

1997 ORDINANCE INDEX

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
97-01	Rezoning a Parcel of Land in River Falls Township from Agriculture to Light Industry – Kusilek Rezone	June 24, 1997
97-02	To Amend Sec. 2.03.110, Sec. 2.03.120, 2.03.193, 2.03.130, 2.03.215, County Board Rules	June 24, 1997
97-03	Repeal and Recreate 2.24; Pierce County Code – County Administrative Coordinator Position	July 22, 1997
97-04	To Renumber Sec. 2.96.090; to Create Secs. 2.96.075, 2.96.080, Sec. 2.96.085, 2.96.090; to Repeal Part of Sec. 2.96.090 as Renumbered to Sec. 2.96.100; to Create Sec. 2.96.095 and to Create Sec. 2.96.200; Record Retention Policy	August 26, 1997
97-05	Rezone a Parcel of Land in Ellsworth Township from Industrial to Agriculture – Lawton Rezone	August 26, 1997
97-06	Repeal and Recreate Title 18 of the Pierce County Code; Zoning Regulations	October 28, 1997
97-07	Rezone a Parcel of Land in Ellsworth Township from Agriculture to Light Industry – Steien Rezone	October 28, 1997
97-08	Rezoning a Parcel of Land in Spring Lake Township from Agriculture to Light Industry – Schoeder Rezone	October 28, 1997
97-10	Amend Section 3.68.060 A. – Sale of County Owned Real Estate	November 12, 1997
97-11	Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt Revised Zoning Maps for the Towns of Isabelle, Maiden Rock, Martell, Oak Grove and Union	December 16, 1997
97-12	To Create Section 2.38.025; Sheriff's Fees for the Sale of Real Estate	January 27, 1998
97-13	Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt Revised Zoning Maps for the Towns of Rock Elm and Ellsworth	January 27, 1998
97-14	Amending Sections 17.24.050, 17.52.090 and 18.64.110 of the Pierce County Code Relating to Fees for Department of Land Management Functions	February 24, 1998
97-15	Amending the Pierce County Subdivision Ordinance	March 24, 1998
97-16	Creating the Pierce County Sanitary Code	March 24, 1998
97-17	Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt a Revised Zoning Map for the Town of Spring Lake	February 24, 1998
97-18	To Editorially Correct Section 2 of Ordinance No. 97-06; Repeal Provisions in Title 17 of the County Code	February 24, 1998
97-19	Amending Appeal Procedures in Title 18 of the Pierce County Code	April 21, 1998

1997 RESOLUTION INDEX

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
97-01	To Adopt County Internet Ethics Policy	April 15, 1997
97-02	To Designate April 13-19, 1997 as Pierce County Crime Victims' Rights Week	April 15, 1997
97-03	Authorize Transfer of Funds from General Fund Into MCH Nutrition	April 15, 1997
97-04	Adopt 1997 Salary Schedule for Non-Represented Employees and Elected Officials	April 15, 1997
97-05	Implement David M. Griffith & Associates, Ltd. Study as to Organization and Staffing of Pierce County Public Health Department	April 15, 1997
97-06	Amend Article VII. B., Personnel Policy – Payroll Administration; Authorization for Direct Deposit	June 24, 1997
97-07	Supporting Resolution 97-14 of the Oneida County Board of Supervisors and Resolution 275-397 of the La Crosse County Board of Supervisors Requesting the State Legislature to Amend §111.70, Wis. Stats., as it Relates to Binding Arbitration	April 15, 1997
97-08	County Aid Bridge Construction Under Section 81.38 of the Statutes	April 15, 1997
97-09	Authorize Execution of Agreement for Disposal of Dredge Material by U.S. Army Corps of Engineers on County Land	May 27, 1997
97-10	Request of the State Legislature that it Establish a Four Year Term of Office for Elected County Officials	Defeated
97-11	Adopt and Implement David M. Griffith & Associates, Ltd. Study as to <u>Organization, Management and Staffing of Pierce County Administrative Services and Committee Structure</u>	July 22, 1997
97-12	Approve of Lease of Office Space to Wisconsin Department of Transportation, Division of Motor Vehicles	May 27, 1997
97-13	On Behalf of a Bi-Partisan Transportation Strategy and Supporting User Fee Increases for the State Transportation Budget	May 27, 1997
97-14	Adopt Safety Related Policies for Use by County Departments	June 24, 1997
97-15	Commending 40H Delegates and Volunteers for International 4-H Youth Development Exchange	June 24, 1997
97-16	To Implement that Portion of the David M. Griffith and Associates, Ltd. Study Pertaining to Creation of Administrative Coordinator Position	July 22, 1997
97-17	Relating to the County of Pierce participation in the Wisconsin Community Development Block Grant for Economic Development Program	June 24, 1997
97-18	Not Issued	Not Issued
97-19	To Create Permanent .4 FTE Legal Secretary Position in the Office of Corporation Counsel	June 24, 1997
97-20	To Create Temporary Financial Recorder Position in Fair Department	June 24, 1997
97-21	Wage and Salary Treatment of Part-Time and Temporary Personnel, Pierce	June 24, 1997

	County Fair	
97-22	To Appropriate Funds from the General Fund for Snowmobile Trail Groomer	July 22, 1997
97-23	Resolution Opposing Senate Bill 150 and Assembly Bill 262	June 24, 1997
97-24	To Amend County Internet Ethics Policy Resolution 97-1	July 22, 1997
97-25	To Authorize the Sale of Surplus Real Estate	August 26, 1997
97-26	To Adopt 1997 Salary Schedule for Non-Represented Employees	July 22, 1997
97-27	To Authorize Phase III Design Proposal Agreement with Voorhis Associates, Inc. – Law Enforcement Consultation Project	August 26, 1997
97-28	Disallowance of Claim – Gary and Judith Rohl	July 22, 1997
97-29	To Amend Resolution 97-19 to Create .4 FTE Legal Secretary Position in Office of Corporation Counsel	September 30, 1997
97-30	Lowering Speed Limit on CTH “CC”	September 30, 1997
97-31	To Implement that Portion of the David M. Griffith and Associates, Ltd., Study Pertaining to Creation of Business Manager – Public Health Department	August 26, 1997
97-32	Amend the Personnel Policy Regarding County Residency	October 28, 1997
97-33	Support of the Mississippi River Regional Planning Commission's Economic Development Planning Efforts and Concurrence with the Annual Update of the Overall Economic Development Program (OEDP) Report	September 30, 1997
97-34	Supporting Continued State Funding of the Kinnickinnic Priority Watershed Project Within Pierce County	September 30, 1997
97-35	To Adopt Covenants for Trenton Industrial Park	October 28, 1997
97-36	Agreement to Settle Injunctive Lawsuit: Proch Property Easement	September 30, 1997
97-37	Resolution for Inclusion Under Group Life Insurance	November 12, 1997
97-38	Authorize Transfer of Funds from General Fund into Veteran's Relief Fund	November 12, 1997
97-39	To Approve of Lease of County Owned Land	October 28, 1997
97-40	Care of Soldier's Graves	November 12, 1997
97-41	Assessor's Claims	November 12, 1997
97-42	Bank Depositories	November 12, 1997
97-43	Dog Claims	November 12, 1997
97-44	Resolution Designating the M & I State Bank and the First National Bank of River Falls as Working Banks	November 12, 1997
97-45	Adopting the 1998 Budget	November 12, 1997
97-46	New Positions for 1998	November 12, 1997
97-47	Salary Adjustments for Non-Represented employees at Step 10 or above on 1997 DMG Salary Matrix and Transfer of Funds from Contingency for Same	December 16, 1997
97-48	To Ratify Pierce County AFSCME – Human Services (Non-Professionals) Collective Bargaining Agreement	December 16, 1997
97-49	To Approve of Lease of County Owned Land	December 16, 1997

97-50	To Adopt 1998 Salary Schedule for Non-Represented Employees	December 16, 1997
97-51	To Implement Language in Pierce County Employee Benefit Plan Document Concerning Switching Between Health Insurance Plans	January 27, 1998
97-52	To Ratify Recommended HIPAA Amendments to Group Health Insurance Plan for Non-Represented Personnel	January 27, 1998
97-53	To Amend the Pierce County 457 Deferred Compensation Plan	January 27, 1998
97-54	Approve American Family Life Assurance Company (AFLAC) as Administrators for the Section 125 Flexible Benefits Plan Offered to Pierce County Employees	January 27, 1998
97-55	1998 Salary Adjustments for Elected Officials	February 24, 1998
97-56	Unfunded Retirement Liability	January 27, 1998
97-57	Distribution of Payroll Checks	Tabled March 24, 1998
97-58	Create Position of Social Worker – Long Term Support and Social Worker – Children/Youth/Family Unit, Department of Human Services	February 24, 1998
97-59	To Transfer from General Fund to Fair Department for 1997 Deficit	March 24, 1998
97-60	Adopting County Library Study Committee Report	March 24, 1998
97-61	To Transfer from General Fund to Solid Waste Development Fund	March 24, 1998
97-62	To Amend 1996-98 County Board Rules	March 24, 1998
97-63	Fee Schedule for Department of Land Management	March 24, 1998
97-64	Resolution Opposing Proposed Changes to the Wisconsin Administrative Codes 83 and 85 Governing Private Sewage Disposal	April 21, 1998
97-65	To Declare April 6 – 12, 1998 as Public Health Week in Pierce County	March 24, 1998
97-66	Resolution to Settle Claim of Delbert & Nancy Johnson	March 24, 1998

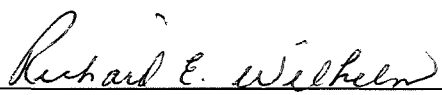
ORDINANCE 97-01

REZONING A PARCEL OF LAND IN RIVER FALLS TOWNSHIP FROM AGRICULTURE
TO LIGHT INDUSTRY--Kusilek Rezone

The Board of Supervisors of Pierce County, Wisconsin does Ordain as follows:

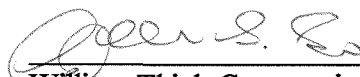
- Section 1: The Official Pierce County Zoning Map for River Falls Township be amended to change the zoning from Agriculture (A) to Light Industry (LI) for a parcel of land in Section 17, Town 27 North, Range 18 West, as shown on the attached map.
- Section 2: That this Ordinance shall not be codified.
- Section 3: That this Ordinance shall take effect upon approval by the Town Board of the Town of River Falls, or 40 days after adoption by the County Board of Supervisors if the Town Board of River Falls takes no action to deny or approve.

Dated this 27th day of May, 1997.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Attested as to form and legality:


William Thiel, Corporation Counsel

ADOPTED JUNE 24, 1997

ORDINANCE NO. 97-02

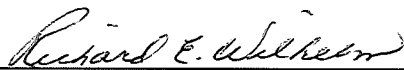
**To Amend Sec. 2.03.110, Sec. 2.03.120, 2.03.193, 2.03.130,
2.03.215, County Board Rules**

The Pierce County Board of Supervisors does hereby ordain as follows:

- Section 1: That Section 2.03.110 I. and Section 2.03.130 A. 4. be repealed and recreated wherein the "Information System Committee" referenced be amended to be retitled as the "Information Services Committee".
- Section 2: Section 2.03.120 I. be repealed and recreated as follows:
Information Services Committee - three County Board members and two citizen members.
- Section 3: Section 2.03.193 A. Be amended to delete "Data Processing".
- Section 4: Section 2.03.215 be repealed and recreated as follows:
Information Services Committee:
 A. Supervise the Data Processing Department.
 B. Oversee all information services and equipment, to include the telephone system.
- Section 5: That this ordinance shall be effective upon its adoption and publication as required by law.

Dated this 27th day of May, 1997.

PIERCE COUNTY BOARD

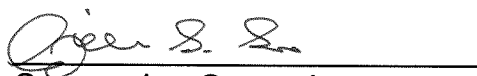


Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

ORDINANCE TO REPEAL AND RECREATE 2.24; PIERCE COUNTY CODE

— COUNTY ADMINISTRATIVE COORDINATOR POSITION —

The County Board of Supervisors of Pierce County does hereby ordain as follows:

Section 1. Purpose. Pursuant to §59.19, Wis. Stats., there is created the position of Administrative Coordinator, to be filled by appointment of the Board upon recommendation of the Personnel Committee from among qualified applicants. The salary and benefits of the Administrative Coordinator shall be established by the Board from time to time and he/she shall serve at the pleasure of the Board. It is the intent of the Board that by creation of the office, the County shall avail itself of the administrative home rule authority afforded to it under §59.03(1), Wis. Stats.

Section 2. General powers and duties. The Administrative Coordinator shall exercise the following powers and duties, subject to the general supervision of the Board:

- A. Attend all meetings of the Board, unless excused; present advice and recommendations to the Board on all matters within the responsibilities of his or her office; accumulate and furnish all necessary information to assist the Board in its decision making.
- B. At the request of or in consultation with the Board, its officers and the Corporation Counsel, prepare draft resolutions, ordinances and meeting agendas for the Board, its committees and members of the Board.
- C. Attend committee meetings upon the request of their chairpersons and provide staff support for the committees as requested by their chairpersons.
- D. Budget development. The Administrative Coordinator shall:
 - 1. Meet with the Finance Committee on or before July 20 in each fiscal year to establish the format, target funding levels and procedures for the upcoming budget process. Under supervision of the Finance Committee, he/she shall perform necessary duties to prepare a proposed County budget. Under the supervision of the Administrative Coordinator, a budget in compliance with §65.90, Wis. Stats., shall be developed and implemented.
 - 2. On a timely basis, furnish department heads with appropriate budget development instructions, forms and assistance in making budget requests.
 - 3. Attend meetings to review departmental budget requests.

