

ORDINANCE NUMBER 98-02
AN ORDINANCE TO CREATE A TOWN OF BLOOMING GROVE
CODE OF ORDINANCES

The Town Board of Supervisors of the Town of Blooming Grove, Dane County, Wisconsin, do ordain as follows:

Section 1. The Town of Blooming Grove Code of Ordinances attached hereto and incorporated herein as Attachment A is hereby adopted and enacted as the Town of Blooming Grove Code of Ordinances (the "Code").

Section 2. Each Town ordinance provision that was in effect prior to adoption of the Code continues to be in effect, unless it is expressly repealed herein. In the event of a conflict between a Code provision and an existing Town Ordinance provision, the Code provision shall govern and prevail.

Section 3. The following Town ordinance provision is expressly repealed: Ordinance No. 3.01 titled "An Ordinance of the Town of Blooming Grove Regulating Burning", which was adopted on May 2, 1990.

Section 4. All provisions in the Code that were no in effect prior to adoption of the Code shall be in effect on and after the first day permitted by law.

Section 5. The repeal and conflict provisions provided for in sections 2 and 3 hereof shall not affect the following:

- (a) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this Ordinance.
- (b) Any ordinance or resolution promising or guaranteeing the payment of money for the Town, or any contract or obligation assumed by the Town.
- (c) The administrative ordinances or resolutions of the Town not in conflict or inconsistent with the provisions of the Code.
- (d) Any appropriation ordinance or resolution.
- (e) Any right or franchise granted by the Town to any person, firm, or corporation.
- (f) Any ordinance or resolution dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening, vacating, etc., any street or public way in the Town.
- (g) Any ordinance or resolution establishing the prescribing of street grades of any streets in the Town.
- (h) Any ordinance or resolution providing for local improvements or assessing taxes or special assessments therefore.

- (i) Any ordinance or resolution dedicating or accepting any plat or subdivision in the Town.
- (j) Any ordinance or resolution regulating the erection, alteration, repair, demolition, moving, or removal of buildings or other structures, except to the extent that such ordinances have been amended as part of this Ordinance.
- (k) Zoning ordinances and building codes, except to the extent that such ordinances have been amended as part of this Ordinance.
- (l) Charter ordinances.
- (m) The issuance of corporate bonds and notes of the Town of whatever name or description.
- (n) Water, sewer, and electric rates, rules and regulations and sewer and water main construction.

Section 6. A copy of the Code shall be kept on file in the office of the Town Clerk. It shall be the duty of the Town Clerk, or someone authorized by the Town Clerk, to insert in their designated places all amendments, ordinances, or resolutions which indicate the intention of the Town Board to make the same a part of the Code when the same have been printed or reprinted in page form, and to extract from the Code all provisions which may be repealed from time to time by the Town Board. This copy of the Code shall be available for all persons desiring to examine it.

Section 7. If any section or part of this Ordinance is adjudged to be unconstitutional, unlawful, or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

The foregoing ordinance was duly adopted by the Town Board of Supervisors of the Town of Blooming Grove, Dane County, Wisconsin, at a regular meeting held on May 12, 1998, by a vote of 2 in favor, 0 opposed, and 1 not voting.

TOWN OF BLOOMING GROVE

By _____
Tom N. Anderson, Chairman

ATTEST:

Verlene Hendrix, Clerk

Approved: May 12, 1998
Published: June, 1998