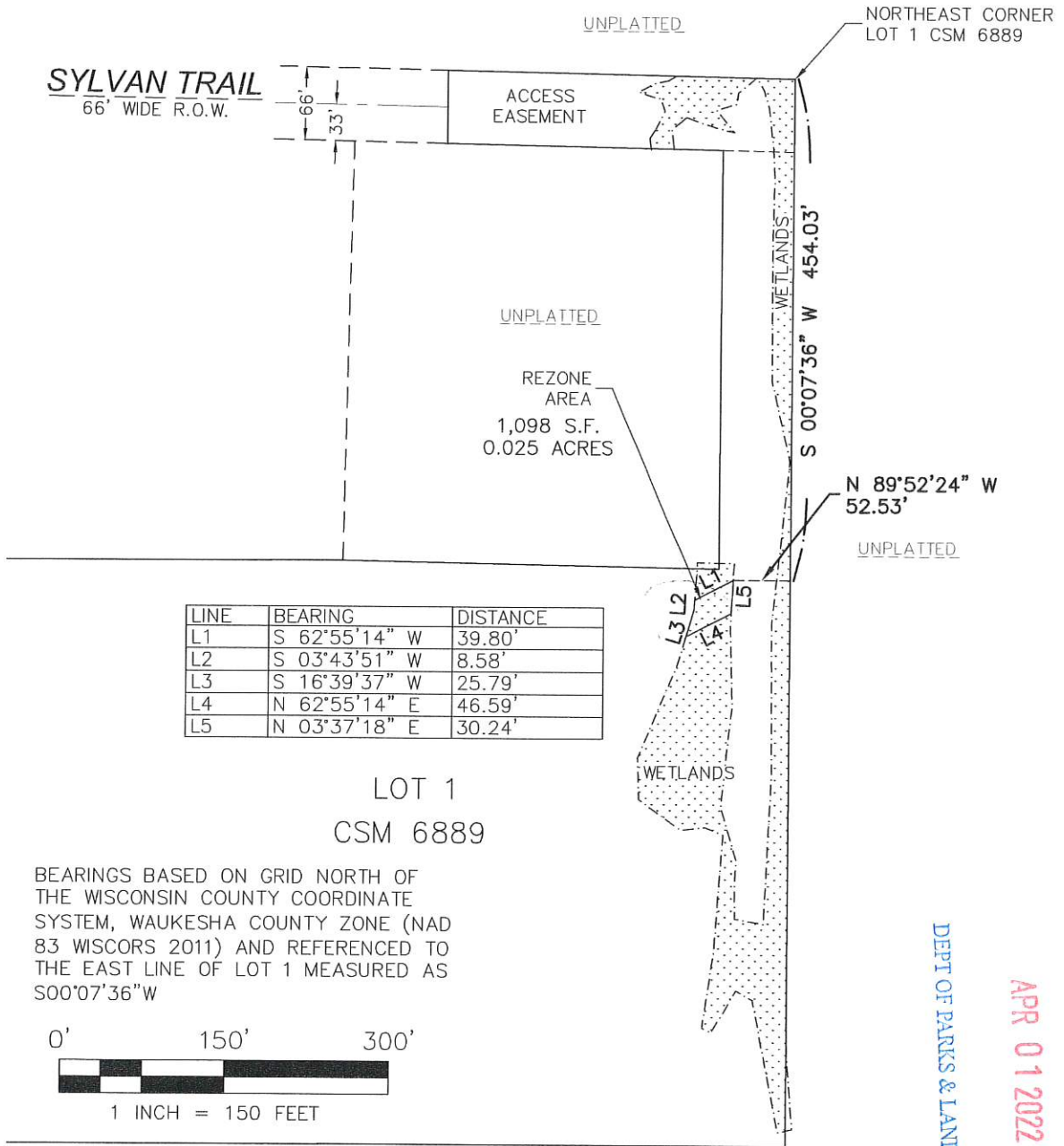
RECEIVED

APR 01 2022

DEPT OF PARKS & LAND USE

REZONE EXHIBIT

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.



