
LEGISLATIVE/LICENSING COMMITTEE MEETING

Tuesday, July 18, 2023, at 4:15 p.m.
Caledonia Village Hall – 5043 Chester Lane

1. Call to Order
2. Approval of Minutes
3. Text Amendment Review - Review a proposed text amendment that will amend Sections 16-11-6(a)(1) and 16-11-6(a)(2) of the zoning code pertaining to temporary sign permits regulating the number of temporary signs, the number of days temporary signs can be displayed, and the number of temporary sign permits that can be issued in a calendar year.
4. Ordinance No. 2023-XX - An Ordinance To Create A New Chapter 21 Of Title 7, Weights And Measures Program Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin
5. Discussion Of Restrictions on Liquor Licenses
6. Public Hearing Document Review
7. Review of Chicken Cost
8. Suggested Agenda Items To Be Placed On The Next Meeting Agenda (With No Action)
9. Adjournment

Dated July 14, 2023

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

LEGISLATIVE/LICENSING COMMITTEE MEETING

CALEDONIA VILLAGE HALL

5043 CHESTER LANE, RACINE, WI 53402

Tuesday, June 20, 2023

1. Call to Order

Trustee Martin called the meeting to order at 4:15 p.m. In attendance were:

Committee Members: Trustee Martin, Trustee Pierce, and Trustee Hammes.

Absent: None.

Staff/Others Present: Also present were Village Administrator Kathy Kasper, and Engineer Ryan Schmidt.

2. Approval of minutes

Trustee Pierce motioned to approve the minutes as printed from May 16, 2023.

Seconded by Trustee Hammes. Motion carried unanimously.

3. Title 12

Regarding dogs and enforcement in Village Parks under Title 12, Chapter 1, the Committee addressed various matters, including language refinement.

Additionally, the Committee undertook a thorough examination of Title 12. The possibility of allowing horses at Gorney Park was discussed. This topic was suggested to be forwarded to the Parks department for further consideration.

Motion by Trustee Pierce to approve the amended language in Title 12, Chapter 1 as presented to the Committee and a recommendation to send Title 12 back to the parks for review and consideration for equestrian activity in Gorney Park. Seconded by Trustee Hammes. Motion carried unanimously.

4. Reschedule July 4th Meeting

The Committee canceled the July 4th meeting and resumed regular scheduling on July 18th.

5. New Business

Kasper and Hoeffert expressed the need to refrain from including generic agenda items, such as "new business." Instead, it was proposed to replace this item with "Suggested agenda items with no action, to be placed on the next meeting agenda".

LEGISLATIVE/LICENSING COMMITTEE MEETING

CALEDONIA VILLAGE HALL

5043 CHESTER LANE, RACINE, WI 53402

Tuesday, June 20, 2023

A suggested revision to the Temporary Sign Regulations was not directly presented to the village board as initially motioned during the previous Legislative & Licensing meeting. This item required a public hearing before the Plan Commission prior to Village Board consideration, and this note is made to ensure transparency.

6. Adjournment

There being no further business, Motion by Trustee Pierce to adjourn the meeting at 4:57 p.m. Seconded by Trustee Hammes. Motion carried unanimously.

Respectfully submitted,
Joslyn Hoeffert
Village Clerk



Meeting Date: June 26, 2023

Item No. **5a**

PLAN COMMISSION REPORT

Proposal: Text Amendment

Description: Review a proposed text amendment that will repeal and recreate Sections 16-11-6(a)(1) and 16-11-6(a)(2) related to temporary sign permitting regulating the number of temporary signs, the number of days temporary signs can be displayed, and the number of temporary sign permits that can be issued in a calendar year.

Applicant(s): Village of Caledonia

Address(es): n/a

Suggested Motion: That the Plan Commission recommends to the Village Board that Section 16-1-6(a)(1) and Section 16-1-6(a)(2) of the Municipal Code be amended related to temporary sign permitted as presented.

Background: Earlier this year, the Village received a letter from the Caledonia Business District (CBA) regarding concerns about the recently adopted temporary sign code. These concerns were discussed at the most recent Legislation and Licensing (L&L) Committee meeting, where the Committee discussed amending the temporary sign code, allowing for more flexibility when regulating the number and length of time temporary signs can be displayed within the Village. Staff was directed to draft the necessary amendments to address these concerns.

Included with this report is a document showing the existing code and proposed code. If adopted, an applicant could receive up to nine temporary sign permits in a calendar year. Each permit would allow up to five temporary signs to be displayed for thirty consecutive days. In addition to these changes, the L&L Committee suggested lowering the temporary sign permit fee from \$50 to \$30 per permit. If the proposed amendments are adopted by the Village, staff will proceed with amending the Village fee schedule to reflect the reduce permit fee to \$30.

