



ORDINANCE 2018-03
AN ORDINANCE TO REPEAL AND RECREATE SECTION 384-17,
384-28, C, (5), and 384-29-C(5)

WHEREAS, the Town of Herman has determined that the height restrictions within the Site Restrictions, the A-1 Farmland Preservation District and the A-2 General Agricultural District ordinances apply an undue affliction on nonfarm accessory structures.

NOW THEREFORE, the Town of Herman Town Board does now hereby ordain as follow:

SECTION 1: Section 384-17-E, shall be repealed and recreated as follows:

Height limitations. The maximum height for all residential structures shall be 40 feet. The maximum height for all commercial and industrial structures shall be 60 feet. The maximum height for all nonfarm accessory structures shall be 35 feet. Agricultural structures, such as barns and silos, shall not exceed in height twice their distance from the nearest lot line.

SECTION 2: Section 384-28-C, (5) shall be repealed and recreated as follows:

Height limitations. See 384-17-E

SECTION 3: Section 384-29-C (5), shall be repealed and recreated as follows:

Height limitations. See 384-17-E

SECTION 4: Severability

The 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 apply only to the 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 Any other ordinance whose terms are in conflict with the provisions of the ordinance are hereby repealed as to those terms that conflict.

SECTION 4: Effective Date

This ordinance shall be effective upon publication or posting as provided by law.

Dated this 13th day of November, 2018

TOWN OF HERMAN

Joel Christ
Joel Christ, Chairman

Stephanie Justmann
Stephanie Justmann, Supervisor #1

Dale Ravanelli
Dale Ravanelli, Supervisor #2

Attest:

Alison Pecha
Alison Pecha, Clerk

This ordinance posted and/or published this 13 day of November, 2018