

TITLE 16

CHAPTER 1

Introduction; Authority and Adoption

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SEC. 16-1-1 AUTHORITY AND ADOPTION

(a) This Title is adopted under the authority granted to the Village of Caledonia by Sections §62.23, §62.231, §62.234 and §281.31 of the Wisconsin Statutes and amendments thereto and any other applicable laws or regulations.

(1) **Title.** This Title shall be known as, referred to, or cited as, “ZONING CODE, VILLAGE OF CALEDONIA, WISCONSIN.”

(2) **Intent and Purpose.** The intent and purpose of this Title is to promote the health, safety, morals, prosperity, aesthetics and general welfare of this Village and its residents. The additional sewer and water requirements, design standards, conditional use requirements and planned unit development requirements set forth in this Title are intended to ensure that residential, business, commercial, industrial, recreational and institutional developments are properly planned, designed, and located. They are also intended to ensure that buildings, site designs, environmental features and social and economic activities are compatible with the Village Comprehensive Plan, as amended from time-to-time, the surrounding area and the overall community.

(3) **Abrogation/Greater Restriction.** It is not intended for this Title to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, codes, ordinances, rules, regulations, or permits previously adopted or issued pursuant to laws. However, where this Title imposes greater restrictions, the provisions of this Title shall govern.

(4) **Interpretation.** In their interpretation and application, the provisions of this Title shall be held to be a minimum requirement and shall be liberally construed in favor of the Village and shall not be deemed a repeal of any other power granted by the Wisconsin Statutes.

(5) **Severability.** Should any portion of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(6) **Repeal of Conflicting Provisions.**

- a. The former Title 16 “Zoning and Village Board of Appeals” of the Village of Caledonia, Wisconsin adopted on the 6<sup>th</sup> day of December 2005 and amendments thereto are hereby repealed and replaced.
- b. All other ordinances or parts of prior ordinance in conflict with the provisions of this Title are hereby repealed.

(7) **Disclaimers of Liability; Wetlands, Drainage Ways, And Soils.** The Village of Caledonia does not guarantee, warrant, or represent that only those areas delineated as wetlands or drainage ways from tests and / or mapping required by this Title will be subject to periodic inundation, nor does the Village of Caledonia guarantee, warrant, or represent that the soils shown to be unsuited for a given land use from tests and / or mapping required by this Title are the only unsuited soils within the jurisdiction of this Title. The Village hereby asserts that there is no liability on the part of the Village of Caledonia, Village Board, Plan Commission, its agents, contractors, and employees for flooding problems or structural damages that may occur as a result of reliance upon, and conformance with, this Title.

(8) **Grandfathering.** All legal Lots, land uses, and structures existing prior to the adoption of this Title and that conformed to the then Zoning Code in effect prior to the adoption of this Title will be allowed as a Grandfathered right to continue in accordance with the prior Zoning Code. However, any new uses and amendments to the zoning district of a Lot shall comply with the requirements of this Title.