DEPT OF PARKS & LAND USE

APR 01 2022

RECEIVED

CLIENT STUDER	LOCATION W289N106 ELMHURST RD WAUKESHA, WI	DATE 3/31/2022	 LAND SURVEYING • LAND PLANNING 111 W. 2ND STREET OCONOMOWOC, WI 53066 WWW.LANDTECHWI.COM (262) 367-7599
PROJECT REZONE		REV.	
LAYOUT EXHIBIT-1		REV.	
DRAWING 22074 REZONE_EX.DWG	DRAWN BY MTD	CHECKED BY JDD	JOB NO. 22074

REZONE AREA DESCRIPTION

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6889; THENCE S 00°07'36" W, ALONG THE EAST LINE OF SAID CERTIFIED SURVEY MAP 454.03 FEET; THENCE N 89°52'24" W, 52.53 FEET TO THE POINT OF BEGINNING; THENCE S 62°55'14" W, 39.80 FEET; THENCE S 03°43'51" W, 8.58 FEET; THENCE S 16°39'37" W, 25.79 FEET; THENCE N 62°55'14" E, 46.59 FEET; THENCE N 03°37'18" E, 30.24 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 1,098 SQUARE FEET, 0.025 ACRES.

RECEIVED

APR 01 2022

DEPT OF PARKS & LAND USE

Prepared By:

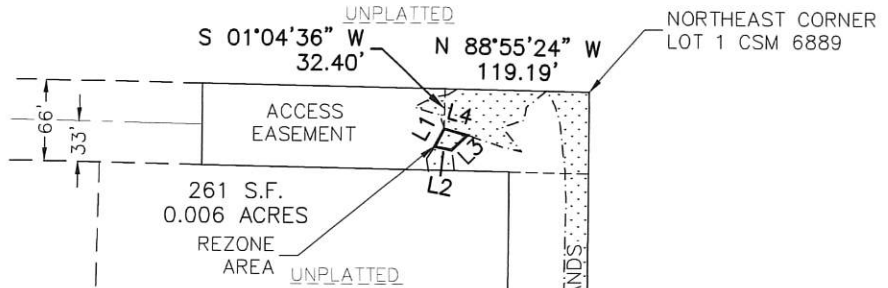


111 WEST 2ND STREET
OCONOMOWOC, WISCONSIN
262-367-7599

REZONE EXHIBIT

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

SYLVAN TRAIL
66' WIDE R.O.W.

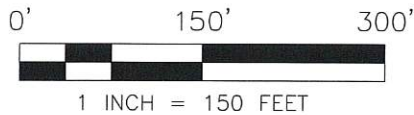


LINE	BEARING	DISTANCE
L1	S 27°10'12" W	16.30'
L2	S 78°49'49" E	14.30'
L3	N 46°54'52" E	17.44'
L4	N 74°29'25" W	20.05'

LOT 1
CSM 6889




BEARINGS BASED ON GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, WAUKESHA COUNTY ZONE (NAD 83 WISCORS 2011) AND REFERENCED TO THE NORTH LINE OF LOT 1 MEASURED AS N88°55'24"W



DEPT OF PARKS & LAND USE

APR 01 2022

RECEIVED

CLIENT STUDER	LOCATION W289N106 ELMHURST RD WAUKESHA, WI	DATE 3/31/2022	 LAND SURVEYING • LAND PLANNING 111 W. 2ND STREET OGDONOWOOD, WI 53066 WWW.LANDTECHWI.COM (262) 367-7599
PROJECT REZONE		REV.	
LAYOUT EXHIBIT-2		REV.	
DRAWING 22074_REZONE_EX2.DWG	DRAWN BY MTD	CHECKED BY JDD	JOB NO. 22074

REZONE AREA DESCRIPTION

PART OF LOT 1 OF CSM 6889 BEING PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 25, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 6889; THENCE N 88°55'24" W, ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP 119.19 FEET; THENCE S 01°04'36" E, 32.40 FEET TO THE POINT OF BEGINNING; THENCE S 78°49'49" E, 14.30 FEET; THENCE N 46°54'52" E, 17.44 FEET; THENCE N 74°29'25" W, 20.05 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 261 SQUARE FEET OR 0.006 ACRE.

