

COMMITTEE OF THE WHOLE MEETING AGENDA

Tuesday, November 25, 2025

Immediately following the Village Board Meeting, but not before 6:15 p.m.

Caledonia Village Hall - 5043 Chester Lane

Caledonia, WI 53402

1. **Meeting called to order**
2. **Roll Call**
3. **Approval of Minutes:** Committee of the Whole – November 11, 2025
4. **Public Comment** - Provides a two-minute opportunity for citizens to voice opinions to the Committee of the Whole. The Committee of the Whole cannot respond as this may conflict with open meeting requirements.
5. **Committee Updates**
 - A. Plan Commission – Nancy Pierce
 - B. Parks and Recreation Advisory Committee – Holly McManus
 - C. Caledonia Utility District Commission – Lee Wishau
 - D. Visit Racine County – Fran Martin
 - E. Other Committees – Tom Weatherston
6. **New Business**
 - A. Discussion on and review of Ordinance Sec. 2-3-11 Meeting Agendas
 - B. Discussion on Mt. Pleasant's "Dark Skies" Ordinance
 - C. Repeal and Replace Ordinance Sec. 12-1 Park Regulations and Repeal Sec. 12-2 East Side Community Center (*PRAC 11/11/25, 5-0*)
 - D. Creation of Ordinance Sec. 9-4-14 Point of Sale Certification and Maintenance and Repair of Sanitary Sewer Laterals
 - E. Suggested items to be placed on a future meeting agenda (*with no action*)
7. **Adjournment**

**Committee of the Whole Meeting
November 11, 2025**

1 - Order

President Weatherston called the Committee of the Whole meeting to order at 6:04 p.m. at the Caledonia Village Hall.

2 – Roll Call

PRESENT: 5 – President Weatherston, Trustee Lambrecht, Trustee Martin, Trustee Pierce, and Trustee McManus

EXCUSED: 2 – Trustee Stillman and Trustee Wishau

STAFF: Village Administrator Todd Willis, Village Attorney Elaine Ekes, Finance Director Wayne Krueger, Human Resources Manager Amanda Ardis, Public Works Director Anthony Bunkelman, Village Engineer Ryan Schmidt, Development Director Peter Wagner, Planner Natalia Nery de Farias, Police Chief Christopher Botsch, Fire Chief Walter Leininger, Deputy Clerk Brittany Kickland, and Village Clerk Jennifer Bass

3 – Approval of Minutes

A **motion** was made by Trustee Pierce to approve the October 28, 2025 Committee of the Whole meeting, seconded by Trustee Martin. **Motion carried 5-0.**

Corrected vote on Agenda Item 3 – Approval of Minutes from 7-0 to 6-0

4 – Public Comment

The following people appeared to speak before the Committee:
None

5 – Committee Updates

- A. Plan Commission – Nancy Pierce
- B. Parks and Recreation Advisory Committee – Holly McManus and Michael Lambrecht
- C. Caledonia Utility District Commission – Lee Wishau
- D. Visit Racine County – Fran Martin
- E. Other Committees – Tom Weatherston

6 – New Business

A. Discussion on “Committee Updates” Section of the Committee of the Whole Agenda – Intent and Content

Committee members discussed the purpose of the “Committee Updates” section of the agenda and staff answered their questions.

B. Policy on Public Comment Section on Meeting Agendas

Staff summarized the ordinances governing agendas and which Village bodies require a public comment section and which do not.

C. Discussion on Dark Skies Ordinances

Motion by Trustee Martin to direct staff to review the Mt. Pleasant, WI “dark skies” ordinance and draft a similar ordinance to present to the Committee of the Whole, seconded by Trustee Pierce.

Trustee Martin withdrew the motion, Trustee Pierce agreed.

Motion by Trustee Martin to direct staff to present the Mt. Pleasant, WI “dark skies” ordinance(s) and provide an analysis, seconded by Trustee McManus.

Motion carried 4-1. President Weatherston voted nay.

D. Suggested items to be placed on a future meeting agenda (*with no action*)

1. Discussion on and review of Ordinance Sec. 2-3-11(b) Agenda Preparation

7 – Continuing Business

- A. **Comprehensive Plan Stakeholder Exercise** – Committee of the Whole members will participate in a word-cloud exercise and a structured discussion of the Village’s strengths, weaknesses, opportunities, and threats (SWOT) serving as a key step in assessing current conditions and identify community priorities.

B. Discussion on a policy for non-disclosure agreements

Staff summarized the information presented in the agenda packet and provided and legal opinion on adopting such a policy.

8 – Adjournment

President Weatherston adjourned the meeting at 7:05 p.m.

Respectfully submitted:
Jennifer Bass
Village Clerk



Presiding vs. Deciding: Who Sets the Meeting Agenda?

Local governments function best when elected officials, staff, and community stakeholders work collaboratively rather than competitively. When local officials work together openly by sharing information, debating respectfully, and resolving disagreements constructively, it strengthens public confidence in government. Cooperation is key not just in decision-making, but in deciding what issues will be discussed in the first place. That collaborative process begins with setting the meeting agenda, the organizational tool that frames each meeting's purpose and priorities.

State law does not require agendas to be used, but most governing bodies use them. Agendas serve important practical purposes by providing a structure that facilitates efficient and effective use of meeting time. They are also the most common way governing bodies satisfy the open meetings law public notice requirements. This is probably the most important purpose an agenda serves. If a subject is not on the agenda (i.e., has not been publicly noticed), the body cannot discuss or act on it.

Given an agenda's importance, it's understandable that local officials often wonder who has the authority to decide what goes on the agenda. Is it the mayor or village president as presiding officer, or the full governing body? The statutes do not explicitly address this question since they don't contemplate agendas. However, the League's longstanding opinion is that authority to set a meeting agenda rests with the governing body.

The statutes designate mayors and village presidents as presiding officers of their respective bodies. Specifically, Wis. Stat. §§ 62.09(8)(b) says that "when present the mayor shall preside at the meetings of the council." Similarly, Wis. Stat. § 61.32 states that "the [village] president shall preside at meetings of the village board when present." *See also* Wis. Stat. § 61.24. Neither the statutes nor Wisconsin case law define what it means to be a presiding officer in this context. But, when looking at the statutory language, word choice matters. The Wisconsin Supreme Court has held that, in the absence of a statutory definition, statutory language is given its common, ordinary, and accepted meaning. *State ex rel. Kalal v. Circuit Court for Dane County*, 2004 WI 58. In other words, we look to the dictionary definition.

Merriam-Webster defines "preside" as "to exercise guidance, direction, or control" and "to occupy the place of authority:

act as president, chairman, or moderator." This definition describes a role that is centered around facilitating a meeting, not determining what the group will discuss in advance of the meeting. Coupled with the plain language of §§ 62.09(8)(b) and 61.34, it is reasonable to conclude that the statutory authority granted to mayors and village presidents to "preside" is a power that exists only during a meeting of the common council or village board. That authority is confined to the period during which the body is conducting its meeting and does not extend to pre-meeting activities such as agenda development.

A review of the presiding officers' duty to provide public notice under the open meetings law leads to a similar conclusion. The open meetings law requires a governmental body's chief presiding officer to provide a notice to the public that "set[s] forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof." Wis. Stat. § 19.84(2).

The plain language of the open meetings law suggests that it only vests a presiding officer with authority to describe an agenda, not establish one. Merriam Webster defines the phrase "set forth" as "to give an oral or written account of in some detail." Interpreting the phrase "set forth" as a directive to communicate the agenda, rather than unilaterally establish the agenda, is consistent with the context of Wis. Stat. § 19.84, which focuses exclusively on providing notice to the public in advance of meetings. This reading is also consistent with the legislative intent underlying the open meetings law. The legislature enacted the open meetings law to further the public's right to information about its government. Wis. Stat. § 19.81. The law is intended to make sure that the public knows what governmental bodies intend to discuss and does not require that a governmental body use an agenda. Thus, the open meetings law does not reflect any legislative intent to address who has the power to control the agenda of a city council or village board.

Robert's Rules of Order *Newly Revised* 12th ed. ("Robert's" or "RONR") supports this conclusion as well. Robert's describes a presiding officer as the individual who conducts the meeting and sees that the rules are observed. RONR 3:6. Many Wisconsin city and village governing bodies have adopted Robert's to guide their meetings. Robert's also provides two

methods for agenda development that demonstrate agenda control belongs to the body, not its presiding officer. The first method is to introduce a matter under the “New Business” portion of the standard order of business described in the rules. RONR 3:16. After unfinished business and general orders have been disposed of, members can then introduce new items of business for discussion. However, introducing a matter for discussion under a generic “New Business” agenda item would violate the open meetings law since the “New Business” designation, by itself, would not satisfy the law’s specificity requirements for providing public notice. Accordingly, although allowed under Robert’s, this method cannot be used.

Agenda items can also be developed under Robert’s using orders of business or orders of the day. An order of business is “any established sequence in which it may be prescribed that business shall be taken up at a session of a given assembly.” RONR 41:2. An order of the day “is an item of business that is scheduled to be taken up during a given session, day, or meeting, or at a given hour.” RONR 41:3. Orders of the day can be special orders or general orders. RONR 41:41. Notably, a special order motion requires a two-thirds vote in favor of adoption. *Id.* A general order motion is approved by a simple majority vote. RONR 41:42. However, like the first method, unless the agenda includes a subject heading indicating that the body will be considering motions for special or general orders, and the proposed orders are sufficiently identified in advance, this procedure also presents notice problems under the open meetings law due to lack of specificity. Nonetheless, these methods under Robert’s reinforce the concept of agenda setting authority resting with the governing body, rather than the presiding officer.

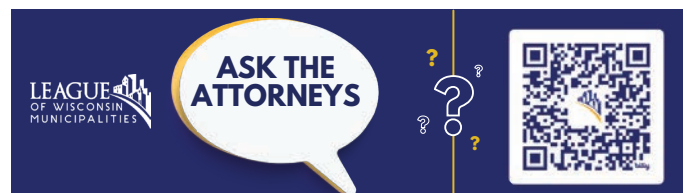
In short, neither Wisconsin law nor Robert’s provide a legal basis for a presiding officer to control the agenda. The responsibility remains with the governing body as a whole. Practically speaking, the default rule is each council or board member has authority to place an item on the agenda so long as the process they follow complies with the open meetings law. As discussed above, compliance with the open meetings law requires that all subjects to be discussed at a meeting must have been included in the public notice for that meeting – i.e., included on the agenda. Given this, governing bodies have a few different options for how to approach agenda setting without violating the law.

One common approach is for individual governing body members to submit agenda items to the presiding officer or their designee (often the clerk or administrator). The presiding officer coordinates preparing the agenda and includes items received on the agenda but does not exercise any decision-making authority over whether items received make it on the agenda. In other words, any lawful item that is timely submitted is placed on the agenda. Some municipalities follow a modified version of this process by passing an ordinance that requires two governing body members to support placing an item on the agenda. The underlying rationale of this requirement is that if two members agree it should be on the agenda, there will likely be a motion and a second to open that item for discussion during the meeting. Regardless of which approach a municipality uses, it is best practice to memorialize the process in the body’s bylaws or by resolution or ordinance.

Another option is to circulate a request document. The Wisconsin Department of Justice, in its Open Meetings Law Compliance Guide, has indicated that it does not violate the law if governing body members sign a document asking for a specific subject to be placed on an upcoming meeting agenda so long as there has been no substantive discussion or agreement to act in uniformity regarding the proposed subject.¹ However, it would violate the law if the members were to engage in any discussion or form some level of agreement regarding how the body should act on the proposed subject.

Finally, it is the League’s opinion that a governing body could choose to use a standing agenda entry to identify future agenda items. Some parameters must be followed to avoid violating the open meetings law, but done correctly, this process can resemble circulating a physical document for signatures – with arguably greater transparency to the public. Generally, a generic agenda item such as “New Business” or “Miscellaneous Business” is not specific enough to satisfy the public notice requirements. One might have similar concerns about a standing agenda item titled “Future Agenda Items.” However, the core problem with generic agenda items is a lack of specificity to put the public on notice of what will be discussed. The public cannot reasonably anticipate that “New Business” on the agenda might evolve into a discussion of building a new public works garage or a controversial street project. It’s the connection, or lack thereof, between the agenda item and resulting meeting discussion that is the problem. That problem is avoided with a generic agenda item that is used *solely* to place items on a future meeting agenda with

1. Wisconsin Department of Justice, Open Meetings Law Compliance Guide, March 2025, at p. 12.



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Maria Davis, League General Counsel,
League of Wisconsin Municipalities.
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PS Form 3526		Statement of Ownership, Management, and Circulation (All Periodicals Publications Except Register Publications)		
1. Publication Title WISCONSIN JOURNAL OF MATHEMATICS	2. Publication Number 0037-5467	3. Issue Frequency Quarterly	4. Issue Date September 2008	5. Filing Date October 2008
6. Complete Mailing Address of Known Office of Publication 1000 University Avenue Madison, WI 53706-0800		7. Complete Mailing Address of Headquarters or General Business Office of Publisher 1000 University Avenue Madison, WI 53706-0800		
8. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor				
Publisher: Name and complete mailing address Dr. William Stein 1000 University Avenue Madison, WI 53706-0800				
Editor: Name and complete mailing address Dr. William Stein 1000 University Avenue Madison, WI 53706-0800				
Managing Editor: Name and complete mailing address Dr. William Stein 1000 University Avenue Madison, WI 53706-0800				
9. Owner (If owned by a corporation, its name and address, together with the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, its name and address, together with the names and addresses of all individual owners. If the publication is published by a sole proprietor, give the name and address of the proprietor.)				
Full Name: William Stein Complete Mailing Address: 1000 University Avenue, Madison, WI 53706-0800				
10. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box ☒ None				
Full Name: Complete Mailing Address:				
11. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates.)				
a. Section 501(c)(3) organization ☒ b. Section 501(c)(29) organization ☐ c. Other nonprofit organization ☐ d. For-profit organization ☐				
12. Publication of Statement of Ownership				

