



# VILLAGE OF TWIN LAKES

105 East Main Street P O Box 1024 Twin Lakes, Wisconsin 53181  
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**JOINT PLAN COMMISSION  
SPECIAL VILLAGE BOARD MEETING  
Monday, July 1, 2024 – 6:30 p.m.  
Village Hall, 105 E. Main Street, Twin Lakes, WI**

## **AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL VILLAGE BOARD: TRUSTEES ANDRES, BOWER, FITZGERALD, KAROW, KASKIN, PERL, PRESIDENT SKINNER
4. ROLL CALL PLAN COMMISSION: COMMISSIONERS BUSSE, DESTREE, KAROW, PERL, RICHTER, SMITH, SKINNER
5. Plan Commission/Village Board Public Hearing: Ordinance 2024-7-1 An Ordinance Amending Sections 17.12.041, 17.12.080, 17.20.030, 11.04.115 of the Twin Lakes Code of Ordinances Pertaining to Residential Construction Standards
6. Discussion and possible action by the Plan Commission regarding Ordinance 2024-7-1 An Ordinance Amending Sections 17.12.041, 17.12.080, 17.20.030, 11.04.115 of the Twin Lakes Code of Ordinances Pertaining to Residential Construction Standards
7. ADJOURNMENT BY PLAN COMMISSION
8. Discussion and possible action by the Village Board regarding Ordinance 2024-7-1 An Ordinance Amending Sections 17.12.041, 17.12.080, 17.20.030, 11.04.115 of the Twin Lakes Code of Ordinances Pertaining to Residential Construction Standards
9. Discussion and possible action by the Village Board regarding Ordinance 2024-7-2 An Ordinance to Create Chapter 10.45 of the Twin Lakes Code of Ordinances Pertaining to All-Terrain Vehicles and Utility-Terrain Vehicles.
10. ADJOURN

**\*\*\*MATTERS MAY BE TAKEN IN ORDER OTHER THAN LISTED\*\*\***

*Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Clerk Treasurer's office in advance so the appropriate accommodations can be made.*

VILLAGE OF TWIN LAKES

ORDINANCE NO. 2024-7-1

An Ordinance Amending Sections 17.12.041, 17.12.080, 17.20.030, and 11.04.115  
Of The Twin Lakes Code Of Ordinances  
Pertaining Residential Construction Standards

The President and the Trustees of the VILLAGE OF TWIN LAKES, Kenosha County, Wisconsin, do herewith ordain as follows, to wit:

SECTION I

Subsection 17.12.041 (B) of the Twin Lakes Code of Ordinances, pertaining to Driveway, Access, and Parking Restrictions, is hereby amended to read to as follows:

**17.12.041 Driveway, Access, and Parking Restrictions.**

.....

“B. No access or approach shall be located less than five (5) feet from the adjoining property line and shall be constructed in accordance with this Code. **This setback limitation does not apply to accesses or approaches onto private streets.**”

SECTION II

Subsections 11.04.115 (B) and 11.04.115 (C) of the Twin Lakes Code of Ordinances, pertaining to Driveway Construction, are hereby amended to read as follows:

**11.04.115 Driveway Construction**

.....

“B. No access or approach **onto a public road** shall be located less than five (5) feet from the adjoining property line as if the line were extended to the edge of the road. **This limitation does not apply to accesses or approaches onto private streets.**

C. No access or approach **onto a public road** shall be constructed of concrete unless the grade and elevation of such access or approach, in the five (5) feet immediately adjacent to the edge of the existing road, is below the elevation of the road at the edge abutting the access or approach or, in the case of a road with curb, is below the elevation of said curb”

SECTION III

Subsection 17.12.080 (A) (9) (a) and 17.12.080 (b) of the Twin Lakes Code of Ordinances, pertaining to Regulation of Off-Street Parking for Motor Vehicles, Driveways and Highway Access, is hereby amended to read as follows:

**17.12.080 Regulation of Off-Street Parking for Motor Vehicles**

.....

- A. Except as provided in Section 17.12.080 (B) of this Code, in all districts and in connection with every use, there shall be provided, at such time any use or structure is erected or at any time any principal structure or structure is altered, enlarged, changed to a different use or increased in capacity by 17 adding dwelling units, guestrooms, floor areas or seats, off-street parking area in accordance with the following:

9. Driveways and Highway Access. All driveways installed, altered, changed, replaced or extended after the effective date of the Ordinance codified in this Section shall meet the following requirements:

- “a. Openings for vehicular ingress and egress shall not exceed twenty-four (24) feet at the street line and thirty (30) feet at the roadway. This limitation does not apply to accesses or approaches from residences onto private streets.
- b. Islands between driveway openings onto public streets shall be provided with a minimum of ten (10) feet between all driveways and six (6) feet at all lot lines. This limitation does not apply to accesses or approaches from residences onto private streets.”

