

**TOWN OF GIBRALTAR
ORDINANCE NO. 2004-05**

**An Ordinance to Adopt a Comprehensive Plan Pursuant to
Wisconsin Statutes Section 66.1001 (Smart Growth)**

WHEREAS, on November 27, 2001, the Town Board for the Town of Gibraltar approved a contract with Bay-Lake Regional Planning Commission to prepare a Comprehensive Plan for the Town of Gibraltar under the guidelines of Section 66.1001 Wisconsin Statutes; and,

WHEREAS, the project included a public participation plan in every stage of the process for preparation of a Comprehensive Plan for the Town of Gibraltar, which addressed provisions for wide distribution of the proposed elements of the Comprehensive Plan, and provided an opportunity for written comments to be received from the public and for the Town to respond to such comments; and

WHEREAS, on November 25, 2003, the Town of Gibraltar Plan Commission recommended to the Town Board adoption of the Comprehensive Plan by resolution which passed by a majority vote to the entire membership of the Town Plan Commission, which vote is recorded in the official minutes of the Plan Commission: and,

WHEREAS, the Town of Gibraltar Board held a public hearing on June 21, 2004, which was preceded by a Class 1 Notice provided as described in Wisconsin Statutes Chapter 985, that was published at least 30 days before the hearing was held, and the notice included all the following information:

1. The date, time and location of the hearing.
2. A summary of the proposed Comprehensive Plan.
3. The name of the individual employed by the Town of Gibraltar who may provide additional information regarding the proposed ordinance;
4. Information relating to where and when the proposed Comprehensive Plan could be inspected before the hearing, and how a copy of the Plan could be obtained; and,

WHEREAS, the Town Board of the Town of Gibraltar, having carefully reviewed the recommendation of the Town Plan Commission, having determined that all procedural requirements and notice have been satisfied, having given the matter due consideration, including consideration of the Plan components relating to issues and opportunities, agricultural, natural and cultural resources, housing, economic development, transportation, utilities and community facilities, intergovernmental cooperation, land use and implementation, and having determined that the Comprehensive Plan will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Gibraltar which will, in accordance with existing and future needs, best promote the public health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Town Board of the Town of Gibraltar, Door County, Wisconsin, **DOES ORDAIN AS FOLLOWS:**

Section 1: The Comprehensive Plan recommended by the Town of Gibraltar Plan Commission to the Town of Gibraltar Board, attached hereto as Exhibit A, is hereby adopted.

Section 2: The Town Clerk is directed to file a copy of the attached Comprehensive Plan for the Town of Gibraltar with all the following Entities:

1. Every governmental body that is located in whole or in part within the boundaries of the Town of Gibraltar.
2. The Clerk of every local governmental unit that is adjacent to the Town of Gibraltar;
3. The Wisconsin Land Council;
4. The Bay-Lake Regional Planning Commission;
5. The Gibraltar Public Library,

Section 3: SEVERABILITY. 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 only apply to that 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 in conflict.

Section 4: EFFECTIVE DATE. This ordinance will take effect immediately upon passage and publication as provided by law.

Adopted this 7th day of July 2004, by a majority vote of the members of the Town board of the Town of Gibraltar.

Merrell P. Runquist, Chairman

Myrvin Somerhalder, Supervisor

Richard Skare, Supervisor

Brian Merkel, Supervisor

Michael J. Burda, Supervisor

Sharon Kellner, Clerk-Administrator