

97-18

AN ORDINANCE AMENDING SECTION 4-343 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO ENFORCEMENT GENERALLY.

(Municipal Services Committee – 10/17/2018)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 4-343 of Chapter 4 of the Municipal Code of the City of Appleton, relating to enforcement generally, is hereby amended to read as follows:

Sec. 4-343. Enforcement generally.

The electrical inspector shall enforce all the ordinances or laws relating to electrical installation, including any lawful orders issued by the Department of Safety and Professional Services or any other agency of the State; there is hereby vested in the electrical inspector the necessary power and authority to properly execute such duties. The electrical inspector may issue a citation for any violation of this chapter at any stage of the construction phase.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

98-18

AN ORDINANCE AMENDING SECTION 4-346 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO NOTIFICATION FOR INSPECTION; CONCEALMENT OF WIRING.

(Municipal Services Committee – 10/17/2018)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 4-346 of Chapter 4 of the Municipal Code of the City of Appleton, relating to notification for inspection; concealment of wiring, is hereby amended to read as follows:

Sec. 4-346. Notification for inspection; concealment of wiring.

Upon the completion of the wiring of any building or before any wiring is to be hidden from view, or prior to reconnecting of service drop or reattachment of electric meter, the person doing the wiring shall notify the electrical inspector. The electrical inspector shall inspect within two full business days following the day of notification, excluding weekends and holidays. If, upon inspection, it is found that such installation is fully in compliance with this article and does not constitute a hazard to life or property, the electrical inspector shall approve the installation and authorize concealment of such wiring or connection for electrical service. If the installation is not strictly in accordance with this article, he shall require the person installing the wiring to remove all hazards and make the necessary changes or additions as soon as practicable. Concealment of electrical work before inspection or failure to comply with the order of the electrical inspector shall constitute a violation of this article. A contractor or his employee, or an owner doing his own work as permitted by Sec. 4-392(c) shall be present for the final inspection. Nothing under this section shall prevent enforcement of this section under Secs. 4-24, 4-343, or any other applicable section.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

99-18

AN ORDINANCE AMENDING SECTION 4-392 OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO EXEMPTIONS.

(Municipal Services Committee – 10/17/2018)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 4-392 of Chapter 4 of the Municipal Code of the City of Appleton, relating to exemptions, is hereby amended/repealed/created to read as follows:

Sec. 4-392. Exemptions.

As allowed under §101.862(4)(a), a residential property owner may perform electrical work in his own dwelling which he owns and occupies without a license, with the exception of installing or replacing of service equipment, as long as the work is being conducted in a single family dwelling. Electrical work performed on a residential property which is not a single family owner occupied dwelling will need to be performed by a licensed electrical contractor. The owner of the property must procure a permit prior to starting any electrical work.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

100-18

AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

(City Plan Commission 11/7/2018)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located on West Water Street (tax parcel number 31-3-1482-00), adjacent to 425 West Water Street, including the adjacent Fox River, from M-2 General Industrial District to C-2 General Commercial District. (Rezoning #10-18 – Atlas Mill, LLC, Randy Stadtmueller)

LEGAL DESCRIPTION:

PART OF FORMER 14 FOOT CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY; PART OF LOTS 5, 6 AND 8, BLOCK G, THIRD WARD PLAT, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, ACCORDING TO THE ASSESSORS PLAT OF SAID CITY, BEING LOCATED IN THE NORTHWEST 1/4 OF FRACTIONAL SECTION 35, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 35; THENCE SOUTH 00 DEGREES 05 MINUTES 27 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 1391.81 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 33 SECONDS EAST, 849.98 FEET; THENCE NORTH 49 DEGREES 41 MINUTES 01 SECONDS EAST, ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 32.02 FEET; THENCE CONTINUING ALONG THE NORTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 45.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 83.00 FEET AND A CHORD THAT BEARS NORTH 33 DEGREES 53 MINUTES 44.5 SECONDS EAST, 45.17 FEET; THENCE NORTH 18 DEGREES 06

MINUTES 28 SECONDS EAST, CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 2 OF CERTIFIED SURVEY MAP NO. 4636, A DISTANCE OF 46.93 FEET; THENCE NORTH 08 DEGREES 26 MINUTES 14 SECONDS WEST, A DISTANCE OF 17.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD; THENCE 520.51 FEET ALONG AN ARC OF A CURVE TO THE RIGHT ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 62 DEGREES 42 MINUTES 27.0 SECONDS EAST, 514.27 FEET TO THE POINT OF BEGINNING; THENCE 272 FEET MORE OR LESS ALONG AN ARC OF A CURVE TO THE RIGHT, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF THE MAIN TRACK OF THE CANADIAN NATIONAL RAILROAD, SAID CURVE HAVING A RADIUS OF 968.28 FEET AND A CHORD THAT BEARS NORTH 86 DEGREES 09 MINUTES 47.5 SECONDS EAST, 271 FEET MORE OR LESS TO THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE ALONG THE ORDINARY HIGH WATER MARK OF THE FOX RIVER IN A SOUTHWESTERLY DIRECTION, 461 FEET MORE OR LESS TO A POINT WHERE THE SOUTHERLY LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4363 INTERSECTS WITH THE ORDINARY HIGH WATER MARK OF THE FOX RIVER; THENCE NORTH 49 DEGREES 41 MINUTES 03 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 216 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 40 DEGREES 18 MINUTES 57 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 2 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 85.41 FEET TO THE POINT OF BEGINNING. CONTAINING 15,246 SQUARE FEET MORE OR LESS [0.35 ACRES±, and including to the center line of fox river.

COMMON DESCRIPTION:

Tax Parcel Number 31-3-1482-00, West Water Street, adjacent to 425 West Water Street

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

101-18

**AN ORDINANCE ANNEXING TERRITORY
TO THE CITY OF APPLETON, WISCONSIN.**

(Leeman Annexation)

The Common Council of the City of Appleton does ordain as follows:

Section 1. Territory Annexed. In accordance with §66.0217 of the Wisconsin Statutes for 2015 – 2016 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on October 8, 2018, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

The South 100 feet of the West 217.7 feet of the North one-half (N ½) of the Southwest Quarter (SW ¼) of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 18,470 square feet of land, less the West 33 feet thereof.

Tax Parcel number of lands to be annexed: 020-101002900.

The current population of such territory is 0 people.

Section 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Appleton.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the Twenty-first (21st) Ward, attached to the Seventh (7th) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification. The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temporary AG (Temporary Agricultural District)

Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or

unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.