RECEIVED

APR 01 2022

DEPT OF PARKS & LAND USE

Prepared By:



111 WEST 2ND STREET
OCONOMOWOC, WISCONSIN
262-367-7599

MAP CODE

M

3 Locations

Hartland • Mequon • Mukwonago

Mail: PO Box 180678 • Delafield, WI 53018

www.GFWater.com

Tel: 262-367-1960 • 262-377-5140 • 262-363-4767

Fax: 262-646-6331

GUTHRIE & FREY

KH Water Specialists, Inc.

"We Solve Water Problems"

(0428752)

Name Town of Delafield At Dan Green Date 6-6-22

Address W 302 N 1254 Maple Ave Home Phone: _____

City Delafield WI 53018 Cell Phone 262 646-2778

Service Address (if Different than Billing Address) DPW W14 W 30782 Golf Rd Delafield

MOVE-IN. Email address dan.green@townofdelafield.org

PURCHASE

RENT TO OWN

RENTAL

WATER ANALYSIS

Hardness 19 Iron 3 TDS 519 pH _____ Odor _____ Comm No. of People _____ Other _____

WATER SOURCE

City Water _____ Well Water X Air Charge _____ Air Cell _____ Merril Float _____ Other _____

ALL WATER SOFT/FILTERED EXCEPT

Front Hose Bibb R Rear Hose Bibb F/S Kit. Cold F/S Toilets F/S Other 1 1/4 copper

MODEL NUMBER

Monthly Rental Rate \$ _____ S # _____

Unit Description _____

Unit Setting: Every _____ Days/Gals. Using _____ Lbs. of Salt _____ Gal. Reserve

MODEL NUMBER

Monthly Rental Rate \$ _____ S # _____

Unit Description _____

Unit Setting: Every _____ Days/Gals. Using _____ Lbs. of Salt _____ Gal. Reserve

MODEL NUMBER

Monthly Rental Rate \$ _____ S # _____

Unit Description _____

Unit Setting: Every _____ Days/Gals. Using _____ Lbs. of Salt _____ Gal. Reserve

SPECIAL INSTRUCTIONS

(Unit is provided with a six foot or longer electrical cord. Customer must provide for an outlet.)

Salt Delivery Yes No install against well owner to provide 2 outlets & special for 1" copper drain to man hole upon inspectors approval.

Warranty is 1 year 100% 3 year parts / (6F 3 year 100%) 5 year tank & resin

All rental and rent to own agreements require a 12 month minimum contract.
If Customer elects to purchase unit within 12 months of installation date, the Dealer will allow credit of 12 months rental paid toward the purchase price of \$ _____ (Softener) \$ _____ (Iron Curtain) \$ _____ (Filter/R.O.)

CUSTOMER MUST USE **PELLET SALT** OR **SOLAR SALT** SUBJECT TO PARAGRAPH 12 ON REVERSE SIDE

CUSTOMER'S RIGHT TO CANCEL

You may cancel this agreement by mailing a written notice to the seller before midnight of the third business day after you signed this agreement. If you wish you may use this page by writing "I HEREBY CANCEL" and adding your name and address.

*Surcharge of 3.5% when paying with any Major Credit Card for amounts over \$5000.

*I have been presented with, read, and agree to the Terms and Conditions as on the reverse side.

*As required by the Wisconsin lien law, we are herewith serving statutory lien notice for providing labor, services or materials on owner's land and buildings if not paid.