#### SECTION IV

Subsection 17.20.030 (B) of the Twin Lakes Code of Ordinances, pertaining to Lot Area, Building Height and Area, Minimum Size and Setback, is hereby amended to read as follows:

#### 17.20.030 Lot Area, Building Height and Area, Minimum Size and Setback

- “B. Lot Coverage Ratio (LCR) and Floor Area Ratio (FAR). On lots of less than one (1) acre, not more than thirty-five percent (35%) of the lot area and on lots of one (1) acre or more, not more than twenty-five percent (25%) of the lot area shall be covered by impervious surfaces including building roofs. For purposes of this section, building roof overhangs shall be included in the impervious surface calculation, excepting the first two feet of overhang, measured laterally along the soffit from the finished surface of the principal structure. There is no FAR in this District.”

#### SECTION V

Subsection 17.20.030 (C) (3) of the Twin Lakes Code of Ordinances, pertaining to Lot Area, Building Height and Area, Minimum Size and Setback, is hereby created to read as follows:

#### 17.20.030 Lot Area, Building Height and Area, Minimum Size and Setback

- C. Side Yard.



“3. Notwithstanding the above, and despite any language in this code to the contrary, chimneys, flues, sills, pilasters, lintels, ornamental features, cornices, eaves, and gutters for residential buildings may extend up to two feet into the required side yard, rear yard, or shore yard (but not front yard or street yard), and mechanical equipment including electric and gas meters, air-conditioning condensers, heat exchangers and emergency generators may extend up to five feet into the required side yard, rear yard, or shore yard (but not front yard or street yard).”

**SECTION VI**

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed.

**SECTION VII**

This Ordinance shall take effect immediately upon passage and publication as provided by law, and the Village Clerk/Treasurer shall so amend the Village of Twin Lakes Code of Ordinances, and shall indicate the date and number of this creating Ordinance therein.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

VILLAGE OF TWIN LAKES

\_\_\_\_\_  
Sabrina Waswo, Village Clerk

\_\_\_\_\_  
Howard K. Skinner, Village President

Members Voting:

\_\_\_\_ Aye      \_\_\_\_ Absent  
\_\_\_\_ Nay      \_\_\_\_ Abstained

# VILLAGE OF TWIN LAKES

## ORDINANCE NO. 2024-7-2

### An Ordinance to Create Chapter 10.45 of the Twin Lakes Code of Ordinances Pertaining to All-Terrain Vehicles and Utility-Terrain Vehicles

The President and the Trustees of the VILLAGE OF TWIN LAKES, Kenosha County, Wisconsin, do herewith ordain as follows, to wit:

#### SECTION I

That Chapter 10.45 of the Code of Ordinances for the Village of Twin Lakes, be, and hereby is created to read as follows:

#### “Chapter 10.45

#### ALL-TERRAIN VEHICLE AND UTILITY TERRAIN VEHICLE CODE

##### **10.45.01 Purpose.**

The purpose of this Ordinance is to establish all-terrain vehicle (ATV) and utility-terrain vehicle (UTV) routes on all Village of Twin Lakes roads and streets and to regulate the operation of AT/UTVs within the Village of Twin Lakes. Following due consideration of the recreational value of ATV and UTV use in the Village, including but not limited to outdoor enjoyment, sight-seeing, and the connection of trail opportunities and weighed against possible dangers of such ATV and UTV use to the public health, safety and welfare, such as liability aspects, the risk of injury over the terrain involved, maintenance of roads and right-of-ways and the relationship between ATV and UTV use with vehicular or pedestrian traffic and traffic density on Village roads, this Ordinance has been created for regulating ATV's and UTV's use upon Village roads and the designation of such roads. The establishment of the designated routes discussed below is for the recreational and economic value to the AT/UTV public and the Village of Twin Lakes makes no warranty expressed or implied that the routes, crossings, or trails are safe for the operation of these vehicles.

##### **10.45.02 Statutory Authority.**

The Village Board of the Village of Twin Lakes has the specific authority to adopt this Ordinance pursuant to Wis. Stat. § 23.33 (8)(b) and 23.33(11). Adoption of this Ordinance shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law, or order that pertains to the subject matter addressed under this section.

##### **10.45.03 Definitions.**

For purposes of this Ordinance, the statutory provisions establishing definitions and regulations with respect to ATVs and UTVs, as found in Wis. Stats. Chs. 23, 340 to 348, and 350 and Wis. Admin. Code Ch. NR 64, All-Terrain Vehicles, as well as any future amendments, revisions or modifications thereto, are hereby adopted and incorporated herein by reference, including but not limited to, the definition of ATV and UTV.