If the Plan Commission is comfortable with the proposed changes, a suggested motion can be found at the beginning of this report. If recommended for approval, the proposed amendments will go to the L&L Committee for further review and recommendation with final approval by the Village Board.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Peter Wagner", is written over a faint, larger version of the same signature.

Peter Wagner, AICP
Development Director

EXISTING CODE

16-11-6 TEMPORARY SIGN REGULATIONS

- (a) **Permits and Regulations.** All temporary signs require a permit issued by the Planning & Zoning Department. Fees for this permit are outlined in the approved Review and Zoning Fee Schedule which is updated from time to time.
- (1) A Temporary Sign Permit allows the use of one (1) sign that does not exceed thirty-two (32) square feet in area on one side and sixty-four (64) feet in area on all sides and does not exceed eight (12) feet in height, measured from the ground to the top of the sign.
 - (2) A sign permit allows a temporary sign to be displayed for a maximum of fifteen (15) consecutive days and must be removed within twenty-four (24) hours of the expiration of the permit.
 - (3) Temporary signs, if illuminated, shall not flash, blink, or fluctuate in light intensity and not change copy more than every ten seconds.
 - (4) Temporary signs, if wind borne, can only be of a feather or tear drop flag design.

PROPOSED CODE

16-11-6 TEMPORARY SIGN REGULATIONS

- (a) **Permits and Regulations.** All temporary signs require a permit issued by the Planning & Zoning Department. Fees for this permit are outlined in the approved Review and Zoning Fee Schedule which is updated from time to time.
- (1) A Temporary Sign Permit allows the use of no more than five (5) signs that do not individually exceed thirty-two (32) square feet in area on one side and sixty-four (64) feet in area on all sides and does not exceed twelve (12) feet in height, measured from the ground to the top of the sign.
 - (2) A temporary sign permit allows for multiple temporary signs to be displayed for a maximum of thirty (30) consecutive days and signs must be removed within twenty-four (24) hours of the expiration of the permit. No more than nine (9) temporary sign permits will be issued per business in a calendar year.
 - (3) Temporary signs, if illuminated, shall not flash, blink, or fluctuate in light intensity and not change copy more than every ten seconds.
 - (4) Temporary signs, if wind borne, can only be of a feather or tear drop flag design.

Caledonia Village Board
5043 Chester Lane
Racine, WI 53402

March 18, 2023

Esteemed Board members

The Caledonia Business Association (CBA) has some concerns regarding the recently adopted/approved changes to the village's temporary sign ordinances. While we understand and appreciate that the motive for these changes is to help keep our village attractive and safe, we believe that section 16-11-6 puts an extraordinary burden on businesses, most of whom are already honoring the stated purpose of the ordinance by keeping their signage visibly attractive and in good repair.

The strict requirements of this section, such as the amount of time signs are allowed to be displayed (15 days maximum), the time to purchase and the price of permits creates a burden for already responsible businesses. The CBA has been working to attract more business to Caledonia and believes this may be a strong deterrent. We have enjoyed an excellent relationship with the Village Administrators and board and hope to work together to amend this ordinance to achieve its desired effect without unduly burdening our healthy, attractive businesses.

Section 16-11-16 part H Maintenance requires signs be in good repair and authorizes the zoning Administrator to inspect and order repairs and/or removal as needed for signs violating the provision. This section should allow the village to "deal with" businesses that are in violation of the ordinance.

We suggest that permits be annual and cover all the temporary signs erected by a business within a calendar year. This will ensure that all businesses have read and signed off on the permitted rules. Further, it would still generate income to help cover enforcement.

We appreciate your attention in the matter.

A handwritten signature in black ink, appearing to read "Lori Jensen", followed by a long horizontal flourish line.