4. Schedule and arrange hearings and meetings on the budget with department heads, the Finance Committee and members of the public, presenting at such meetings the Administrative Coordinator's recommendations for the proposed budget.
 5. Pursuant to the directions of the Finance Committee, prepare a final draft budget and submit the same to the Board.
 6. For inclusion in the final draft budget prepare a proposed program of capital expenditures and borrowing as directed by the Finance Committee.
 7. Throughout each fiscal year monitor implementation of the adopted County budget to assure that all expenditures of County funds are made in compliance with the allocations in the budget, state law and County policies.
 8. Review all requests for transfer within the adopted budget or for modifications of allocations in the budget and make recommendations to the County Finance Committee and/or Board, consistent with County ordinances and §65.90, Wis. Stats.
- E. The Administrative Coordinator shall make regular reports to the Board on the financial condition of the County, particularly advising the Board of financial trends facing the County and necessary policy or budgetary changes to reflect or deal with those trends, including long-term financial needs of the County.
- F. Authorize payment of orders. The Administrative Coordinator may, between meetings of the Finance Committee, on behalf of the Board, approve of the settlement of accounts and the payment of billed and purchase orders which do not exceed Five Hundred Dollars (\$500) in amount where, in order to take advantage of purchase discounts, allow for cash advances for travel or meet billing deadlines, immediate action must be taken. In the event such authorization is made, the Administrative Coordinator shall countersign orders of the County Clerk for payment. The Administrative Coordinator shall submit a list of all such approvals made to the Finance Committee for its review and approval. If any such bill or payment is not properly payable from an existing line item or budget appropriation with sufficient funds to cover it, the Administrative Coordinator shall be personally liable for payment of such bill, claim or account.
- G. Purchasing. The Administrative Coordinator shall establish and manage a centralized system of purchasing, emphasizing volume discount purchasing to maximize County purchasing power and to procure supplies at the most advantageous cost. The Administrative Coordinator shall develop a County purchasing ordinance for County Board review.

- H. Property management. Subject to the supervision and approval of the Board and committees thereof, the Administrative Coordinator shall do all of the following:
1. Be responsible for the maintenance, preservation and care of all personal property of the County over which the County has authority, maintain an inventory and record of the property and provide for maintenance of the property to preserve its value to the County.
 2. In cooperation with department heads and elected officials, develop a long-range plan for management of County property, including real property, together with recommendations for construction of facilities needed to deliver County services.
 3. When directed by the County Board or a committee thereof, cause plans and architectural specifications for County capital projects authorized by the Board to be prepared and coordinate County monitoring of construction progress.
 4. Allocate space to County departments and agencies.
- I. Insurance administration. The Administrative Coordinator shall be primarily responsible for assuring that insurance coverage is solicited and maintained by the County in such amounts as are available and affordable and are adequate to protect the County from financial loss and/or, subject to Finance Committee approval, for coordinating a system of self insurance adequate to meet the County's risk needs in one or more areas of exposure. To accomplish these objectives, the Administrative Coordinator shall:
1. Serve as custodian of all insurance policies held by the County, filing duplicates thereof with any appropriate department head or agency.
 2. Under the supervision of the Finance Committee, procure, through bidding or other means as deemed proper by the Committee, insurance coverage for property, casualty, employee health, life and other insurance risks. The Administrative Coordinator shall continuously evaluate the County's coverage and recommend County policies which will protect the County from unreasonable risk of loss.
 3. Oversee and administer self insurance programs maintained by the County.
 4. The Administrative Coordinator shall process all insurance claims and refer them to the Corporation Counsel and committees of the County Board, as appropriate.

- J. Appointment of staff and assistants. The Administrative Coordinator shall appoint such assistants, staff and technical staff of his or her office as are, from time to time, authorized by the Board.
- K. Advice as to appointments of department heads and officers. The Administrative Coordinator shall participate in the selection and appointment of department heads and officers who are not elected by the people by making recommendations to the County Board, chairperson or other appointing authority for selection of County department heads and officers.
- L. The Administrative Coordinator shall have the following general powers:
1. To assure that all resolutions, ordinances and regulations of the County Board are faithfully executed, whether by the Administrative Coordinator or department heads.
 2. To coordinate the operations of all County departments except where the Board has directed otherwise and conduct regular department head meetings.
 3. To supervise, with the assistance of the Corporation Counsel, the codification of all County ordinances.
 4. To make recommendations from time to time as deemed to be appropriate to the Board for reorganization of the County departments, assignment of responsibilities to agencies as to the merger, consolidation or abolition of County agencies, positions and programs; and report these recommendations to the Board.
 5. To monitor developments in state, federal and other relevant laws and governmental affairs and advise the Board, its committees and all department heads on recommended policy positions to advance which will improve County administration and operations. The Administrative Coordinator shall represent the County before governmental agencies as requested by the Board.
 6. To recommend proposed resolutions, ordinances or regulations to the Board to promote improved County services in the public interest and provide all requested information, data and reports requested by the Board to the extent such information is available.
 7. To generally represent the County in business transactions, negotiations and administrative proceedings when so directed by the County Board.

Section 3. Supervision and control. The Administrative Coordinator shall at all times be fully accountable to the Board in the management of his or her responsibilities under this ordinance. The Administrative Coordinator may be required to appear before any Board or committee meeting to provide an accounting for his or her actions or decisions in a matter entrusted to him or her. The Administrative Coordinator shall be directly supervised by the Finance Committee.

Section 4. Auditor responsibilities.

- A. In accord with §59.47(2), Wis. Stats., the Administrative Coordinator shall act as the County auditor. To the extent that the County Clerk previously performed some or all of these functions on behalf of the County, said responsibilities shall hereafter be performed by the Administrative Coordinator.
- B. Pursuant to §59.47(3), Wis. Stats., the Administrative Coordinator shall keep such books of account necessary to properly perform the duties of the office and shall direct the keeping of all accounts of the County in all of its offices, departments and institutions in such form as will assist him/her in fulfilling responsibilities under this ordinance to the County.
- C. An official bond in such amount as is designated by the Board shall be filed on behalf of the Administrative Coordinator and shall be a qualification for the office.

Section 5. Human resources management. Pursuant to County personnel policies, ordinances and state law, the Administrative Coordinator shall manage the human resources (personnel) functions of the County.

Section 6. Data processing management. The Administrative Coordinator shall coordinate the County's data processing operations and shall supervise the Data Processing Director.

Section 7. Maintenance Department. The Administrative Coordinator shall manage the Maintenance Department and the Maintenance Supervisor shall report to him/her. It shall be the responsibility of the Administrative Coordinator to see to it that required maintenance and repairs to County structures are effected and to determine how best to deliver those services to the County.

Section 8. Vacancy.

- A. In the event of a vacancy in the office of Administrative Coordinator, the Board shall designate a temporary coordinator to serve until the successor to the Administrative Coordinator is appointed and qualified.

- B. A vacancy in the office shall be created by death, resignation, removal or conviction of a felony of the Administrative Coordinator.

Section 9. It is not the intent of this ordinance to remove any power or authority vested under positive state law in any other body or officer.

Section 10. Definitions:

"Committee" shall include both standing and special committees of the Board together with all other committees, commissions and boards which function, in whole or in part, on behalf of the County or all or a number of whose members are appointed thereto on behalf of the County.

"County" shall mean Pierce County.

"Board" shall mean the Pierce County Board of Supervisors.

"Department head" shall mean each and every appointed supervisor of a County department or office.

"Elected official" or "officer" shall mean each officer elected to his/her position by the voters.

Section 11. This ordinance shall become effective immediately upon its adoption and publication in the official newspaper, as required by law.

Dated this 24th day of June, 1997.

PIERCE COUNTY

By:

Richard E. Wilhelm

Chair, County Board of Supervisors

ATTEST:

Janie R. Fenebel

County Clerk

ORDINANCE 97-04

TO RENUMBER SEC. 2.96.090; TO CREATE SECS. 2.96.075, 2.96.080, SEC.2.96.085, 2.96.090; TO REPEAL PART OF SEC. 2.96.090 AS RENUMBERED TO SEC. 2.96.100; TO CREATE SEC. 2.96.095 AND TO CREATE SEC. 2.96.200;
RECORD RETENTION POLICY

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES ORDERS AS FOLLOWS:

SECTION 1. That Sec. 2.96.090 be renumbered as Sec. 2.96.100

SECTION 2. That Secs. 2.96.075, 2.96.080, 2.96.085, and 2.96.090 are created to read:

2.96.075 General Retention Period.

All County records for which a specific retention period is not established in State Statutes, Administrative Code, Federal law or regulation, shall be retained by the County for a period of not less than seven (7) years, unless another retention period is designated in this ordinance.

2.96.080 Destruction Pending Litigation Or Audit.

No record subject to pending litigation other than that described in Sec. 2.96.060 or audit shall be destroyed until the litigation or audit has been resolved.

2.96.085 Microfilming Or Optical Disk Storage Of Department Records.

All departments may keep and preserve public records through the use of microfilm or optical disk storage providing that the applicable standards established in Sec. 16.61(7) and 16.612, Wis. Stats. respectively are met. Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on optical disk. After verification, paper records converted to either microfilm or optical disk storage should be destroyed. The retention periods identified in this ordinance apply to records in any media. For purposes of this chapter, records which have been microfilmed or stored on optical disks shall be considered to be the original records.

2.96.090 Antiquated Records.

Obsolete, antiquated records which have no administrative use may be destroyed upon enactment of this ordinance after notice to the State Historical Society of Wisconsin.

SECTION 3. That Sec. 2.96.090, renumbered as Sec. 2.96.100, shall be amended by striking and/or repealing there from, the following part there as:

In addition, the references under the "notification requirement" column mean as follows: "W" means that the State Historical Society of Wisconsin has waived the required sixty-day notice under Sec. 19.21 (s)(d), Wis. Stats. With respect to these types of records, no prior notification of intent to destroy the same need be given to the society. "N/A" means that the notification requirement to the society is not applicable. "N" shall mean that the society must be notified prior to destruction of such a record. At the end of the established retention schedule for a given record the sheriff shall have the authority to destroy the same in his/her discretion.

SECTION 4. That Sec. 2.96.095 be created to read:

2.96.095 County Records Retention Schedule Policy.

- A. Subject only to state law, which if, as amended from time to time, may differ from the records retention schedule set forth herein, in which event the state law shall control, the express mention of records maintained by county departments in Sec. 2.96.100, Et. Seq., shall serve as the decision of the Board Of Supervisors as to the minimum period of time during which records shall be maintained from and after their creation.
- B. Records subject to this policy shall be identified together with notations as to the following: (1) Retention period; (2) Statutory/administrative code authority; (3) Notification requirement. The "retention period" shall identify the minimum period for which a record shall be retained. The "statutory/administrative code authority" shall identify any guiding or controlling state law or code provisions pertaining to retention periods for records. The references under "notification requirement" mean as follows: "W" means that the State Historical Society of Wisconsin has waived the required sixty-day notice under Sec. 19.21(s)(d), Wis. Stats. With respect to these types of records, no prior notification of intent to destroy the same need be given to the society. "N/A" means applicable that the notification requirement to the society is not applicable. "N" shall mean that the society must be notified prior to destruction of such a record. At the end of the established retention schedule for a given record the sheriff shall have the authority to destroy the same in his/her discretion.

SECTION 5. That Sec. 2.96.200 be created to read:

2.96.200 Register of Deeds/Land Information Office - Records Schedule.

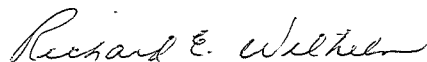
The Register of Deeds and Land Information Office shall maintain records in accord with the following retention schedule:

	Type of Record	Retention Period	Statutory/ Administrative Code Authority	Notification Requirements
1.	Obsolete documents pertaining to chattels, including final books of entry	6 years,	S.59.43(12), Stats.	W
2.	Plats	Permanent		N/A
3.	Assessors plats	Permanent		N/A
4.	Aerial photographs	Until superseded		N
5.	Certified surveys Plats of survey	Permanent		N/A
6.	Final real property assessment roll	15 years except that no assessment roll containing forest crop acreage may be destroyed without prior approval of the secretary of revenue.	S.59.52(4)(b), Stats.	N
7.	Deeds, Mortgages, Maps Instruments of writing authorized by law and indexes of same	Permanent	S.59.43(1), Stats.	N/A

8.	UCC state wide lien system (computer)	Permanent	S.409.410, Stats.	N/A
9.	Marriage, Death & Birth Records & indexes	Permanent	S.59.43(1)(h), Stats.	N/A
10.	1/4 Section Maps	Until next set of maps are received		W
11.	Military Discharges	Permanent		N/A
12.	Tax Receipts	15 years	S.59.52(4)(a) 14., Stats.	W
	Other Records From Treasurer	7 years	S.59.52(4)(a) 15., Stats.	W
13.	UCC Form 11 - Hard Copy	2 years		N/A
14.	U.S. Geological survey	Until next set of maps received		W
15.	Section Corner Monument location documentation	Permanent	S.59.60(a), Stats.	N/A
16.	Financing Statements	5 years from date of filing or from continuation of filing	S.409.403, Stats.	W


Dated this 22nd day of July, 1997.

PIERCE COUNTY BOARD



Richard Wilhelm, Chairman

ATTESTED TO BY:



County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:



Corporation Counsel

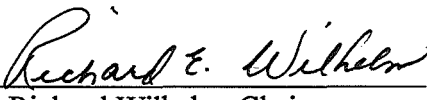
ORDINANCE 97-05

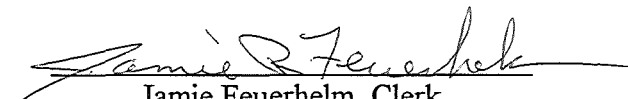
REZONING A PARCEL OF LAND IN ELLSWORTH TOWNSHIP FROM INDUSTRIAL TO
AGRICULTURE--Lawton Rezone

The Board of Supervisors of Pierce County, Wisconsin does Ordain as follows:

- Section 1: The Official Pierce County Zoning Map for Ellsworth Township be amended to change the zoning from Industry (I) to Agriculture (A) for the S 1/2 of the NW 1/4, Section 2, T26N, R17W, Ellsworth Township.
- Section 2: That this Ordinance shall not be codified.
- Section 3: That this Ordinance shall take effect upon passage as no town approval is required for rezoning of county owned lands.

Dated this 26th day of August, 1997.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Attested as to form and legality:


William Thiel, Corporation Counsel

ADOPTED AUGUST 26, 1997

ORDINANCE NO. 97-06

- TO REPEAL AND RECREATE TITLE 18 OF THE PIERCE COUNTY CODE; ZONING REGULATIONS -

The Pierce County Board of Supervisors does hereby ordain as follows:

SECTION 1: The Pierce County Zoning Code of 1972, as amended, Title 18 of the Pierce County Code, is hereby repealed, except:

- a. That the Pierce County Zoning Code of 1972, (Title 18) as amended, shall remain in effect in all towns in the County which are participants in County zoning as of the date of adoption of this ordinance until the revised code, adopted pursuant to Section 3, below, is approved by the respective town boards, or for a period of one year from the day following the enactment of this ordinance by the County Board of Supervisors, whichever comes first.
- b. That pending the passage of the time period set forth under Section 1. a., above, the existing Title 18 shall be known as Title 18A..
- c. That the revised code adopted pursuant to Section 3., below, shall immediately go into effect in the shoreland areas of the County, subject to the jurisdiction of the County under §59.964, Wis. Stats..

