

APPENDIX

Chapter A390

FEES

§ A390-1. Fee Schedule.

[HISTORY: Adopted by the Village Board of the Village of Ontario during codification. Amendments noted where applicable.]

§ A390-1. Fee Schedule.

The following fees are hereby established:

Code Section	Description	Fee
§ 23-12	Statement of real property status	\$5 minimum; over 1 hour, \$15 per hour
§ 92-4F(1)	Photocopying records	\$0.25 per page; accident report: \$5
§ 112-3	Mechanical amusement device license	\$10 per year for each device
§ 117-3C	Dog license	\$3 spayed/neutered; \$8 unspayed/unneutered
§ 117-4	Late fee for dog license	\$5
§ 117-7B	Reclaiming impounded dog	\$10 plus \$2.50 for each day in the animal shelter
§ 125-1B(2)	Bicycle registration fee	\$5 per bicycle; \$2 for duplicate tag
§ 131-3C(1)	Natural lawn permit	\$75
§ 149-3A	Cemetery lots	\$600 for 1 full lot (4 graves); \$300 for 1/2 lot (2 graves); \$150 for 1/4 lot (1 grave)
§ 149-4G(1)	Reconveyance of cemetery lot	\$5
§ 163-4C(1)	Direct seller registration	\$5
§ 169-1	Driveway permit	\$20
§ 210-5A	Class "A" fermented malt beverage retailer's license	\$100
§ 210-5B	Class "B" fermented malt beverage retailer's license	\$100
§ 210-5C	Temporary Class "B" fermented malt beverage license	\$5 per event
§ 210-5D	Temporary "Class B" wine license	\$5 per event
§ 210-5E	Fermented malt beverage wholesaler's license	\$25

Code Section	Description	Fee
§ 210-5F	"Class A" intoxicating liquor retailer's license	\$100
§ 210-5G	"Class B" intoxicating liquor retailer's license	\$300
§ 210-11A	Transfer of intoxicating liquor or fermented malt beverage license	\$10
§ 219-2	Junkyard permit	\$500
§ 240-1D	Deposit to guarantee payment of mobile home monthly parking fee	\$75
§ 263-5E	Use of lights at Village Square Park	\$10
§ 294-11D	Deposit to guarantee payment of sewer service charges	\$150
§ 294-12D	Charge for septage disposal	\$8.74 per thousand gallons of water
§ 294-28A(17)(a)	Surcharge for excess BOD or suspended solids	\$8.74 per thousand gallons of water
§ 294-36	Processing checks returned for insufficient funds	\$30
§ 300-9	Cigarette license	\$20
§ 309-4B	Street opening permit	\$15 for excavation into pavement; \$10 for any other excavation
§ 309-7C	Street privilege permit	\$10
§ 309-18	Street use permit	For less than 3 blocks, \$15; for more than 3 blocks, \$30 and a flat user fee of \$20 if traffic must be rerouted for the street closure; where event involves sale or promotion of commercial products or services, \$15 plus \$30 per day
§ 364-4B(4)	Filing of preliminary plat	\$20
§ 370-31	Conditional use permit	\$100
§ 370-73	Variance/change of zoning	\$300

KICKAPOO HEIGHTS SUBDIVISION

Chapter A400

KICKAPOO HEIGHTS SUBDIVISION

A Declaration of Covenants, Conditions, and Restrictions

The undersigned, Village of Ontario, being the owners of the real estate located in the Village of Ontario, Vernon County, Wisconsin, more particularly described as: Lots 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 46, 47, 49, 50, 51, 52, and 53, in the Kickapoo Heights Subdivision to the Village of Ontario, Vernon County, Wisconsin.

1. Purpose. The purpose of the following declaration of covenants, conditions and restrictions is to assure the use of the property for attractive residential purposes to prevent nuisances, to prevent the impairment of the attractiveness of the property, and to maintain the desired single family residential tone of the community, and thereby to secure to each site owner the full benefit and enjoyment of his/her home, with no greater restriction on the free and undisturbed use of his/her site than is necessary to insure the same advantages to the other site owners. These declaration of covenants, conditions and restrictions apply along with the Village of Ontario Zoning Ordinances.
2. The Village of Ontario Zoning Committee Control. The Committee shall be responsible for controlling and enforcing the covenants, conditions and restrictions. An Owner must submit building plans and specifications to the Committee. The Committee may approve, disapprove or approve subject to stated conditions. The Zoning Committee shall be constituted by the Village Board of the Village of Ontario.
 - A. Liability of Committee. The Committee shall not be responsible for obtaining any approvals required by the ordinance of the Village of Ontario or Vernon County or any other governmental bodies, nor shall the Committee be responsible in any way for compliance with applicable building codes. No action by the Committee shall be deemed to be a representation that the plans or specifications are structurally sound or meet applicable codes. The Committee shall not be liable for any loss suffered on the basis of approval or disapproval of plans and specifications.
3. Limitation on Building Type. No building or structure of any kind, other than a single family private dwelling house with attached garage and one unattached storage building meeting the requirements set forth below, shall be erected, placed or permitted on the restricted premises or any part thereof. The storage building shall be constructed of the same building materials as the dwelling house, or of substantially similar materials. The dwelling house permitted on the premises shall be used as a private residence only.
4. Garages. No building plat shall have a garage thereon constructed for fewer than one nor more than three cars. Any such garage shall be attached to and part of the residential building on the property.

