

ORDINANCE NO. **2026-1**AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 7.04 OF THE
VILLAGE OF NORTH BAY VILLAGE CODE CONCERNING
ENCROACHMENTS ON PUBLIC PROPERTY IN THE VILLAGE OF
NORTH BAY

WHEREAS, the Village regulates encroachments on public property in Chapter 7, Section 7.04 of the Village of North Bay Municipal Code; and

WHEREAS, the Village Board finds it to be in the best interest of the health, safety, and general welfare of the Village to require visibility and accessibility of fire hydrants.

NOW, THEREFORE, the Village Board of the Village of North Bay, Racine County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 7 of the Village of North Bay Municipal Code entitled "Public Works," Section 7.045 entitled "Fire Hydrants and Encroachments" is hereby created as follows:

7.045 FIRE HYDRANTS AND ENCROACHMENTS.

- (1) Property owners shall maintain an unobstructed clearance around all fire hydrants of not less than three (3) feet in all directions, including a minimum vertical clearance of three (3) feet above the hydrant. In addition, the property owner shall maintain an unobstructed clearance of not less than six (6) feet in width between the fire hydrant and the adjacent street or roadway. The required clearance area shall be kept free of snow, ice, and vegetation, including but not limited to trees, tree limbs, shrubs, weeds, plants, or any other obstruction that exceeds four (4) inches in height.
- (2) A failure for the property owner to maintain the fire hydrant in such a manner shall constitute an encroachment and subject to the appropriate procedures, penalties and remedies described in Section 7.04 (3), (4), (5), (6), (7), (9) and (10) of this Code.

SECTION 2: SEVERABILITY

The 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 any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 17 day of August, 2026.

VILLAGE OF NORTH BAY

Roger Mellem

Roger Mellem, Village President

ATTEST:

Dori A. Panthofer

Dori A. Panthofer, Village Clerk

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