SECTION 2: Sections 17.12, 17.20, 17.24, 17.56, 17.72, 17.76 and 17.80 of the Pierce County Code are hereby repealed.

SECTION 3: That Title 18 of the Pierce County Code as is set forth in the attached Exhibit "A" is hereby recreated.

SECTION 4: That the effective date of the recreated Title 18 shall be the date of adoption and publication of this ordinance; however, with the express exception of its application to shoreland areas in accord with Section 1. c., above, it shall not govern the uses of land in the County until such time as when, on a town by town basis, town boards ratify its application in accord with §59.69(5)(d), Wis. Stats.

SECTION 5: That this ordinance shall not be codified. That it shall take effect upon its adoption and publication as required by law.

Dated this 30th day of September, 1997.

PIERCE COUNTY BOARD

By: Richard E. Wilhelm
Richard Wilhelm, Chairman

ATTESTED TO BY:

APPROVED AS TO FORM
AND LEGALITY BY:

Samie Feuerhelm
County Clerk

John S. S.
Corporation Counsel

ADOPTED OCTOBER 28, 1997

**REVISED PIERCE COUNTY ZONING
ORDINANCE**

**FOR
COUNTY BOARD APPROVAL**

September 1, 1997

CHAPTER 1

TITLE; AUTHORITY; AND GENERAL PROVISIONS

The County Board of Pierce County, Wisconsin does ordain as follows:

1.01 Title. This Ordinance shall be known as the "Pierce County Zoning Ordinance", hereinafter referred to as "this Ordinance".

1.02 Authority. This Ordinance is adopted pursuant to the authority granted by ss. 59.51, 59.696, 59.697, 56.698, 59.69, and 59.692, Wis. Stats.; additionally, it employs those powers or provisions provided for in ss. 59.694, 91.71 through 91.79, and 281.31, Wis. Stats. This Ordinance shall constitute a comprehensive revision, as described in s. 59.69 (5)(d), Wis. Stats. of the 1972 Pierce County Zoning Ordinance and its subsequent amendments.

1.03 Contents. This Ordinance consists of written text and zoning maps, which shall, at all times, be considered as parts of a whole. In addition, other maps and materials referenced in the text are used to support this Ordinance.

1.04 Purpose. The purpose of this Ordinance is to promote and protect public health, safety, aesthetics, and other aspects of the general welfare. Further purposes of this Ordinance are to:

- (1) Aid in implementing the adopted county land management plan.
- (2) Promote public health, safety, convenience and general welfare.
- (3) Encourage planned and orderly land use development.
- (4) Protect property values and the property tax base.
- (5) Permit the careful planning and efficient maintenance of highway systems.
- (6) Ensure adequate highway, utility, health, educational, and recreation facilities.
- (7) Recognize the needs of agriculture, forestry, industry and business in future growth.
- (8) Encourage uses of land and other natural resources which are in accordance with their character and adaptability.
- (9) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems.

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- (10) Encourage the protection of groundwater resources.
- (11) Preserve wetlands.
- (12) Conserve soil, water, and forest resources.
- (13) Protect the beauty and amenities of landscape and man-made developments.
- (14) Provide healthy surroundings for family life.
- (15) Promote the efficient and economical use of public funds.

1.05 Compliance.

- (1) All use of land and water shall comply with the provisions of this Ordinance, and any structure or part thereof which is hereafter used, located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered shall be done so in full compliance with the provisions of this Ordinance.
- (2) Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this Ordinance and obtain all necessary permits in areas under the jurisdiction of this Ordinance.

State agencies are required to comply when s. 13.48 (13), Wis. Stats., applies. The Wisconsin Department of Transportation is exempt from the requirements of this Ordinance when s. 30.12 (4), Wis. Stats., applies.

1.06 Force and effect.

- (1) Applicability. This Ordinance shall affect the unincorporated areas of Pierce County, or applicable portions thereof, as provided in sub. (2).
- (2) Effect. Upon enactment by the Pierce County Board of Supervisors, this Ordinance shall go into full force and effect as follows:
 - (a) Except as provided in paragraph (b), within any town this Ordinance shall go into effect upon approval by the applicable town board and upon filing with the Pierce County Clerk by the applicable town clerk of a certified copy of an approving resolution attached to one copy of this Ordinance, as provided in s. 59.69 (5) (c), Wis. Stats.
 - (b) Within the shoreland areas, this Ordinance shall go into effect upon adoption by the

County Board of Supervisors.

- (3) The Pierce County Zoning Ordinance of 1972, as amended, shall remain in effect until this Ordinance is approved by the applicable town boards, or for a period of one year from the day following its enactment by the Pierce County Board of Supervisors, whichever comes first. If a town board does not approve this Ordinance by the end of the one year period, neither this Ordinance nor the Pierce County Zoning Ordinance of 1972, as amended, shall be in effect in that town, except for the shoreland of that town, as provided in sub. (2), paragraph (b).

1.07 Abrogation and greater restrictions.

- (1) Except as provided in s. 1.06 (3) of this Ordinance, the Pierce County Zoning Ordinance of 1972, as amended, is hereby repealed.
- (2) Sections 17.12, 17.20, 17.24, 17.56, 17.68, 17.72, 17.76, and 17.80 of the Pierce County Code are hereby repealed.
- (3) Except as this Ordinance may conflict with Ch. 91, Wis. Stats., Farmland Preservation, wherever this Ordinance imposes greater restrictions than other similar regulations, the provisions of this Ordinance shall govern. Wherever the provisions of this Ordinance conflict with the provisions of Ch. 91, Wis Stats., Farmland Preservation, the provisions of Ch. 91 shall prevail.
- (4) It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easement, covenant, deed restriction, or agreement. Pierce County shall not enforce any easement, covenant, deed restriction, or agreement to which it is not a party.
- (5) It is not intended by this Ordinance to repeal, abrogate, annul, impair, or interfere with any permit previously issued pursuant to Pierce County ordinances.

1.08 Interpretation and application. The provisions of this Ordinance shall be construed to be minimum requirements. Further, interpretation and application of the provisions of this Ordinance shall take into account the purposes of this Ordinance.

1.09 Severability. If any section, paragraph, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If any application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

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1.10 Warning and disclaimer of liability. This Ordinance shall not create liability on the part of, or cause of action against, Pierce County or any office or employee thereof for any damages that may result from reliance on this Ordinance.

1.11 Vesting of rights. No rights to any particular use vest in any property owner simply because the use is permitted by this Ordinance. Such use may be prohibited by future amendment to this Ordinance. However, the approval and issuance of a permit shall vest in the property owner the right to use the property in the manner specifically approved by the permit, unless and until the permit expires. Rights afforded to nonconforming uses and structures under this Ordinance will not be interfered with as a result of application of this Ordinance.

1.12 Headings. Headings are used throughout this Ordinance to assist users of this Ordinance. If a heading should conflict with the text in interpreting this Ordinance, the text shall control.

CHAPTER 2

ZONING DISTRICTS AND ZONING MAP; USE REGULATIONS

2.01 Zoning districts. For the purpose of this Ordinance, the unincorporated areas of Pierce County are divided into the following zoning districts (with their symbols):

Agricultural Districts:

Exclusive Agriculture (EA)
Primary Agriculture (PA)
General Rural (GR)
General Rural-Flexible (GRF)
Agriculture-Residential
Shoreland-Wetland

Residential Districts

Rural Residential - 8 (RR-8)
Rural Residential - 12 (RR-12)
Rural Residential - 20 (RR-20)

Commercial Districts

Commercial (C)

Industrial Districts

Light Industrial (LI)
Industrial (I)

Specialty Districts

Kinnickinnic River Bluffland Overlay District (KRBL)
Planned Residential Development (PRD)

2.02 Zoning maps.

- (1) Zoning districts shall be bounded and defined as shown on zoning maps prepared for each town. The zoning maps shall be entitled, *Zoning Maps of Pierce County*, on file in the Pierce County Zoning Office.
- (2) Interpretation of Zoning District Boundaries. The following rules shall be used to determine the precise location of zoning district boundaries shown on the Zoning Maps of Pierce County:

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- (a) Boundaries shown as following or approximately following the limits of any municipal corporation shall be construed as following such limits.
- (b) Boundaries shown as following or approximately following roads shall be construed as following the centerlines of such roads.
- (c) Boundaries shown as following or approximately following platted lot lines or other property lines as shown on the Pierce County Real Property Listing Tax Maps shall be construed as following such lines.
- (d) Boundaries shown as following or approximately following the centerlines of streams, rivers, or other water courses shall be construed as following the centerline of such water courses; in the event of a natural change in the location of such water courses, the zoning district boundary shall be construed as moving with the centerline.
- (e) Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs (a) through (d), shall be construed to be parallel to such features and at such distances therefrom as are shown on the Zoning Maps of Pierce County. In the event such boundaries are not parallel or approximately parallel to any of the features listed in paragraphs (a) through (d) the interpretation of district boundaries by the Zoning Administrator shall be conclusive.
- (f) Boundaries below the ordinary high water mark which coincide with riparian rights lines as determined by NR 326.07, Wis. Admin. Code, shall be construed as such riparian rights lines.
- (g) Boundaries below the ordinary high water mark which do not coincide with riparian rights lines as determined by NR 326.07, Wis Admin. Code, shall be construed as running perpendicular to the shoreline where the boundaries intersect with the shoreline.

2.03 Purpose and intent of zoning districts. The following specifies the purpose and intent of each of the zoning districts established by this Ordinance.

- (1) **Exclusive Agriculture (EA).** This district is established to protect the agricultural industry from scattered nonagricultural development that may displace agricultural uses. The district is not intended to accommodate future nonagricultural growth. This district is intended to help implement the *Pierce County Farmland Preservation Plan*. Further, it is intended to meet the provisions of the Wisconsin Farmland Preservation Program, as specified in Ch. 91, Wis. Stats., and thereby establish eligibility for tax credits to farm owners as provided in s. 71.59, Wis. Stats. It is intended that this district apply to lands included in productive farm operations and which have historically exhibited good crop

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yields, or are capable of such yields; have demonstrated productivity for dairying, livestock raising, and grazing; have been used for production of specialty crops such as tree and plant materials, fruits, and vegetables; or have been integral parts of such farm operations.

- (2) Primary Agriculture (PA). This district is established to maintain, preserve, and enhance prime agricultural lands historically utilized for crop production but which are not included within the Exclusive Agriculture district. This district is also intended to provide farmland owners with additional management options by allowing limited residential development, but with residential density limits set so as to maintain the rural characteristics of the district.
- (3) Agriculture-Residential (AR). This district is established to provide for the continuation of agricultural practices in areas of the county which have historically been devoted to farm operations, while providing locations for rural housing opportunities without public sewer, and certain recreational and other non-residential uses.
- (4) General Rural (GR). This district is established to maintain and enhance agricultural operations in the county. The district also provides for low density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas, and/or are compatible with surrounding rural land.
- (5) General Rural Flexible (GRF). This district is established to achieve the same objectives as the General Rural (GR) district but to allow a greater density of residential development with the approval of the Town Board.
- (6) Rural Residential 8 (RR-8). This district is established to provide for residential development in predominantly rural areas not suited for agricultural uses served by on-site absorption sanitary systems and private wells. The district is intended to protect quality, large lot residential development from incompatible uses.
- (7) Rural Residential 12 (RR-12). This district is established to provide for residential subdivision development in predominantly rural areas not suited for agricultural uses, served by on-site absorption sanitary systems and private wells. The district is intended to protect residential development from incompatible uses.
- (8) Rural Residential 20 (RR-20). This district is established to provide for the densest residential development in the unincorporated areas of the county. The district is intended to be used where residential development is encouraged on lots without public sewer and water and in locations where such a density of development is compatible with surrounding uses. The district is intended to enhance residential areas by restricting

nonresidential development.

- (9) Commercial (C). This district is established to provide for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods as well as the entire County. The purpose of the district is to provide sufficient space in appropriate locations for certain commercial and other non-residential uses while affording protection to surrounding properties from excessive noise, traffic, drainage, or other nuisance factors.
- (10) Light Industrial (LI). This district is established primarily for production, processing, and assembly plants that are operated so that noise, odor, dust, and glare from such operations are completely confined within an enclosed building. Traffic generated by these industries should not produce the volume of traffic generated by heavy industrial uses. The district is also designed to accommodate warehouse and limited commercial uses.
- (11) Industrial (I). This district is established for the purpose of allowing those industrial uses that are more intensive than those uses allowed in the Light Industrial (LI) district. The purpose of the district is to accommodate a heavy volume of traffic, the potential need for rail access to parcels and the presence of noise and other factors which could pose a nuisance in other districts. The intensity and use of land as permitted in this district is intended to facilitate the total range of industrial uses.
- (12) Shoreland - Wetland (S-W). This district is established to preserve, protect, and enhance the county's wetlands which are located in shoreland areas; to protect water courses and navigable waters and the public rights therein; to maintain the purity of water in lakes and streams and prevent pollution thereof; and to protect spawning grounds, fish and habitats for wild flora and fauna. Furthermore, this district is intended to prevent the changing of the natural character of wetlands.

2.04 Types of uses.

- (1) Principal uses. These uses are sorted and assigned to specific zoning districts. (See s. 2.05). Such uses shall be established only if they are located in the zoning district to which they are assigned. These uses are further divided into the following categories:
 - (a) Permitted uses. These uses are permitted by right, provided all requirements of the Ordinance are met.
 - (b) Uses permitted as conditional uses. These uses are not permitted by right. Rather, their allowance is subject to the discretionary judgment of the Land Management Committee, as described in s. 11.04.

(2) Accessory uses. (See s. 2.07)

(3) Temporary uses. (See s. 2.08) These uses are sorted and assigned to specific zoning districts. Such uses shall be established only if they are located in the zoning district to which they are assigned. These uses are further divided into the following categories:

(a) Permitted uses. These uses are permitted by right, provided all requirements of the Ordinance are met.

(b) Uses permitted as conditional uses. These uses are not permitted by right. Rather, their allowance is subject to the discretionary judgment of the Land Management Committee, as described in s. 11.04.

(4) Uses not listed. (See s. 2.09)

2.05 Table of uses. Land uses in Pierce County shall be allowed as shown in the Table of Uses.

(1) Table of uses.

