

**TOWN OF LAPOINTE**  
**PUBLIC HEARING: Attractive Nuisance Ordinance #2014-02**  
**TUESDAY, SEPTEMBER 16, 2014**  
**6:00 PM AT TOWN HALL**  
Approved Minutes (10-14-14)

**Town Board Members Present:** Michael Childers, Marty Curry, Jim Patterson, Ham Ross

**Public Present:** as per sign-up sheet

**I. Call to Order** at 6:00pm

Motion to nominate Ham Ross as acting chairman in the absence of Greg Nelson, M. Curry/ J. Patterson, 3 Ayes (HR abstains), Motion Carried.

**II. The purpose of this Public Hearing is to discuss the Attractive Nuisance Ordinance #2014-02**

Planning and Zoning Administrator Lisa Potswald addressed the public that the ordinance was developed with child safety in mind, addressing safety concerns that would be 'attractive' to children. It is complaint driven. It has been reviewed by the Town's Attorney, M. Fauerbach, and he recommends it.

There were some members of the public who were in favor of the ordinance as written. Others had concerns like:

- One person's clutter is another person's treasure.
- Who declares a structure 'unsound'?
- Unlocked car doors are included in current version, is this really a violation?
- The two month time frame in 1.5.C for filling permitted excavation sites is unrealistic as many building projects take much longer.
- Questions on whether the ordinance could be contained to the downtown area and not the rest of the island.
- Language of ordinance is simplistic and is open to future controversies.
- What if the nuisance items were those that could not get insured by insurance companies.
- Definition of 'structurally unsound' is vague. What about docks after ice and then the recent storm? Would a structural engineer need to be involved? At least someone with knowledge and expertise.
- Issue of fencing: could there be a fencing ordinance? What about fences in the building code? Lisa responds that the ordinance is stronger as a Town Ordinance and not as a Zoning Ordinance.
- Fencing is at the core of the problem.

**III. Adjourn** at 6:30pm

Submitted by Micaela Montagne, Town Clerk

Approved as submitted October 14, 2014, Micaela Montagne, Town Clerk

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