Publication Title JOURNAL OF WISCONSIN MATHEMATICS/BIOMATHEMATICS		13. Issue Date for Circulation Data Below 09/2008	
14. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	
a. Total Number of Copies (Net press run)		9000	
b. Paid and/or Requested Circulation (Sum of 1 and 2)		8754	
1. Sales Through Dealers and Carriers, Street Vendors, and Counter Sales (Do not include sales through the mail) 2. Paid Distribution Outside the Mails, Including Sales Through the Internet and Other Electronic Means, Through Mail Boxes Etc., and Through Other Classes of Mail Through the United States Postal Service		865	
c. Total Paid Distribution (Sum of 1b, 2b, and 3b)		865	
d. Free or Nominal Rate (Include Free Copies, including those included on PS Form 3541)		0	
e. Total Free or Nominal Rate Distribution (Sum of 1d, 2d, and 3d)		0	
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4. Signature and Title of Editor, Publisher, Business Manager, or Owner	Title	Date
KAREN MONTGOMERY	Communications Specialist	08/06/05 11:52:02 AM

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CHAPTER 3

Village Board

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
2-3-1	Village Board; Elections to.	Charter 2006-001 Charter 2023-001	02-20-06 12-12-23
2-3-2	General Powers and Duties of the Village Board	2023-21	12-12-23
2-3-3	Village Board Compensation.	2024-14	10/08/24
2-3-4	Powers and Duties of Village Board President	2023-21	12-12-23
2-3-5	Internal Powers of the Board	2023-21	12-12-23
2-3-6	Meetings of the Village Board	2016-02 2023-21	01/18/16 12-12-23
2-3-7	Special Meetings of the Board	2016-02 2023-21	01/18/16 12-12-23
2-3-8	Open Meetings	2023-21	12-12-23
2-3-9	Quorum	2023-21	12-12-23
2-3-10	Presiding Officer	2023-21	12-12-23
2-3-11	Meeting Agendas	2023-21	12-12-23
2-3-12	Introduction of Business, Resolutions and Ordinances; Disposition of Communications	2019-17 2023-21	12/03/19 12-12-23
2-3-13	Rules of Procedure; Conduct of Deliberations	2023-21	12-12-23
2-3-14	Publication or Posting of Ordinances and Resolutions	2023-21	12-12-23
2-3-15	Committees of Village Board	2023-21	12-12-23
2-3-16	Repealed	2023-21	12-12-23
2-3-17	Repealed	2008-06 2016-02 2023-21	06/17/08 01/18/16 12-12-23
2-3-18	Repealed	2023-21	12-12-23
2-3-19	Repealed	2006-06 2019-08 2023-21	02-20-06 06/03/19 12-12-23

SEC. 2-3-1 VILLAGE BOARD; ELECTIONS TO.

- (a) **Election.** The Village Board of the Village of Caledonia shall consist of a President and six (6) Trustees. Each office shall have a term of two years. They shall include a President and Trustees numbered One through Six. The President and Trustees One, Three and Five shall be elected in the odd-numbered years. Trustees Two, Four and Six shall be elected in the even-numbered years. Notwithstanding any other provision of law to the contrary, no person

shall be eligible to be nominated, elected or to serve in more than one (1) of the numbered seats for the office of Trustee of the Village of Caledonia at the same time. Notwithstanding any other provision of law to the contrary, no person shall be eligible to serve in one (1) of the numbered seats and as President at the same time.

- (b) **Acting President.** The President may designate another Trustee to chair Village Board meetings in his absence or when they remove themselves temporarily from the chair for purposes of debate or the making or seconding of a motion. This Section does not require the President to remove himself from the chair in order to debate or make or second a motion.

SEC. 2-3-2 GENERAL POWERS AND DUTIES OF THE VILLAGE BOARD.

The Village Board shall have charge of all affairs of the Village not committed by law to another body or officer or to Village employee(s) and all powers of a Village as set forth in Wis. Stat. Chapter 61.

SEC. 2-3-3 VILLAGE BOARD COMPENSATION.

- (a) The salaries for Caledonia Village Trustees shall be \$8,600.00 per year paid bi-weekly commencing at the beginning of each Trustee's next term, respectively.
- (b) The salary for the Caledonia Village President shall be \$14,000.00 per year paid bi-weekly commencing at the beginning of the Village President's next term

SEC. 2-3-4 POWERS AND DUTIES OF VILLAGE BOARD PRESIDENT.

The President shall be, by virtue of the office a Trustee, and preside at all meetings of the Board. The President shall be counted for purposes of a quorum, shall have a vote as Trustee, and sign all ordinances, rules, bylaws, regulations, commissions, licenses and permits adopted or authorized by the Board and all orders drawn on the Treasury except as provided by Wis. Stat. § 66.0607.

Editor's Note: The offices of constable and marshal have been abolished already. State law reference: Wis. Stat. § 61.24.

SEC. 2-3-5 INTERNAL POWERS OF THE BOARD.

The Village Board has the power to preserve order at its meetings, compel attendance of Trustees and censure Trustees for nonattendance.

SEC. 2-3-6 MEETINGS OF THE VILLAGE BOARD.

Regular meetings of the Village Board shall be as scheduled and noticed by the Village Board. All meetings of the Board shall be held at the Village Hall of the Village of Caledonia unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least twenty-four (24) hours prior to the time specified for the meeting, except as may be

allowed under Wis. Stat. § 19.84 (3). The Clerk shall cause public notice to be posted in at least one (1) public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the Village no less than twenty-four (24) hours prior to the time specified for the meeting, except as may be allowed under Wis. Stat. § 19.84(3).

SEC. 2-3-7 SPECIAL MEETINGS OF THE BOARD.

Special meetings may be called by the President or by any two (2) Trustees. Unless authorized by the Village President, a request for a special meeting shall be made to the Village Clerk no less than forty-eight (48) hours prior to the specified time of the meeting. The Clerk shall immediately notify all Trustees of the time and place of the meeting and shall cause public notice to be posted in at least one (1) public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the Village no less than twenty-four (24) hours prior to the time specified for the meeting, except as may be allowed under Wis. Stat. § 19.84(3) (for an emergency meeting).

SEC. 2-3-8 OPEN MEETINGS.

All Village Board and Village Committee meetings shall be open to the public pursuant to law and be held in compliance with Wisconsin's Open Meeting Law under Ch. 19 of the Wisconsin Statutes.

State Law Reference: Wis. Stat. Ch. 19, Subch. V

SEC. 2-3-9 QUORUM.

Four (4) Trustees shall constitute a quorum, but a lesser number may adjourn if a majority is not present.

SEC. 2-3-10 PRESIDING OFFICER.

The President shall preside at all meetings of the Village Board when present. In the absence of the President, the Acting President shall preside. In their absence, the Village Board may select another Trustee to preside and, in such case, the Clerk shall call the meeting to order and preside until the Village Board selects a Trustee to preside.

SEC. 2-3-11 MEETING AGENDAS.

- (a) **Agenda Items.** At all meetings, the following items may be addressed in conducting the business of the Village Board:
- (1) Call to Order by presiding officer;
 - (2) Roll call;
 - (3) Minutes of prior meeting(s);
 - (4) Reading and correcting the financial report including accounts payables and credit card charges;

- (5) Citizen comments;
 - (6) Presentation of petitions and communications;
 - (7) Public hearings;
 - (8) Reports from officials of the Village;
 - (9) Reports from committees;
 - (10) Unfinished business remaining from preceding sessions in the order in which it was introduced;
 - (11) New business including ordinances and resolutions may be introduced and considered; new business as may be added and presented by the President, 2 or more Trustees, and/or the Village Administrator;
 - (12) Any other business permitted by law; and
 - (13) Adjournment.
- (b) **Agenda Preparation.**
- (1) The Village Administrator and Village Clerk shall prepare an agenda incorporating the agenda items under subsection 8 and establishing the order of business.
 - (2) There shall be included on said agenda a time for hearing citizens wishing to address the Board;
 - (3) Unless authorized by the Village President, no matter requiring research, investigation or decision shall be placed on the agenda of the Village Board unless a request to do so is made to the Village Administrator or Village Clerk at least forty-eight hours prior to the meeting.
- (c) **Posted Agenda Order to be Followed; Citizen Comments Length.** No business shall be taken up out of order on a posted agenda unless authorized by majority consent of all Trustees present. The President, or presiding officer, may allow citizens to address the Board at any agenda item and may impose a time limit on the length of time citizens may address the Board during citizen comments and at an agenda item.
- (d) **Attendance.** As soon as the Board meeting shall be called to order, the Clerk shall proceed to call the names of the members, noting who are present and who are absent, and whether such absence is excused, and record the same in the minutes of the Village Board. If it shall appear that there is not a quorum present, the fact shall be entered on the minutes and the Board shall adjourn.

SEC. 2-3-12 INTRODUCTION OF BUSINESS, RESOLUTIONS AND ORDINANCES; DISPOSITION OF COMMUNICATIONS.

- (a) **Ordinance Adoption Procedures.**
- (1) Ordinances to be in Writing. All ordinances submitted to the Village Board shall be in writing and shall include at the outset a brief statement of the subject matter and a title.
 - (2) Subject and Numbering of Ordinances. Each Ordinance shall be related to no more than one (1) subject. Amendment or repeal of Ordinances shall only be accomplished if the amending or repealing Ordinance contains the section number and title of the Ordinance to be amended or repealed, and title of amending and repealing Ordinances shall reflect their purpose to amend or repeal.
 - (3) Notice. The Village Board may take action on an Ordinance only if it appears on the written agenda for the meeting at which action is requested in order to provide proper legal notice.

- (4) Reading. An ordinance may, at the discretion of the Village Board, be acted upon at the same meeting it is introduced. An ordinance shall be read by title only before a final vote is taken, unless requested by a Trustee to be read in full.
- (5) Special Meetings. A reading of an ordinance may be had at any special Village Board meeting called for the purpose of considering such an ordinance or where such ordinance is added to the written agenda providing proper legal notice.
- (b) **Disposition of Petitions, Communication, Etc.** Every petition or other writing of any kind, addressed to the Board, Clerk or other Village officer for reference to the Village Board, shall be delivered by the Clerk or such other Village officer to the President or to the presiding officer of the Board as soon as convenient after receipt of same and, in any event, prior to or at the opening of the next meeting of the Board following the receipt of same.

SEC. 2-3-13 RULES OF PROCEDURE; CONDUCT OF DELIBERATIONS.

These rules of procedure shall apply in all respects to the Village Board and to the Committee of the Whole as follows:

- (a) **Roll Call Vote.** A roll call shall not be necessary on any questions or motions except as follows:
 - (1) When the ayes and noes are requested by any member.
 - (2) On confirmation and on the adoption of any measure assessing or levying taxes, appropriations or disbursing money, or creating any liability or charge against the Village or any fund thereof.
 - (3) When required by the Wisconsin Statutes.
- (b) **Record of Votes.** All aye and nay votes shall be recorded in the official minutes.
- (c) **Robert's Rules of Order.** Except as provided below and in this Section, the Village Board and Committee of the Whole shall, in all other respects, determine the rules of its procedure, which shall be governed by Robert's Rules of Order, which is hereby incorporated by reference, unless otherwise provided by Ordinance or Wisconsin Statute, except when otherwise limited or modified by this Code of Ordinances:
 - (1) No Trustee shall address the Board until they have been recognized by the presiding officer. They shall thereupon address themselves to the President and confine their remarks to the question under discussion and avoid all personalities.
 - (2) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
 - (3) No person other than a member shall address the Board except under order of business, except that citizens may address the Board with the permission of the presiding officer as to matters which are being considered by the Board at the time.
 - (4) No motion shall be discussed or acted upon unless and until it has been seconded. No motion shall be withdrawn without the consent of the person making the same and the person seconding it.
- (d) **Reconsideration.** Any member who voted in the majority as to an agenda item, may move for reconsideration of any vote in question on that agenda item at the same meeting or at the next succeeding regular adjourned meeting. A motion to reconsider being put and lost shall not be renewed.
- (e) **Call for the Previous Question.** Any member desirous of terminating the debate may call the previous question when the question announced by the President shall be "shall the main

question be put?" If a majority of the members present vote in the affirmative, the main question shall be put to a vote without further debate, and its effect shall be to put an end to all debate and bring the Board to a direct vote, first upon any pending amendment and then upon the main question.

- (f) **Suspension of Rules.** Any of the provisions of Subsections (a)-(e) above may be suspended temporarily by a majority vote of the Village Board members present at any meeting.

SEC. 2-3-14 PUBLICATION OR POSTING OF ORDINANCES AND RESOLUTIONS.