2.06 Principal uses.

(1) Except as pertains to the Wetland district, the principal uses allowed in each zoning district shall be as shown in s. 2.05 (1).

S. 2.05 (1) Table of Uses

7-1-97

(1) See Section 2.05 (2) for Wetland District Regulations

(2) See Chapter 6 for Planned Residential Developments

P = Permitted Use

C = Conditional Use

Blank space = Not Permitted in District

Principal Uses	EA	PA	GR	GRF	A-R	RR 8	RR 12	RR 20	C	LI	I	S-W (1)	PRD (2)
Agricultural Uses													
General Agriculture (s. 4.03 (1))	P	P	P	P	P								
Greenhouses	P	P	P	P	P				P				
Commercial Uses													
Antique Shop, Art Gallery	C	C	C	C	C				P	C			
Bed & Breakfast (s. 4.04 (1))	C	P	P	P	P	C	C	C					
Boardinghouse (s. 4.04 (2))	C	C	C	C	C	C	C	C					
Family Day Care (s. 4.04 (3))	P	P	P	P	P	P	P	P					
Farm and Home Business (s. 4.04 (4))	C	C	C	C	C	C							
Farm Market (s. 4.04 (5))	C	P	P	P	P								
General Retail and Services									P	C			
Home Business (s. 4.04 (6))	C	P	P	P	P	C							
Home Occupation (s. 4.04 (7))	C	P	P	P	P	P	P	P					
Indoor Maint. and Repair (s. 4.04 (8))										P	P		
Kennels (s. 4.04 (9))	C	C	C	C	C								
Lodging (s. 4.04 (10))									P				

Principal Uses	EA	PA	GR	GRF	A-R	RR 8	RR 12	RR 20	C	LI	I	W (1)	PRD (2)
Mini-Storage (s. 4.04 (11))									P	P	P		
Offices									P	P			
Roadside Stand (s. 4.04 (12))	P	P	P	P	P								
Trade/ Contractor Estab. (s. 4.04 (13))									P	P	P		
Industrial Uses													
Heavy Industrial Uses											C		
Light Industrial Uses									C	P	P		
Nonmetallic Mining (s. 4.05 (1))	C	C	C	C	C								
Salvage Yards (s. 4.05 (2))		C	C	C	C								
Sawmills/ Planing Mills (s. 4.05 (3))		C	C	C	C						C		
Institutional Uses													
Cemeteries	C	C	C	C	C								
Community Living Arrangements- Per State Stats.													
Private Institutional (s. 4.06 (1))	C	C	C	C	C	C	C	C	C	C			
Public Institutional	C	P	P	P	P	P	P	P	P	P	P		
Outdoor Recreational Uses													
Priv. Outdoor Rec. (s. 4.07)		C	C	C	C	C	C	C	C				
Public Outdoor Recreation		P	P	P	P	P	P	P	P				
Riding Stables (s. 4.07 (3))	C	P	P	P	P								

Principal Uses	EA	PA	GR	GRF	A-R	RR 8	RR 12	RR 20	C	LI	I	W (1)	PRD (2)
Residential Uses													
Accessory Residence (s. 4.08 (1))	C	C	C	C	C	C	C	C	P	C	C		
Duplexes		C	C	C	C	C	C	P					
Manufactured Homes (s. 4.08 (2))	P	P	P	P	P								
Manufactured Home Parks (s. 4.08 (3))			C	C	C								
Multiple Family Dwellings								C					
Second Farm Residence (s. 4.08 (4))	P	P	P	P	P								
Separated Farm Residence (s. 4.08 (5))	P												
Single Family Residences	P	P	P	P	P	P	P	P					
Miscellaneous Uses													
Airports (s. 4.09 (1))			C		C								
Airstrips (s. 4.09 (1))	C	C	C	C	C								
Clean Fill Site (s. 4.09(2))	P	P	P	P	P	P	P	P	P	P	P		
Comm. Towers < 70' (s. 4.09 (3))	P	P	P	P	P	P	P	P	P	P	P		
Comm. Towers >70' (s. 4.09 (3))	C	C	C	C	C	C	C	C	C	C	C		
Filling and Grading (s. 4.09 (4))	C	C	C	C	C	C	C	C	C	C	C		
Sludge Disposal	C	C	C	C	C								
Solid Waste Facility		C	C	C	C								
Utility Facilities (>1000 sf.) (s. 4.09 (5))	C	C	C	C	C	C	C	C	C	C	C		

Temporary Uses	EA	PA	GR	GRF	A-R	RR 8	RR 12	RR 20	C	LI	I	W (1)	PRD (2)
Unspecified Temporary Uses (s. 4.10 (1))	P	P	P	P	P	P	P	P	P	P	P		
Camping During Const. of a Residence (s. 4.10 (2))	P	P	P	P	P	P	P	P					
Contractor's Project Office (s. 4.10 (3))		P	P	P	P	P	P	P	P	P	P		
On-Site Real Estate Sales Office (s. 4.10 (4))					P	P	P	P					
Second Residence During Construction (s. 4.10 (5))	P	P	P	P	P	P	P	P					
Temporary Concrete or Asphalt Plant (s. 4.10 (6))	C	C	C	C	C								

- (2) Uses pertaining to the Shoreland-Wetland district. The following regulations apply to wetlands designated on the Wisconsin Wetland Inventory Maps which lie within shoreland areas.
- (a) Activities and uses which do not require the issuance of a land use permit provided that no filling, flooding, draining, dredging, ditching, tiling or excavating is done:
 - 1. Hiking, fishing, trapping, hunting, swimming, and boating.
 - 2. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
 - 3. The pasturing of livestock.
 - 4. The cultivation of agricultural crops.
 - 5. The practice of silviculture including the planting, thinning, and harvesting of timber.
 - 6. The construction and maintenance of duck blinds.
 - (b) Uses which do not require the issuance of a land use permit that may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
 - 1. In the practice of silviculture, temporary water level stabilization measures which are necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected.
 - 2. The cultivation of cranberries including flooding, dike and dam construction and ditching for the purpose of growing and harvesting cranberries.
 - 3. Ditching, tiling, dredging, excavating, or filling done to maintain or repair existing agricultural drainage systems only to the extent necessary to maintain the level of drainage required to continue the existing agricultural use and only where permissible under s. 30.20, Wis. Stats. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system, provided that dredged spoil is placed on existing spoil banks where possible and such filling is permissible under s. 30, Wis. Stats.
 - 4. For the pasturing of livestock, limited excavating and filling necessary for the construction and maintenance of fences.
 - 5. The construction and maintenance of piers, docks and walkways built on pilings including limited excavating and filling necessary for such construction and maintenance.
 - 6. The maintenance, repair, replacement and reconstruction of existing town and county highways and bridges including limited excavating and filling necessary for such activities.

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- (c) Uses which require the issuance of a land use permit that may include limited filling, flooding, draining, dredging, ditching, tiling or excavating but only to the extent specifically provided below:
1. The construction and maintenance of roads which are necessary to conduct silvicultural activities or are necessary for agricultural cultivation, provided that:
 - a. The road cannot, as a practical matter, be located outside the wetland.
 - b. The road is designed and constructed to minimize the adverse impact upon the natural functions of the wetland.
 - c. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use.
 - d. Road construction activities are carried out in the immediate area of the roadbed only.
 - e. Any filling, flooding, draining, dredging, ditching, tiling, or excavating must be necessary for the construction or maintenance of the road.
 2. The construction and maintenance of nonresidential buildings, provided that:
 - a. The building is essential for and used solely in conjunction with a use permitted in the wetland district.
 - b. The building cannot, as a practical matter, be located outside the wetland.
 - c. Such building is not designed for human habitation and does not exceed five hundred square feet in floor area.
 - d. Only limited excavating and filling necessary to provide structural support for the building is allowed.
 3. The establishment and development of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, shooting preserves, public boat launching ramps and access roads used in conjunction with a public boat launching ramp, provided that:
 - a. Any private wildlife habitat area must be used exclusively for the permitted use and the applicant has received a permit or license under Chapter 29, Wis. Stats, where applicable.
 - b. Filling and excavating necessary for the construction and maintenance of public boat launching ramps and access roads is allowed only where such construction meets the criteria under (c) 1 of this section.
 - c. Ditching, excavating, dredging, and dike and dam construction in wildlife refuges, game bird and animal farms, fur animal farms and shooting preserves must be for the purpose of improving wildlife habitat or to otherwise enhance wetland values.
 4. The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines, and related facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to their members, provided that:
 - a. The transmission and distribution lines and related facilities cannot, as a

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- practical matter, be located outside the wetland.
- b. Such construction or maintenance is done in a manner designed to minimize the adverse impact upon the natural functions of the wetlands.
- c. Only limited filling or excavating necessary for such construction or maintenance is allowed.
- 5. The construction and maintenance of railroad lines provided that:
 - a. The railroad lines cannot, as a practical matter, be located outside the wetland.
 - b. Such construction or maintenance is done in a manner designed to minimize the adverse impact upon the natural functions of the wetland.
- (d) Prohibited uses. Any use not listed in sub. (2), (a) to (c) is prohibited, unless the wetland or portion of the wetland has been reasoned by amendment of this Ordinance in accordance with this Ordinance and s. 59.69 (5)(e), Wis. Stats.

2.07 Accessory uses. Accessory uses are permitted in all zoning districts without issuance of a land use permit, subject to limitations listed in sub. (3), below. For accessory uses involving structures or buildings, such structures or buildings shall be subject to the requirements of s. 3.11, and such structures shall require a land use permit.

- (1) Except as pertains to the Shoreland-Wetland district, the accessory uses allowed in each zoning district shall be as shown in s. 2.05 (1).
- (2) Accessory uses which have particular use requirements listed in Chapter 4 shall comply with such requirements and shall comply with parking requirements listed in Chapter 7.
- (3) Limitations on specific accessory uses.
 - (a) Commercial uses accessory to industrial uses shall be indoor, and limited to 15% of the building area devoted to the principal use.
 - (b) Industrial uses accessory to commercial uses shall be indoor, and limited to 15% of the building area devoted to the principal use and shall not create nuisances of noise, odor, glare, dust, heat, vibration or other condition which adversely affects surrounding businesses or properties.
 - (c) Incidental renting of agricultural buildings for indoor storage of boats, trailers, recreational vehicles, cars, and non-agricultural equipment shall be allowed provided that:
 - 1. Such building used for storage was originally constructed for agricultural purposes and was constructed at least 3 years prior to its use as incidental indoor storage.

2. No signs shall be permitted which advertise or direct the public to such storage.
3. Outside storage shall not be allowed.
4. The agricultural building is located on the same parcel as an occupied dwelling.

2.08 Temporary uses.

- (1) Except as pertains to the Shoreland-Wetland district, the temporary uses allowed in each zoning district shall be as shown in s. 2.05 (1).
- (2) Temporary uses which have particular use requirements listed in Chapter 4 shall comply with such requirements.

2.09 Uses not listed.

- (1) Determination of use classification by the Zoning Administrator. The Zoning Administrator shall determine if a proposed use can be classified as one of the principal uses already listed for any of the zoning districts. If a proposed use can be so classified, then the use shall be regulated as specified by this Ordinance.
- (2) Unclassified uses. A proposed use that cannot be classified as one of the principal uses shall be considered an unclassified use and shall be regulated as follows:
 - (a) The Zoning Administrator shall determine if the proposed unclassified use is similar to other uses listed for the zoning district applicable to the site of the proposed unclassified use. If so, the application for the proposed unclassified use shall be processed as specified by this Ordinance.
 - (b) If the Zoning Administrator determines otherwise, then the application for the proposed unclassified use shall be denied and the applicant shall be so notified in writing.
 - (c) The Zoning Administrator shall refer unclassified uses to the Land Management Committee if the Zoning Administrator is uncertain how to classify any uses not listed.
- (3) After making a determination regarding an unclassified use, the Zoning Administrator shall recommend an amendment to this Ordinance adding the previously unclassified use to the table of principal uses upon consideration of the appropriate zoning district.

CHAPTER 3

GENERAL REQUIREMENTS

3.01 Compliance. All development shall comply fully with the requirements of this Chapter.

3.02 District requirements.

- (1) Developments shall meet the minimum requirements for the applicable district shown in the table in sub. (2).
- (2) Table of district requirements.

S. 3.02 (2) Table of Dimensional Requirements

September 1, 1997

Zoning District	Minimum Lot Area (Refer to s. 3.03 5(d) for Town of Gilman)	Minimum Lot Width (Bldg. Line)	Maximum Residential Density d.u./40 acres	Maximum Impervious Surface Area	Side Yard	Rear Yard
Exclusive Agriculture	35 acres	100'	1/35 acres	n/a	10'	10'
Primary Agriculture	1 acre	100'	2	n/a	10'	10'
Agriculture	1 acre	100'	n/a	n/a	10'	10'
General Rural	1 acre	100'	4	n/a	10'	10'
General Rural-Flexible	1 acre	100'	4	n/a	10'	10'
Rural Residential - 8	1 acre	100'	8	n/a	10'	10'
Rural Residential - 12	1 acre	100'	12	n/a	10'	10'
Rural Residential - 20	1 acre (unsewered) 8,000 sf. (sewered)	100' (unsewered) 50' (sewered)	20 (unsewered) n/a (sewered)	40%	10'	10'
Commercial	1 acre (unsewered) 8,000 sf. (sewered)	100' (unsewered) 50' (sewered)	n/a	n/a	10' 40' from Residential Districts	10' 40' from Residential Districts
Light Industry Industry	1 acre (unsewered) .5 acres (sewered)	100' (unsewered) 100' (sewered)	n/a	n/a	10' 40' from Residential Districts	10' 40' from Residential Districts
Shoreland-Wetland	1 acre	100'	n/a	n/a	10'	10'

3.03 Lot requirements.

- (1) No lot shall hereafter be created which does not meet the minimum width and area requirements of this Ordinance. No lot shall be so reduced that it fails to meet any density or dimensional requirement of this Ordinance.
- (2) Lot of record required. Every building hereafter erected, structurally altered, or relocated shall be placed on a lot of record.
- (3) Access to road. No lot shall hereafter be created nor any building placed on a lot which does not have an access to a public road or a private road which is described and recorded in the Pierce County Register of Deeds office. The property owner shall be responsible for securing such access.
- (4) Only one single family residence or one duplex shall be permitted on a lot, except as provided elsewhere in the Ordinance. Lots containing uses other than one and two family residences may contain more than 1 principal structure or use provided that the lot contains the required minimum lot area for each such use.
- (5) Lots created prior to the effective date of this Ordinance. Except as provided in par. (c), lots which were created before the effective date of this Ordinance shall be considered building sites provided they meet the criteria established in both pars. (a) and (b):
 - (a) They are of record in at least one of the following forms to establish the lot's date of creation:
 1. A recorded land subdivision or certified survey map on file in the Pierce County Register of Deeds Office showing the lot in its present form.
 2. A lot of record by means of a deed or land contract on file in the Pierce County Register of Deeds Office and which predates the effective date of this Ordinance.
 3. A recorded condominium plat.
 - (b) Minimum lot size for lots created prior to the effective date of this Ordinance shall be 10,000 square feet for lots without public sewer, and 5,000 square feet for lots with public sewer.
 - (c) Lots located in the Exclusive Agriculture district which are less than 35 acres shall be subject to s. 91.75, Wis. Stats.

