

**Common Council  
City of Waukesha, Wisconsin**

**Ordinance No. 2023 - \_\_\_\_\_**

---

**An Ordinance to Rezone Certain Property and to Amend the  
Zoning Map of the City of Waukesha, Wisconsin**

---

**Whereas** City staff requested an amendment to section 22.15(4) and 22.67(2) of the zoning code to improve the code enforcement process for Site Plan and Architectural Review approvals; and,

**Whereas** on June 28<sup>th</sup>, 2023, the Plan Commission passed a resolution by which the proposed zoning code amendment was recommended to the Common Council; and

**Whereas** a notice of a public hearing of the proposed zoning code amendment to be held on July 18<sup>th</sup>, 2023, was published as a Class 2 notice pursuant to Chapter 985 of the Wisconsin Statutes on July 5<sup>th</sup>, 2023, and July 11<sup>th</sup>, 2023; and

**Whereas** a public hearing of the proposed zoning code amendment was held at the regular Common Council meeting on July 18<sup>th</sup>, 2023; and

**Whereas** the Common Council, at its August 1<sup>st</sup>, 2023, regular meeting considered the Plan Commission's recommendation, the supporting materials, the statements given during the public hearing, and the statements of City staff; and

**Whereas** the Common Council had full debate on the proposed re-zoning and found that the proposed re-zoning is in the best interests of the City; and

**Whereas** a motion to adopt the recommendation of the Plan Commission and to approve the re-zoning was made, seconded and carried by the affirmative vote of a majority of the Common Council members present and voting;

**Now, therefore**, the Common Council of the City of Waukesha do ordain as follows:

**Section 1.** Section 22.15(4) of the Waukesha Municipal Code is amended to read as follows:

**22.15 Site Plan and Architectural Review.**

(4) SURETIES AND ENFORCEMENT. The Plan Commission may impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule. Any person who fails to meet a deadline the Plan Commission imposes under this subsection may also be subject to enforcement as provided in section 22.67 of this Zoning Code.

**Section 2.** Section 22.67(2) of the Waukesha Municipal Code is amended to read as follows:

**22.67 Enforcement.**

(2) VIOLATIONS AND PENALTIES. No person shall erect, construction, reconstruct, enlarge, change, maintain or use any building or land in violation of any of the provisions of this Code, or any amendment or supplement thereto adopted by the Common Council. Any person violating any of the provisions of this Code or any amendment or supplement thereto shall be subject to a penalty as provided in Section 25.05 of this Municipal Code. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, shall be deemed a separate offense.

**Section 3.** All ordinances or parts of ordinances inconsistent with or contravening this ordinance are hereby repealed.

**Section 4.** This ordinance shall be in effect the day after its publication.

Passed the 1<sup>st</sup> day of August, 2023.

---

Shawn N. Reilly, Mayor

---

Gina L. Kozlik, City Clerk-Treasurer