



Village of Chenequa

NEWS

Summer 2015

www.chenequa.org

Village President Message

I've always known that we live in a very special place, and as I learn more in my capacity as Village President, it becomes even more special. We have a wonderful and dedicated staff who are fun to work with. Our safety personnel (police, fire & rescue) are the best to be found. We should all be very proud. A great source of information on what we at the Village of Chenequa do can be found on our website, www.chenequa.org. Another interesting find on the website is the minutes of our monthly board meetings. Our board is very involved in the oversight of the Village, as proven by the 100% attendance almost every month! If you have any questions about the operation of the Village elected officials, volunteers, or staff, or if you are interested in serving on a committee in the future, please feel free to call any one of us.

Sincerely,
Susan Wilkey

Code Revisions

There have been some revisions made to building code by the Planning Commission and Village Board as it relates to **Recreational Facilities** and **Accessory Structures**. One primary change to note is that toilets are now allowed in accessory structures. This would include boathouses, secondary garages, sheds or other similar types of structures which are not used for residential purposes. Proper sanitary permits will be required from Waukesha County and the Village Building Inspector. Check out the website for the newest version of the building code and zoning code on our website at www.chenequa.org. Please see the enclosed resolution with the zoning revisions for more detail.

Internet Options for Village Residents

We have started up a new group to try and find a solution to the Village's lack of good internet service. Some areas are able to get AT&T U-verse or DSL service, and others are lucky to get something slightly better than a dial-up system. The problem has been simply a business decision on the part of the internet providers that there is not enough density to see a return on the capital investment of the needed infrastructure. We will give it some effort again to see what we can do. If anyone out there has some connections or known solutions, please let us know. Please contact chief@chenequa.org if you know of something to assist us in our efforts.

Scam and Fraud Alerts

There have been recent complaints about calls stating they are from the IRS. This is a SCAM. The IRS will not call you directly with an issue but will most likely contact you via the U.S. Mail. Be cautious of who you provide credit card information, bank account information and other requested important information to over the phone. You may want to consider getting an Identity Protection Policy for your financial protection. For more information from the FBI on fraud and safety tips, visit <https://www.fbi.gov/scams-safety/fraud>. Please feel free to contact one of your Chenequa Police Officers before sending or giving out personal information if you doubt the legitimacy of the requester.

Drones On the Lakes and Over Private Property

The use of drones has now become common place on area lakes by private citizens. The Police Department has received complaints about drones flying over the shoreline, private property, boaters and fishermen on the water.

Those responsible for the recent complaints were explained the state statute and the consequences of same in the future should the Police Department receive further complaints and an invasion of expected privacy is breached. Due to the popularity and prevalence of personal drones, we have shared the state statute regarding personal drone use below, which we will be consulting in response to complaints. Please call the Police Department at (262) 367-2145 if you feel a drone is invading your privacy.

Drones are used for real estate listings and for recreational purposes but cannot be used to violate the expectation of privacy of those living in the village and those visiting and recreating on our area lakes.

[WI Stat §942.10 \(2014\)](#)

Whoever uses a drone, as defined in s. 175.55 (1) (a), with the intent to photograph, record, or otherwise observe another individual in a place or location where the individual has a reasonable expectation of privacy is guilty of Class A Misdemeanor. This section does not apply to a law enforcement officer authorized to use a drone pursuant to s. 175.55 (2).



Examples of Personal Drones

Bow Hunters- Bow Season Will Soon Be Upon Us Again!!

A reminder for those of you who have allowed bow hunters on your property to complete the permission slip with the requested information. This is voluntary but we encourage you to assist us in identifying who is in the Village and has permission to be on properties. We have found already that permission has been granted to a person who has no ties to the Village but has extensive criminal history including theft and drug convictions. The permission slip was not used in this case but we were alerted to the situation when this person was knocking on doors soliciting permission to hunt and we received a complaint. Officers located this subject and identified him as well as warned him for trespassing. Where this subject had received verbal permission to hunt; this information was passed on to that landowner and permission was revoked by that property owner. Please get their full information before granting permission; check them out on the Wisconsin Circuit Court Access website <http://wcca.wicourts> to see if they have criminal history. If you decide to grant permission, please share the information with your Police Department so we know what vehicles and individuals are in the Village legitimately. Your cooperation in this is very important to our policing efforts!

