

Town of Niagara
Ordinance No. 2009-8-A

Ordinance to Adopt a Comprehensive Plan Pursuant to
Wisconsin Statutes Section 66.1001 (Smart Growth)

WHEREAS, on August 25, 2007 Marinette County approved a contract with the Bay Lake Regional Planning Commission to prepare a Multi-Jurisdictional Comprehensive Plan for Marinette County, to include the Town of Niagara, under the guidelines of Section 66.1001 Wisconsin Statutes; and,

WHEREAS, the project included a public participation plan in every stage of the process for preparation of a Comprehensive Plan for the Town of Niagara, which addressed provisions for wide distribution of the proposed elements of the Comprehensive Plan, and provided an opportunity for written comments to be received from the public and for the Town to respond to such comments; and,

WHEREAS, the Town of Niagara Plan Commission held a public hearing on August 12, 2009, which was preceded by a Class 1 Notice provided as described in Wisconsin Statutes Chapter 985 that was published at least 30 days before the hearing was held, and the notice included all of the following information:

1. The date, time and location of the hearing;
2. A summary of the proposed Comprehensive Plan;
3. The name of the individual in the Town of Niagara who may provide additional information regarding the proposed ordinance;
4. Information relating to where and when the proposed Comprehensive Plan could be inspected before the hearing, and how a copy of the Plan could be obtained; and,

WHEREAS, on August 12, 2009, the Town of Niagara Plan Commission recommended to the Town Board adoption of the Comprehensive Plan by resolution, which vote is recorded in the official minutes of the Land Use Planning Commission; and,

WHEREAS, the Town Board of the Town of Niagara, having carefully reviewed the recommendations of the Town of Niagara Plan Commission, having determined that all procedural requirements and notice have been satisfied, having given the matter due consideration, including consideration of the Plan elements relating to issues and opportunities, natural, agricultural and cultural resources, population and housing, economic development, transportation, utilities and community facilities, intergovernmental cooperation, land use and implementation, and having determined that the Comprehensive Plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Niagara which will, in accordance with existing and future needs, best promote the public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THERFORE, the Town Board of the Town of Niagara, Marinette County, Wisconsin, DOES ORDAIN AS FOLLOWS:

Section 1: The Comprehensive Plan recommended by the Town of Niagara Plan Commission to the Niagara Town Board, attached hereto as Exhibit A, is hereby adopted.

Section 2: The Town Clerk is directed to file a copy of the attached Comprehensive Plan for the Town of Niagara with all the following entities:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Niagara;
2. The Clerk of every local governmental unit that is adjacent to the Town of Niagara;
3. The Wisconsin Land Council
4. The Wisconsin Department of Administration;
5. The Bay-Lake Regional Planning Commission;
6. The public library that serves the area in which the Town of Niagara is located.

Section 3: SEVERABILITY. Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall only apply to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms in conflict.

Section 4: EFFECTIVE DATE. This ordinance will take effect immediately upon passage and publication as provided by law.

Adopted this 12th day of August 2009, by a majority vote of the members of the Town Board of the Town of Niagara.

_____, Town Board Chairperson

Attest:

_____, Town Clerk