- (d) Notwithstanding the table at Section 3.02(2), the minimum lot size in the Town of Gilman shall be 2 acres.
- (6) Lots which qualify as building sites as provided in sub. (5) may be enlarged through acquisition of adjacent property, but need not comply with the lot area provisions of s. 3.02 (2). Any lot so enlarged shall not thereafter be reduced below the minimum lot size required in the zoning district.
- (7) Erosion control. Construction on slopes of 20% or more shall require plan approval from Land Conservation Department. For the purpose of this section, slope shall be defined as the average change in elevation over an area which extends 30' from the perimeter footprint of the structure.

3.04 Maximum residential density

- (1) Official density map. Allowable residential density will be recorded on an Official Maximum Residential Density Map kept on file in the Zoning Office. The number of residential sites created shall be noted on the map.
- (2) Applicability. Maximum residential density shall apply to the creation of residential lots in the PA, GR, GRF, RR-8, RR-12, and RR-20 districts.
- (3) Number of residential lots. Parcels of land existing on the effective date of this ordinance shall not be divided into residential sites which exceed the allowable number of sites per 40 acres or portion thereof for each district as listed in s. 3.02.
 - a) Calculation. The allowable number of residential lots shall be calculated by multiplying the size of the tract in acres by the maximum residential density per 40 acres.
(Example: 26 acre parcel in the RR-8 district results in $26 \times 8/40 = 208/40 = 5.2$ lots.)
 - (b) Rounding. Any fractional lot resulting from the calculation in s. 3.04 (3) (a) which is at least .75 shall be rounded up to the next whole number.
 - (c) Wetlands. Wetland acreage, as shown on the Wisconsin Wetland Inventory Maps, may count toward parcel size, except that wetlands shall not count for more than 25% of parcel size, and all building sites shall be located outside of the wetlands.
 - (d) Existing residences. Any residence which exists on the tract of land to be divided shall count against the maximum residential density allowed. This shall not apply to a second farm residence which is located on the same lot as the principal farm residence.
 - (e) Minimum lot size. No lot or building site shall be created which does not meet the

minimum lot area requirements of this Ordinance.

- (f) Transfer of allowable density. The transfer of allowable density from one parcel to a contiguous parcel under the same ownership is permitted. Such transfer may also be across a public or private road to a parcel under the same ownership which has opposite frontage.
 - (g) All lots to contain allowance for residential use. No parcel shall be created which does not carry with it the allowance for at least one dwelling unit under the maximum density calculation unless such parcel is permanently deed restricted to nonresidential use.
- (4) The maximum residential density in the General Rural-Flexible (GRF) district shall be increased from 4 to a maximum of 8 dwelling units per 40 acres based upon the applicable town board's written finding that such increased density:
- (a) Does not conflict with town goals for farmland preservation.
 - (b) Will not adversely affect natural resources such as steep slopes, wetlands, high quality woodlands and wildlife habitats.
 - (c) Is compatible with present and future uses on adjoining lands under the same ownership.
 - (d) Is compatible with present and future uses of neighboring lands.
 - (e) The site has suitable roads and services to support the proposed density.

3.05 Cluster development.

- (1) It is the intent of this section to authorize the developer to decrease lot sizes and therefore create usable open space on the rest of the parcel, thereby lowering development costs and increasing the attractiveness of the project. This is to be accomplished by increasing the density of the development beyond the limits indicated in Table 3.02 of these regulations.
- (2) With the approval of the Zoning Administrator, in any single-family, manufactured home or duplex residential subdivision which is a permitted use under these regulations, the developer may cluster structures in the following districts, provided that all building lots are contiguous and have a maximum size of 2.0 acres:

<u>Zoning District</u>	<u>Minimum Lot Area</u>	<u>Density Bonus per Units Clustered</u>	<u>Minimum Number of Houses in a Cluster</u>
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General Rural	.5	1 per 4	5
General Rural-Flexible	.5	1 per 6	7
Rural Residential "8"	.5	1 per 6	7

- (3) The minimum lot width, side yard and rear yard requirements contained in Section 3.02 of these regulations as well as the setback requirements from roads except for state highways contained in Section 3.06 of these regulations may be decreased by twenty (20) percent in an approved cluster development.
- (4) The amount of open space that must be set aside shall be determined by:
- (a) Subtracting from the average lot area required by the maximum residential density allowed in the zoning district, the amount of square footage of each lot that is smaller than that average;
 - (b) Adding together the results obtained in (a) for each lot
- (5) The following types of unbuildable land shall not be considered open space:
- (a) Wetlands and land that is generally inundated
 - (b) All of the floodway and floodplain fringe within the 100 year floodplain
 - (c) Slopes that exceed twenty (20) percent
 - (d) Land required for street rights-of-way or under permanent easement prohibiting future development
- (6) All open space and any other part of the parcel capable of further subdivision shall be restricted from further subdivision through a permanent conservation easement held by the Township or recognized land trust or conservancy, duly recorded in the office of the Pierce County Register of Deeds.
- (7) All open space must be legally and practicably accessible to the residents of the development out of which the required open space is taken. Access for public uses shall be by dedication of land or other means duly recorded in the office of the Pierce County Register of Deeds.

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- (8) The required open space may be used for individual or community septic systems or for stormwater management ponds or basins.
- (9) During the land division process, the Land Management Committee shall approve of a cluster subdivision if its design is deemed by the committee to be appropriate to the site's natural, historic and cultural features and if, through encouragement of originality and lot layout, the following goals are achieved:
 - (a) Protection of all floodplains, wetlands and steep slopes;
 - (b) Uninterrupted scenic views;
 - (c) Creation of upland buffers around watercourses;
 - (d) Preservation of existing woodlands, treelines and existing pastures;
 - (e) Avoidance of prime agricultural soils;
 - (f) Protection of wildlife habitat;
 - (g) Avoidance of construction on higher topographic features; and
 - (h) Provision of contiguous open space

3.06 Setbacks from roads.

- (1) State and federal highways. Except as provided in subs. (5) and (6), the required setback for all structures fronting on state and federal highways shall be 110 feet from the centerline of the road or 77 feet from the edge of the right-of-way, whichever is greater.
- (2) County highways. Except as provided in sub. (5), the required setback for all structures fronting on county highways shall be 100 feet from the centerline of the road or 67 feet from the edge of the right-of-way, whichever is greater.
- (3) Town highways. Except as provided in sub. (5), the required setback for all structures fronting on all town highways shall be 75 feet from the centerline of the road or 42 feet from the edge of the right-of-way, whichever is greater.
- (4) Private roads. The required setback for all structures fronting on private roads or private road easements shall be 75 feet from the centerline of the road or easement, or 42 feet from the edge of the private road right-of-way or easement, whichever is greater.

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- (5) Setback reduction. A setback of less than the required setback for the appropriate class of highway shall be permitted in cases where the adjacent principal buildings are located closer to the highway than the required setback.
- (a) Where each side of the proposed building locations occupied by an adjacent principal building located within 200 feet of the proposed building footprint, the required setback for the proposed building shall be the average of the setbacks of the adjacent principal buildings.
 - (b) Where one side of the proposed building locations occupied by an adjacent principal building located within 200 feet of the proposed building footprint, the required setback for the proposed building shall be the average of the setback of the adjacent principal building and the setback required for that particular highway.
- (6) How measured. Setbacks from highways shall be measured from the nearest portion of a structure. However, the first 2 feet of an overhanging eave and gutter and the first 6 feet of unenclosed stairs shall be excluded, provided that these items are not located within any public right-of-way.
- (7) Exemptions. The following structures shall be permitted within the required setback of highways, provided that they do not violate any other provisions of this Ordinance:
- (a) Structures which are not buildings and which are less than 6 inches above preconstruction grade.
 - (b) Public utility poles, lines, and related equipment without permanent foundations.
 - (c) Minor structures, as listed in s. 3.12 (1) (a).
 - (d) Fences, provided they are not located within a public right-of-way.
 - (e) Signs, as provided in Chapter 8.
 - (f) Outdoor lighting in installations and unenclosed canopies for lighting and rain protection in conjunction with such uses as automobile fuel sales or drive-in facilities, provided these items are not located within a public right-of-way and provided that they are not located in side yards.
 - (g) Structures such as ramps and landings, lifts, or elevator housing, which are designed and intended to comply with the requirements of the Americans with Disabilities Act or fair housing laws to make existing buildings accessible to disabled people, and where no feasible alternative locations exist.

- (8) Vision clearance triangle. In each quadrant of every street intersection there shall be a vision clearance triangle according to design standards on file in the zoning office.

3.07 Setback from navigable water.

- (1) Except as provided in subs. (2) and (3), the required setback from all navigable water shall be 75 feet from the ordinary high water mark. The setback shall be measured from the nearest portion of a structure.
- (2) Setback reduction.
- (a) Where each side of the proposed building location is occupied by adjacent principal buildings which are located both within 100 feet of the proposed building footprint and less than 75 feet from the ordinary high water mark, the required setback from the ordinary high water mark shall be the average of the setbacks of the adjacent principal buildings, but in no case shall the setback be less than 40 feet.
- (b) Where one side of the proposed building location is occupied by an adjacent principal building which is located within 100 feet of the proposed building footprint and which is located less than 75 feet from the ordinary high water mark, the required setback shall be the average of the setback of the adjacent principal building and 75 feet, but in no case shall the setback be less than 40 feet.
- (3) Exemptions. The following structures are permitted within the required setback from navigable water, provided they do not violate any other provision of this Ordinance:
- (a) Decks, subject to the following:
1. The highest floor surface of the deck is not more than 16 inches above preconstruction grade.
 2. The deck has only open rails no higher than 42 inches above the floor surface.
 3. The deck extends waterward not more than 20 percent of the required setback.
- (b) Stairways which are attached to a principal building and which extend less than 6 feet from the building's wall.
- (c) Stairways, elevated walkways, and lifts which are essential because of site conditions to access the shoreline, provided such items contain no canopies, roofs, or closed railings and do not exceed 4 feet in width. Landings shall be allowed, provided such landings shall not exceed 32 square feet in area.

- (d) Boathouses, provided that they shall not be placed waterward of the ordinary high water mark.
- (e) Open fences.
- (f) Structures which are not buildings and which are less than 6 inches above preconstruction grade.
- (g) Minor structures, as listed in s. 3.12.
- (h) Signs that meet the requirements of Chapter 8.
- (i) Utility poles, lines, and related equipment which are without permanent foundations.
- (j) Piers and boat hoists.
- (k) Structures such as ramps and landings, lifts, or elevator housings, which are designed and intended to comply with the Americans with Disabilities Act requirements or fair housing laws to make existing buildings accessible to disabled people, and where no feasible alternative locations exist.

3.08 Height requirements.

- (1) Height limitation. Except as provided in subs. (2) and (3), no building, structure, or sign shall exceed 35 feet in height above the grade elevation.
- (2) Exemptions. The following shall be exempted from the height requirements of this section:
 - (a) Architectural projections such as spires, belfries, parapet walls, domes, chimneys, and cupolas, provided that such cupolas do not exceed 64 square feet in floor area, including stairwells, are not higher than 8 feet above the adjacent roof ridge, and contain no living quarters.
 - (b) Agricultural structures such as silos, barns, and grain storage buildings.
 - (c) Special structures such as elevator penthouses, grain elevators, observation towers in parks, communication towers, electrical poles and towers, and smoke stacks, provided such structures shall not exceed in height their distance from the nearest lot line.
- (3) Public or semi-public facilities such as schools, churches, monuments, libraries, governmental offices and stations, may be granted exemptions by the Land Management Committee to a height of 60 feet provided that all required setbacks and yards are

increased by not less than one foot for each foot the structure exceeds 35 feet in height.

3.09 Front, rear, and side yards. Except as required by s. 3.06 and s. 3.07, the following shall apply to front, rear, and side yards:

- (1) How measured. The yard distances shall be measured from the nearest portion of the structure, except that the first 2 feet of an overhanging eave of buildings shall not be included where the yard requirement exceeds 5 feet.
- (2) Exemptions. The following structures are permitted in front, rear, and side yards provided they do not violate any other provision of this Ordinance:
 - (a) Public utility poles, lines, and related equipment without permanent foundations.
 - (b) Fences, provided they are not located within public right-of-ways.
 - (c) Structures which are not buildings and which are less than 6 inches above preconstruction grade.
 - (d) Minor structures, as listed in s. 3.12.
- (3) Construction over lot lines. A structure may be erected over a lot line when the lots are in common ownership. Such construction shall have the effect of combining the lots into a single parcel for zoning purposes and such lots shall not be sold separately or divided unless the resulting lots and placement of structures are in conformance with this Ordinance.

3.10 Landscape buffers.

- (1) Purpose. These requirements are intended to reduce potential adverse impacts that a particular land use might have on occupants of adjacent properties, such as glare of lights, dust, litter, and appearance. With vegetative screening, such adverse impacts will be lessened.
- (2) Applicability. Landscape buffer requirements shall only apply to proposed uses in cases where a commercial or industrial use abuts a residential or agricultural district; where a utility use requiring a land use permit abuts any district; or such landscape buffer is required by a provision in this Ordinance. Commercial and industrial parcels which are developed as of the effective date of this Ordinance are exempt from this provision except, such parcels shall comply when the parcel is expanded in size or the use expands to an adjacent parcel which was previously undeveloped for such use.

(3) General Requirements.