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5. Minimum Lot Size. No existing lot as described in the division plat shall be further subdivided. No residential structure shall be erected or placed on any building plot which is smaller than a single lot as described in the subdivision plat.
6. Time for Construction. Any person or persons hereafter commencing construction of improvements on the restricted premises shall have the same ready for occupancy as a single family residential dwelling within 12 months after date of sale.
7. Minimum Floor Plan Size. The ground floor area of the residential dwelling house, exclusive of open porches and garages, shall be no less than the following: 1,300 square feet.
8. New Construction. Only newly constructed buildings shall be placed on the restricted premises, and no existing or previously occupied or used residential or appurtenant building shall be moved onto the restricted premises.
9. Building Materials Covering Outside Walls. No residence or structure of any kind of what is commonly known as "boxed" or "sheet metal" construction shall be built or otherwise located on the restricted premises unless the same shall be covered with stucco, brick, stone, wood siding, vinyl siding, aluminum siding, or other comparable siding. No sheet metal garage, pole building or other sheet metal storage structures shall be located on the premises.
10. Basements. Homes are to be placed on a permanent footing foundation with either a poured slab, or dug basement, and foundation walls meeting the house walls beneath the entire house.
11. Duplexes and Multi-Family Structures. There shall be no two family duplex units or other multi-family residential structures constructed within the restricted premises.
12. Other Structures. No trailer, mobile home, basement, tent, shack, garage, barn or other building shall at anytime be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
13. Driveways and Walkways. All driveways and walkways on the premises shall be covered with a permanent surface of brick, stone, concrete, bituminous (blacktop) or other suitable permanent surfacing material within one year following the construction of a residence on the premises or within one year after the installation of paving, curb and gutter on the street immediately in front of the premises, whichever is later. A driveway curb length shall be a minimum of 20 feet or such other length and the diameter as determined by the Village Board shall be installed by owner.
14. Wiring and Dish Type Receivers. Size and location shall be reviewed on a case-by-case basis by the Committee.
15. Duration of Restrictions. All and each of the above restrictions, conditions and covenants herein are perpetual and shall run with the land.

KICKAPOO HEIGHTS SUBDIVISION

16. Applicable Laws. All lots are subject to all applicable zoning laws, ordinances and building codes. If there is any conflict between the declaration and such laws, ordinances or codes, the most restrictive provisions shall control.
17. Covenants to Run With Land. It is expressly understood and agreed that the covenants, conditions or restrictions contained herein shall attach to and run with the land, and it shall be lawful for the owner of any parcel in the restricted area, their heirs, personal representatives and assigns, to institute and prosecute any proceedings at law or in equity against the person or persons violating or threatening to violate the same.
18. Remedies. Any breach of this declaration of covenants, conditions or restrictions, or any of the terms contained herein shall be deemed to result in irreparable harm to all persons holding an interest in and to the subject premises, and any such persons or entities shall be entitled to enforce the provisions of these declaration of covenants, conditions or restrictions by a suit for injunction, damages, or other remedy whether legal or equitable. In case of suit for injunction, no bond or other security shall be required as a condition of issuance of the injunction. Enforcement of any particular remedy by one or more of the persons entitled to enforce the declaration of covenants, conditions or restrictions herein shall not operate as a wavier of the other remedy available to the party seeking enforcement or any other person entitled to enforce these declaration of covenants, conditions or restrictions. Any person(s) or entities found in noncompliance or in breach of these declaration of covenants, conditions or restrictions shall be liable for all reasonable attorneys fees, expert fees and court costs.
19. Severability. It is expressly agreed that if any covenant, condition, restriction or other provision contained herein, or any portion thereof, is invalid or void, such invalidity or voidness shall in no way affect the other covenants, conditions, restrictions, or provision contained herein.
20. Modification or cancellation of the declaration of covenants, conditions or restrictions. The declaration of covenants, conditions or restrictions on any or all of the lots in the subdivision may be removed only by written consent, duly acknowledged and recorded, of all the owners of the lots in the Kickapoo Heights subdivision covered by these declarations of covenants, conditions or restrictions including the owners lots subsequently added under the next succeeding paragraph.
21. Addition of Parties and Lots. Owners of land in the Kickapoo Heights subdivision who are not parties to this agreement, may become parties by executing a "SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" declaring the intent of the grantor or grantors to bind themselves, their heirs, personal representatives and assigns to these declaration of covenants, conditions and restrictions and declaring that these declaration of covenants, conditions and restrictions shall attach to and run with the lands of the grantor located in the Kickapoo Heights subdivision. The Supplemental Declaration of Covenants, Conditions and Restrictions shall meet the formal requisites of sec. 706.02 Wis. Stats. and shall bind the grantors thereof and their lands as well as the parties to these declaration of covenants, conditions and restrictions and their lands, to the same extent as if the grantors of the Supplemental Declaration of Covenants, Conditions