- (a) **General Requirement.** The Village Clerk shall publish as a Class 1 notice under Wis. Stat. Ch. 985, or post in at least one (1) public place in the Village likely to give notice to the public and persons affected and placed electronically on an Internet site maintained by the Village, the following, within one (1) week after passage or adoption, unless otherwise required by applicable Wisconsin Statute:
 - (1) Notice of newly created ordinances adopted by the Village Board that includes the information required under Wis. Stat. § 61.50 (3), if published; or if posted, the ordinance must be posted in its entirety.
 - (2) Resolutions if required by another applicable Wisconsin Statute.
- (b) **Exception for Municipal Obligations.** Nothing under Subsection (a) may be deemed to require notice under this Subsection of the passage of any resolution authorizing the issuance of municipal obligations, as defined under Wis. Stat. § 67.01.
- (c) **Requirement for Forfeitures.** If an Ordinance imposes a forfeiture, posting may not be used in lieu of publication under Subsection (a).
- (d) **Effective Upon Publication.** An Ordinance or resolution required to be published or posted under this Section shall take effect the day after its publication or posting, or at a later date if expressly provided in the Ordinance or resolution.
- (e) **Affidavit of Posting.** If an Ordinance or resolution, is published or posted under this Section, the Village Clerk shall sign an affidavit attesting that the item was published or posted as required by this Section and stating the date and place of posting. The affidavit shall be filed with other records under the jurisdiction of the Clerk.

State Law Reference: Wi's. Stat. Ch. 985

SEC. 2-3-15 COMMITTEES OF VILLAGE BOARD.

- (a) **Establishment.** The following committees may be activated by the Village Board from time-to-time:
 - (1) Finance;
 - (2) Legislative and Licensing;
 - (3) Personnel;
 - (4) Public Works; and
 - (5) Committee of the Whole.
- (b) **Committee Membership.**
 - (1) The Committee of the Whole shall be composed of all six Trustees and the Village President

- (2) If activated, the remaining standing committees (not the Committee of the Whole) of the Village Board shall consist of at least two (2) members.
 - (3) No trustee shall serve on more than two (2) standing committees (does not apply to Committee of the Whole).
- (c) **Committee Operations.** If activated, this subsection shall govern standing committees (except Committee of the Whole) as follows:
- (1) The President shall appoint members of the Village Board to the standing committees which shall consist of all of the members of the Village Board.
 - (2) Appointments shall be made annually following election of members to the Village Board. In addition, at their pleasure, from time-to-time the Village President may remove members and appoint other members to the committees.
 - (3) The President shall designate one of the members of a committee as Chairperson of the committee.
 - (4) The President shall be an ex officio, non-voting member of any committee of which he or she is not otherwise a member. However, the President shall be entitled to vote on all matters presented to the Board. The President, at the request of the committee chairperson, shall be considered in determining if a committee quorum is present only if his presence is needed to obtain a quorum and in which case, he shall be entitled to vote on said committee. In those instances, where the President is not needed to make a quorum, he may still vote to break a tie vote of committee members.
 - (5) If an appointed member of a committee is absent, the committee member may designate an alternate member of the Village Board to attend one or more committee meetings on his or her behalf so that the committee meeting can proceed as scheduled. In the absence of a designation of an alternate member, the Village President may act under subsection (4) above or may designate a member of the Village Board to act as an alternate for the appointed member for one or more meetings during an absence of the appointed member. Any alternates designated hereunder shall be counted for purposes of determining a quorum and shall have the same powers to vote on all matters that may come before the committee.
- (d) **Meetings.**
- (1) Meetings of committees shall be noticed, held and recorded (minutes) in accord with the Open Meetings of Governmental Bodies, Wis. Stat. § 19.83.
 - (2) The chairperson of the committee shall be responsible for setting the agenda for the committee meetings.
 - (3) A majority of the members of a committee shall constitute a quorum for purposes of a committee meeting. If after a meeting is called to order with a quorum being present, one or more members shall depart so that there shall be less than a quorum present, the remaining member or members shall constitute a quorum merely for the purpose of taking information. Such a lessor quorum shall not take any other action on any matters.
- (e) **General Duties and Powers.**
- (1) Each standing committee shall study, conduct investigations, and make recommendations and shall perform such other duties as the Village Board may from time-to-time direct relative to their areas of responsibility, and as set forth in the Village's Code of Ordinances.
 - (2) Each standing committee shall meet as necessary with officials of the appropriate departments, boards or commissions.

- (3) In the event of referral to more than one committee, action must be taken separately by each committee, although joint meetings may be held, and joint reports may be issued.
 - (4) Each standing committee may refer matters relating to their areas of responsibility to the Village Board.
 - (5) Each standing committee shall place an item on its agenda for citizens' comments and shall report to the Village Board such concerns as expressed by citizens. Each standing committee may refer the citizens' comments and inquiries to Village Staff for follow up.
- (f) **Reviewing Committee; Review of Applications and Appointments.**
- (1) All appointments, including reappointments to boards, commissions, or to committees, except the standing committees and the Plan Commission, shall be referred by the President of the Village Board to one or more appropriate standing committees for review and recommendation (the "Reviewing Committee" as used in this Section).
 - (2) The Reviewing Committee may take applications, references, and other information from applicants for any of the committee(s). The Reviewing Committee shall then investigate, study and interview prospective appointees and nominees and shall perform such other duties as the Village Board may from time-to-time direct relative to such reviews.
 - (3) Any interview of prospective appointees and nominees held by the Reviewing Committee will relate to the applicant's familiarity with the Village, their expertise and qualifications for service on the committee, board, commission, or position in question, their understanding of the rules of procedure and due process, and their philosophy with respect to any issue or concern which the committee, board, commission, or department in question will, in all likelihood, face or be subjected to.
 - (4) Said applications and interviews to boards, commissions, and committees, shall take place after the election in April of each year. The Reviewing Committee's recommendations for appointments shall be made prior to first Board meeting in May.
- (g) **Oversight Authority and Areas of Responsibility.** If activated, the committees shall perform such duties as follows and as are directed or provided from time-to-time by the Village Board:
- (1) **Finance Committee.** All matters relating to purchasing, finance, taxes, budgets, assessments, audits, insurance, and the sale, lease, purchase or disposition of any Village lands or buildings which are to come before the Village Board shall be referred to the Finance Committee.
 - (2) **Legislative and Licensing Committee.** All matters relating to the policies and rules of procedure of the Village Board, intergovernmental relations, intergovernmental communications, pending or proposed legislation and other governmental matters and all matters related to or affecting licenses and permits which are to come before the Village Board shall be referred to the Legislative and Licensing Committee. The committee shall also have the authority to review, hold public hearings and act upon licenses and permits as delegated by the Village Board or applicable ordinance.
 - (3) **Personnel Committee.** All matters relating to personnel matters arising out of Wisconsin Statutes Chapter 111, employment relations, employee classification, reclassification, labor contracts, collective bargaining, employee safety and working conditions, insurance related

to employee benefits and risk management which are to come before the Village Board shall be referred to the Personnel Committee.

- (4) **Public Works.** All matters relating to highways, streets, dams, parks, recreation, and the Department of Public Works and all matters relating to major repairs, remodeling, expansion, construction, demolition, purchase, sale or lease of all Village buildings and grounds which are to come before the Village Board shall be referred to the Public Works Committee.



Who we are

Thanks to more than 193,000 supporters, members, and advocates in more than 70 countries, we provide leadership, tools, and resources for individuals, policymakers, and industry, in order to reduce light pollution and promote responsible outdoor lighting that is beautiful, healthy, and functional.

Why should your municipality be concerned about light pollution?

1. Energy waste and carbon emissions

In an average year in the U.S. alone, outdoor lighting uses about 380 terawatt-hours of energy, mostly to illuminate streets and parking lots. That's enough energy to meet New York City's total electricity needs for two years!

DarkSky estimates that at least 30 percent of all outdoor lighting in the U.S. alone is wasted, mostly by lights that aren't shielded. That adds up to \$3.3 billion and the release of 21 million tons of carbon dioxide per year. To offset all that carbon dioxide, we'd have to plant 875 million trees annually.

Learn more about the effects of light pollution on [Energy and climate change](#).

2. Negative effects on wildlife

Numerous studies have shown that artificial light at night has numerous negative and deadly effects on many types of [wildlife](#), including birds, amphibians, insects, and mammals.

3. What about crime and safety?

There is no clear scientific evidence showing that increased outdoor lighting deters crime. While brighter lighting may make us feel safer, poor outdoor lighting can actually [reduce our personal safety](#). A [study conducted by the city of Chicago](#) found a correlation between increased crime and brightly lit alleyways. A [study prepared by the U.S. National Institute of Justice](#) concluded: "We can have very little confidence that improved lighting prevents crime."

In fact, glare from bright lights makes it difficult to see into shadowy areas, where people can hide. Some crimes, such as vandalism and graffiti, thrive on lighting.

Glare can also be dangerous to pedestrians and drivers. It shines into our eyes and diminishes our ability to see in low-light conditions.

A problem that has simple solutions

The good news is that your municipality can have it all — environmentally responsible lighting that helps keep citizens safe. When lighting is shielded, it's directed down on the ground where it's needed, which minimizes glare, light pollution, and carbon emissions and saves money. DarkSky



has adopted the [Five Principles for Responsible Outdoor Lighting](#) to give overall guidance on how to effectively reduce light pollution while simultaneously improving lighting quality and public safety.

Why outdoor lighting ordinances matter

[Outdoor lighting ordinances](#) or codes are a great tool for ensuring that municipalities implement good, safe outdoor lighting. A well-written ordinance, with proper lighting installed, will save the public money and increase safety.

In 2011, DarkSky, in collaboration with the Illuminating Engineering Society (IES), created the [Model Lighting Ordinance](#) (MLO) to make it easier for municipalities to adopt good lighting policies. Although the MLO is no longer being updated, it offers useful guidance for cities to consider when developing their own approach to lighting.

LEDs and outdoor lighting

Many municipalities are replacing older, conventional lighting systems with new, energy-efficient, light-emitting diodes (LEDs). However, energy efficiency is just one piece of the puzzle in improving outdoor lighting at night.

Cities like Tucson, Arizona, have successfully [upgraded their lighting systems](#) and achieved energy savings and reductions in light pollution. By following the [Five Principles for Responsible Outdoor Lighting](#), cities can select outdoor lighting that increases energy and cost savings, enhances safety and security, protects wildlife, and preserves the nighttime environment.

Five Lighting Principles for Responsible Outdoor Lighting



Responsible outdoor lighting is

1 Useful

Use light only if it is needed
All light should have a clear purpose. Consider how the use of light will impact the area, including wildlife and their habitats.



2 Targeted

Direct light so it falls only where it is needed
Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.



3 Low Level

Light should be no brighter than necessary
Use the lowest light level required. Be mindful of surface conditions, as some surfaces may reflect more light into the night sky than intended.



4 Controlled

Use light only when it is needed
Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.



5 Warm-colored

Use warmer color lights where possible
Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.



Rev. 08-2023



Creating Codes & Statutes

Establishing quality requirements for outdoor lighting is an effective way to protect local character, enhance visual safety, and mitigate the harmful effects of light pollution. DarkSky International has created templates for local and state/territorial laws that support responsible outdoor nighttime lighting. These templates are grounded in our [Five Principles of Responsible Outdoor Lighting at Night](#) and were written in collaboration with industry professionals, lighting designers, environmental ecologists, and city planners. The templates are free and are ready for you to utilize in developing codes and statutes that fit the needs of your communities.

DarkSky also offers a [review process](#) for drafts of codes and statutes to check if the provisions within our templates are met. This review is designed to help ensure that draft language meets our template objectives and maintains proper definitions and terms so that the proposed laws are enforceable. Additionally, we have introduced a certification program, [DarkSky Recognized Codes and Statutes](#), for policies that have been successfully adopted and enacted in cities, states, territories, and regions worldwide.

Explore our templates below and learn more about our review and recognition program.

Creating municipal law

City, county and other municipal forms of government possess an in-depth understanding of local character and have the ability to enact and enforce quality outdoor lighting requirements. Municipalities that enact local responsible outdoor lighting laws will benefit from better quality lighting and improved environmental conditions within and outside of their communities.

Step one: How to get involved

Step one towards creating local lighting codes is to investigate if your local municipality has already enacted an outdoor lighting ordinance or bylaw. This can usually be done quickly with a web search or phone call to the city/township administration office. If you live locally and don't know the answer, it's a good indication that either one does not exist, or the community does not actively promote one. If one does not exist, we recommend contacting your local elected official and engaging them in a conversation about adding outdoor lighting requirements to the code book that align with other nearby local towns or even regional destination cities admired for their DarkSky advocacy.

Step two: Getting prepared

Download the [DarkSky Municipal Ordinance Template and User Guide](#). If outdoor lighting requirements already exist for your municipality, compare them to the DarkSky template and identify areas that are different. The DarkSky template is a collection of best practices based on the [Five Principles for Responsible Outdoor Lighting](#) that are proven to be effective against light pollution. When ready, meet with other advocates and local stakeholders to build a broad **coalition**



of support for the proposed law. Work with these partners and municipality officials to fill in the optional choices that best fit the local community to finish your draft.

Step three: Take action

Submit your draft ordinance to a local elected official and ask if now is the appropriate time for a code update. Welcome and recommend professional lighting experts be consulted when needed and volunteer your time to help educate the community on responsible outdoor lighting.

Step four: DarkSky review and recognition

Submit your draft ordinance to DarkSky through our DarkSky Recognized Codes and Statutes program. For a modest fee, we will review the draft ordinance for compliance with the template objectives and ensure that definitions and terms are correct. After your code or ordinance has been adopted, you can apply to have it DarkSky Recognized, which results in having the municipality and its enacted law on the DarkSky website in recognition of it reaching this achievement. [Learn more about our review and application process.](#)

Additional information regarding the organization can be accessed on their website: darksky.org

§ 90-425.10. Purposes. [Added 6-9-2025 by Ord. No. 8-2025¹]

The outdoor lighting regulations of this article are primarily intended to advance the general purposes of this Zoning Ordinance and to:

- (a) Provide adequate light for safety and security;
- (b) Promote efficient and cost-effective lighting and to conserve energy;
- (c) Reduce light pollution, light trespass, glare and offensive light sources;
- (d) To help avoid unsafe and unpleasant conditions as the result of poorly designed or installed outdoor lighting; and
- (e) To discourage excessive lighting.