- (a) Landscape buffers shall be located in such manner that principal buildings and outdoor storage areas associated with the proposed use are screened as viewed from the vantage point of the principal structures on affected adjoining lots.
 - (b) Landscape buffers may be located in an area devoted to meeting minimum side or rear yard requirements.
 - (c) Landscape buffers, when required, shall be established on a lot at the time of the lot's development, or at the time the use of the lot is changed to a use which requires a landscape buffer.
 - (d) Landscape buffers shall be provided on each lot as required by this section independent of existing landscape buffers on adjoining lots.
 - (e) Installation and maintenance of the required landscape buffers shall be the responsibility of the owner of the lot.
 - (f) Existing woody plants which meet the requirements listed in sub. (4) may be used to meet the landscape buffer requirements.
- (4) Landscape buffer tree requirements. Landscape buffers, at the time of establishment, shall meet the design specifications on file in the zoning office as approved and incorporated into this ordinance.

3.11 Accessory structures. Accessory structures are permitted subject to the following:

- (1) Permit required. Accessory structures shall require a land use permit except:
 - (a) Minor structures such as birdhouses, yard light poles, birdbaths, doghouses (housing dogs which are licensed as the personal pets of the residents of the property), treehouses, noncommercial fuel storage tanks and pumps, clothes line poles, lawn ornaments, flag poles, mailboxes, garbage containers, ice fishing shanties, and school bus waiting shelters.
 - (b) Fences.
- (2) An accessory structure shall be located on the same lot as the principal use to which it is accessory.

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- (3) An accessory structure shall not be permitted until its associated principal structure is present or under construction.
- (4) Personal property permitted only as accessory structures. Except in the Industrial (I) district where accessory structures shall be permitted without limitation as to number or duration, such personal property as, but not limited to, boats, truck bodies, manufactured homes, buses, railroad cars, shipping containers, and trailers may be used as accessory structures only upon issuance of a land use permit subject to the following:
 - (a) The land use permit shall expire 8 months from the date of issuance and the accessory structure shall be removed from the premises upon expiration of the permit. A subsequent land use permit for a accessory structure on the same parcel shall not be issued until 12 months has elapsed from the expiration of the previous permit.
 - (b) Only one such accessory structure shall be permitted at a time.

CHAPTER 4

PARTICULAR USE REQUIREMENTS

4.01 Purpose. The purpose of these requirements is to minimize potential negative impacts from certain, specified uses and to promote compatibility between those uses and surrounding uses.

4.02 Applicability. In addition to complying with other regulations established in this Ordinance, these requirements must be met for each specific use as a condition to a land use permit.

4.03 Agricultural use requirements.

(1) General agriculture

- (a) Barnyards, feed lots, and farm structures housing animals shall be located at least 100 feet from navigable water and shall be located so that manure will not drain into navigable water.
- (b) General agricultural practices shall be allowed in all agricultural districts without issuance of a land use permit, except that structures shall require a land use permit.
- (c) General agricultural practices, except for barnyards, feed lots, and uses involving agricultural structures, shall be allowed in all nonagricultural zoning districts without issuance of a land use permit.

4.04 Commercial use requirements.

(1) Bed and breakfast establishments.

- (a) There shall be no more than 8 rooms available for rent to transient guests. A Conditional Use Permit shall be required for bed and breakfasts with more than 4 rooms available to rent in the PA, GR, GRF, and A-R districts.
- (b) Bed and breakfast establishments shall comply with the parking requirements of s. 7.02.

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(c) All lot size and other dimensional requirements for single family residences shall be met.

(d) No more than one on-premise sign shall be permitted. Such sign shall not exceed 9 square feet in sign face area.

(2) Boardinghouses.

(a) There shall be one off-street parking space per sleeping room provided, in addition to 2 spaces required for residents of the dwelling.

(b) There shall be no more than 8 sleeping rooms provided for boarding.

(c) All boardinghouses with sleeping rooms above the ground floor shall provide an outside fire escape or escape balcony from an area accessible to the occupants of the upper floors(s) and appropriate exit signs.

(d) All lot size and other dimensional requirements for single family residences shall be met.

(e) No more than one sign shall be permitted. Such sign shall not exceed 9 square feet in sign face area.

(3) Family day care homes.

(a) Family day care homes shall be permitted no more than one sign. Such sign shall not exceed 9 square feet in sign face area and shall not be illuminated.

(4) Farm markets accessory to agricultural uses are permitted subject to the following:

(a) Such use shall principally involve the sale of farm and garden products, but other types of merchandise may be sold, provided such merchandise occupies not more than 25 percent of the indoor and outdoor display area of the farm market.

(b) At least one off-street parking space shall be provided for each 200 square feet of indoor and outdoor display area.

(c) Combined indoor and outdoor display areas shall not exceed 2,000 square feet.

(d) Minimum lot size for the parcel on which the farm market is located shall be 10 acres.

(e) The farm market shall obtain site plan approval and a land use permit.

(5) Farm and home based businesses accessory to permitted single family residences shall be permitted by conditional use permit in agricultural districts, subject to the following:

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- (a) The farm and home based business shall be conducted by the owner of the dwelling unit. No more than 8 persons not residing on the site may be employed in the business.
 - (b) If located within a dwelling unit, the farm and home business shall occupy no more than 50% of the dwelling unit. If located in an accessory building the farm and home business shall not occupy an area greater than 5000 square feet.
 - (c) Minimum lot size shall be 5 acres.
 - (d) Such other conditions as specified by the Land Management Committee pursuant to Section 11.04.
- (6) Home businesses accessory to principal permitted single family residences.
- (a) If located within a dwelling unit, the home business shall occupy no more than 50 percent of the floor area of the dwelling unit. If located in an accessory building the home business shall not occupy an area greater than 1500 square feet of such accessory building.
 - (b) Minimum lot size shall be 2 acres.
 - (c) The home business shall be conducted by a resident of the dwelling unit. Such home business shall not employ more than 2 persons who are not residents of the dwelling unit.
 - (d) Off-street parking shall be provided in accordance with the requirements in Chapter 7, parking, loading, and access requirements.
 - (e) Such use shall not include the operation of any machinery, tools, appliances, or other operational activity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible with the surrounding area.
 - (f) No more than 2 home businesses shall be permitted on a single lot. The total space allowed for 2 home businesses combined shall not exceed the maximum allowed for a single home business.
 - (g) A lavatory shall be provided for employees and clients of the home business.
 - (h) A home business which involves a use that has particular use requirements listed in Chapter 4 shall, in addition, comply with those requirements.
 - (i) No more than one on-premise sign shall be permitted. Such sign shall not exceed 12

square feet in sign face area.

- (j) The business site shall have direct access to only state, county, or town roads. Direct access to private roads or easements shall not be allowed.
 - (k) Only finished consumer goods that have been produced in connection with a home business and products accessory to such goods may be offered for sale.
 - (l) The business shall not have direct access to a private road unless the business owner provides a written statement of permission signed by all parties who hold a property or maintenance interest in the road. It shall be the responsibility of the business owner to establish the list of all parties who hold such an interest.
- (7) Home occupations. The use of a principal permitted single family dwelling unit for a home occupation shall be clearly secondary to the residential use of the dwelling unit and shall not change the residential character of the dwelling unit. The following shall apply:
- (a) Home occupations shall be conducted only inside a single family residence (including any attached garage) and shall not occupy more than an area equal to 25 percent of the floor area of the residence. Home occupations shall not be conducted in an accessory building.
 - (b) The home occupation shall be conducted by a resident of the dwelling unit. Such use shall not employ more than one person that is not a resident of the dwelling unit.
 - (c) Such use shall not include the conduct of any retail or wholesale business on the premises, except for the sale of products produced by the home occupation.
 - (d) Such use shall not include the operation of any machinery, tools, appliances, or other operational activity that would create a nuisance due to noise, dust, odors, or vibration, or be otherwise incompatible with the surrounding area.
 - (e) Such use shall not involve any outdoor storage or display of any articles offered for sale or produced on the premises in conjunction with the home occupation. Outdoor storage of materials or machinery used in conjunction with the home occupation shall not be permitted.
 - (f) No more than one on-premise sign shall be permitted. The sign shall not exceed 4 square feet in sign face area. The sign shall not be illuminated.
 - (g) Off-street parking shall be provided in accordance with the requirements in Chapter 7, parking, loading, and access requirements.

(8) Indoor maintenance and repair.

- (a) All repair, painting, parts storage, and body work activities shall take place within a building.
- (b) All damaged or nonoperable parts shall be stored indoors or in storage containers such as roll-offs, dumpsters, or bins of similar size and construction.

(9) Kennels.

- (a) All dogs shall be housed indoors during the hours from 9:00 p.m. to 6:00 a.m.
- (b) Minimum side and rear yards for all structures associated with kennels shall be 200 feet.
- (c) Except as exempted here, all kennels shall be screened from public highways by vegetative screening as described in s. 3.10(4). Structures located at least 200 feet from the centerline of public roads are exempt from the screening requirement.
- (d) There shall be no more than 2 adult dogs in any single enclosure unit.

(10) Lodging facilities:

(a) Density requirements.

- 1. Lodging facilities in which the floor area of each of the occupancy units is less than 450 square feet shall have a maximum density of 16 units per acre (1 unit per 2,723 square feet of lot area).
- 2. Lodging facilities in which the floor area of each of the occupancy units is 450 to 750 square feet in area shall have a maximum density of 12 units per acre (1 unit per 3,630 square feet of lot area).
- 3. Lodging facilities in which the floor area of each occupancy unit is greater than 750 square feet shall have a maximum density of 6 units per acre (1 unit per 7,260 square feet of lot area).
- 4. The allowable density of lodging facilities which include a mixture of unit sizes shall be calculated as follows: The sum of all areas derived by multiplying each unit by its appropriate lot area requirement shall not exceed the total area of the parcel.

- (b) Multiple buildings with lodging facilities may be located on the same parcel, but shall be separated from each other by a distance of at least 30 feet.

(11) Mini-Storage.

- (a) Except in industrial districts, all buildings shall be located a minimum of 50 feet from all lot lines.
- (b) Commercial storage facilities shall not be used as workshops or retail shops.
- (c) Outside storage shall be prohibited.
- (d) Screening with vegetation and/or fencing as approved by the Land Management Committee shall be provided along property lines bordering residential districts.
- (e) Lighting shall be shielded to prevent direct illumination of adjacent properties not in industrial and commercial districts or public rights-of-way.

(12) Roadside stands accessory to agricultural uses are permitted subject to the following:

- (a) Such use shall only involve the sale of farm products produced on the premises.
- (b) Except for temporary structures not exceeding 160 square feet of floor area, all structures associated with roadside stands shall meet all setbacks and other provisions of this Ordinance. Temporary roadside stands which do not exceed 160 square feet of floor area are exempt from 3.05, but shall not be placed in public right-of-ways.
- (c) Only one roadside stand shall be permitted on a lot.

(13) Trade and Contractors Establishment. The following shall apply to such uses located in the Commercial district.

- (a) Outside storage of equipment shall be screened from public rights-of-way.

4.05 Industrial use requirements.

(1) Non metallic mining, including washing, crushing, or other processing, provided that:

- (a) Application for such operation shall include a description of the operation, a list of equipment, machinery, and structures to be used; the source, quantity and disposition of water to be used; a topographic map of the site showing existing contours with minimum vertical contour interval of five feet; trees; proposed and existing access

roads, the depth of all existing and proposed excavations; and a restoration plan, in addition to other information which may be required in s. 11.04.

- (b) The restoration plan shall contain proposed contours after filling, depth of restored topsoil, type of fill, planting or reforestation, restoration commencement and completion dates. The applicant shall furnish the necessary fees to provide for the inspection and administrative costs and the necessary sureties which will enable the count to perform the planned restoration of the site in event of default by the applicant. The amount of such sureties shall be based upon cost estimates prepared by an engineer, and the form and type of such sureties shall be approved by the county's legal counsel.
 - (c) Screening regulations shall comply with the regulations of s. 3.10.
 - (d) The conditional use permit shall be in effect for a period not to exceed two years and may be renewed upon application for a period not to exceed two years. Modifications or additional conditions may be imposed upon application for renewal.
 - (e) The Land Management Committee shall particularly consider the effects of the proposed operation upon existing streets, neighboring development, proposed land use, drainage, water supply, soil erosion, natural beauty, character, and land value of the locality and shall also consider the practicality of the proposed restoration plan for the site.
 - (f) Such other requirements as specified in s. 11.04 shall also apply.
- (2) Salvage yards.
- (a) Salvage materials shall not be located within 500 feet of any residence other than that owned by the owner of the premises or any residential or business district or 1 thousand feet from a lake, river, or stream. No junk or salvage operation shall be carried on within one thousand feet of any highway right-of-way and all establishments of this kind shall have minimum side and rear yards of 100 feet.
 - (b) Salvage material shall not be located in a wetland or floodplain.
 - (c) Salvage materials shall be enclosed by a suitable fence or vegetative screening as approved by the Department of Land Management so that the materials are not visible from other property in the vicinity of the salvage yard, nor from a public road, nor from navigable water. The fence or vegetative screen shall be a minimum of 8 feet in

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height and shall be properly maintained to satisfy the obscuring objective.

- (d) Salvage materials shall not be piled higher than the height of the fence or vegetative screen.
- (e) Such operation shall comply with any other conditions specified by the Land Management Committee pursuant to s. 11.04.
- (e) For fire protection, an unobstructed fire break shall be maintained, 15 feet in width and completely surrounding the salvage yard.
- (f) At the site, appropriate measures shall be taken to prevent water and soil contamination from oils, gasoline, grease, or other contaminants. At a minimum, there shall be 5 feet of soil between the water table or bedrock. If wells are located within 1,000 feet of the site, the Land Management Committee may require a liner and bonds for removal of contaminated topsoil.

(3) Sawmills and planing mills.

- (a) Such uses shall be located a minimum distance of 500 feet from any dwelling unit other than that of the owner or operator of the establishment.
- (b) No sawmill or planing mill shall produce a sound level at its property boundary that exceeds 55 decibels.
- (c) Areas used for stockpiling and maneuvering shall be a minimum distance of 200 feet from any dwelling unit other than that of the owner or operator of the establishment.

4.06 Institutional use requirements.

(1) Private institutional uses.

- (a) Principal buildings for such uses shall maintain a minimum 50 foot setback from any property line.

4.07 Outdoor recreational use requirements.

(1) Campgrounds and trailer camps.

- (a) Each recreational vehicle, trailer, or camp site shall be plainly marked and surfaced with gravel, asphalt, or other material to free the site of mud.

