

ARTICLE I ENACTMENT AND PURPOSE

Section 100: Enactment

In accordance with the Vermont Municipal and Regional Planning and Development Act, referred to in this document as the 24 V. S. A., Chapter 117, Subchapter 6, §4401 there is hereby established a zoning ordinance for the Town of Wilmington which is set forth in the zoning map and text which constitute this ordinance. The ordinance shall be known as the Wilmington zoning ordinance, hereinafter referred to as “this ordinance”.

This ordinance shall be interpreted, administered and enforced in conformity with the provisions of the Act as the same now exists or may hereafter be amended.

Section 110: Purpose

- A. To guide the future growth and development of the Town in accordance with the duly adopted Town Plan.
- B. To encourage land use that is in the best interest of the community through the classification of Uses in compatible venues and to segregate those Uses that are thought to be incompatible.
- C. To protect and conserve the character of the community and to encourage the orderly social and economic development of the Town.
- D. To assure that development takes into consideration and/or addresses the availability of present and future public facilities and services, schools, highways, police protection and other public requirements.
- E. To prevent the pollution of watercourses and watersheds, safeguard water tables and avoid hazardous conditions and damage resulting from run-off.
- F. To serve as a guide for the building of public and community needs and for private enterprise in building developments, making investments and other economic activity.
- G. To conserve the Town's natural beauty and topography in such a way as to preserve the integrity, stability and value of land and buildings.

Section 120: Application of Regulations and Requirement for Zoning Permit

Maintenance and repair is encouraged and shall not require a Permit. No land development shall commence until a zoning Permit has been issued by the Zoning Administrator as provided for in § 4449(a). Land development is defined as the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other Structure, or of any mining, excavation or landfill and any change in the Use of any building or other Structure or land, or extension of Use of land. Furthermore, all properties are subject to and must comply with the General and Specific Performance Standards as set forth in Article VII as well as such Article V Historic Design Review District, Article VI Flood Hazard Area, Article VIII Signs, and Article IX Telecommunications.

In the case of conflicting provisions, the more restrictive provision shall apply.

Section 130: Interpretation

Interpretation is in compliance with § 4413(c) of the Act. This ordinance is not intended to repeal, annul or in any way impair any regulations or Permits previously adopted or issued. These regulations may impose a greater restriction upon Use of a Structure or land than are required by any other statute, ordinance, rule, regulation, easement, or agreement. The application of these regulations shall not invalidate any regulation by another governing body having jurisdiction such as the state or a private owner's association.

Section 140: Severability

If any section or provision of this ordinance is adjudged to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the ordinance as a whole or of any part thereof other than the part so adjudicated.

Section 150: Official Zoning Map

The boundaries of zoning Districts shall be established and clearly indicated upon an Official Zoning Map (Map), titled "Zoning Districts, Town of Wilmington", adopted as part of this chapter. The Map shall be kept and maintained at the Wilmington Town Office. Any copies of the Map shall be for reference purposes only.