§ 90-425.20. Applicability. [Added 6-9-2025 by Ord. No. 8-2025]

- (a) These regulations apply to all outdoor lighting sources installed or replaced within the Village after the enactment date of this Division. This stipulation includes, but is not limited to, newly permitted development and construction projects involving homes, dwellings, roadways, public right-of-way, signage, billboards, buildings, facilities, properties, landscape, parking lots, hardscape, non-habitable structures, and monuments.
- (b) The Village shall consider existing outdoor lighting lawfully installed before the enactment date of this Division that does not meet these requirements, is legal and repairable, but is non-conforming. Property owners may continue to use and maintain all non-conforming luminaires until one of the following occurs:
 - (1) The Community Development Director determines that an outdoor light source constitutes a public safety hazard or a nuisance.
 - (2) When a property is re-zoned for a new land use, all outdoor lighting on the property shall meet these requirements before the new use commences.

§ 90-425.30. Exempted Lighting. [Added 6-9-2025 by Ord. No. 8-2025]

- (a) Lawful. Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the Village, including, but not limited to:
 - (1) Navigational lighting systems regulated by the Federal Aviation Administration and the US Coast Guard.
 - (2) Any contradictory building code or Department of Transportation illumination requirements.
 - (3) Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
- (b) Safety. Luminaires installed for the benefit of public safety, including, but not limited to:

1. Editor's Note: This ordinance also superseded Division 90-425, Outdoor Lighting, adopted 1-10-2022 by Ord. No. 32-2021.

- (1) Security Lighting as determined by the Community Development Director.
- (2) Temporary lighting used by authorized first responders during emergency procedures.
- (c) Historic. Luminaires replicating the period historical character and lighting effect that are protected by historical registration, or otherwise permitted by an authority having jurisdiction.
- (d) Permitted. Temporary and semi-permanent lighting approved by municipal permit for special events, festivals, and community benefits, provided the permitted lighting still meets light trespass requirements and does not add further disruption to ecological migration or habitat.
- (e) Seasonal. Seasonal Lighting used no more than 30 days before and after the subject holiday.

§ 90-425.35. Prohibited Lighting. [Added 6-9-2025 by Ord. No. 8-2025]

The following light fixtures and sources are prohibited:

- (a) Mercury vapor lamps;
- (b) Low-pressure sodium lamps;
- (c) Blinking, flashing, moving, revolving, flickering, changing intensity or color, and chase lighting;
- (d) Any light fixture that may be confused with or construed as a traffic control device or emergency vehicle lights;
- (e) Any upward-oriented lighting except as otherwise expressly allowed in this article;
- (f) Searchlights, beacons, and laser source light fixtures;
- (g) Exposed linear lamps that include, without limitation, neon, light-emitting diode (LED), and fluorescent lighting, primarily intended as an architectural highlight to attract attention or used as a means of identification or advertisement; and
- (h) Any lamp or bulb, except for seasonal displays and landscape ornamental lighting, visible beyond the property line of the lot on which it is located.

§ 90-425.40. General Outdoor Lighting Requirements. [Added 6-9-2025 by Ord. No. 8-2025]

- (a) Legal. All outdoor luminaires and luminaire installations shall comply with federal and state law, county and municipal codes, applicable energy and building codes, product safety labeling, and the requirements of this Zoning Ordinance and shall be subject to the appropriate permit and inspection requirements thereof.
- (b) Light Level. Unless otherwise specified in this Zoning Ordinance, lighting installed for an outdoor use shall not exceed 25% more than the light level recommended by the applicable ANSI/IES Lighting Standard, or a state-approved alternate, as published by the enactment date.

- (c) **Distribution.** Unless otherwise specified in this Zoning Ordinance, luminaires emitting more than 1,000 lumens shall be fully shielded and shall emit no more than 5% of their total Lumen output above 80° from nadir. Exceptions are:
- (1) Festoon string lighting where no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot.
 - (2) Permitted signs.
- (d) **Trespass.** Unless otherwise specified in this Zoning Ordinance, light trespass shall meet the following:
- (1) Luminaire light sources shall not be visible from federal- or state-designated wilderness, natural area, habitat, or reserves. Light trespass shall measure no greater than 0.1 lux.
 - (2) Light trespass onto waters of the United States shall measure no greater than one lux.
 - (3) Light trespass onto residential use property shall measure no greater than one lux.
- (e) **Curfew.** Non-essential outdoor lighting, including, but not limited to, landscape and decorative lighting elements, shall be extinguished during nighttime hours.
- (1) When applicable, outdoor lighting shall dim or be extinguished during nighttime hours as prescribed by an adopted energy code.
- (f) **Controls.** Luminaires activated by motion detection shall automatically turn off or return to their dimmed state no more than five minutes after activity is no longer detected.
- (g) **Spectrum.** Unless otherwise specified in this Zoning Ordinance, the maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3,000 K.
- (h) **Building-mounted lighting.** Property owners may only use building-mounted lighting to illuminate entrances to a building, such as doors or loading docks. They must locate building-mounted light fixtures within five feet of the entrance. No person may substitute building-mounted fixtures for vehicular use area lighting, outdoor storage and work area lighting, or pedestrian walkway lighting.
- (i) **Fixture height.** Freestanding lighting fixtures, including base, pole, and luminaire, may not exceed the following height limits.

Table 90-425-1: Maximum Fixture Heights

Location	Residential Uses (ft)	All Other Uses (ft)
Vehicular Use Areas	20	30
Outdoor Storage and Work Areas	20	35
All Other Areas	10	10

§ 90-425.50. Residential Use. [Added 6-9-2025 by Ord. No. 8-2025]

The following requirements are supplementary to § 90-425.40 General Outdoor Lighting Requirements, and shall further regulate outdoor lighting on residential use property:

- (a) Lighting for residential use, excluding roadway, parking, and public right-of-way, shall be exempt from the requirement in § 90-425.40(B), provided no single Luminaire exceeds 1,000 lumens and the total installed lumens per dwelling, prorated for multifamily, does not exceed the following:

Table 90-425-2: Per Dwelling Lumen Allowance Residential Uses		
Property Size		Maximum Lumens per Unit
(acre)	(sf)	
1.33	58,000+	5,200
1.00	43,000	4,600
0.75	32,000	4,100
0.50	21,000	3,500
0.33	14,000	2,800
0.25	10,800	2,400
0.20	8,700	2,000
0.13	5,400	1,500
0.05	2,100	850
0.03	<2,100	850

Example: A 10-unit building on a 1.0-acre lot equals 0.10 acres per unit. Therefore, the village allows each unit 850 lumens.

- (b) Light trespass leaving residential use property shall be no greater than one lux.

§ 90-425.60. Non-Residential Use. [Added 6-9-2025 by Ord. No. 8-2025]

The following requirements are supplementary to § 90-425.40 General Outdoor Lighting Requirements, and shall further regulate outdoor lighting on non-residential property:

- (a) Non-residential use lighting shall be exempt from the requirements of § 90-425.40(B), provided there is no Luminaire installed on the property capable of exceeding a total output greater than 3,000 lumens.
- (b) Light trespass leaving non-residential use property onto an adjacent public right-of-way shall be no greater than three lux when measured 20 feet past the property line.

§ 90-425.70. Sports Lighting. [Added 6-9-2025 by Ord. No. 8-2025]

Lighting for sports and recreational areas shall also meet the following requirements:

- (a) 85% of the lumens generated by sports lighting luminaires shall be confined to within 10 meters (33 feet) or a distance of one pole height, whichever is greater, of the playing field or the spectator track or bleacher area, whichever is greater.
- (b) Lighting installations for aerial sports are allowed a maximum of 8% of the total lumen output to be emitted above 80 degrees from nadir.
- (c) When the recommended sports field light level is higher than 100 lux, installed lighting shall not exceed 10% more than the light level recommended by the applicable ANSI/IES lighting standard, or a state-approved alternate, as published by the enactment date.
- (d) The maximum CCT for outdoor sports lighting should be the lowest possible for the sport, class of play, and viewing audience as defined by the relevant ANSI/IES lighting standard, or any state approved alternative, but never exceeding 5,700 K.
- (e) The maximum luminous intensity from any luminaire lighting a sports field shall not exceed 10,000 candelas (cd) as measured along a perimeter that is 46 meters (150 feet) from the edge of the field, at 1.5 meters (five feet) above grade.

§ 90-425.80. Illuminated Signage. [Added 6-9-2025 by Ord. No. 8-2025]

- (a) The following requirements are supplementary to the Municipal Sign Code requirements and the general outdoor lighting requirements to further regulate outdoor illuminated signage.
 - (1) On-premise signage larger than 20 square feet may only be illuminated while the associated business or activity is taking place, and must otherwise extinguish during nighttime hours.
 - (2) Illumination for off-premises signage (e.g., advertising billboard) is prohibited.
 - (3) The maximum luminous or illuminated surface area of an individual sign must not exceed 27.9 square meters (300 square feet).
 - (4) Static signage may be illuminated externally, internally, or backlit, provided the light source itself is not directly visible from the public right-of-way or adjacent property.
 - (5) External illumination of static signage shall be mounted above the sign and directed downward.
 - (6) The highest light level of any illuminated sign (as measured with an all-white display for electronic signs) shall not exceed three lux more than the ambient lighting conditions (defined here as not including non-essential, decorative, or other sign sources of light) as measured within 15° of perpendicular (both horizontal and vertical) from the distances in Table 90-425-3. Illuminated signs that cannot be measured using an illuminance meter shall not exceed a luminance of 100 nits (100 candelas per square meter, cd/m²).

Table 90-425-3: Illuminated Sign Measurement Distance

Area of Sign (sq. ft.) ¹	Measurement Distance (ft.)	Area of Sign (sq. ft.) ¹	Measurement Distance (ft.)
10	32	65	81
15	39	70	84
20	45	75	87
25	50	80	89
30	55	85	92
35	59	90	95
40	63	95	97
45	67	100	100
50	71	150	125
55	74	200	150
60	77	300	175

Note:

1

For signs with an area other than those specifically listed in this table, the measurement distance may be calculated with the following formula: Measurement Distance (ft) = square root of [Area of Sign (sq. ft.) x 100]

(b) Additional requirements for electronic signage are as follows:

- (1) Electronic signs shall have automatic dimming controls to properly adjust the sign luminance according to ambient conditions, including nighttime. Should an electronic problem prevent normal function, the sign shall default to night-mode or remain unlit.
- (2) Excluding trademark logos, electronic messages shall be positive-contrast (i.e., light-colored fonts and features on a dark background) and shall contain no more than 35% white area within the displayed image.
- (3) Unless otherwise allowed by law or specified within this Zoning Ordinance, electronic messages shall not change more often than every eight seconds. Video and motion effects are prohibited.

§ 90-425.90. Lighting Plans. [Added 6-9-2025 by Ord. No. 8-2025]

- (a) Outdoor lighting plans must be included with all required site plans, or if no site plan is required, with building permit applications, provided that lighting plans are required for

residential projects only when any single outdoor light fixture exceeds 2,050 lumens output, based on the manufacturer's specifications.

(b) Required information. Lighting plans must include the following information:

- (1) Plans indicating the location, type, intensity, and height of luminaires including both building- and ground-mounted fixtures;
- (2) A description of the luminaires, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;
- (3) Photometric data, such as that furnished by the manufacturer, showing the angle of light emission and the foot-candles on the ground; and
- (4) Additional information as may be required by the Zoning Administrator in order to determine compliance with this article.

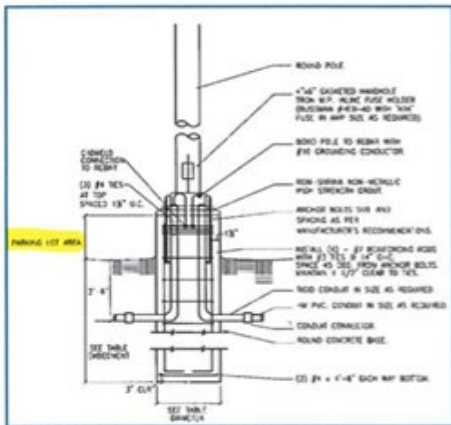
Caledonia Ordinance & Regulations

Title 16, Chapter 10, Section 4

- (a) **Exterior Lighting:** Any lighting source on a lot or parcel which is for the purpose of illuminating any structure exterior, sign, parking lot or outdoor area shall be established in a manner which satisfies the following conditions:
- (1) The maximum allowable light trespass shall be 0.5 horizontal footcandles four feet above ground. The point of measurement of this offending light shall be at the property line for residential, commercial, industrial, institutional or public use. The measurement shall not include any ambient natural light.
 - (2) Light sources shall be shielded or installed so that there is not a direct line of sight between the light source or its reflection and at a point five (5) feet or higher above the ground of adjacent property and public streets. The light source shall not be of such intensity so as to cause discomfort or annoyance

LIGHTING

Establishment of a lighting system that provides safe and secure travel along vehicular and pedestrian circulation routes is of the utmost importance. The following design standards shall be considered:



Examples of Lighting

1. All lighting, free standing or wall mounted, shall be down cast, cut-off. Freestanding fixtures shall have zero degree tilt.
2. Integrate lighting system with site systems and supply power by underground lines to reduce streetscape clutter.
3. All lighting on a parcel shall be located or shielded to avoid casting any direct rays to adjoining parcels. This is especially important when adjacent to residential uses.
4. Photometric plans must accompany a submittal. Photometric plans showing the foot-candle extent of exterior lighting should be no more than 0.5 foot candles at the property line unless Plan Commission finds that extenuating circumstances exist (Adjacent to right-of-way, cross-access exists, etc.).
5. A light pole support base may not exceed 6 inches in height and an individual light pole should be within a curbed landscaped area to avoid damage.
6. Lighting designs/types should be similar throughout the neighboring developments when possible.