Lori Jensen

On behalf of the Caledonia Business Association

Ordinance No. 2023-XX

AN ORDINANCE TO CREATE A NEW CHAPTER 21 OF TITLE 7, WEIGHTS AND MEASURES PROGRAM OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Title 7, Chapter 21, Section 1 of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"SEC. 7-21-1 WEIGHTS AND MEASURES PROGRAM

- A. **Purpose.** This section adopts the State of Wisconsin Weights and Measures Regulations and establishes a Weights and Measures Program wherein any person or entity subject to said regulations must obtain a license in order for the Village to comply with and recoup the costs of enforcing said regulations. This section is adopted pursuant to the provisions of Chapter 98, Wis. Stats.
- B. **Application of state codes.** Except as otherwise explicitly provided in this section, the statutory provisions provided in this section, the statutory provisions of Wis. Stats. Ch. 98, Weights and Measures, and Admin. Code, ATPC 90, 91, 92, Weighing and Measuring Devices, are hereby adopted and by reference made part of this section as if fully set forth herein. Any act required to be performed or prohibited by any statute or code incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions, or modifications of the statutes incorporated herein or Wisconsin Administrative Code provisions incorporated herein are intended to be made part of this section.
- C. **Contract with the State of Wisconsin; Appointment of inspectors; Compliance required.**
 - (1) **Contract with the State of Wisconsin.** In lieu of enforcing the weights and measures ordinance, the Village Board of Caledonia may contract with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection to furnish the services and perform the duties of sealers of weights and measures required in Wis. Stats. § 98.04(1), as amended. In the event the Village contracts with the state or renews any existing contract, the Village may collect fees not to exceed the costs pursuant to the statute.
 - (2) **Appointment of inspectors.** The provisions of the contract set forth in Subsection C(1) shall provide for the enforcement of the statutes and

regulations set forth herein, and the Village hereby grants the authority and duties of sealers and inspectors required by this section to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.

- (3) **Compliance required.** All persons and entities required to be licensed hereunder shall comply with the enforcement of the statutes and regulations set forth herein, shall comply with the orders and inspections of the inspectors appointed herein, and shall comply with the licensing requirements set forth herein.

D. Definitions.

- (1) **Weights and Measures.** Weights and Measures means weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories used with any or all such instruments and devices, except meters for the measurement of electricity, gas (natural and manufactured) or water when the same are operated in a public utility system. Weights and measures shall include devices used or employed in establishing the size, quantity, extent, area or measurement of quantities, things, produce or articles for sale, hire or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure and shall include, but not be limited to, commodities, liquid measuring devices, scales, weighing, measuring and price verification systems, timing devices and linear measuring devices
- (2) **Weights And Measures Program.** The program that includes administration and enforcement of this section, Wis. Stats. Ch. 98, and applicable Wisconsin Administrative Code provisions and any related actions.
- (3) **Commercial Weighing Or Measuring Devices.** Devices used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce or articles for sale, hire, or award or in computing any basic charge or payment for services rendered based on weight and measure.

E. Weights and measures license required.

- (1) **License requirements.** Except as provided in Subsection E(2), no person shall operate or maintain any commercial weighing or measuring devices, or any other weights and measures systems and accessories related thereto which are used commercially within the Village for determining the weight, measure, or count unless each such device is licensed by an annual weights and measures license issued pursuant to the provisions of this section.
- (2) **Exemptions.** Sales permitted at a farmers market or sales permitted by direct sellers, vendor vehicles, special event permits, transient

merchants, and solicitors are exempt from licensing under this section.

- F. **Application for license.** An application for a weights and measures license shall be made in writing on a form provided for such purpose by the Village Clerk and shall be signed by the owner of the commercial business or by its authorized agent. Such applications shall state the type and number of weighing and measuring devices to be licensed, the location of the devices, the applicant's full name and post office address, and whether such applicant is an individual, partnership, limited liability company, corporation, or other entity. If the applicant is a partnership, the application shall state the names and addresses of each partner. If the applicant is a corporation or limited liability company, the application shall state the name and address of all officers and agents of the applicant, including the registered agent thereof.
- G. **Issuance of license and fees.** Upon compliance with this section, the Village Clerk's and/or Designee shall issue a license to the applicant upon payment of an annual license fee set by the Village Board. The license fee shall not be prorated for a partial year. Each store or other business shall require a separate license.
- H. **License term.** A license issued under this section shall expire on June 30 of each year.
- I. **Enforcement for nonrenewal.** A licensee shall be prohibited from operating or maintaining a weighing or measuring device until such time as a valid license has been obtained under the provisions of this section. It shall be the duty of the Village Clerk and/or Designee to notify the appropriate Village officials and to order the immediate enforcement of the provisions of this section in cases involving a failure to renew the weights and measures license.
- J. **Fees assessment.**
 - (1) **Annual assessment.** The Village Board shall annually assess fees to each license holder sufficient to defray the costs of the weights and measures program as of July 1 of each year as authorized by Wis. Stats. § 98.04(3). The total of the fees assessed and the fees collected shall not exceed the actual costs of the weights and measures program.
 - (2) **Village Clerk and/or Designee to prepare assessment schedule.** The Village Clerk and/or Designee shall at least annually prepare a proposed schedule of assessments to be submitted to the Village Board. A copy of the proposed schedule, together with notice of the date and time at which the Village Board will consider the assessments, shall be mailed to each licensee.
 - (3) **Village Board determines assessment.** The Village Board will determine license fees. The Village Board shall consider the Village

Clerk and/or Designee schedule of assessments and determine the schedule of assessments on a reasonable basis.

