

**AN ORDINANCE AMENDING SECTION 7.011 OF THE ZONING  
ORDINANCE REGULATING WIND ENERGY  
SYSTEMS WITHIN THE AGRICULTURAL DISTRICT**

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WHEREAS, Section 66.0401 of the Wisconsin Statutes establishes and limits the authority for Towns to regulate wind energy systems, as defined in Section 66.0403(1)(m) of the Wisconsin Statutes, and

WHEREAS, under Section 1.12(3)(b) of the Wisconsin Statutes it is the goal in this state to promote the use of renewable energy sources if cost effective and technically feasible, and

WHEREAS, the Town of Brothertown does not presently have provisions within the Town Zoning Ordinance to regulate wind energy systems, and

WHEREAS, Calumet County has enacted a comprehensive ordinance addressing the siting of wind energy systems throughout Calumet County entitled Wind Energy Facility and which can be found in Chapter 79 of the Calumet County Code of Ordinances, and

WHEREAS, it is in the best interests of the citizens of the Town of Brothertown that Chapter 79 control the siting of wind energy systems in the Town of Brothertown.

NOW, THEREFORE, the Town Board of the Town of Brothertown does ordain:

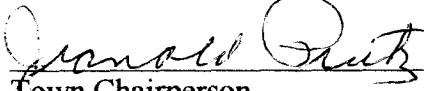
Section 1. Section 5.07 of the Zoning Ordinance is created to read as follows:

Section 5.07 Wind Energy Facility The Town of Brothertown Zoning Ordinance is not applicable to a Wind Energy Facility located in an Agricultural district which has received a Wind Energy Siting Permit from Calumet County.

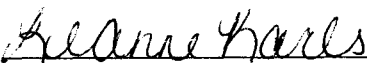
Section 2. Severability. If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect the remainder of the Ordinance.

Section 3. This ordinance shall be effective upon passage and posting as required by law.

TOWN OF BROTHERTOWN

  
Town Chairperson

ATTEST:

  
Town Clerk

Adopted: 04/03/07

Posted: 04/07/07