TITLE 12

Parks and Recreation

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
Chapter 1	<i>Park Regulations</i>	2025-XX	12/9/2025
Chapter 3	<i>Bulkhead Lines</i>		
Chapter 4	<i>Cemeteries</i>	Ord. 2002-15 Ord. 2003-06	5/23/02 4/15/03

CHAPTER 1

Park Regulations

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
12-1-1	<i>Definitions</i>		
12-1-2	<i>Park Hours</i>		
12-1-3	<i>Conditions Permitting Dogs in Parks</i>		
12-1-4	<i>Park Property and Grounds</i>		
12-1-5	<i>Recreational Activities</i>		
12-1-6	<i>Reservations</i>		
12-1-7	<i>Park Use Agreements</i>		
12-1-8	<i>Gorney Park Pond</i>		
12-1-9	<i>Violations, Penalties, Enforcement</i>		

SEC. 12-1-1 DEFINITIONS

Committee – The Parks & Recreation Advisory Committee.

Park – Any park property, wildlife or nature preserve, playground or other area in the Village owned and utilized by the Village for recreation activities.

Board – The Caledonia Village Board of Trustees

Amenity – Any building, shelter, structure, play field, court, or facility designed for the use of passive or active recreation in a Village Owned Park.

Park Use Agreement – An agreement between the Village of Caledonia Board of Trustees and an athletic or recreational organization for use exclusive use of a Village Park or Park Amenity for a duration set forth in the approved documents.

Reservation – A permitted use of a Park Amenity.

SEC. 12-1-2 PARK HOURS

- a) Hours are 6am to 10pm at all Village Parks every day of the year unless otherwise posted for special events, specific activities, or sports with Park Use Agreements in place. It shall be unlawful to enter in or be upon any park or playground after the designated hour.
- b) The Board and Committee will have full authority to open and close any park, swimming area, recreational facility or other area because of season, condition, construction, or, when in the interest of public safety, it is deemed necessary.

SEC. 12-1-3 CONDITIONS PERMITTING DOGS IN PARKS

- a) **Dogs Permitted.** Dogs are permitted in Village Parks during Park Hours, subject to the following conditions:
 - 1) All dogs shall always be on a leash.
 - 2) All dogs shall be under the immediate physical control of an adult at all times.
 - 3) All dogs shall be licensed and must have an up-to-date rabies vaccination.
 - 4) All waste from a dog shall be immediately picked up and disposed of. Bags, scoops, or other appropriate implements for the removal of waste shall be carried by any person bringing a dog into a Village Park.
 - 5) Dogs are not permitted to be on any park playground structure, or any other locations as posted by order of Village of Caledonia.
 - 6) Dogs must not dig, chase, or harm wildlife, damage park property, or interfere with other park users.

SEC. 12-1-4 PARK PROPERTY & GROUNDS

- a) Buildings and Shelters
 - 1) **Damage.** No person shall intentionally mark, deface, disfigure, damage, displace, or remove any structures, equipment, facilities, amenities, or other park property, either real or personal from any Village Park.
 - 2) **Concessions and Restrooms.** All users of the concession and restroom facilities shall maintain them in neat and sanitary condition.
 - 3) **Erection of structures.** No person may construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands except on a special written permit issued hereunder.

- 4) **Fishing and Fish Cleaning.** Cleaning of fish in shelters, toilets facilities or picnic areas is prohibited in all Village Parks. Fishing is only authorized at Gorney Park Pond.

b) Grounds and Natural Resources

- 1) **Damage.** No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, or other property within any park. The use of metal detectors and digging for buried objects is also prohibited in Village Parks.
- 2) **Animals.** No person shall feed, kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall bring or harbor any horses or other animals in or upon any park or recreational area at any time except when required for activities or amusements authorized by the Committee.
- 3) **Pollution.** No person shall discharge or place any substance, which may result in the pollution of any natural or manmade body of water. This includes storm sewer systems, drainage channels, or any tributary stream or creek.
- 4) **Refuse.** No person shall scatter, litter, bring in, dump, deposit or place any waste, rubbish, garbage, refuse or other recyclable material such as glass, paper, or bottles in a Village Park or body of water in or contiguous to a Park. All refuse and recycling shall be placed in the proper receptacle provided by the Village. Where receptacles are not provided, the refuse or recycling material shall be hauled off-site and disposed of in an appropriate place.
- 5) **Weapons.** Except for duly appointed law enforcement officers or person(s) authorized by law, no person shall have in his possession or under his control or discharge any weapon, explosives, or dangerous weapon as defined under Sec. 11-2 of the Village Code of Ordinances.
- 6) **Advertising.** No person shall expose, offer for sale, or advertise an article, service, or thing in any Village Park unless authorized by the Committee and Board.
- 7) **Noise.** Public nuisances regarding noise shall follow Village Ordinance 11-2-8 for all offenses against public safety and peace.

c) Traffic & Parking

- 1) **Speed Limit.** No person shall operate any vehicle in a Village Park more than 15 mph unless otherwise posted.
- 2) **Reckless Driving.** No person shall operate a motor vehicle in a reckless manner in any Village Park.
- 3) **Parking.** No person shall park a motor vehicle in any Park in the Village outside of Park Hours unless otherwise designated or authorized. Parking is restricted to designated parking areas during Park hours. Traffic signs posted along Park roads indicating where parking is not authorized shall be followed unless designated otherwise for a special event.
- 4) **Authorized Vehicles.** Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No

motor vehicles of any nature may be used on the seeded areas or paths/trails except vehicles which have Village authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. Snowmobiles, minibikes, golf carts, and all other unlicensed vehicles are prohibited in Village parks and public recreational areas at all times.

SEC. 12-1-5 RECREATIONAL ACTIVITIES

- a) **Camping.** No person shall camp in the Parks at any time.
- b) **Games.** No games shall be played involving the throwing of stones, missiles, arrows, javelins, or model airplanes. Baseball, softball, football, basketball, soccer, pickleball, and other court sports or ball games are authorized on areas specifically designated for those activities.
- c) **Remote Controlled Toys and Drones.** Remote controlled aircraft, boats, and drones are not authorized anywhere in the Parks unless except for areas designated for such activity.
- d) **Ultralight Aircraft.** No person shall operate any paramotor, hang glider, or ultralight aircraft in any Park as defined by the Federal Aviation Administration, 14 C.F.R Sec 103.1, and Sec 114.195 of the Wisconsin State Statutes.
- e) **Horse Riding.** No person shall ride a horse or drive a horse-driven vehicle in any Park unless otherwise designated or authorization by the Committee and Board has been obtained.
- f) **Golfing.** No golfing or practicing golf is allowed in Village Parks.
- g) **Fireworks and Explosives.** No person shall possess, use, discharge, or explode any fireworks or explosive in any Park or recreational area. Fireworks are defined in Sec 167.10(1) of Wis. Stats.
- h) **Swimming.** No person shall swim, bathe, or wade in any waters or waterways in any Park except as otherwise provided and permitted by the Committee and Board.
- i) **Picnic Areas and Grilling.** No person shall picnic or grill out in a place other than those designated or authorized for such activities. These activities are typically designated to specific shelter and picnic areas to ensure comfort for all Park Users. The Village and/or Park Staff shall direct park users accordingly to achieve this. Areas designated for reservations shall acquire a permit from the Village.
- j) **Ice Skating.** No person shall go onto any ice of any waterway or storm water pond except areas designated for such activities.

SEC. 12-1-6 RESERVATIONS

- a) **Reservation of Park Shelters, Playing Fields, and Courts.**
 - 1) The Park Committee may recommend to the Village Board fees and conditions for the exclusive use of Village Parks and designate area for reservations. The areas may be updated, changed, or modified as approved by the Village Board.
 - 2) All people or organizations looking to reserve a space, shelter, or court in the Parks designated for such use shall apply and obtain a permit from the Village.
 - 3) Facilities and grounds designated for reservation will be posted online with fees listed according to the Fee Schedule approved and updated from time to time by the Village Board.
 - 4) Reservation Hours shall follow the Park hours unless further restricted at the individual shelter by the Committee and posted as such.

- b) **Application Standards.** A person seeking a permit to reserve a park shelter, court, or field may be reserved for the current calendar year only. Applications shall be in the form recommended and approved the Committee and Village Board and shall include the following:
- 1) Name and Address of the Applicant or Organization.
 - 2) Date and time for which the permit is desired.
 - 3) Location or facility for which the permit is desired.
 - 4) Estimated number of attendees for the reservation.
 - 5) The applicant on his/her behalf or on behalf of the group, firm, organization, or corporation must be at least 18 years old at the time of reservation and must be 21 if beer/wine is to be consumed.
 - 6) Any other pertinent information for Village Staff that would be deemed reasonably necessary and appropriate for determining the validity of issuing a permit. This includes the use of amplified music, tents, or other structures.
- c) **Permit Issuance Standards**
- 1) The proposed reservation and activity will not interfere with the general public's ability to use and enjoy the Parks.
 - 2) The proposed reservation and activity will not impact the public health, welfare and safety of users of the Parks.
 - 3) The proposed reservation and activity will not conflict with other activities at the time requested.
 - 4) The proposed reservation and activity will not incite violence, crime, disorderly conduct, or become a burdensome expense on police operations.
 - 5) The use of amplified music, tents, or other structures must be approved by the Village in writing and must not violate any Village Ordinance.
 - 6) All Park rules and regulations apply to the permittee and associated attendees.
- d) **Special Event Application.** Special Events as defined by 7-20-1 are subject to that section of code and shall apply through the Village Clerk's Office. Special Events shall include gatherings or activities that may interfere with the general public's use of the park and may be subject to review by the Parks and Recreation Advisory Committee.
- e) **Alcoholic Beverage Possession and Consumption**
- 1) Alcoholic beverage possession and consumption is prohibited in the Parks except for reserved shelters who have been issued a permit for such reservation.
 - 2) Sale of any alcoholic beverage is prohibited in the Parks unless a temporary class B license has been issued by the Village Clerk.
 - 3) Applicants who have received a permit to reserve a shelter or picnic area shall be 21 years or older to possess and/or consume alcohol and shall remain at the park with the permitted party for the entire time.
 - 4) Alcohol possession and consumption in areas designated and reserved with a permit shall be restricted to the hours of 10am to 10pm.

- f) **Liability & Indemnification.** Prior to granting any permit for exclusive use of a park or park space to a group, the Village may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the Village and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.
- g) **Cancellation of Reservation.** An applicant will not be issued a refund for any portion of the fees paid if the reservation is cancelled less than 14 days in advance of the reserved date. Cancellations 15 days or more from the rental date shall be refunded 75% the value of the reservation. No refunds will be made due to inclement weather.
- h) **Permit Revocation.** The Village Board, Committee, or Staff reserves the right to revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe, or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.
- i) **Variance.** The Committee and Board may grant a variance from the provisions of this ordinance for good and sufficient cause as determined by the Committee or Board based upon special circumstances of the particular case, but no variance shall be granted which is unjustly discriminatory in nature.

SEC. 12-1-7 PARK USE AGREEMENTS

- a) **Standards.** Applicants seeking to reserve a Park field(s) or court(s) for an extended duration will be required to enter into a Park Use Agreement which will govern the use of the Park by the User.
 - 1) Park Use Agreements shall be reviewed and approved by the Committee and approved by the Village Board via resolution.
 - 2) Applicant/User shall provide the necessary insurance requirements as listed in the Park Use Agreement.
 - 3) Applicant/User shall provide the necessary fees and deposits as provided in the Fee Schedule and/or set by Village Staff for the extended reservation, access, and maintenance of the facility and grounds.
 - 4) Applicant/User will be bound by all rules and regulations of this Ordinance in addition to the Park Use Agreement.
 - 5) Park Use Agreements can cover multiple leagues within one organization provided the Applicant/User submit that information to Village Staff with the request and is subject to the fee per league as provided in the Fee Schedule.

SEC. 12-1-8 GORNEY PARK POND

a) Definitions.

- 1) "Motorboat" means any boat equipped with propulsion machinery, whether the machinery is the principal source of propulsion.
- 2) "Nonmotorized" boat means a boat which is not a motorboat, but which is designed and constructed to be used as a boat for transportation of a person or persons on water; including, but not limited to, any canoe, sailboat, inflatable boat or similar device, rowboat, raft and dinghy, which is not a motorboat.

b) State Boating and Safety Laws Adopted. Sections 30.50 through 30.71 of the Wisconsin Statutes, and any amendments are adopted and incorporated by reference

c) Motorboat Prohibition. No person shall operate a motorboat on the waters of Gorney Park Pond; only nonmotorized boats shall be permitted on the pond.

d) Hours of Operation. No person shall operate a nonmotorized boat upon the waters of Gorney Park Pond outside the hours of 6:00 a.m. to 7:00 p.m., local time.

e) Swimming Prohibition. Swimming shall not be permitted at Gorney Park Pond.

f) Parking. Vehicles transporting boats shall only park in those spaces designated for boat users.

g) Posting Requirements. The Village shall place and maintain a copy of this section at all public access points to Gorney Park Pond.

h) Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SEC. 12-1-9 VIOLATIONS, PENALTIES, ENFORCEMENT

a) Officials. Village Staff, Committee, Board, and the Police Department shall diligently enforce the provisions of this chapter in connection with their duties imposed by law.

b) Penalties. Any person violating any provision of this section/chapter shall be subject to the penalties in 1-1-6 of the Village of Caledonia Code of Ordinances.