The bow hunting permission slip can be found on the village website under the Eservices tab – Requests.

Paddle Boards and PFDs

While on water safety patrol, the Village's Police Officers are finding many people on paddle boards without proper flotation devices (PFDs). Per the DNR's Roy Zellmer, a Conservation Warden and Wisconsin's Boating Law Administrator, paddleboards fall under the same law as kayaks and canoes. Zellmer says Wisconsin law – as well as the U.S. Coast Guard law – requires vessels to be equipped with a PFD or a life jacket. "This means there must be life jacket for each person on board," he says. "The best way to obey this law and the best way to ensure your safety? Wear the life jacket." Here are the safest ways from the DNR to enjoy boating and other recreational water activities on the lake:



1. Wear a lifejacket and carry a whistle.
2. Be a competent swimmer.
3. Know how to self-rescue.
4. Know how to tow another board.
5. Know the local regulations and navigation rules.
6. Understand the elements and hazards – winds, tidal ranges, current, terrain.
7. Know when to wear a leash.
8. Be defensive – don't go anywhere you're not supposed to be and avoid other swimmers, boaters, and paddleboards.
9. Use proper blade angle to be the most efficient paddle boarder.
10. Take a safety course.
- 11.

For more information about how to prepare yourself for fun and safety on your paddleboard or other vessels, visit this website to learn about safety courses and more: <http://dnr.wi.gov/topic/boat/>. Or, go to the DNR website, dnr.wi.gov and search keywords 'boat safety.'

Fatal Tree Disease

Oak Wilt is a lethal fungal disease that is found in many areas of central and southern Wisconsin including the Village of Chenequa. Left unmanaged it can cause the death of oak in large areas.

Oak Wilt is caused by a fungus which plug the water conducting vessels of the tree, the leaves then “wilt” and fall from the tree usually in mid to late summer. This can quickly kill the red oaks, while the burr and white oaks may linger for several years.

The fungus is spread to other trees by two methods: overland and underground. Beginning in the spring, sap feeding beetles are attracted to oak trees which were killed by the fungus during the previous year. While feeding, they pick up the fungal spores on their bodies and fly to other oaks which may have wounds in the bark from storm damage or pruned during the wrong time of year. The best time to prune oaks is from October through February.

Once infected, the fungus travels through the tree and into the roots. If another oak is close enough, the two root systems may have naturally grafted together allowing the fungus to move from tree to tree. This can create a group or “pocket” of dead oaks which can continue to spread as long as there are oaks grafted to one another.



What can be done?

We ask that you monitor your oaks for fallen leaves during the summer months. If a tree is found contact the Village Forester or a qualified arborist to examine your tree. There are number of tree related problems which may cause the death of an oak other than Oak Wilt.

Removing infected oaks and chemically killing the stump is the best way to manage Oak Wilt. Before removing trees, it is advised to disrupt the root grafts between the infected and other nearby oaks. Known as trenching, machinery is used to cut the roots to a depth of 5 feet, separating healthy from infected trees. Destroy or remove the wood from diseased trees. If the wood is kept as firewood, cut and split and remove the bark to speed up the drying process. Once the wood is dry it can no longer support the Oak Wilt fungus. Other than the winter months, the wood should be covered with a tarp and the edges of the tarp buried in the ground to prevent transmission.

Injections of propiconazole have been used by arborists to prevent Oak Wilt with success but this treatment is normally used for trees near homes and not in a wooded lot.

The forests throughout the Village of Chenequa consist mainly of large mature red oaks. The loss of these trees can have a huge impact on the landscape. Oak Wilt is considered a threat to property and infected trees will be declared a public nuisance. Removal or abatement is mandatory under Village Ordinance 3.07.

For a more detailed description of treatment options contact the Village Forester or an ISA Certified Arborist.

BOW HUNTING / PERMISSION TO HUNT

Archery and Crossbow

I, _____ hereby grant permission to

(Grantee's Name and Cell Phone Number)

(Vehicle Type, Color and Plate Number)

to bow hunt my property located at _____.

The guest listed above and the subject(s) name below are the sole individuals that have been granted access to my property for the purpose of bow hunting deer.

