

SECTION 2
JURISDICTION, COMPLIANCE & APPLICATION

2.1 JURISDICTION.

The jurisdiction of this Ordinance shall apply to all land, water, buildings, and structures within the corporate limits of the Town of Clyman, Dodge County, Wisconsin, and outside the limits of the incorporated Village of Clyman, including those also under jurisdiction of Dodge County, Wisconsin, as authorized by Wisconsin Statutes. For land, water, buildings, and structures under the jurisdiction of both this Ordinance and applicable provisions of the Dodge County Land Use Code, both shall be in full force and effect.

2.2 FEDERAL, STATE & LOCAL AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, counties, and federal, state and county agencies are required to comply with the provisions, regulations, and limitations of this Ordinance.

2.3 COMPLIANCE.

Unless otherwise provided for in Sections 2.4 and 2.5 below, no building, structure, development, or use of land shall hereafter commence nor be moved, reconstructed, substantially improved, enlarged, expanded, or modified without complying with the requirements, allowances, limitations, and other provisions of this Ordinance.

In addition, where and when applicable as authorized and/or required by law, all requirements, allowances, limitations, and other provisions of the following shall be complied with as provided for therein:

- (1) Wisconsin Departments of Commerce, Agriculture, Trade and Consumer Protection (DATCP), Transportation (WisDOT), Natural Resources (DNR), and other regulatory agencies and departments charged with enforcing Wisconsin Statutes and administrative rules;
- (2) Federal Agencies of Environmental Protection (EPA), US. Army Corps of Engineers and other regulatory agencies and departments charged with enforcing federal laws, statutes, and rules; .
- (3) Town of Clyman Land Division Ordinance and other applicable ordinances, codes, and development regulations not contained in nor made part of this Ordinance.
- (4) Dodge County Land Use Code.

2.4 APPLICATION OF ORDINANCE TO NON-CONFORMING USES, BUILDINGS, STRUCTURES, AND PARCELS.

The application of this Ordinance to lawfully established non-conforming uses, buildings, structure and parcels existing on the effective date of this Ordinance is specifically set forth in Section 7 of this Ordinance.

2.5 APPLICATION OF ORDINANCE TO PERMITS ISSUED PRIOR TO EFFECTIVE DATE.

The commencement and/or continuation of construction of any building, structure, land development activity, or use of land that (1) does not comply with the requirements, allowances, limitations, and other provisions of this Ordinance; and (2) occurs after the effective date of this Ordinance, shall not be affected by this Ordinance if said construction, development activity, or land use is specifically authorized by a valid permit or other form of development approval applied for and granted prior to the effective date of this Ordinance by the Town and any other federal, state, or county agency having jurisdiction.

2.6 ABROGATION AND GREATER RESTRICTIONS.

This Ordinance is not intended to repeal, abrogate, invalidate, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law. However, wherever this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

2.7 INTERPRETATION.

In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements necessary to achieve the stated purpose and intent of this Ordinance. The provisions of this Ordinance shall be liberally and broadly construed in favor of the Town to promote the stated purpose and intent for which they are adopted and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

2.8 SEVERABILITY.

If any section, clause, provision, or portion of this Ordinance is judged to be invalid or unenforceable by a court of competent and applicable jurisdiction, the remainder of this Ordinance shall not be affected by such judgment. If any application of this Ordinance to a particular building, structure, or parcel of land is judged to be invalid or unenforceable, such judgment shall not be applicable to any other building, structure, or parcel of land.