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- (b) The maximum number of recreational vehicle, trailer, or camp sites shall be 15 per acre.
- (c) The minimum size of a recreational vehicle park, trailer park or campground shall be 5 acres, except that in the PA district the minimum size shall be 20 acres.
- (d) The minimum dimensions of a recreational vehicle, trailer, or camp site shall be 25 feet wide by 40 feet long.
- (e) Each recreational vehicle, trailer, or camp site shall be separated from other recreational vehicle, trailer or camp sites by at least 15 feet.
- (f) There shall be 2 off -street parking spaces for each recreational vehicle, trailer, or camp site.
- (g) All recreational vehicle, trailer, or camp sites shall meet the required setbacks from roads and from the ordinary high water mark and shall be located at least 50 feet from all exterior lot lines.
- (h) Each recreational vehicle park, trailer park, or campground shall be screened by means of a vegetative screening, as described in s. 3.10(4), along all lot lines. Such requirement may be waived by the Zoning Administrator if existing woody vegetation is such that the screening objective is or will be achieved.
- (i) Seasonal campsites shall be allowed subject to the following:
 - 1. No more than one wheeled camping unit or one shelter unit shall be allowed on any individual campsite. In addition to these facilities, a tent may be erected to serve as an auxiliary shelter, but shall not be erected for a period of more than 14 consecutive days.
 - 2. A seasonal camping unit shall not exceed 400 square feet in floor area nor 8 feet 6 inches in width when in the in-transit position.
 - 3. A seasonal camping unit shall not be occupied for more than 8 months in a calendar year, although a camping unit may remain on an individual campsite for an entire calendar year. The wheels and tires shall remain in an in-transit position.
 - 4. No porches, lean-tos, or additions shall be constructed onto or immediately adjacent to a camping unit. Canvas screen rooms or awnings shall be allowed.
 - 5. A wooden deck may be provided adjacent to a camping unit subject to the following:
 - a. The deck shall not exceed 256 square feet in area.
 - b. The deck may be enclosed by open railings, but shall not have built-in benches or tables.

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- c. The deck shall not have a permanent foundation in the ground.
- 6. A camping unit and deck may only be skirted with lattice; however, solid skirting may be installed immediately adjacent to the tires.
- 7. One storage shed shall be allowed per campsite. Said shed shall not exceed 80 square feet in floor area.
- (j) A shelter unit may be located on an individual campsite provided it is designed only to protect occupants from the elements and does not have a permanent water supply, a sewage system, electricity, or heating and cooking facilities. A shelter unit shall not exceed 300 square feet in total floor area and shall not be rented to a camping party for a term exceeding 30 consecutive days.
- (k) One dwelling unit to be occupied by the owner and not more than one additional dwelling unit to be occupied by the manager shall be allowed in a campground.
- (l) Camping shall be permitted in approved campgrounds without issuance of a regular land use permit.
- (2) Institutional recreation camps.
 - (a) Minimum lot size shall be 10 acres.
 - (b) Maximum capacity shall be 5 persons per acre or 200 persons, whichever is less. Such capacity shall be determined by the number of sleeping spaces, number of dining spaces, and/or other appropriate means of determination.
- (3) Riding stables, commercial and private.
 - (a) Minimum lot size for riding stables shall be 10 acres for commercial riding stables and 5 acres for private riding stables.
 - (b) There shall be at least 1 acre of open space provided on the lot for each horse kept on the lot.
 - (c) All stables shall be located at least 100 feet from the ordinary high water mark of navigable water and shall be located such that manure will not drain into navigable water.

4.08 Residential use requirements.

(1) Accessory residences.

(a) Accessory residences shall be permitted in the C, LI, and HI districts, subject to the following:

1. There shall be no more than one accessory residence on a lot.
2. The accessory residence may be either an attached or detached dwelling unit.
3. The setbacks and minimum yards for such dwelling unit shall be the required setbacks and minimum yards for principal structures.
4. Such dwelling unit shall meet all other provisions of this Ordinance.
5. Such accessory residence shall not be a manufactured home.
6. Accessory residences shall require a land use permit.

(b) Accessory residences which are accessory to single family residences shall be permitted in the EA, PA, GR, GRF, A-R, RR-8, RR-12, and RR-20 districts with the issuance of a conditional use permit.

(2) Manufactured homes. The following requirements apply to manufactured homes which are not located in manufactured home parks:

(a) Manufactured homes shall comply with federal inspection requirements per Housing Act of 1976 and its successors.

(b) The towing and transportation equipment, including the wheel assembly, shall be removed and the manufactured home shall be mounted on and attached to a permanent foundation.

(c) Manufactured homes shall be a minimum of 14 feet wide.

(3) Manufactured home parks.

(a) Internal streets shall have a minimum right-of-way of at least 40 feet.

(b) Internal streets and parking areas shall be surfaced with a dust-free material.

(c) There shall be at least 2 parking spaces for each manufactured home site.

(d) The minimum distance between manufactured home units, including all appurtenances, shall be 15 feet.

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- (e) The minimum distance between a manufactured home unit, including all appurtenances, and an internal street shall be 10 feet.
- (f) No sales office or other business or commercial use shall be located within a manufactured home park. Laundries, washrooms, recreation rooms, maintenance equipment storage, and one management office are permitted.
- (g) Each manufactured home park shall be screened, except for permitted entrances and exits, by means of a vegetative screen, as described in s. 3.10(4) at the perimeter of the manufactured home park. The requirement may be waived by the Zoning Administrator if existing woody vegetation is such that the screening objective is or will be achieved.
- (h) Manufactured homes in manufactured home parks shall contain at least 550 square feet of floor area.
- (i) No manufactured home site shall be rented for a period of less than 30 days.
- (j) Deck(s) shall be permitted on each manufactured home site. The total size of the deck(s) shall not exceed 25 percent of the floor area of the manufactured home. Deck(s) shall comply with the setback and yard requirements for manufactured homes in approved manufactured home parks.
- (k) The total floor area of additions such as screen porches, lean-tos, or other extensions attached to a manufactured home shall not exceed 5 percent of the floor area of the manufactured home. Any additions constructed in conformance with this provision shall comply with the setback and yard requirements for manufactured homes in an approved manufactured home park.
- (l) One accessory structure shall be permitted for each manufactured home site and shall not exceed 120 square feet in floor area. Accessory structures allowed under this provision shall be located a minimum of 10 feet from the manufactured home on the same manufactured home site and shall be located a minimum of 15 feet from a manufactured home or an accessory structure on another site.
- (m) All manufactured homes shall meet the construction standards of the U.S. Department of Housing and Urban Development Manufactured Housing Code.
- (n) No permit shall be required to move a manufactured home onto a manufactured home site or interchange a manufactured home for another manufactured home on a manufactured home site in a manufactured home park that has been approved in accord with all applicable provisions of this Ordinance. The number of manufactured

homes in an approved manufactured home park shall not exceed the number of manufactured home sites illustrated on site plans approved as part of the approval of the manufactured home park or the approval of an expansion of the manufactured home park.

- (o) All manufactured home sites shall take access only to an internal street.
 - (p) The number of manufactured homes in a nonconforming manufactured home park shall not exceed the number of sites existing on the effective date of this Ordinance, unless expansion has been authorized through a conditional use permit.
- (3) Second farm residence for worker principally engaged in the farm operation or for a retired farm owner, subject to the following:
- (a) The residence may be a manufactured home.
 - (b) Manufactured homes used as residences for farm employees, parents, and/or adult children of farm operators shall comply with the following:
 - 1. Such manufactured home shall provide housing for farm employees who assist farm operators engaged in general agriculture or intensive agriculture activities, or for parents and/or adult children of farm operators.
 - 2. The manufactured home shall not be placed on a separate lot.
 - 3. The manufactured home shall meet the minimum floor area requirements and all setback and yard requirements of this Ordinance.
 - 4. When the manufactured home is no longer occupied by said farm employees, parents, or adult children, the manufactured home shall be removed from the farm operator's property.
 - 5. The manufactured home shall be connected to a code compliant wastewater disposal system.
 - 6. The number of such manufactured homes shall not exceed one manufactured home per 80 acres of land owned by said farm operator.
 - 7. All portions of such manufactured home shall be located within 300 feet of the dwelling unit of said farm operator.
 - (c) A residence which is not a manufactured home may be separated from the farm operation as a single family dwelling, pursuant to s. 4.08 (4), provided that no more than one second farm dwelling constructed since the effective date of this Ordinance may be so separated from a farm, or future divisions of a farm. This section shall not apply to a second farm residence which can be separated in conformance with lot size and lot density requirements of the zoning district in which it is located.

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- (4) Separated Farm Residence. Single family residences existing prior to the effective date of this Ordinance may be separated from farm parcels, subject to the following:
- (a) The lot created shall contain at least one acre exclusive of lands within any public right-of-way.
 - (b) The lot width of the resultant lot shall be at least 100 feet.
 - (c) The lot lines created shall place all existing structures in conformance with applicable setback and yard requirements.
 - (d) The creation of the separate lot shall not reduce the remaining tract to a lot area of less than that required for a new lot in the zoning district.

4.09 Miscellaneous use requirements.

(1) Airports, airstrips, and landing fields.

- (a) The area proposed for this use shall be sufficient in size, and the site shall otherwise be adequate, to meet the standards of the Federal Aviation Administration, Department of Transportation, for the class of airport proposed.
- (b) One off-street parking space shall be required for every tie-down space or plane space within hangars.

(2) Clean Fill Site

- (a) Applicability. A land use permit for a clean fill site shall be required for deposition of 2,000 or more cubic yards of clean fill. Filling for construction of public highway shall not require a permit.
- (b) Application for a clean fill site permit shall include the following:
 - 1. Location, size, and ownership of land upon which the operation will be situated;
 - 2. Complete construction plans and specifications and proposed operating procedures for the operation, including but not limited to fill volume and type of fill;
 - 3. Copies of all application documents submitted to any other governmental agency for permitting purposes;
 - 4. An affidavit from the landowner giving the agent permission to conduct the operation on the landowners property, and a copy of the contractor's disposal agreement;

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5. An affidavit from the solid waste manager that approval has been granted by the solid waste management board.
 6. An affidavit from the applicable town stating that the facility as proposed has local approval.
 7. A topographic map of the site showing existing contours with minimum vertical contour interval of five feet, trees, proposed and existing access roads and building, the area and dimensions of the fill site and distances to buildings, lotlines, existing wells, and other utilities.
 8. A restoration plan showing final slopes, extent of fill area, grading, seeding and mulching, depth and type of final cover, surface water runoff control, erosion control, restoration commencement and completion dates.
 9. Sureties or bonds sufficient to allow the county to perform restoration in the event of default by the applicant.
 10. A landscaping and screening plan.
 11. Fees as established by the County Board of Supervisors.
- (c) Approval. The Zoning Administrator shall be authorized to approve the application for a clean fill site with any conditions necessary. In approving the application, the Zoning Administrator shall consider the effect of the proposed operation upon existing streets, neighboring development, proposed land use, drainage, water supply, soil erosion, natural beauty, character, and land value of the locality. The Zoning Administrator shall also consider the practicality of the proposed restoration plan and screening plan for the site.
- (d) Term of Approval. The land use permit for a clean fill site shall be in effect for two years and may be renewed upon application for a period not to exceed two years and a renewal fee as set by the County Board. Modifications or additional conditions may be imposed upon application for renewal.
- (3) Communication towers, antennas, transmitters.
- (a) A land use permit shall not be required for communication towers which do not exceed 35 feet in height. A land use permit shall be required for commercial communication towers greater than 35 feet but less than 70 feet in height. A conditional use permit shall be required for all communication towers 70 feet or greater in height.
- (b) Application. To avoid the needless proliferation of communication towers, the application for any new commercial communication tower shall be accompanied by the following in addition to information required in s. 11.04:
1. Statements from the owners/operators of existing communication towers in Pierce

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- County that the proposed commercial uses cannot be accommodated on the existing towers. This requirement shall not apply to towers not needing a land use permit or conditional use permit.
2. A map showing a proposed grid for the location of any future towers in Pierce County.
 3. A statement from the owner/operator that such tower will be constructed to accommodate at least two additional communication facilities, and that such additional facilities will be made available to commercial users at competitive rates. This requirement may be waived by the Land Management Committee.
 4. A plan for abandonment of the communication tower, together with such surety as the committee may require to cover the cost of abandonment should the owner default.
- (c) Lighting or painting of towers shall conform to all FAA standards. Flashing or strobe type lights shall only be installed if required by FAA regulations and if specified in the application. Strobe lights shall not be used during hours of darkness.
- (d) Ancillary uses and structures associated with the tower, such as receivers, transmitters, other equipment, sheds, buildings, guy wires, lighting and fences, shall be included in the application.
- (e) There shall be no change in the height of the tower, lighting or lighting intensity, facility use, or other changes in a tower or related structure unless a new land use permit or modification to the conditional use permit is obtained.
- (f) Setbacks from all property lines for all towers except noncommercial towers less than 100 feet shall be a minimum of fifty feet plus the height of the tower. For noncommercial towers less than 100 feet the setback from all property lines shall be the height of the tower plus 10% of the height of the tower. All guy wires, supports, or structures associated with a communication tower shall be at least fifty feet from any adjoining property line. The height of communication towers shall include all antennas and other equipment.
- (g) Towers and antennas exceeding 200 feet in height shall be subject to the following:
1. Security. The base of towers or antennas at the point of entry into the earth shall be enclosed within security fencing. Any security lighting shall utilize fixtures whose hood, lens or combination thereof allows no direct beams of light to spill onto adjoining properties or to be cast skyward.
 2. Access. The service drive providing access to the facility shall be the minimum necessary to provide maneuverability for service or emergency vehicles.

- (4) Filling and grading. Filling, grading, lagooning, dredging, excavating, and ditching may be authorized under this section in any zoning district, except the Shoreland-Wetland district, subject to the following:
- (a) Navigable water protection. A conditional use permit shall be required for any filling, grading, lagooning, dredging, ditching, or excavating of any area within 300 feet horizontal distance of navigable water and the existing or resultant slope is toward the water if:
 - 1 The filling, grading, lagooning, dredging, ditching, or excavating exceeds 2,000 square feet on slopes of less than 12 percent, or
 - 2 The filling, grading, lagooning, dredging, ditching, or excavating exceeds 1,000 square feet on slopes of 12 to 20 percent, or
 - 3. The filling, grading, lagooning, dredging, ditching, or excavating is on slopes of 20 percent or more.
- (5) Utility Facilities. Utility facilities shall be subject to the following, except that utility facilities in the Shoreland-Wetland (S-W) district shall be governed by s. 2.06 (2).
- (a) No land use permit shall be required for any installation that is at or below grade elevation, nor for electrical distribution poles, towers, and wires.
 - (b) Those structures which are 4 feet or less above grade elevation need not meet setback requirements nor need they be placed on conforming lots.
 - (c) Electrical substations shall be enclosed by a chain link fence at least 10 feet high. Such structures shall additionally be located at least 75 feet from a dwelling unit and 50 feet from any residential lot line.
 - (e) Utility facilities where the land area bounded by the location of such structure or equipment is less than 1,000 square feet shall be exempt from the permit requirements of this Ordinance shall not require a land use permit.