#### **10.45.04 Adoption of Statutory Provisions.**

These ATV / UTV regulations are created pursuant to Village authority by Wis. Stat. § 23.33(8)(b). This Ordinance is intended to facilitate the implementation of Wis. Stat. §23.33(8) and Wis. Stat. §23.33(11). To the extent necessary to accomplish this, Wis. Stat. §23.33, and any future amendments or revisions thereto, is hereby adopted by reference as part of this Ordinance. Additionally, this Ordinance incorporates and adopts the provisions of Wisconsin Administrative Code N 64. In the event that any provision of this Ordinance is inconsistent, or conflicts with that statute and/or administrative code, the statute and administrative code shall govern, and not this Ordinance. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this Ordinance.

#### **10.45.05 ATV/UTV Routes and Hours of Operation.**

The provisions of this Ordinance shall apply to all Village maintained public roadways and streets in the Village of Twin Lakes, Kenosha County. Routes designated for ATV/UTV use shall be established and approved by the Village Board. All ATV/UTV routes may be reviewed annually by the Village Board in order to consider the continued value, efficacy, safety and need for the A T routes, all pursuant to and in accordance with the intent of this ordinance.

The routes designated as an "ATV /UTV Vehicle Route" designated by this Ordinance shall be as follows: All public roadways and streets maintained by the Village of Twin Lakes.

The Village Board shall have the authority to modify or suspend ATV/UTV operation on any road, route or segment thereof for up to ninety (90) days due to hazard, construction, emergency conditions, road damage, or any other issue deemed appropriate for public safety including abuse and misuse. The Village of Twin Lakes Board shall also have the authority to designate for up to ninety (90) days alternate routes for any of the above authorized roadways that might be so closed.

ATV/UTVs may operate year around, between the hours of 5:00 a.m. and 11:00 p.m.

#### **10.45.06 Route Signs**

Routes shall be marked with ATV/UTV route signs in accordance with Wisconsin Administrative Code section 64.12(7)(c) and Wis. Stat. § 23.33(8)(e).

No person may erect, obscure, deface, damage or remove any official designated route sign without written authorization from the Village of Twin Lakes Board.

#### **10.45.07 Requirements for Use of Routes**

In addition to the provisions of Wis. Stat. § 23.33, the following limitations apply on all areas designated as an ATV/UTV Vehicle Route:

- a. ATVs/UTVs shall not be operated at a speed greater than 35 MPH, nor above any lesser speed where posted at a lower limit.
- b. ATVs/UTVs shall be operated single file on the extreme right side of the roadway or paved surface.
- c. ATVs/UTVs may be operated on paved surfaces only, unless yielding the right of way.

- d. ATVs/UTVs may not be operated on a designated ATV/UTV Vehicle Route without fully functional headlights, taillights, and brake lights.
- e. Operators and passengers of all ATVs / UTVs shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules related to the operation of ATVs/UTVs, including but not limited to, Section 23.33 Wisconsin Statutes and Wisconsin Administrative Code NR 64.
- f. SAFETY CERTIFICATE AND INSURANCE. Every person who operates an ATV/UTV on a Village designated ATV/UTV Vehicle Route shall have in his or her immediate possession a valid safety certificate as required by Section 23.33(5)(b). Every person who operates an ATV/UTV on a Village designated ATV/UTV Vehicle Route, and every ATV / UTV operated on a Village designated ATV/UTV Vehicle Route shall carry general liability insurance or other insurance consistent with Wisconsin State Law for the operation of an ATV/UTV and have proof of insurance.

#### **10.45.08 Enforcement**

The provisions of this Ordinance shall be enforced by the Kenosha County Sheriff's Department or such other law enforcement officers as may be authorized by the Village of Twin Lakes or as set forth in Wis. Stat. § 23-33(12), and such enforcement may include the issuance of a citation under Wis. Stat. § 66.0113.

#### **10.45.09 Penalties**

All penalties found in Wis. Stat. 23.33(13)(a) are adopted by reference.

#### **10.45.10 Severability**

The several sections of this Ordinance are declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration and shall not affect the validity of any other provisions, sections, or portions of the ordinance, which shall remain in full force and effect. Any other Ordinances whose terms conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

#### **10.45.11 Route Maintenance**

The designation of Village streets as ATV/UTV routes does not impose upon the Village a greater duty of care or responsibility for maintenance of those streets. Operators of ATV/UTVs on Village streets assume all the usual and normal risks of riding that vehicle. The Village accepts no liability for the operation of ATV/UTVs on any Village streets under this Ordinance.”

### **SECTION II**

All ordinance or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

### **SECTION III**

This ordinance shall take effect upon passage as provided by law, and the Village Clerk shall so amend the Village of Twin Lakes Code of Ordinances, and shall indicate the date and number of this creating ordinance

herein.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

VILLAGE OF TWIN LAKES

\_\_\_\_\_  
Sabrina Waswo, Village Clerk

\_\_\_\_\_  
Howard Skinner, Village President

Members Voting:

- \_\_\_\_\_ Aye
- \_\_\_\_\_ Nay
- \_\_\_\_\_ Absent
- \_\_\_\_\_ Abstained

DRAFT