- (4) **Failure to pay assessment.** If the assessed fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of 10% of the total fee shall be added to the amount due, plus interest shall accrue thereon at the rate of 1.5% per month or fraction thereof until paid. To the extent permitted by law, if the licensee is the owner of the real estate premises where the licensed weights and measures devices are located, any delinquent assessment shall be extended upon the current or the next tax roll as a special charge against the real estate premises for current services. No licensee shall be issued or renewed under this section if the licensee is delinquent in the payment of a fee assessed under this section.
- (5) **Mailing of notices.** Schedules, notices, and invoices shall be considered as having been sent to the licensee when they are sent by first-class mail, with postage paid, to the address provided on the application form.
- (6) **Change of ownership.** If the ownership of a commercial business licensed under this section is transferred during a license year, the owner of the business as of July 1 of the license year shall be liable and responsible for the payment of the fees assessed under this section.

K. **Inspections and Seals.** The Village or its agent shall have the right to inspect and test any weighing or measuring devices used in commercial transactions within the Village. Any device found to be in violation of this section or state law shall be deemed to be in need of adjustment or repair and shall be sealed or marked by the Village or its agent until such time as the necessary adjustments or repairs have been made, and the device has been tested and approved.

L. **Penalties.** Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, forfeit not less than \$250 and no more than \$500. Each day a violation exists or continues shall constitute a separate offense.

M. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

N. **Reservations.** The Village Board of the Village of Caledonia reserves the right to reserve additional sections for future use of this Code of Ordinances as needed.

2. That Sections 7-21-2 to 7-21-10 are reserved for future use.

3. That this ordinance shall take effect on _____, 2023, and upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 2023.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk



WEIGHTS & MEASURES LICENSE APPLICATION

Village of Caledonia - Clerk's Office
5043 Chester Lane, Racine, WI 53402
Email: jhoeffert@caledonia-wi.gov
Phone: (262) 835-6414
FAX: (262) 835-2388

In compliance with Wisconsin State Statutes, the Village of Caledonia established a Weights & Measures License program. All businesses using any weights and measuring devices (including price scanners) are required to obtain the annual license from the Village. Annual inspections are conducted by the Wisconsin Department of Agriculture, Trade and Consumer Protection. Please see the attached ordinance for more information.

To apply for a license, submit this application and license fee by mail, in the Village Hall drop-box or in-person at the Village Hall during normal business hours (Monday-Friday, 8:00 a.m. to 5:00 p.m.). Contact the Village Clerk for questions at (262) 835-6414

APPLICANT INFORMATION

Full Name: _____
Full Address: _____ City: _____ Zip: _____
Email Address: _____
Telephone #: _____

BUSINESS INFORMATION:

Business Type: ☐ Individual ☐ Partnership ☐ LLC ☐ Corporation

Business Name: _____
Registered Name: _____
Full Address: _____ City: _____ Zip: _____
Email Address: _____
Telephone #: _____

BUSINESS OFFICERS (Attach additional documentation if needed):

TYPE	NAME	ADDRESS
1. President		
2. Vice President		
3. Secretary		
4. Director		
5. Other: _____		

~Please See Reverse Side~

DEVICE TYPES (Attach additional documentation if needed):

TYPE	QUANTITY	LOCATION
1. Liquid Measuring Device (Fuel or Oil Nozzles)		
2. Truck Meters		
3. Vehicle Scales		
4. Counter Scales (Up to 30 lbs.)		
5. Scales (Over 30 lbs.)		
6. Point of Sale Systems (Scales, Register, Scanner, Combo)		
9. Linear Measures		
10. Timers (including timers on tanning beds)		
11. Other: _____		

CERTIFICATION AND SIGNATURE:

I attest that the information on this application is true and correct to the best of my knowledge and hereby makes application for the Weights and Measures License.

Applicant's Signature: _____

Applicant's Print Name: _____

Application Date: _____

.....

FOR OFFICE USE ONLY:

Date Received: _____

Application Fee: _____ Total amount paid: _____

Clerk Signature: _____

Date approved : _____

How do Public Hearings work?

The attached letter is notice for an upcoming Public Hearing.