TITLE 12

Parks and Navigable Waters

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
Chapter 1	<i>Park Regulations</i>		
Chapter 2	<i>East Side Community Center</i>		
Chapter 3	<i>Bulkhead Lines</i>		
Chapter 4	<i>Cemeteries</i>	<i>Ord. 2002-15 Created</i>	<i>5/23/02</i>
		<i>Ord. 2003-06 Recreated</i>	<i>4/15/03</i>

CHAPTER 1

Park Regulations

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
12-1-1	Park Regulations	<i>2000-09 2014-07</i>	<i>04/03/00 06/02/14</i>
12-1-2	Radio-Controlled Model Airplanes or Toys Prohibited in Parks		
12-1-3	Turf Protection on Public Property		
12-1-4	Park Hours	<i>2000-09</i>	<i>04/03/00</i>
12-1-5	Ultralight Aircraft Regulated		
12-1-6	Reservation of Park Space	<i>2000-09 2017-16</i>	<i>04/03/00 10/02/17</i>
12-1-7	Regulations for Racine County Parks and Recreation Areas	<i>2014-08</i>	<i>06/02/14</i>
12-1-8	Gorney Park Pond		
12-1-9	Conditions Permitting Dogs in Parks.	<i>2023-15</i>	<i>10/10/23</i>

SEC. 12-1-1 PARK REGULATIONS.

- (a) **Purpose and Definition.** Purpose and Definition. In order to protect the parks, parkways, recreational facilities and conservancy areas within the Village of Caledonia from injury, damage or desecration, these regulations are enacted. The term "park" as hereinafter used in this Chapter shall include all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility or conservancy district in the Village.
- (b) **Specific Regulations.**

- (1) Damaging Property. Damaging Property. No person shall intentionally mark, deface, disfigure, damage, displace, or remove any structures, equipment, facilities, or other park property, either real or personal, including trees, shrubbery, and landscaping.
- (2) Littering. No person shall scatter, litter, throw, dispose of, or leave any garbage, rubbish, bottles, cans, trash, earth, debris, or other waste materials in any waters in or contiguous to any park or recreational area of anywhere on the grounds thereof, except only in receptacles provided for such purpose by the Caledonia Park Commission.
- (3) Animals. No person shall bring or harbor any dogs, horses, or other animals in or upon any park or recreational area at any time except when required for activities or amusements authorized by the Caledonia Park Commission.
- (4) Bill Posting. No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the Park Commission.
- (5) Throwing Stones and Missiles Prohibited. No person shall throw stones or other missiles in or into any park.
- (6) Removal of Park Equipment Prohibited. No person shall remove benches, seats, tables or other park equipment from any park.
- (7) Trapping. No person shall trap in any park unless specific written authority is first obtained from the Park Commission.
- (8) Making of Fires. No person shall start, tend or maintain a fire except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted provided lawns and vegetation are not endangered and if ashes are properly disposed of. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.
- (9) Protection of Park Property. No person shall kill, injure or disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this Chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament building, structure, apparatus, bench, table, official notice, sign or other property within any park.
- (10) Motorized Vehicles. Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas except vehicles which have Village authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. Snowmobiles, minibikes, gocarts, and all other unlicensed vehicles are prohibited in Village parks and public recreational areas at all times. All motorized vehicles are limited to use of roadways specifically for their use and according to other restrictions in this Code.
- (11) Snowmobiles. No person shall operate a snowmobile in a Village park except in

- designated areas.
- (12) Speed Limit. No person shall operate any vehicle in a Village park in excess of 15 m.p.h., unless otherwise posted.
 - (13) Glass. No person shall break, throw, or leave any glass in or upon any park or recreational area, except only in receptacles provided for such purpose by the Caledonia Park Commission.
 - (14) Reckless Driving in Parks Prohibited. No person shall operate a motor vehicle in a reckless manner in any of the public parks of the Village.
 - (15) Parking in Parks. No person shall park any motor vehicle in any park in the Village except in a designated parking area.
 - (16) Horse and Carriages. No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designated bridle paths, except when approval of the Park Commission is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped. No horse shall be ridden in a reckless manner. Pedestrians shall have the right-of-way when crossing a bridle path, and whenever groups of people are visible within three hundred (300) feet horses shall be ridden at slow gait.
 - (17) Removing Tree Protectors. No person shall remove any device for the protection of trees or shrubs.
 - (18) Golfing and Sporting Activities. No golfing or practicing golf in Village parks or recreation areas shall be allowed except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.
 - (19) Arrows. No person shall use or shoot any bow and arrow in any Village park, except in authorized areas.
 - (20) Weapons. Except for duly appointed law enforcement officers or person(s) authorized by law, no person shall have in his possession or under his control or discharge any Weapon as defined under Sec. 11-2-1(a) of this Code of Ordinances, any Dangerous Weapon as defined under Sec. 11-2-2(a)(3) of this Code of Ordinances, prohibited weapons under Sec. 11-2-2(b), or explosives of any kind while in or upon any park or recreational area.
 - (21) Fish Cleaning. Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all Village parks.
 - (22) Controlled Substances. Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all Village parks.
 - (23) Camping. Overnight camping is not permitted in any Village park.
 - (24) Utility Installation and Construction. Any private construction which may in any manner encroach upon or affect the parks and parkways shall be under the direction and jurisdiction of Park Commission and no such installation, repair or construction shall commence without the written permission therefor from the Park Commission. All public works, including construction and installation of power lines, hydrants, sewers and the like shall be commenced only after notice to the Village of the utility's intention so to do. Where practicable, such construction and installation

shall be performed pursuant to recommendations by the Park Commission.

- (25) Fireworks. No person shall use, discharge, or explode in, or bring any fireworks upon any Park or recreational area. For purposes of this Section, the term "fireworks" shall include all material and devices enumerated under Sec. 167.10(1), Wis. Stats., but shall not include paper caps manufactured in accordance with United States Interstate Commerce Commission Regulations for packing and shipping. This Section shall not prohibit pyrotechnic displays authorized by a permit issued by the Chairman of the Village of Caledonia in accordance with the provisions of the Wisconsin Statutes and Village Ordinances.
- (26) Prohibited Areas. No person shall enter any building or part thereof or any area in or upon any park or recreational area which is locked or in disregard of posted: signs or notices of the Caledonia Park Commission forbidding the same.
- (27) Sale of Merchandise. No person shall sell or vend in any park or recreational area any article or merchandise without the written consent of the Caledonia Park Commission.
- (28) Games. No person shall play softball, baseball, football, or any other ball games or horseshoes, except at locations specifically designated for such purpose by the Caledonia Park Commission.

SEC. 12-1-2 RADIO-CONTROLLED MODEL AIRPLANES OR TOYS PROHIBITED IN PARKS.

No person shall fly a radio-controlled model airplane, helicopter, or other toy in any park in the Town of Caledonia, except in areas specifically designated and posed for such purpose.

SEC. 12-1-3 TURF PROTECTION ON PUBLIC PROPERTY.

Except as authorized by the Park Commission, no person shall dig into the turf of any Town-owned property for any purposes whatsoever or remove my trees or flowers. Absent authorization by the Park Commission, the use of metal detectors and digging for buried objects on Town property, except beaches where no vegetation is present, is prohibited.

SEC. 12-1-4 PARK HOURS.

- (a) **Park Hours**. Except for authorized events and subject to certain exceptions listed below, all Town parks shall be closed from sunset to sunrise the following day, and it shall be unlawful to enter in or be upon any park or playground after the hour designated.
- (b) **Exceptions to Closing Hours**. A person driving through a park on a public road may do so after closing hours, but may not stop or park within such park. The Caledonia Park Commission may modify closing hours for particular events in accordance with Section 12-1-6.

- (c) **Park Closing and Opening Dates.** The Town Board will have full authority to open and close any park, swimming area, recreational facility or area because of season, condition, construction or when, in the interest of public safety, it is deemed necessary.

SEC. 12-1-5 ULTRALIGHT AIRCRAFT REGULATED.

- (a) **Definition.** An ultralight aircraft, vehicle or hang glider is an unpowered or powered aircraft which is not subject to extensive regulation by the Federal Aviation Administration by virtue of its characteristics and which is defined as an ultralight vehicle by 14 C.F.R. Sec. 103.1 and which is defined as an ultralight aircraft by Sec. 114.195, Wis. Stats.
- (b) **Regulations Regarding Use.**
 - (1) No person shall operate any ultralight aircraft within the Town in such a manner or in such a location as to endanger or injure any person or property. No person shall operate an ultralight aircraft in the Town in violation of any applicable state and federal regulations and standards. No person shall cause an ultralight aircraft to land or to take off from any property without permission of the owner or occupant of said property, provided that an emergency landing may be made to prevent a catastrophe. In the case of landing or taking off from a Town public park or other Town property, the operator of such ultralight aircraft shall first obtain a permit from the Town Board. No fee shall be charged by the Town Board for such permit which may be issued for a period up to thirty (30) days nor shall the Town Board sponsor such activity.
 - (2) Any person desiring to land or to take off from any property owned by the Town of Caledonia, shall, prior to receiving a permit, procure evidence of insurance providing for not less than Five Hundred Thousand Dollars (\$500,000.00) of coverage for each occurrence for damage to property or personal injury. Evidence of such insurance shall include a certificate of insurance naming the Town of Caledonia as an additional insured and said certificate shall be filed with the Town Clerk at the time the applicant seeks a permit.

SEC. 12-1-6 RESERVATION OF PARK SPACE

- (a) **Policy on Reservation.** The intent of this Section is to regulate exclusive use of Town-owned parks and park space.
- (b) **Definitions.** In this Section:
 - (1) “Applicant” means an individual, group, firm, organization, partnership or corporation.
 - (2) “Large group” means a gathering of 20 or more people, whose use of the park does interfere with the general public's use of the park at the same time as determined by the Parks and Recreation Department and/or the Caledonia Park Commission.
 - (3) “Medium group” means a gathering of 20 or more people whose use of the park does not interfere with the general public’s use of the park at the same time as determined by the Parks and Recreation Department and/or the Caledonia Park Commission.
 - (4) “Park” means the entire usable space that is owned by the Town and open to the public for use.

- (5) “Park space” means any facility, field, court, gazebo, or shelter area that is owned by the Town and open to the public for use.
- (6) “Small group” means a gathering of fewer than 20 people.
- (c) **Reservation of Parks and Park Space.**
 - (1) The Parks and Recreation Department (“the Department”), shall accept applications for the exclusive use of park and park space, and may issue permits for the exclusive use of park space.
 - (2) The Caledonia Park Commission (“the Commission”), may issue permits, set fees, and impose conditions for the exclusive use of a Town park. The Commission shall adopt criteria for use in carrying out these responsibilities
 - (3) Park and park space are reserved on a first requested, first reserved basis.
 - (4) Areas for reservation. The extent of park and park space available for reservation shall be established by resolution of the Commission and updated from time to time.
- (d) **Fees and Application Procedure.**
 - (1) Filing of Application.
 - a. Small Groups. An applicant for a small group shall submit to the Department a completed rental or use application in order to receive a permit. No rental or use fee shall be applied.
 - b. Medium Groups. An applicant for a medium group shall submit a completed rental or use application and pay a rental or use fee as shall be established by the Commission from time to time.
 - c. Large Groups.
 - 1. An applicant for a large group shall submit a completed rental or use application which shall be forwarded to the Commission for approval. The Commission may issue a permit and set fees and conditions for use of a park. Fees shall be based upon the special circumstances related to the use and shall consider the size of the group, length of the rental, facilities to be used, and any other factor deemed relevant by the Commission.
 - 2. Each applicant shall apply at least 90 days prior to the proposed reservation date(s).
 - 3. The Commission may approve or deny without cause or impose a late fee, as determined by the Commission on a case-by-case basis, on any application received less than 90 days prior to the proposed reservation date(s).
 - (2) Reservation of Park or Park Space. Park or park space may be reserved for the current calendar year only, except that weddings and/or wedding parties may make reservations for the current calendar year and the following calendar year.
 - (3) Form. Each application shall be in a form prescribed by the Commission and be used as the rental or use permit. The application shall designate park or park space requested for use, period of use, purpose of event, and the name of the applicant and/or sponsoring groups to which the permit is issued. The rental or use application shall provide a space for approval of use and a signature of the approving representative of the Department or Commission.

