1 2 3 4	RESOLUTION #9-2016 GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT #12-2015
5	Ordinance Amendment offered by the Planning and Development Committee
7 8 9 10 11 12 13	WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #12-2015, (copy attached) which was filed September 16, 2015, (copy attached) to add Section 9.57, Moratorium on Livestock Facilities Licensing of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon October 7, 2015 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:
15 16 17 18 19 20	WHEREAS, the purpose of the ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County; and
21 22 23	WHEREAS, the moratorium would prohibit new livestock facilities that will have 500 or more animal units; and
24 25 26	WHEREAS, the Planning and Development Committee held a public hearing and no one testified in opposition.
27 28 29 30 31	NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists. Section 2. This ordinance shall take effect the day after passage and publication
32 33 34 35 36 37	as required by law. Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:
38 39 40	9.57 MORATORIUM ON LIVESTOCK FACILITIES LICENSING
41 42	A. Purpose and Intent
43 44 45 46 47 48 49 50	The purpose of this ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County. Further, the imposition of a moratorium will allow Oneida County to determine whether it has adequate resources to enforce any new or existing livestock facility ordinance.

51	
52 53	
J	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66 67	
67 68	
69	
70	
71	
72	
72 73 74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	

93 94 95

96

B. Authority

The Oneida County Board has the specific authority under Wisconsin Statutes including but not limited to §59.02(2) and §59.68 Wis. Stats.

C. Adoption

This ordinance, adopted by a majority vote of the Oneida County
Board of Supervisors with a quorum present and proper notice having
been given, provides for the imposition of a moratorium on the
licensing of new livestock facilities that will have 500 or more animal
units, and on the licensing of pre-existing livestock facilities that are
undergoing an expansion if the number of animal units kept at the
expanded facility will be 500 or more, provided that the moratorium
does not apply to an applicant who has acquired legally vested rights
to the issuance of a license prior to the adoption of this ordinance.

D. Definitions

- 1. Livestock Facility A feedlot, dairy farm, or other operation where livestock are or will be fed, confined, maintained, or stabled for a total of 45 days or more in any twelve (12) month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate "livestock facility."
- Related Livestock Facilities Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:
 - a. They are located on the same tax parcel or adjacent tax parcels of land.
 - b. They use one or more of the same livestock structures to collect or store manure.
 - c. At least a portion of their manure is applied to the same landspreading acreage.
- 3. Animal Unit Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004.

E. Moratorium Imposed

The Oneida County Board of Supervisors hereby imposes a moratorium on the licensing of new livestock facilities that will have 500 or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance. F. Duration of Moratorium This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date. This moratorium may be extended for up to six (6) more months by a majority vote of the Oneida County Board of Supervisors. The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #12-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources. Approved by the Planning and Development Committee this 4th day of November, 2015. Consent Agenda Item: YES NO Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____ The County Board has the legal authority to adopt: Yes _____ No ____ as reviewed by the Corporation Counsel, ______, Date: Offered and passage moved by: Supervisor Supervisor Supervisor Supervisor Supervisor

146	Ayes		
147			
148	Nays		
149			
150	Absent		
151			
152	Abstain		
153			
154			
155	Enacted		
156			
157	by the County Board of Supervisors this _	day of	_, 2015.
158			
159	Defeated		
160			
161			
162			
163 164	Mary Bartelt, Clerk	David Hintz, County	Board Chair