ONTARIO CODE

and Restrictions had executed, acknowledged or authenticated and recorded these
Declaration of Covenants, Conditions and Restrictions.

Dated this 22nd day of June, 1998.

KICKAPOO HEIGHTS SUBDIVISION

ADDENDUM

(1) **PURCHASE PRICE:**

The Purchase Price shall be Twenty-Two Thousand Five Hundred Dollars (\$22,500.00) payable as follows:

- \$7,500.00 at closing;
- \$5,000.00 one (1) year from closing;
- \$5,000.00 two (2) years from closing;
- \$5,000.00 three (3) years from closing;

CONDITIONS OF PURCHASES:

If Buyer completes a single family residential home according to Village codes and ordinances on the parcel purchased herein, the remaining installments payments not yet due at the time said house is completed shall not be required and the Seller shall accept the amount already paid as payment in full.

(2) **WAVIER OF COVENANTS:**

(3) **PROPOSED PROPERTY USE:**

The Buyer intends to use the parcel for the development of a single family home.

(4) **SPECIAL ASSESSMENTS:**

Upon the initial payment of \$7,500.00, the property will be considered sold and the Buyer shall assume from that date forward all tax assessments for the property.

(5) **CLOSING AND LEGAL FEES:**

The Buyer agrees to pay all closing and legal fees associated with this purchase.

(6) **SELLERS CONDITION:**

Formal approval of this contract may be delayed for up to thirty (30) days pending formal adoption and acceptance by the Ontario Village Board.

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First Amendment to Declaration of Covenants, Conditions and Restrictions

The undersigned, being the owners of all of the real estate located in the Kickapoo Heights to the Village of Ontario, do hereby consent and agree that the Restrictive Covenant dated June 22, 1998, recorded in Volume 464 of Records, Page 734, Document No. 368085 shall be amended and modified in the following respect:

1. 10. Basements. Is amended to read as follows: All homes shall be installed on a masonry or concrete full basement with walls not being less than seven foot, four-inches (7'4") high, (optional: one wall of wood construction to accommodate a walk-out basement).
2. 4. Garages. No building plat shall have a garage thereon constructed for fewer than one nor more than three cars. Any such garage shall be attached to and part of the residential building on the property. Tucked under garages are permitted.
3. All other restrictions not in conflict with the foregoing shall remain in full force and effect.

Dated 9-11-2000

DERIVATION TABLE

DERIVATION TABLE

Village of Ontario

Derivation Table of 1986 Code to 2005 Code

Chapter/Section From 1986 Code	Location in 2005 Code
Title 1, General Provisions	
Ch. 1, Use and Construction	
§§ 1-1-1, 1-1-4 and 1-1-5	NLP; see Ch. 1, Art. II
§§ 1-1-2, 1-1-3, 1-1-6 and 1-1-7	Ch. 1, Art. I
Ch. 2, Use of Citation	Ch. 30
Title 2, Government and Administration	
Ch. 1, Village Government and Elections	Ch. 61
Ch. 2, Village Board	Ch. 104
Ch. 3, Municipal Officers and Employees	Ch. 79
Ch. 4, Boards and Commissions	Ch. 18
Ch. 5, Finance	Ch. 23
Ch. 6, Special Assessments	Ch. 10, Art. I
Ch. 7, Ethical Standards	Ch. 50
Ch. 8, Review of Administrative Determinations	Ch. 5
Ch. 9, Public Records	Ch. 92
Title 3, Public Safety	
Ch. 1, Fire Prevention	
§§ 3-1-1 and 3-1-3 (Fire Department)	Ch. 38
§§ 3-1-2 and 3-1-4 to 3-1-9 (Fire Prevention)	Ch. 187
§ 3-1-10 (Open Burning)	Ch. 142
Ch. 2, Emergency Government	Ch. 45
Ch. 3, Fire Prevention Code	Ch. 187
Ch. 4, Lost, Abandoned and Surplus Property	Ch. 86

NCM = Not Code material (legislation is not general or permanent in nature).

