

ARTICLE 2
INTERPRETATION, CONSTRUCTION, AND DEFINITIONS

Sections

11.02.01	General rules	11.02.08	Interpretation of boundaries and designations for base zoning districts
11.02.02	Interpretation	11.02.09	General rules of interpretation
11.02.03	Delegation of authority	11.02.10	Computation of time
11.02.04	Internal conflicts	11.02.11	Fractions
11.02.05	Website	11.02.12	Land use descriptions
11.02.06	Use of graphics, illustrations, headings, references, and commentary notes	11.02.13	General definitions
11.02.07	References to state and federal law		

11.02.01 General rules

(a) Generally. In the interpretation and application of this chapter, all provisions shall be liberally construed in favor of the City so the true intent and meaning of this chapter is carried out as set forth in s. 11.01.05.

(b) Minimum requirements. The interpretation and application of any provision of this chapter shall be held to be the minimum requirement adopted for the promotion of the public health, safety, and general welfare and not be deemed a limitation or repeal of any other power granted by state statute.

11.02.02 Interpretation

In the event a question arises concerning any provision or the application of any provision of this chapter, interpretations shall be issued consistent with Article 5 of this chapter.

11.02.03 Delegation of authority

If a provision in this chapter states that an elected official, department supervisor, or some other employee is to perform an administrative act, such individual may designate, delegate, or authorize a subordinate to perform the administrative act unless state law or the provision clearly specifies otherwise.

11.02.04 Internal conflicts

More specific provisions of this chapter shall be followed in lieu of more general provisions unless the context otherwise requires. Additionally, the most restrictive provisions shall apply.

11.02.05 Website

The City may create and maintain a website to share the key aspects of this chapter, including the zoning map, in an interactive platform. If there is any discrepancy between such website and this chapter, this chapter controls.

11.02.06 Use of graphics, illustrations, headings, references, and commentary notes

(a) Purpose. Graphics, illustrations, headings, references, statutory citations, and commentary notes are included to improve the readability of this chapter and increase reader comprehension. Specifically, graphics and illustrations are included to help the reader visualize the meaning of the text. Headings and subheadings generally state the content of that section and are intended to help the reader quickly find information. References are included when the section is related to a state or local law or another section in this chapter. These are included to help the reader understand the relationship among various provisions. Commentary notes are included to supplement and/or further clarify a sentence or provision but are not part of this chapter.

(b) Interpretation. A graphic, illustration, heading, reference, statutory citation, or commentary note shall not govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision.

(c) Effect of deficiency. Because the text controls, no provision shall be held invalid by reason of any deficiency in any graphic, illustration, heading, reference, statutory citation, or commentary note.

11.02.07 References to state and federal law

If a provision in this chapter references a requirement in state law, and that law is subsequently amended, this chapter shall reflect that change.

If a referenced section is repealed and replaced by another section with comparable subject matter, the replacement section shall control. If a referenced section is repealed and not replaced, the repealed section shall control if it is determined by the city attorney that the city has the authority to apply the repealed language.

11.02.08 Interpretation of boundaries and designations for zoning districts

(a) Boundary line interpretations. Interpretations regarding boundaries of zoning districts shall be made consistent with the following rules:

- (1) Municipal boundaries. A boundary shown as following, or approximately following, any municipal boundary shall be construed as following such line.
- (2) Section lines. A boundary shown as following, or approximately following, a section line, half-section line, or quarter-section line shall be construed as following such line.
- (3) Property lines. A boundary shown as following, or approximately following, any property boundary line shall be construed as following such line.
- (4) Centerlines. A boundary shown as following, or approximately following, any railroad, alley, road, street, highway, or similar feature shall be construed as following the centerline of such feature.
- (5) Natural boundaries. A boundary shown as following, or approximately following, any natural feature such as a stream, river, canal, other bodies of water, or topographical features, such as a watershed boundary, shall be construed as following such natural feature as verified by field inspection when necessary.
- (6) Shorelines. A boundary shown as following, or approximately following, a shoreline shall be construed as following the shoreline. In the event the location of the shoreline moves over time, the boundary shall move as well.
- (7) Line extensions. A boundary shown as an extension of a straight line for any of the preceding shall be so construed.

In the event there is an unresolved question as to the location of a zoning district boundary, the Planning Commission shall review such matter at a regular or special meeting and render a decision.

(b) Street abandonment. In the event a public road, street, or alley is officially vacated or abandoned, the zoning provisions applicable to the land to which it reverted shall apply to such vacated or abandoned road, street, or alley, unless otherwise provided by city action.

11.02.09 General rules of interpretation

In the construction of this chapter, the following shall be observed, unless such construction would be inconsistent with the text or with the manifest intent of this chapter:

- (1) Gender. Words of the masculine gender include the feminine and neuter, and vice versa.
- (2) Singular and plural words. Words in the singular include the plural and words in the plural include the singular.
- (3) Tense. Words in the present tense include the past and future tense, and the future tense includes the present tense.
- (4) **“Must”, “shall” and “will”**. The words “must”, “shall” and “will” imply a mandatory condition.
- (5) **“May” or “should”**. The words “may” and “should” imply a permissive condition.
- (6) **“Includes” or “including”**. The words “includes” or “including” shall not limit a provision to the specific example(s) listed, but are intended to extend their meaning to all other instances or circumstances of like kind or character.
- (7) **“Such as”**. The phrase “such as” shall not limit a provision to the specific example(s) listed, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

- (8) Conjunctions. When used at the end of a series, the word “and” indicates that all listed items apply. When the word “or” is used at the end of a series, it indicates that one or more of the listed items apply.

11.02.10 Computation of time

When a time period is specified in this chapter, the first day of the period shall be the first day after the event that triggered the time clock to start. If the last day of the time period is a Saturday, Sunday, or a legal holiday recognized by the state of Wisconsin, that day shall be excluded and the time period shall be extended to the next business day. For any time period 10 days or less, Saturdays, Sundays, and legal holidays recognized by the state of Wisconsin shall not be counted.

11.02.11 Fractions

(a) Required quantities. When a calculation is made to determine the minimum number of a required quantity (e.g., parking spaces) and results in a fraction, the number shall be rounded up to the next whole number.

(b) Allowable units. When a calculation is made to determine the number of dwelling units that may be allowed based on a density factor and results in a fraction, the number shall be rounded down to the next whole number.

11.02.12 Land use descriptions

For the purpose of chapter, land uses that are permissible in one or more of the zoning districts are described as set forth in Appendix B. For organizational purposes, similar land uses are grouped together to form a series. The first 17 series are for principal land uses, accessory land uses are found in Series 18, and temporary land uses are found in Series 19.

11.02.13 General definitions

(a) Words and phrases not defined. Unless specifically defined in this section, words and phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

(b) Words and phrases defined. For the purpose of this chapter, certain words and phrases are defined in Appendix E and shall have the meaning ascribed to them, except where the context clearly indicates a different meaning.

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