I have also contacted my neighbors listed below and advised them of the hunters on my property. I have further received verbal permission from my neighbors that in the event a deer is wounded and travels onto adjacent property, the guest has permission to track the deer onto the neighbor's properties to retrieve the deer.

Dated: _____

Property Owner's Signature

Other parties with permission to bow hunt are:

Name

Name

Vehicle, Color and Plate Number

Vehicle, Color and Plate Number

Cell Phone Number

Cell Phone Number

Neighboring property owners who have been contacted and given permission to enter the below listed properties to track a wounded deer:

Name

Address

Name

Address

Name

Address

To assist in our deer management program, you may voluntarily report the number of deer harvested by contacting Jeff Kante at 262-367-2239.

Grantee should have a copy of this written permission on person in the event they are subject to police contact. Please provide a copy of this completed form to the Chenequa Police Department via (email) policeclerk@chenequa.org, U.S. Mail or in person.

8.04 PROHIBITING HUNTING. (amended 3/10/14)

- (4) Hunting with a bow and arrow or crossbow within the Village limits of the Village of Chenequa is hereby prohibited unless:
 - (a) the hunter is at least 100 yards from a building located on another person's land, or, if less than 100 yards from a building located on another person's land, if the hunter has permission from the building's owner to hunt within 100 yards of the building; and
 - (b) the hunter discharges the arrow or bolt from the respective weapon toward the ground.

8.10 TRESPASS TO LAND. (amended 2/10/14)

- (1) Any person who, within the limits of this village, does any of the following, shall upon conviction thereof forfeit an amount up to the maximum allowed for a Class B forfeiture under § 939.52(3)(b) of the Wisconsin Statutes (2011-12) and the costs of prosecution; and in default of payment of such forfeiture and the costs of prosecution shall be imprisoned in the County Jail of Waukesha County for a term not exceeding twenty (20) days.
 - (a) Enters any enclosed, cultivated or undeveloped land of another, other than undeveloped land specified in paragraph (d) or (e), without the express or implied consent of the owner or occupant.
 - (b) Enters any land of another that is occupied by a structure used for agricultural purposes without the express or implied consent of the owner or occupant.
 - (c) Enters or remains on any land of another after having been notified by the owner or occupant not to enter or remain on the premises.
 - (d) Enters or remains on undeveloped land that is an inholding of another after having been notified by the owner or occupant not to enter or remain on the land.
 - (e) Enters undeveloped private land from an abutting parcel of land that is owned by the United States, this state or a local governmental unit, or remains on such land, after having been notified by the owner or occupant not to enter or remain on the land.
- (2) In determining whether a person has implied consent to enter the land of another a trier of fact shall consider all of the circumstances existing at the time the person entered the land, including all of the following:
 - (a) Whether the owner or occupant acquiesced to previous entries by the person or by other persons under similar circumstances.
 - (b) The customary use, if any, of the land by other persons.
 - (c) Whether the owner or occupant represented to the public that the land may be entered for particular purposes.
 - (d) The general arrangement or design of any improvements or structures on the land.
- (3) A person has received notice from the owner or occupant within the meaning of this section if he or she has been notified personally, either orally or in writing, or if the land is posted as set forth in §943.13(2) of the Wisconsin Statutes (2001-02).
- (4) Whoever erects on the land of another signs which are the same as or similar to those described in subparagraph (2) without obtaining the express consent of the lawful occupant of or holder of legal title to such land shall upon conviction thereof forfeit not less than Twenty five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) and the costs of prosecution; and in default of payment of such forfeiture and the costs of prosecution shall be imprisoned in the County Jail of Waukesha County for a term not exceeding twenty (20) days.
- (5) The definitions set forth in §943.13(1e) of the Wisconsin Statutes (2001-02) shall apply to this section.
- (6) This section shall be subject to the limitations set forth in §943.13(4m) of the Wisconsin Statutes (2001-02).