REP = Repealed effective with adoption of Code; see Ch. 1, Art. II.

NI = Not included in Code but saved from repeal.

NLP = New legislation is pending.

ONTARIO CODE

Chapter/Section From 1986 Code	Location in 2005 Code
Title 4 Public Works	
Ch. 1, Grades	Ch. 309, Art. I
Ch. 2, Streets and Sidewalks	Ch. 309, Art. I
Ch. 3, Driveways	Ch. 169
Ch. 4, Trees and Shrubs	Ch. 322
Ch. 5, Regulation of Parks	Ch. 263
Title 5, Public Utilities	
Ch. 1, Miscellaneous Utilities Regulations	
§ 5-1-1 (Water Utility)	Ch. 342
§ 5-1-2 (Natural Gas Franchise)	REP
Ch. 2, Water Utility Regulations and Rates	
Art. A, Rates	NI
Art. B, Rules and Regulations	Ch. 342
Ch. 3, Sewer Utility Regulations and Rates	Ch. 294
Title 6 Health and Sanitation	
Ch. 1, Health and Sanitation	
§§ 6-1-1 and 6-1-3	REP
§§ 6-1-2, 6-1-5 and 6-1-10 (Nuisances)	Ch. 252
§ 6-1-4 (Animals)	Ch. 117
§§ 6-1-6, 6-1-7 and 6-1-8 (Brush, Grass and Weeds)	Ch. 131
§ 6-1-9 (Smoking)	Ch. 300, Art. I
Ch. 2, Pollution Abatement	Ch. 202
Ch. 3, Village Cemeteries	Ch. 149

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DERIVATION TABLE

Chapter/Section From 1986 Code	Location in 2005 Code
Title 7, Licensing and Regulation	
Ch. 1, Licensing of Dogs and Regulation of Animals	Ch. 117
Ch. 2, Fermented Malt Beverages and Liquor	Ch. 210
Ch. 3, Pharmacists' Permits; Cigarette License	
§ 7-3-1	REP
§ 7-3-2	Ch. 300, Art. II
Ch. 4, Direct Sellers	Ch. 163
Ch. 5, Mobile Home Permits	REP
Ch. 6, Mobile Home Monthly Parking Fee	Ch. 240
Ch. 7, Regulation of Fireworks	Ch. 191
Ch. 8, Street Use Permits	Ch. 309, Art. II
Ch. 9, Day-Care Centers and Nursery Schools	REP
Ch. 10, Regulation of Nonmetallic Mining	REP
Ch. 11, Junkyards and Junk Shops	Ch. 219
Ch. 12, Mechanical Amusement Devices	Ch. 112, Art. I
Title 8, Motor Vehicles and Traffic	
Ch. 1, Traffic and Parking	Ch. 335
Ch. 2, Bicycles	Superseded 5-14-2001; see Ch. 125
Ch. 3, Snowmobiles	Ch. 304
Ch. 4, Abandoned and Junked Vehicles	
§§ 8-4-1 to 8-4-7 (abandoned vehicles)	Ch. 331
§ 8-4-8 (property maintenance)	REP
Title 9, Offenses and Nuisances	
Ch. 1, State Statutes Adopted	Ch. 267
Ch. 2, Offenses Against Public Safety and Peace	Ch. 267
Ch. 3, Offenses Against Property	Ch. 267
Ch. 4, Obscenity	REP

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Chapter/Section From 1986 Code	Location in 2005 Code
Ch. 5, Offenses Involving Alcoholic Beverages	Ch. 210, Art. II
Ch. 6, Public Nuisances	Ch. 252
Title 10, Land Use Regulations	
Ch. 1, Subdivision Regulations	Ch. 364
Ch. 2, Floodplain Zoning	Ch. 350
Ch. 3, Access to Public Buildings by Handicapped	Ch. 278, Art. I
Ch. 4, Building Code	Ch. 135
Ch. 5, Fair Housing	Ch. 180
Ch. 6, Zoning	Ch. 370

NCM = Not Code material (legislation is not general or permanent in nature).
REP = Repealed effective with adoption of Code; see Ch. I, Art. II.
NI = Not included in Code but saved from repeal.
NLP = New legislation is pending.

DISPOSITION LIST

Chapter DL

DISPOSITION LIST

§ DL-1. Disposition of legislation.

The following is a chronological listing of legislation of the Village of Ontario adopted since the publication of the Code, indicating its inclusion in the Code or the reason for its exclusion. [Enabling legislation which is not general and permanent in nature is considered to be non-Code material (NCM).] The last legislation reviewed for the original publication of the Code was an ordinance adopted 11-8-2004.

§ DL-1. Disposition of legislation.

Enactment	Adoption Date	Subject	Disposition
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