- (4) A beer or wine permit may be purchased at the time the application is submitted to the Department or approved by the Commission as established by section 12-1-6(e).
- (5) Approval.
 - a. Small or medium groups may receive approval for a reservation, along with any conditions of approval, from the Department.
 - b. Large groups may receive approval for a reservation along with any conditions of approval, from the Commission.
- (6) Reasons for Denial. Applicants may be denied a permit for any of the following reasons (without limitation):
 - a. If it is for a use which would involve a violation of Federal or State law or any provision of this code.
 - b. If the granting of the permit would conflict with another permit already granted or for which an application is already pending.
 - c. If law enforcement requirements for the use will require so large a number of persons as to prevent adequate law enforcement to the event or the rest of the Town.
 - d. The use will reasonably create a substantial risk of injury to persons or damage to property.
 - e. If the application does not contain the information required.
- (7) Cancellation of Reservation.
 - a. Cancellation by the Applicant.
 - 1. Small or Medium Group. An applicant shall be refunded 75% of fees paid for a reservation cancelled more than 14 days in advance of the reserved date, if payment was required. An applicant shall not be refunded any portion of the fees paid for a reservation cancelled 14 days or less than 14 days in advance of the reserved date.
 - 2. Large Groups.
 - a. An applicant shall be refunded 75% of fees paid for a reservation cancelled more than 90 days in advance of the reserved date.
 - b. An applicant shall be refunded 40% of fees paid for a reservation cancelled between and including 90 days and 40 days in advance of the reserved date.
 - c. An application shall not be refunded any portion of the fees paid for a reservation cancelled less than 40 days in advance of the reserved date.
 - 3. In the event inclement weather, no refunds shall be made.
 - b. Limiting of Usage by the Department. The Department reserves the right to limit usage of park and park space due to weather, field/court conditions, maintenance needs, or other reasons deemed appropriate by the Department.
 - c. Cancellation by the Town. The Town reserves the right to cancel any reservation and refund all fees paid. The rental and use application form or the rules/regulation for park shelter rental or use shall state that in the cancellation required by the Town, the applicant shall hold the Town harmless from any liability for losses, damages, or additional costs incurred by the applicant resulting from said cancellation.

- (8) **Town Activity.** A permit is not required for exclusive use of a park or park space for an activity sponsored by the Town including its departments, committees, commissions and boards. However, the Town shall submit a completed rental or use application so that conflicts can be avoided. No application fee shall be required.
- (e) **Beer or Wine Permit.** Beer and wine is not permitted in any park or park space without a permit issued by the Village Clerk. It is understood that the applicant is acquiring said permit for consumption of beer or wine by applicants and guests of legal drinking age, not for selling of beer or wine, which requires a separate license from the Village. Copies of said permit shall be forwarded by the Village Clerk to the Caledonia Police Department. The beer or wine permit fee shall be \$10.00. This permit shall be present at the site of the event for law enforcement and the Clerk's office to check and monitor.
- (f) **Indemnification.** Prior to granting any permit for exclusive use of a park or park space to a group, the Town may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Town and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the Town and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.
- (g) **Miscellaneous Condition of Use.**
- (1) An individual renting or reserving a park or a park space on his/her own behalf or on the behalf of a group, firm, organization, partnership, or corporation must be 18 years old at the time of the reservation or rental, except if beer/wine is to be consumed the age requirement shall be 21 years.
 - (2) All reservation times include set-up, decorating, tear down, and clean-up time.
 - (3) Hours of use shall be from sunrise to sunset unless written permission is received to remain after closing time from the Commission.
 - (4) The use of amplified music, tents, or other similar structures must be approved by the Department in writing, and must not violate any Town or County ordinances.
 - (5) Live animals, exhibits, rides, dunk tanks, and any use of motorized equipment for carnival games, rides, and activities are prohibited.
 - (6) The Department is authorized to provide full or partial refund of fees to an applicant in instances where the park area was insufficiently maintained or prepared such that the applicant did not receive full or fair use of the park area. Any such refund shall be reported to the Commission at its next meeting.
- (h) **Variance.** The Commission may grant a variance from the provisions of this ordinance for good and sufficient cause as determined by the Commission, based upon the special circumstances of the particular case, but no variance shall be granted which is unjustly discriminatory in nature.
- (i) **Permit Revocation.** The Town reserves the right to revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe, or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.

SEC. 12-1-7 REGULATIONS FOR RACINE COUNTY PARKS AND RECREATION AREA.

It shall be unlawful for any person, firm, or corporation to do any of the following within or upon any Racine County Park or recreational area within the Village of Caledonia:

- (a) Destroy, deface, mutilate, or cause physical damage to any real or personal property, including trees, shrubbery, and landscaping located in or upon any Racine County Park or recreational area.
- (b) Except for duly appointed law enforcement officers or person(s) authorized by law, have in his possession or under his control any Weapon as defined under Sec. 11-2-1(a) of this Code of Ordinances, any Dangerous Weapon as defined under Sec. 11-2-2(a)(3) of this Code of Ordinances, prohibited weapons under Sec. 11-2-2(b), explosives or fireworks of any kind or discharge any of the same. No person shall use or shoot any bow and arrow or crossbow, except in authorized areas.
- (c) Operate any sound track, loud speaker, motor, or any other mechanical device that produces undue or unnecessary noises.
- (d) Be intoxicated or engaged in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene, or otherwise disorderly conduct, tending to create a breach of the peace, or to disturb or annoy others.
- (e) Bring or consume any intoxicating liquor or fermented malt beverages.
- (f) Hold or take part in any musical, theatrical, or other entertainment, or any parade, procession, or public meeting or gathering of any kind, or make any political or religious address, oration, harangue, or demonstration of any kind without permit from the Racine County Highway and Parks Committee.
- (g) Peddle or distribute any hand bills or other advertising matter or post unauthorized signs on any lands, structures, or property, or solicit, transact, or conduct any business of any nature without having first obtained written consent of the Racine County Highway and Parks Committee.
- (h) Suffer or permit his dog to be in or upon any Racine County Park or Recreational at any time.
- (i)
 - (1) Build or maintain any fire, except at areas designated for cooking and for fires.
 - (2) Leave any fire unattended, or throw away any matches, cigarettes, cigars, or pipe ashes, without first extinguishing them, at any time.
- (j) Discard or leave any refuse or sewage, including garbage, rubbish, bottles, tin cans, glass, debris, or any other waste material on the ground or in any building or in any installation, or throw the same into the water of any lake or stream or other body of water, but will dispose of the same in designated containers.
- (k)
 - (1) Drive or ride any bicycle, motorcycle, motor vehicle, or a horse, except in the regular drives designated therefor.
 - (2) Operate any vehicle at a speed in excess of fifteen (15) miles per hour unless different limits are indicated by official traffic signs.
- (l) Park, stop, or leave standing, whether attended or unattended, any vehicle:
 - (1) In any manner as to block, obstruct, or limit the use of any road or trail; or
 - (2) Outside of any area provided for such purposes of parking; or
 - (3) Contrary to posted notices.

- (m) Enter in any way any building, installation, or area that may be locked or closed to public use or contrary to posted notice.
- (n) Pick, remove, damage, or kill any flowers growing within the park or recreational area.
- (o) Use any facilities, land, or area for which a fee has been established without payment of such fee or charge.
- (p) Take, catch, kill, hunt, trap, pursue, or otherwise disturb any wild animals or birds.

SEC. 12-1-8 GORNEY PARK POND.

- (a) **State Boating and Safety Laws Adopted.** Sections 30.50 through 30.71 of the Wisconsin Statutes, and any amendments are adopted and incorporated by reference.
- (b) **Definitions.**
 - (1) "Motorboat" means any boat equipped with propulsion machinery, whether or not the machinery is the principal source of propulsion.
 - (2) "Nonmotorized" boat means a boat which is not a motorboat but which is designed and constructed to be used as a boat for transportation of a person or persons on water; including, but not limited to, any canoe, sailboat, inflatable boat or similar device, rowboat, raft and dinghy, which is not a motorboat.
- (c) **Motorboat Prohibition.** No person shall operate a motorboat on the waters of Gorney Park Pond; only nonmotorized boats shall be permitted on the pond.
- (d) **Hours of Operation.** No person shall operate a nonmotorized boat upon the waters of Gorney Park Pond outside the hours of 6:00 a.m. to 7:00 p.m., local time.
- (e) **Swimming Prohibition.** Swimming shall not be permitted at Gorney Park Pond.
- (f) **Parking.** Vehicles transporting boats shall only park in those spaces designated for boat users.
- (g) **Posting Requirements.** The Town shall place and maintain a copy of this section at all public access points to Gorney Park Pond.
- (h) **Severability.** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.
- (i) **Penalties.** Any person violating any provision of this section shall be subject to the penalties in 1-1-6 of the Town of Caledonia Code of Ordinances.

SEC. 12-1-9 CONDITIONS PERMITTING DOGS IN PARKS.

- (a) **Dogs Permitted.** Dogs are permitted in Village Parks during when Village Parks are open to the public, subject to the following conditions:
 - (1) All dogs shall be on a leash at all times.
 - (2) All dogs shall be under the immediate physical control of a person at all times.
 - (3) All dogs shall be licensed and must have an up-to-date rabies vaccination.

- (4) All waste from a dog shall be immediately picked up and disposed of. Bags, scoops, or other appropriate implements for the removal of waste shall be carried by any person bringing a dog into a Village Park.
 - (5) Dogs are not permitted to be on any park playground structure, or any other locations as posted by order of Village of Caledonia.
 - (6) Dogs must not dig, chase, or harm wildlife, damage park property, or interfere with other park users.
- (b) Penalties. Any person violating any provision of this section shall be subject to the penalties in 1-1-6 of the Village of Caledonia Code of Ordinances."

CHAPTER 2

East Side Community Center

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
12-2-1	Declaration of Policy	2005-11	08/02/05
12-2-2	Definitions	2005-11	08/02/05
12-2-3	Center Fees	2005-11	08/02/05
12-2-4	Use Application Procedure	2001-05	2/19/01
		2005-11	08/02/05
12-2-5	Miscellaneous Conditions of Use	2001-05	2/19/01
		2005-11	08/02/05
12-2-6	Center Administrator of	2005-11	08/02/05
12-2-7	Variance	2005-11	08/02/05

SEC. 12-2-1 DECLARATION OF POLICY.

- (a) The purpose of the East Side Community Center, herein after called the “Center,” is to provide meeting space for Town departments, committees, commissions, and boards, and to provide space for parks and recreational activities, for activities that benefit the Town of Caledonia, and for those Designated Users that have been so-identified by the Town.

SEC 12-2-2 DEFINITIONS.

- (a) **Designated Users.** Designated Users shall mean the Bohemian Cemetery Annual Meeting, the Caledonia Historical Society, and all Designated Users that have been so-identified by resolution of the Town Board.

SEC. 12-2-3 CENTER FEES.

- (a) **Town Purposes.** No fee shall be required for use of the Center by the Town of Caledonia, including its departments, committees, commissions, and boards, or when the intended Center use benefits the Town, as determined by the Center Administrator or the Town Board.
- (b) Designated Users shall pay a clean-up fee for the use of the Center. The clean-up fee shall be \$25, or such amount as is set periodically by resolution of the Town Board.

SEC. 12-2-4 USE APPLICATION PROCEDURE.

- (a) **Filing.** Each Designated User wishing to use the Center must make a reservation with the Center Administrator at least in advance of the desired date, unless a different time period is proscribed by the Center Administrator.
- (b) **Cancellation of Reservations.**
The Town reserves the right to cancel any reservation and to refund all fees that have been paid. The reservation application form shall state that in the event of a cancellation required by the Town, the applicant agrees to hold the Town harmless from any liability for losses, damages, or additional costs incurred by the applicant resulting from said cancellation.

SEC. 12-2-5 MISCELLANEOUS CONDITIONS OF USE.

- (a) The Center is a non-smoking facility and this provision shall be enforced by the individual responsible for securing the reservation.
- (b) All use times shall include time for set-up and tear-down, as well as cleaning time.
- (c) **Denial of use.** The Center Administrator may refuse use of this Center to any Designated User who has, in the past, caused or permitted damage to property belonging to the Town.
- (d) **Equipment.** The Center Administrator shall cause the Center's equipment to be periodically inventoried. No equipment, including, but not limited to, tables, chairs, dishes, etc., may be borrowed, rented, or removed from the Center except for use by the Town of Caledonia.

SEC. 12-2-6 CENTER ADMINSTRATOR.

The Town Administrator or his/her designee shall be the Center Administrator. The Center Administrator shall enforce this Chapter and any rules adopted hereunder and shall be responsible to the Town Board for the Center's management. The Center Administrator may delegate his or her duties as he or she sees fit. The Center Administrator may promulgate rules for the use of the Center, subject to periodic review by the Town Board.

SEC. 12-2-7 VARIANCE.

The Town Board may grant a variance from the provisions of this ordinance for good and sufficient cause as determined by the Town Board, based upon the special circumstances of the particular case, but no variance shall be granted which is unjustly discriminatory in nature.

MEMORANDUM

DATE: Thursday, November 20, 2025

TO: Committee of the Whole

FROM: Anthony A. Bunkelman P.E.
Public Services Director 

RE: Creation of Ordinance 9-4-14 Point of Sale Certification and Maintenance & Repair of Sanitary Sewer Laterals

BACKGROUND INFORMATION

At the July 22, 2025 Committee of the Whole meeting, a presentation was given to the Committee on the Utility Rate Increase Process. In that presentation the following topics were discussed, the constraints in the Racine Area Intergovernmental Sanitary Sewer Service, Revenue Sharing, Cooperation and Settlement Agreement April 25, 2002 (Sewer Agreement), the heavy rain events along with exceedance events that have occurred over the last 7 years, the Caledonia Wet Weather Mitigation Plan, the Sanitary Sewer Capacity Transfer to Mount Pleasant, Wet Weather Flow Equalization, Infiltration & Inflow (I&I), age of infrastructure, and rainfall intensity.

The Caledonia Utility District has identified that I & I is a significant concern in the Sanitary Sewer System when heavy rain events occur. When heavy rain events occur, it has been calculated that the peaking factor at Riverbend is 5.84 and at Central is 5.72. These peaking factors, when greater than 3.0 to 3.5, based on our population, indicate that I & I is a problem. With the limited capacity that Caledonia has in the Sewer Agreement, Caledonia will need to control I & I or will/may be placed under a Sewer Moratorium.

The Utility District has performed numerous sanitary sewer relays, manhole replacements, sanitary sewer main grouting, sanitary sewer main lining projects to control I & I with mixed success, but these projects only cover the public side of the system. There is also the private side. If the private side is not maintained or checked, the public side can perform projects with no success or effect on the I & I issue.