RESOLUTION NO. 2015-08-10-01

RESOLUTION TO AMEND SECTIONS 6.03(2), 6.03(26), 6.05(6)(c)(i), AND 6.15(g) AND
ADD SECTION 6.03(29) OF THE VILLAGE OF CHENEQUA CODES OF ORDINANCES
RELATING TO ACCESSORY STRUCTURES, RECREATIONAL FACILITIES AND
NONCONFORMING STRUCTURES

The Village Board of Trustees of the Village of Chenequa, Wisconsin, does hereby amend Sections 6.03(2), 6.03(26), 6.05(6)(c)(i) and 6.15(g) and add Section 6.03(29) relating to accessory structures, recreational facilities and non-conforming structures. In accordance with Wisconsin Statutes §66.0103, the following is amended, created and adopted:

6.03 DEFINITIONS. For the purpose of this ordinance certain terms and words are hereby defined as follows:

(2) **ACCESSORY STRUCTURE:** A detached structure used incidentally to the main structure or building and not used for dwelling or residence purposes. An accessory structure shall not contain cooking or sleeping facilities but may include a toilet and/or sink.

(26) **NON-CONFORMING STRUCTURE:** Any building or structure which does not comply with all of the regulations of this Code and any amendments thereto. If there are two or more buildings on a lot, each of which has cooking or sleeping facilities, then each building is nonconforming.

(29) **RECREATIONAL FACILITY:** Anything which (i) exceeds one hundred (100) square feet, (ii) is constructed or erected and requires permanent location on or in the ground, and (iii) is primarily used for recreational purposes, including, without limitation, swimming pools and tennis courts.

6.05 RESIDENCE DISTRICT REGULATIONS.

(6) **SETBACK/LIVING AREA RESTRICTIONS: PERMITTED USE**

(c) Side Yard.

(i) A side yard of six (6) inches in width for each foot in height of a structure, with a minimum of ten (10) feet shall be provided on each side of every structure. No single family structure shall be constructed within fifty (50) feet of an existing single family structure on an adjoining lot, and no accessory building or recreational facility shall be erected within one hundred (100) feet of an existing single family structure on an adjoining lot. Recreational facilities in existence shall not prohibit a single family structure on an adjoining lot from building or remodeling inside the 100' setback of a recreational facility.

6.15 RESTRICTIONS ON LAND DIVISIONS.

(g) identification of each structure containing cooking or sleeping facilities.

Any land division or conveyance of a part of a lot or parcel shall require:

- (1) Consent of the Village Board;
- (2) that each divided part conform to the lot area requirements of Section 6.05(5);
- (3) that any existing structures on any of the divided parcels comply with the setback and height requirements of 6.05(3) and 6.05(4) after the division or conveyance, or if any existing structures are nonconforming, the nonconformance will not be increased;
- (4) that no division shall create a divided part with more than one structure containing cooking or sleeping facilities, unless such divided part existed before the division and there is sufficient acreage under Section 6.05(5) for each such structure;
- (5) that each divided part shall otherwise conform to all the requirements of the Code.

The certified survey map shall be drawn on a scale showing not more than 100 feet to an inch, and the scale used shall be indicated on the certified survey map graphically. It shall also show the location of the land by government lot, quarter-quarter section, section, township and range.

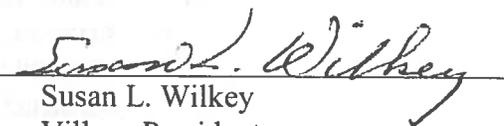
Such certified survey map shall be prepared by a surveyor who holds a valid certificate of registration granted pursuant to the laws of Wisconsin, and the information shown on the certified survey map shall be certified by such surveyor to be correct.

The sale or exchange of parcels of land between owners of adjoining property would not be restricted by the requirements of Section 6.05(5), as referred to in Section 6.15(2) above, is such sale or exchange is permitted by Wisconsin Statutes §236.45(2)(a)(3) and by all other applicable laws and ordinances.

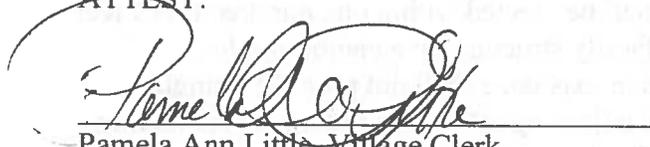
Dated: August 10, 2015

VILLAGE OF CHENEQUA

By:


Susan L. Wilkey
Village President

ATTEST:


Pamela Ann Little, Village Clerk

Date Adopted: August 10, 2015
Date Published: August 18, 2015
Effective Date: August 19, 2015