

ORDINANCE OF THE COUNCIL AS A WHOLE

Council As A Whole Date: November 5, 2013

Council As A Whole Action: Carried 14-0

ORDINANCE INITIATED PURSUANT TO WISCONSIN STATUTES SECTION 9.20 REGARDING DIRECT LEGISLATION CREATING SECTION 12.29 OF THE MUNICIPAL CODE RELATING TO THE ACQUISITION OF LAND

Ordinance No. 2340-13

Council Date: November 5, 2013

Council Action: Adopted

The Common Council of the City of Brookfield do ordain as follows:

PART I. Section 12.29 of the Municipal Code is hereby created to read as follows:

Prior to the acquisition by the City of Brookfield of any land which has ever been used for mining, as defined in sub. (1), below, or filling, as defined in sub. (2) below, the Common Council shall submit to the electorate a binding referendum for approval of such acquisition. Failure of the binding referendum shall preclude the City from proceeding with such acquisition. Nothing in this provision shall be construed to preclude the City from exercising its role in the planning or design of any public project on such acquired land.

(1) "Mining" means operations or activities for the commercial extraction from the earth of merchantable metallic or nonmetallic minerals or the exploration or prospecting for the minerals and includes operations, processes or activities related to that extraction.

(2) "Filling" means the act of placing, setting down or depositing solid fill on land for the purpose of, or which has resultant effect of, changing the existing contour of, or raising the elevation of, the land or any part thereof.

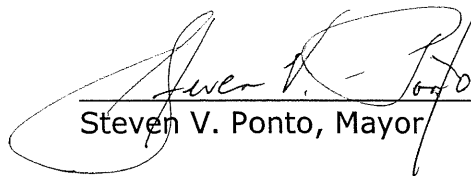
PART II. All ordinances and parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect upon passage and publication as provided by law.

ADOPTED AND APPROVED _____ November 5, 2013



Kelly Michaels, City Clerk



Steven V. Ponto, Mayor

Published: November 14, 2013