One of the solutions identified in the Caledonia Wet Weather Mitigation Plan to address private side I & I is a Point-of-Sale Ordinance. This Ordinance is proposing to have sanitary sewer laterals televised at 1 of 3 times. 1. **Point of Sale Inspection**, an owner would need to hire from a group of selected contractors that are certified to televise and report pipe condition. Defects leading to I & I would need to be repaired prior to the sale of the home. 2. **Sanitary Sewer Improvement Projects performed by the Utility District**, When the Utility replaces Sanitary Sewer main and laterals within the Right of Way, the laterals could be televised from the Right of Way back to the home. Defects leading to I & I would be reported to the owner and potential provisions in the contract could be made to correct the private property defects or note them to the owner to correct. 3. **Sanitary Sewer backup and requests for televising**. When backups occur, the owner is responsible for getting the line cleared. Once cleared, the Utility comes in to televise the lateral. The defects can be viewed and documented so that an enforcement letter can be sent, if necessary, to correct the defects.

The only concern that the Utility District Commission had with this Ordinance was the cost of the sanitary sewer lateral repairs becoming burdensome. The Commission was recently provided with

information about this concern and moved to have the Ordinance reviewed by the Committee of the Whole. The cost information shared with the Commission is attached.

The Committee of the Whole should carefully consider this Ordinance as when it is first enforced, there is potential for some pushback. The Village Board will need to be ready to defend the Ordinance as it is considered a key to reducing I & I, used as a tool to assist in controlling the sewer rate, and assists in helping Caledonia to stay out of a sewer moratorium, stopping growth.

RECOMMENDATION

Approval of the Draft Point of Sale Ordinance and forward to the Village Board subject to the review of the Village Attorney.

Sanitary Sewer Lateral Approximate Cost

5210 Charles Street	26	\$ 10,880.00	\$ 418.46	Slurry
24 Jim Lin Lane	49	\$ 12,609.50	\$ 257.34	
1419 Autumn Drive	38	\$ 10,943.00	\$ 287.97	Slurry
220 Northwood Drive	33	\$ 8,298.50	\$ 251.47	
1906 Johnson Avenue	12	\$ 4,972.52	\$ 414.38	
			\$ 325.92	

\$250 per foot

25' setback	\$ 6,250.00
35' setback	\$ 8,750.00
50' setback	\$ 12,500.00

\$325 per foot

25' setback	\$ 8,125.00
35' setback	\$ 11,375.00
50' setback	\$ 16,250.00

SEC. 9-4-14 POINT OF SALE CERTIFICATION AND MAINTENANCE AND REPAIR OF SANITARY SEWER LATERALS

- (a) INTENT – The Village Board and the Caledonia Utility District Commission find that the discharge of water from roof, surface, groundwater, sump pump, footing tile, swimming pool, or other natural precipitation into the municipal sanitary sewer system has the potential to cause property damage and overload the sanitary sewer system. The Village Board and the Caledonia Utility District Commission therefore find it essential for the maintenance of health, minimization of property damage, and maintaining the life and capacity of the sanitary sewer system that the provisions of this Section be strictly enforced.
- (b) APPLICABILITY – The provisions of this Section shall apply to all real estate which is connected to the Caledonia Utility District sanitary sewer system. It is the intent of this Section to identify and eliminate inflow and infiltration resulting from cracked and leaking pipes, foundation drain connections, roof drain connections, and sump pump connections.
- (c) DEFINITIONS
 - a. Building Sewer & Drain Inspection Certification (BSDI) – An Underground Construction Technology established by NASSCO designed to assist plumbers, sewer & drain contractors, and inspectors in the proper inspection and assessment of private property building sewer and drains.
 - b. Caledonia Sewer Utility District – A Utility District established by the Village of Caledonia under the laws of the State of Wisconsin.
 - c. Clean Water – means storm water, natural precipitation, melting snow, groundwater, roof drainage, ground surface and subsurface drainage, downspout, yard drain, sump pump, foundation drain, pond, swimming pool, cistern overflow, or any other water that is not required to be treated by state or federal law.
 - d. Cleanout – A pipe fitting and associated piping connected to a sewer pipeline that provides access to the line for purposes of flushing, rodding, cleaning, and other maintenance and diagnostic purposes. Cleanouts are required at the Right of Way line / Property line, at regular intervals along long laterals, and above joints where laterals branch. Cleanouts at the Right of Way line / Property line shall be constructed according to Caledonia Utility District Standard Specifications.
 - e. Defects – means cracks, broken pipe, crushed pipe, open or broken cleanout cap or riser, open or offset joints, root intrusion, or other imperfection in a sanitary sewer pipe which can allow entry of ground

water into the sanitary sewer system. Defects shall also include direct connections as defined below.

- f. Direct Connections – means connections of roof drains, foundation drains, surface drains, sump pump drains, or similar conduits to the Building Drain which may allow entry of rain, surface drainage, or groundwater into the sanitary sewer system.
- g. Infiltration & Inflow – The groundwater and rainwater that enters a sanitary sewer system intended for wastewater flows. “Infiltration” is water that enters the sanitary sewer system through openings in the joints or walls of pipes and manholes. “Inflow” is water that enters the sanitary sewer system directly, such as through uncapped lateral cleanouts, openings in manhole covers, and connections from area drains, catch basins, foundation drains, roof drains, sump pumps, and other sources of non-sewage water.
- h. Lateral Assessment Certification Program (LACP) – An Underground Construction Technology established by NASSCO creating standards for the inspection of sanitary sewer laterals.
- i. Lining – Insertion of new material within an existing pipe to form a leak proof inner shell, including reattachment of branching pipes or otherwise sealing their connection to the liner, also the material so inserted.
- j. Non-Sanitary Sewer Connection – Prohibited conduits that directly or indirectly convey storm water, surface water, roof runoff, intercepted groundwater or subsurface drainage into the sanitary sewer system, including but not limited to downspouts, yard drains, foundation drains, sump pumps or other sources of rainwater, surface runoff, or groundwater.
- k. Pipe Bursting – Replacement of a pipe by causing the pipe to be broken and expanded outward within the ground, and a new pipe inserted within the expanded pipe, including the reattachment of branch and terminal connections in a finished, leak-proof fashion.
- l. Point of Sale Certification – means a document issued by the Public Services Director after a Point-of-Sale Sanitary Sewer Lateral Inspection has occurred, been reviewed, and is determined to be in compliance with the applicable requirements of this Section at the time of inspection.
- m. Point of Sale Sanitary Sewer Lateral Inspection – means a Pipeline Condition Assessment of the sanitary sewer lateral from a clean out within the home to the public or private sanitary sewer main. This inspection consists of televising and reporting of the sanitary sewer lateral to NASSCO LACP or NASSCO BSDI Standards.

- n. Private Sanitary Sewer Main – means a privately owned sanitary sewer serving two or more buildings and not directly controlled by a public authority.
- o. Public Sanitary Sewer Main – means a sanitary sewer owned and controlled by a public authority.
- p. Public Services Director – The Public Services Director of the Village of Caledonia, or his/her designated agent.
- q. Qualified Person – An inspector that is certified in NASSCO LACP or NASSCO BSDI Standards and has been pre-approved by the Village.
- r. Repair – Correction of isolated defects in the sanitary sewer lateral, also the corrections themselves.
- s. Replacement – Substitution of new material for the complete length of the sanitary sewer lateral, includes either removal of the existing sanitary sewer lateral, pipe bursting, or lining of the existing pipe.
- t. Sanitary Sewer Lateral – means the part of the lowest horizontal piping of a drainage system which receives the discharge of waste and other drainage pipes inside the walls of a building and conveys it to the Private Sanitary Sewer Main or Public Sanitary Sewer Main, beginning 5 feet (1.5 meters) outside the inner face of the building wall. A Sanitary Sewer Lateral is comprised of 2 sections
 - i. Private Sanitary Sewer Lateral – means the portion of the Sanitary Sewer Lateral which is located on Private Property, beginning 5 feet (1.5 meters) outside of the inner face of the building wall to the Right of Way.
 - ii. Public Sanitary Sewer Lateral - means the portion of the Sanitary Sewer Lateral which is located within the Right of Way, beginning at the Right of Way line to the Public Sanitary Sewer Main.
- u. Sanitary Sewer Lateral Preventative and Corrective Maintenance – means those activities required to preserve or restore functional operation and the free-flowing condition of the Sanitary Sewer Lateral. These activities include, but are not limited to, inspection, root and blockage removal, and cleaning.
- v. Sanitary Sewer Lateral Structural Maintenance – means those construction, pipe repair, pipe lining, and pipe replacement activities required to correct defects and preserve the structural integrity and watertight condition of the Sanitary Sewer Lateral.
- w. Sanitary Sewer System – means the system consisting of the Public Sanitary Sewer Main, Private Sanitary Sewer Main, and Sanitary Sewer Lateral.

- x. Sewage – Discarded contaminated water, or a combination of water and other fluids carrying wastes from plumbing fixtures in residences or business, institutional or industrial facilities.

(d) PROHIBITION OF DISCHARGE INTO THE SANITARY SEWER SYSTEM

- a. No person shall discharge or cause to be discharged into the Sanitary Sewer System, or infiltrate into the Sanitary Sewer System, any Clear Water because of a sump pump, defective plumbing, a defective sanitary sewer lateral or by any other means.
- b. All Private Sanitary Sewer Main and Sanitary Sewer Laterals serving property, from the building to the Public Sanitary Sewer Main, shall be in a safe and functional condition and shall be free from Defects, including sags, partially collapsed sections, longitudinal or transverse cracking, offsite joints, or tree root intrusion.

(e) POINT OF SALE SANITARY SEWER LATERAL INSPECTION

- a. No Property which is connected to the Public Sanitary Sewer shall be sold unless the Seller or Buyer has provided a Point-of-Sale Sanitary Sewer Lateral Inspection to the Public Services Director and the Public Services Director has issued a Point-of-Sale Certification.
- b. The Point-of-Sale Sanitary Sewer Lateral Inspection shall be completed by a Qualified Person. A Qualified Person shall be certified in NASSCO LACP or NASSCO BSDI and be pre-approved by the Village.
- c. The cost of the Point-of-Sale Sanitary Sewer Lateral Inspection shall be paid by the Seller or Buyer.
- d. Any defects or deficiencies that are discovered during the Point-of-Sale Inspection shall be corrected prior to the issuance of a Point-of-Sale Certification.
- e. A Point-of-Sale Certification issued under this Ordinance shall be effective for 3 years.
- f. For new home construction constructed in the last 3 years, the Public Services Director may, at his or her discretion, approve the Point-of-Sale Certification without requiring a Point-of-Sale Sanitary Sewer Lateral Inspection. A walk-through Inspection will be required.
- g. Any property owner who fails to obtain a Point-of-Sale Certification shall be subject to a civil penalty as determined Resolution of the Village Board.

(f) SANITARY SEWER IMPROVEMENT PROJECTS PERFORMED BY THE CALEDONIA SEWER UTILITY DISTRICT

- a. Sanitary Sewer Improvement Projects may be initiated by the Caledonia Sewer Utility District from time to time. These projects consist of rehabilitation or replacement of the Public Sanitary Sewer Main and the Public Sanitary Sewer Lateral. During these Improvement Projects the Caledonia Sewer Utility District will inspect or investigate the condition of the Private Sanitary Sewer Lateral or Private Sanitary Sewer Main.
- b. Where the inspection or investigation reveals defects in the Private Sanitary Sewer Lateral or Private Sanitary Sewer Main, the property owner shall be required to correct the defects or pay a penalty in accordance with this Ordinance. The Public Services Director shall inform the property owner in writing of the type and location of the defect and the time in which the correction of the defect is required. If the property owner of the Private Sanitary Sewer Lateral or Private Sanitary Sewer Main elects to dispute the opinion of the Public Services Director, the property owner may perform a Point-of-Sale Sanitary Sewer Lateral Inspection at their own expense and provide it to the Public Services Director. Disputes on corrective measures to be completed shall be appealed to the Caledonia Utility District Commission whose decision shall be a recommendation to the Village Board. The Village Board decision shall be final. The order of the Village Board will be the basis of the final repair or replacement.
 - i. Any person intending to perform repair or replacement work on a Private Sanitary Sewer Lateral or Private Sanitary Sewer Main may do so only after obtaining all necessary permits. The Village may elect to waive permit fees from time to time on specifically approved Sanitary Sewer Improvement Projects.
 - ii. The property owner shall notify the Public Services Director that the permitted corrections have been corrected and shall request an inspection by the Village Residential Plumbing Inspector or the Village Commercial Plumbing Inspector. The Village retains the right to require additional information from the property owner and to inspect the correction to assure that it has been done in accordance with all applicable rules and codes. If the correction is found to be adequate, the Public Services Director shall issue a Point-of-Sale Certification.
- c. Any property owner who fails to correct defects in the Private Sanitary Sewer Lateral after receiving written Notice from the Public Services Director shall be subject to a civil penalty as determined Resolution of the Village Board.

(g) SANITARY SEWER BACKUPS AND REQUESTS FOR TELEVISIONING

- a. Periodically the Caledonia Sewer Utility responds to sanitary sewer backups. When these backups occur the property owner will be required to hire a plumber or utility contractor to clear the blockage. Once the blockage is cleared the Caledonia Sewer Utility can inspect the cleared Sanitary Sewer Lateral. If the inspection or investigation reveals defects in the Private Sanitary Sewer Lateral or Private Sanitary Sewer Main, Section 9-4-14(f)b shall be followed.