We want to take a moment of your time to not only notify you of the Public Hearing as required under State Statute, but to provide you with information on how the process works.

- The Village will send a formal notice of the Public Hearing to landowners who may be affected. Additionally, the Village may choose to hold public hearings on certain matters either as required by law or as a voluntary effort to obtain further input from the public on important issues. Triggers for public hearings in Caledonia may include:
 - Rezoning requests
 - Changes to the Comprehensive Plan
 - Proposed zoning code amendments
 - Annexations
 - Ordinance Revisions (as referred by the Legislative and Licensing Committee)
- The agenda and additional resources for the public hearing are posted as a packet on Thursdays on the Village website. Citizens are encouraged to check the web-posted documents prior to the hearing.
- To ensure efficiency, order, decorum, and relevance to the matter being discussed, the Village of Caledonia has established rules of procedure for public hearings.
 - **Introduction:** The Chairperson or President will introduce the matter to be considered.
 - **Applicant Presentation:** The applicant (and/or the applicant's representatives) will make a brief presentation introducing and supporting the application.
 - **Staff Report:** Village staff will describe the matter being considered, including the relevant authority, present the staff report, and offer proposed conditions and/or a recommendation to the decision-making body. Members of the decision-making body may pose questions to staff or the applicant.
 - **Public Testimony:** The Chairperson or President will open the public hearing and may announce a time limitation for speakers. Both proponents and opponents of the application are allowed to address the decision-making body. Members of the decision-making body may pose questions to the person offering testimony. At the close of testimony, Village staff may be asked to address any questions raised. Once each person on the sign-up sheet has testified, the public hearing will be closed.
 - **Board Questions and Applicant/Staff Clarification:** The Board will then ask questions of the Applicant or staff, some of which may be based on the information provided by the Public during the Public Testimony. The Chairperson or President may invite the Applicant and staff to clarify any issues or questions raised during the Public Testimony related to the Applicant's presentation. Once all testimony is heard, the public hearing will be closed.

CITIZEN INTERACTION:

- If you wish to offer testimony at the public hearing, you must fill out a sign-up slip. Please make sure to place this slip is given to the Clerk. This will assist in keeping an accurate public record of the identity of the speakers.
- Public hearings are not a dialogue or question and answer session between the members of the public and an applicant or Village staff. (see above)
- Your questions and comments are heard by the Staff and the Board/Commission. Responses to these questions will be addressed after the Public Hearing is closed.

Here is more information on the process.

- When you are recognized by the Chairperson or President, speak from the podium and directly into the microphone. Begin your remarks with your name and address. Do not speak from the audience.
- Share your questions and thoughts clearly.
- Please keep in mind that belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments will not be tolerated. We understand you may feel passionate about the docket item, yet respectful interaction is expected.
- No one is permitted to boo, cheer, clap, or otherwise make an audible response to any person's comments.

How do Public Comments work that are NOT a part of a Public Hearing?

- Public Comments option opens all Village Board, Committee and Commission meetings.
- This is an open time for anyone who lives in the Village to speak on a matter of interest to them.
- It is also the place and time to talk about an agenda item that is NOT a Public Hearing noticed item.
- The same expectations on sharing information are expected

Public Comments on Agenda items that are NOT noticed as Public Hearings.

To make the process more accessible to public engagement, the Village has established procedures for addressing agenda items outside the Noticed Public Hearings. The following steps will be taken:

- The President will call the Agenda item.
- Staff will provide a presentation on the matter.
- The Board President will invite public comment on the specific Agenda item.
- The public will follow the same format as a Public Hearing, including coming to the podium to speak.
- The President will close the public engagement.
- A Motion on the matter will be made and seconded.
- The Board/Commission members will ask questions and or debate the Agenda item among themselves and with staff.
- The President will call for a vote on the matter

CHICKEN COST BREAKDOWN

Name	Fee	Frequency	Department
Proof Of Registration with the WI Dept of Agriculture, Trade & Consumer Protection	\$ -	every 3 years	State
Annual Application	\$ 50.00	Annual	Clerk
New Application	\$ 100.00	Once	Clerk
Zoning (Coop Cost)	\$ 100.00	Once	Zoning
Engineering (Coop Cost)	\$ 33.00	Once	Engineering
Building (Coop Cost)	\$ 57.00	Once	Building
Neighborhood Planning (Coop Cost)	\$ 7.41	Once	NHP
			* 250 sq. ft. or greater will effect buidling and cost requirements.
	\$ 347.41	NEW TOTAL COST	
	\$ 50.00	RENEWAL TOTAL COST	