

**Town of New Glarus
Green County, WI
Moratorium on Livestock Facilities Ordinance and Major Developments #16-05-18**

WHEREAS, pursuant to authority granted under Wisconsin Statutes § 60.10(2), the Town Board of Supervisors of the Town of New Glarus is authorized to exercise powers of a village board under Wis. Stat. § 60.22(3);

WHEREAS, pursuant to Wis. Stat. § 61.34, the Town Board has the power to act for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, and other necessary or convenient means;

WHEREAS, Town residents and property owners have expressed concerns about the importance of preserving the quality of life, the environment, water quality, and existing small-scale livestock and other agricultural operations in the Town with respect to the potential impacts of large livestock facilities as well as Major Developments within the Town;

WHEREAS, there is a need for adequate time to determine whether creation of a Livestock Facilities Licensing and Major Development Ordinance with requirements that are more stringent than state standards and/or other ordinances relevant to livestock facilities and major developments are necessary to adequately protect public health and safety and to determine whether adequate resources exist to enforce and administer any such ordinance; and

WHEREAS, it is deemed to be in the best interest of the Town of New Glarus to enact the “Moratorium on Livestock Facilities and Major Development Ordinance”.

NOW, THEREFORE, the Town Board does hereby ordain as follows:

1) AUTHORITY

This ordinance is adopted pursuant to the powers granted under the Wisconsin Constitution, and the Wisconsin Statutes. Further, this ordinance is adopted pursuant to the powers granted to the Town Board under the grant of village powers pursuant to Wis. Stat. § 60.22(3) and the power to act for the protection of public health and safety under Wis. Stat. § 61.34.

2) TITLE

The title of this ordinance is the Moratorium on Livestock Facilities and Major Developments.

3) PURPOSE

The purpose of this ordinance is to allow the Town of New Glarus to impose a moratorium providing adequate time to study, review, consider and determine whether creation of a Livestock Facilities Licensing and Major Development Ordinance with requirements that are more stringent than state standards and/or other ordinances relevant to livestock facilities and major developments are necessary to protect public health or safety in the Town of New Glarus in light of the unique environment and characteristics of the area and the concerns expressed by Town residents and property owners. Further, the imposition of a moratorium will allow the Town of New Glarus to determine whether it has adequate resources to enforce a Livestock Facilities Licensing and Major Development Ordinance and/or other ordinances relevant to livestock facilities and major developments. This ordinance does not prohibit requests for rezoning or approval of land divisions.

4) DEFINITIONS

The definitions of terms in section ATCP 51.01 of the Wisconsin Administrative Code are hereby adopted and incorporated by reference as if fully set forth herein.

5) MORATORIUM IMPOSED

A moratorium is hereby imposed on new livestock facilities within the town which are designed to have a capacity of 1000 or more animal units, and also on the expansion of any pre-existing livestock facilities if the capacity of the expanded facility will be 1000 or more total animal units. This moratorium does not

apply to persons who have acquired legally vested rights to construct an approved application for a livestock facility prior to the adoption of this ordinance.

6) ACTION AND STUDY DURING MORATORIUM

The Town Board hereby creates a special study committee which shall be known as the "Large-Scale Livestock Study Committee" and which shall consist of 6 interested persons selected by a majority of the Town Board to work in conjunction with the Town Board and the Town's Comprehensive Land Use Committee.

The Large-Scale Livestock and Major Development Study Committee shall, during the course of the moratorium imposed by this ordinance, research, analyze, and synthesize scientific literature and research regarding the impact of livestock facilities with 1000 or more animal units on ground water, surface water, air quality and other identified potential impacts, specifically as those issues apply in the Town of New Glarus.

The Large-Scale Livestock Study Committee shall report its recommendations on appropriate regulatory approaches relative to livestock facilities with 1000 or more animal units to the Town Board at least 60 days prior to the end of the moratorium adopted pursuant to this ordinance or as soon as the Committee has developed recommendations, whichever occurs earlier.

7) DURATION OF MORATORIUM

This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is adopted by the Town Board, unless the Town Board rescinds this moratorium at an earlier date, or until the Action and Study contemplated by this ordinance is complete and the Town Board creates a Livestock Facilities Licensing and Major Development Ordinance and/or other ordinances relevant to livestock facilities or rescinds this moratorium. This moratorium may be extended for up to six (6) more months by a majority vote of the Town Board, if necessary, in order for the Large-Scale Livestock and Major Development Study Committee to complete its responsibilities under this ordinance.

8) SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to that end, the provisions of this ordinance are severable.

9) EFFECTIVE DATE


This ordinance shall take effect and be in full force from and after its passage.

Adopted this 18th day of May, 2016, by the Town Board of Supervisors of the Town of New Glarus.


The Town Clerk shall properly post or publish this resolution as required under s. 60.80, Wis. stats., within 30 days of the below-noted adoption date.


MORATORIUM EXTENDED FOR 6 MONTHS BY MAJORITY VOTE ON MAY 9, 2017

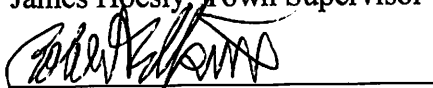
By: 
Chris Narveson, Town Chair

ATTEST: 
Patricia Salter, Clerk-Treasurer


Dean Streiff, Town Supervisor


Susan Crum, Town Supervisor


James Hoesly, Town Supervisor


Robert Elkins, Town Supervisor