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3 **ORDINANCE: Adopt Chapter 24 of the General Code of**
4 **Winnebago County, Entitled “Wittman Regional**
5 **Airport Zoning Code,” and Repealing all Similar or**
6 **Conflicting Provisions in Chapter 17 of the**
7 **General Code of Winnebago County**
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10 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**
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12 **WHEREAS**, Winnebago County owns and operates Wittman Regional Airport, which is recognized by the
13 State of Wisconsin and the federal government as a public-use airport; and
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15 **WHEREAS**, Winnebago County is authorized under § 114.136, Wis Stats, to adopt rules and regulations for
16 regulating, restricting, and determining the use, location, height, number of stories, and size of buildings, structures,
17 and objects of natural growth in the vicinity of Wittman Regional Airport; and
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19 **WHEREAS**, said rules and regulations are currently located in Section 17.24 of the General Code of
20 Winnebago County; and
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22 **WHEREAS**, under § 114.136(2)(a), Wis Stats, the Winnebago County Park Director is authorized to
23 formulate a tentative ordinance and hold a public hearing regarding same; and
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25 **WHEREAS**, on January 12, 2012; January 19, 2012; and January 26, 2012, a public notice was published
26 in the *Oshkosh Northwestern*, pursuant to § 114.136(2)(a), Wis Stats, which requires publication of a Class 3 notice
27 in the area that is affected by the proposed ordinance; and
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29 **WHEREAS**, the City of Oshkosh, Town of Algoma, Town of Black Wolf, and Town of Nekimi are the areas
30 affected by the proposed ordinance; and
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32 **WHEREAS**, on February 2, 2012, the Winnebago County Parks Director conducted a public hearing at the
33 Winnebago County Courthouse to gather public input regarding the proposed ordinance; and
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35 **WHEREAS**, after the February 2, 2012, public hearing, the Winnebago County Parks Director amended the
36 proposed ordinance as he considered appropriate; and
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38 **WHEREAS**, the Winnebago County Parks Director and the Winnebago County Zoning Director believe that
39 it will be beneficial to residents of Winnebago County to adopt Chapter 24 of the General Code of Winnebago County
40 entitled “Wittman Regional Airport Zoning Code” and repeal all similar or conflicting provisions in Chapter 17 of the
41 General Code of Winnebago County.
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44 **NOW, THEREFORE, BE IT ORDAINED** by the Winnebago County Board of Supervisors that it hereby
45 creates Chapter 24 of the General Code of Winnebago County (Wittman Regional Airport Zoning Code) as outlined
46 in Appendix A, attached hereto.
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49 **BE IT FURTHER ORDAINED** by the Winnebago County Board of Supervisors that it hereby repeals
50 Section 17.24 of the General Code of Winnebago County, effective April 29, 2012.
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53 **BE IT FURTHER ORDAINED** by the Winnebago County Board of Supervisors that it hereby repeals any
54 written interpretations issued by the Zoning Administrator relating to Section 17.24 of the General Code of
55 Winnebago County, effective April 29, 2012.
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BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that any ongoing enforcement action relating to Section 17.24 of the General Code of Winnebago County shall continue under the enforcement provisions of Chapter 24 of the General Code of Winnebago County.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward copies of the new Chapter 24 of the General Code of Winnebago County, by certified mail, to the Clerks for the City of Oshkosh, Town of Algoma, Town of Black Wolf, and Town of Nekimi

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that 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 apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of other provisions, sections, or portions of the ordinance. The remainder of the ordinance 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.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that the codifier of this ordinance is authorized to make revisions to the remainder of the General Code of Winnebago County relating to cross references and the numbering of chapters, articles, sections, figures, tables, and the like.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that this ordinance shall be in full force and effect upon approval of the Winnebago County Board of Supervisors effective as of April 29, 2012.

Submitted by:

PLANNING AND ZONING COMMITTEE

Committee Vote:

5-0

Vote Required for Passage:

Majority of Those Present

Approved by the Winnebago County Executive this _____ day of March, 2012.

Mark L Harris
Winnebago County Executive