Owner/Manager Signature _____ Date _____

Printed Name _____

EQUIPMENT PURCHASE AND/OR RENTAL SERVICE

MODEL	UNIT DESCRIPTION	PURCHASING	MO. RENTAL
<u>RC 17</u>	<u>60 Iron Curtain</u>	<u>2995⁰⁰</u>	<u>57⁹⁵</u>
<u>6F 40</u>	<u>Meter</u>	<u>1475⁰⁰</u>	<u>30⁹⁵</u>
	<u>Extra Plumbing installed for 1 1/4 copper 8 hour</u>	<u>950⁰⁰</u>	
<u>720 #1</u>	<u>Bags of Salt</u>	<u>56⁰⁰</u>	
	<u>Permit/Tax</u>		
	TOTAL		
	Balance Due		

Dealer Representative _____ Date Installed _____

ORDINANCE NO. 2022-01

**AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 12.03(3)(f) REGARDING
THE ISSUANCE OF OPERATOR'S LICENSES**

WHEREAS, Wisconsin Statutes Chapter 125 provides standards and expectations related to alcohol licenses; and

WHEREAS, Wisconsin Statutes Section 125.17 grants a municipal governing body the authority to authorize a designated municipal official to issue operator's licenses; and

WHEREAS, this subsection of the Wisconsin Statutes requires a municipal governing body to authorize the designated municipal official by ordinance; and

WHEREAS, the Town of Delafield Town Board finds that it is in the best interest of the Town to authorize the Town Administrator to issue operator's licenses in accordance with Wisconsin Statutes Section 125.17(1); and

NOW THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin, does ordain as follows:

SECTION 1: Chapter 12 of the Town of Delafield Town Code entitled "Licenses and Permits," subsection 12.03 entitled "Alcohol Beverages," subsection (3) entitled "Classes of Licenses and Fees," subsection (f) entitled "Operator's License," subsection 1 entitled "Regular Operator's License," subsection a is hereby repealed and recreated as follows:

Regular Operator's License.

- a. Regular Operator's Licenses shall be granted by the Town Administrator as an authorized designated officer according to §125.17, or by the Town Board ~~and thereafter issued by the Town Clerk~~ to any individual who is qualified under §125.04(5), Wis. Stats., for the purpose of complying with §§ 125.32(2) and 125.68(2), or 125.06(3g) Wis. Stats., and upon payment of the annual license fee.

SECTION 2: Chapter 12 of the Town of Delafield Town Code entitled "Licenses and Permits," subsection 12.03 entitled "Alcohol Beverages," subsection (3) entitled "Classes of Licenses and Fees," subsection (f) entitled "Operator's License," subsection 2 entitled "Provisional Operator's License," subsection a is hereby repealed and recreated as follows:

- a. ~~The Town Clerk, upon authorization by the Town Chairperson, The Town Administrator~~ shall issue a Provisional Operator's License to an applicant in case of a bona fide emergency. An emergency shall be caused by such things as death, disability, absence of the regular operator on the premises and the like. The Town ~~Administrator Chairperson~~ before authorizing such issuance, shall determine if the applicant has a satisfactory record, and probably would be issued a Regular Operator's License. The license shall be valid for a period not to exceed 60 days unless sooner revoked by the Town Board A Provisional Operator's license may be issued in accordance with §125.17(6), Wis. Stats.. ~~A Provisional Operator's license may be issued only to a person who has applied for a Regular Operator's License pursuant to~~

~~§125.17(6), Wis. Stats.~~ A Provisional Operator's License may not be issued to any person who has been denied a Regular Operator's License by the Town ~~Board~~.

SECTION 3: SEVERABILITY.

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or portions of the Ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 4: This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Delafield, Waukesha County, Wisconsin this ____ day of _____ 2022.

TOWN OF DELAFIELD

Ron Troy, Town Chair

ATTEST:

Dan Green, Town Clerk/Treasurer