4.10 Temporary Uses.

- (1) Unspecified temporary uses, which are conducted for not more than 7 consecutive days nor more than 10 days in any one year period may be conducted in any zoning district, except the Shoreland-Wetland district. Only those uses shown in s. 2.06 (2) are allowed in the Shoreland-Wetland district. Uses which are conducted for more than 7 consecutive days or

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for more than 10 days in any one year period, except for those listed in sub. (2) - (6), shall be regarded as principal uses and regulated accordingly. Unspecified temporary uses shall be subject to the following:

- (a) Such uses shall not require a land use permit.
 - (b) Such uses shall meet all setback and yard requirements of this Ordinance.
 - (c) Such uses shall not involve the construction or alteration of any permanent structure.
 - (d) The previous operation of an unspecified temporary use shall not be considered grounds for reestablishment of such use on either a permanent or temporary basis.
- (2) Camping on a lot during construction of a single family dwelling shall be allowed, subject to the following:
- (a) A land use permit for a single family residence has been secured and a slab, crawlspace, or foundation for the single family dwelling unit has been installed.
 - (b) A land use permit which authorizes such camping has been secured.
 - (c) The camping unit shall be located at least 25 feet from all lot lines, at least 50 feet from any dwelling unit other than that of the landowner upon which the camping unit is placed, and shall meet the setback requirements.
 - (d) An approved on-site waste disposal system, designed to accommodate the single family residence, has been installed on the property prior to the placement, erection, and/or use of the camping unit to serve as a means of sanitary waste disposal for the users of the camping unit.
 - (e) The camping activity shall cease upon the completion of the single family dwelling unit on the property.
 - (f) Renewal permits shall only be issued when substantial progress toward completion of the single family dwelling unit is demonstrated during the previous year.
- (3) Contractor's project office shall be permitted subject to the following:
- (a) Structure shall not exceed 2,000 square feet in floor area.
 - (b) Structure shall be removed within 10 days of completion or ceasing of development activity.

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- (c) Such project office that is to be in place for more than 365 days shall require a conditional use permit.
- (4) On-Site Real Estate Sales Office shall be permitted by land use permit subject to the following:
 - (a) Structure shall not exceed 5,000 square feet in total floor area.
 - (b) Facility shall be removed or converted to a permitted land use within 10 days of the completion of sales activity.
 - (c) Such sales office that is to be in place for more than 365 days shall require a conditional use permit.
 - (d) Model homes shall be permitted under this subsection.
 - (e) No more than one on-premise sign shall be permitted. Such sign shall not exceed 4 square feet in sign face area and shall not be illuminated. No pennants, banners, flags, or similar devices shall be allowed.
- (5) Temporary residence during construction of principal dwelling. An existing dwelling or manufactured home may be used as a temporary residence during construction of a new dwelling on the same parcel, subject to the following:
 - (a) A land use permit shall be obtained for the temporary residence.
 - (b) The temporary residence, if a manufactured home moved onto the lot, shall comply with all setback requirements of this Ordinance.
 - (c) Such temporary residence shall be connected to an approved wastewater disposal system.
 - (d) A permit for the temporary residence shall lapse at such time as the principal dwelling is completed and has been connected to utilities, or twelve months from the date of issuance, whichever is earlier.
 - (e) The temporary residence shall be removed or destroyed at the time the permit for such temporary residence lapses, or converted to a nonresidential use.
- (6) Temporary concrete or asphalt batch plants, subject to the following:

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- (a) Such facilities shall be erected only in conjunction with transportation improvements in Pierce County.
- (b) Application. In addition to the application requirements established in s. 11.04, the following information shall be submitted with the application:
 - 1. Plans for controlling erosion of stockpiled material used in manufacturing concrete or asphalt.
 - 2. Restoration plans for the site which describes or illustrates measures taken to restore the site to a condition of practical usefulness and reasonable physical attractiveness. The restoration plan shall describe methods for establishing vegetative cover on all exposed soil.
- (c) Conditional use permits granted for temporary concrete or asphalt batch plants shall be only for the period of the actual project work.
- (d) Temporary concrete or asphalt batch plants shall be removed from the premises within 60 days of completion of the project.

CHAPTER 5

NATURAL FEATURES PROTECTION REQUIREMENTS

5.01 Purpose. These requirements are intended to preserve interesting geological features, protect against soil erosion and groundwater contamination, preserve the natural beauty of Pierce County, and protect wild flora and fauna.

5.02 Applicability. These requirements shall be in effect in all zoning districts. They shall be applied independently of other applicable requirements of this Ordinance. Wherever other requirements of this Ordinance conflict with requirements of this chapter, the most stringent requirement shall govern.

5.03 Blufflands.

(1) Kinnickinnic River Blufflands Overlay District

- (a) Applicability. The Kinnickinnic River Blufflands Overlay District (KRBL) shall apply to all lands designated as such on the Official Zoning Map of Pierce County. The requirements of this subsection shall apply in addition to the requirements of the underlying zoning classification. In the case of any conflict between the KRBL district and the underlying district, the more stringent of the two requirements shall apply.
- (b) The minimum lot size shall be ten acres for lands mapped as KRBL.
- (c) Slope setback. All structures shall be set behind the bluffline, which is defined as a line connecting points at which a slope along the river or adjacent ravine in excess of 20% decreases to a slope of less than 12%.
- (d) Any filling and grading of slopes downslope from the bluffline shall require a conditional use permit.
- (e) Removal of trees from bluff faces and/or within the bluffline setback other than the clearing of downed/diseased timber or as part of a permitted or conditional use activity, shall require a conditional use permit.

5.04 Shoreland vegetation.

(1) Purpose. The purposes of these requirements are to preserve shoreland vegetation in order to:

- (a) Protect the scenic beauty of the shoreland in Pierce County.

- (b) Abate soil erosion along the shoreline.
 - (c) Reduce the flow of effluent, sediments, and nutrients from the shoreland to surface water.
- (2) These requirements apply to any cutting of trees and shrubbery in shorelands.
- (3) Requirements.
- (a) Cutting less than 35 feet inland. Except as provided in par. (c), tree and shrubbery cutting in an area parallel to the ordinary high water mark and extending 35 feet inland from all points along the ordinary high water mark shall be in accordance with the following provisions:
 - 1. No more than 30% of the length of this 35-foot wide strip across the width of any lot as measured at the shoreline shall be cleared to the depth of the strip. Such clearing shall not result in openings of more than 30 feet in any 100 feet nor create a cleared opening in this strip greater than 30 feet wide and no clearing shall be allowed within 10 feet of the neighbor's lot line.
 - 2. In the remaining 70% length of this 35-foot wide strip, cutting shall leave sufficient cover to screen vehicles, buildings, and structures seen from the water; and to control erosion.
 - (b) Cutting more than 35 feet inland. Except as provided in par. (c), in shorelands which are more than 35 feet inland of the ordinary high water mark, the clearing of 10,000 square feet or more of any single lot in any one calendar year shall require the prior approval of a qualified forester as a sound forestry practice as defined in NR 46.02 or NR 46.15, Wis. Admin. Code.
 - (c) As an alternative to pars. (a) and (b), a special cutting plan allowing greater cutting may be permitted by the Land Management Committee upon issuance of a conditional use permit. The application for such a permit shall include: a sketch of the lot, location of parking, topography of the land, existing vegetation, proposed cutting, and proposed replanting. The Land Management Committee may grant such a permit only if it finds that such special cutting plans:
 - 1. Will not cause undue erosion or destruction of scenic beauty.
 - 2. Will provide substantial visual screening from navigable water of buildings, structures, and parking areas. Where the plan calls for replacement of plantings, the Land Management Committee may require the submission of a bond which guarantees the performance of the planned tree or shrubbery replacement by the lot owner.

CHAPTER 6

PLANNED RESIDENTIAL DEVELOPMENT

6.01 Purpose

- (1) The planned residential development option is intended to give landowners greater flexibility in developing tracts of land on a project basis by relaxing the various lot area, lot width, setback, yard, and other regulations.
- (2) The planned residential development option is intended to promote the benefits of:
 - (a) Coordinated area site planning.
 - (b) Diversified location of structures.
 - (c) Safe and efficient pedestrian and vehicular traffic systems.
 - (d) Attractive recreation and open spaces.
 - (e) Economical arrangement of public and private utilities and community facilities.
 - (f) Preservation of natural resources and agricultural land.

6.02 General Requirements

- (1) A planned residential development is permissible only on tracts of 40 acres or more in areas zoned PRD.
- (2) The overall density of a tract developed as a planned residential development shall not be greater than three times the maximum residential density of dwelling units of the underlying zoning district as contained in Table 3.02 of these regulations
- (3) Permissible types of residential development shall include single-family residences, duplexes, manufactured homes and multi-family dwellings. Approval of a planned residential development by the Land Management Committee shall remove the necessity to receive a Conditional Use Permit where required by these regulations. Permissible types of non-residential development shall include such uses typically associated with the permitted common area use which is incorporated into the planned residential development.

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- (4) To the extent practicable, the two-family and the multi-family portions of a planned residential development shall be constructed more toward the interior rather than the periphery of the tract so that single-family residences border adjacent properties.
- (5) In a planned residential development, landscape buffers which would normally apply where duplexes or multi-family development adjoins a single-family development shall not apply within a tract developed as a planned residential development, but all landscape buffer requirements shall apply between the tract so developed and adjacent lots
- (6) The requirements for minimum lot area in a planned residential development may be varied by fifty (50) percent from those of the underlying zoning district as contained in Table 3.02 of these regulations.
- (7) The minimum lot width, side yards and rear yards in a planned residential development may be varied by twenty (20) percent from those of the underlying zoning district as contained in Table 3.02 of these regulations.
- (8) The setback from roads as contained in Section 3.06 of these regulations and the height requirements as contained in Section 3.08 of these regulations may be varied by twenty (20) percent.

6.03 Preserved Open Space. At least twenty five (25) percent of the parcel designated as a planned residential development shall be devoted to open space and/or recreation uses. Parkland dedication and fees in lieu of parkland dedication shall be as required in Title 17 of the Pierce County Code.

6.04 Reservation of Development Rights Agreement. Within thirty (30) days following approval of a development plan, there shall be filed with the Register of Deeds of Pierce County a statement that a plan for the area has been approved. The statement shall contain the following information:

- (1) A legal description of the property.
- (2) A statement that copies of the plan are on file with the Zoning Administrator.
- (3) A statement as to the nature of the plan, the proposed density of land uses and other pertinent information sufficient to notify any prospective purchasers or users of land of the existence of such a plan.
- (4) A statement that the development plan shall become binding upon all successors and assigns unless amended in conformance with these regulations, or amendments thereto.

6.05 Application

(1) All applicants who desire to construct a planned residential development shall submit a development plan to the Zoning Administrator upon forms furnished by the Pierce County Department of Land Management. The development plan shall contain the following information:

(a) All the information required for a land use permit listed in Section 11.01.

(b) Views within the site and vistas to and from the site.

(c) Noise generation sources.

(d) Surrounding uses, activities and influences on the site within two hundred (200) feet including any existing or proposed streets, drives or buildings.

(e) A schedule of all total floor area, dwelling units, land area, parking areas and other aspects relative to these requirements in order that compliance with these regulations can be determined.

(f) Upon written request of the Zoning Administrator, such additional information as may be required by the Zoning Administrator so that the Land Management Committee and/or the Pierce County Board of Supervisors can determine whether or not the proposed planned residential development at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to public health, public safety or the character of the surrounding area. The written request shall contain an explanation of why the additional information is needed.

(2) Fee. All development plans shall be accompanied by a fee established by the County Board of Supervisors.

(3) No application shall be accepted by the Zoning Administrator until complete as judged by the Zoning Administrator and until all fees established by Pierce County have been paid in full.

(4) Public Hearing. A public hearing shall be held by the Land Management Committee after public notice has been given as provided in s. 11.09. At the public hearing, any party may appear in person or be represented by agent or attorney.

(5) Determination. Following review, investigation and public hearing, the Land Management Committee shall render a decision.

- (a) If the application is approved by the Land Management Committee, such decision shall include an accurate and complete description of the uses as permitted, including all the conditions attached thereto. The Land Management Committee may, in the process of approving the application, limit the use of the land to one specific permitted use in the zoning district for which the application has been submitted.
- (b) If the application is denied, the reasons for denial shall be stated.

(6) Basis of Approval

- (a) The Land Management Committee shall review each application for a planned residential development for compliance with all relevant provisions of these regulations. In approving a planned residential development, the Land Management Committee shall determine that the proposed planned residential development at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety or character of the surrounding area.
- (b) To aid in the review of the proposed planned residential development consistent with the above criteria, the Land Management Committee may evaluate the development according to criteria which shall include but shall not be limited thereto:
 - 1. The basis for approval of a site plan contained in s. 11.03.
 - 2. The basis for approval of a conditional use contained in s. 11.04.
 - 3. Any additional criteria deemed relevant by the Land Management Committee, including sureties, restrictions and conditions.

- (7) Resubmission. a development plan that has been heard and decided shall not be eligible to be resubmitted during the six (6) months following the decision. The six month period may be waived by the Land Management Committee in the same manner provided for conditional uses contained in s. 11.04.

6.06 Permit Requirements

(1) Changes to Development Plan

- (a) In the event of any proposed substance change in the development plan of a planned residential development, the modified development plan must again be submitted for approval to the Land Management Committee before such modification can be made.
- (b) For the purposes of this section, substance changes shall mean the following:

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1. Increases in the density of residential uses of more than five (5) percent.
 2. Increases of lot coverage of more than five (5) percent.
 3. Increases in the height of any building of more than ten (10) percent.
 4. Changes of architectural style and building materials which will make the project less compatible with surrounding uses.
 5. Changes in ownership patterns or stages of construction that will lead to a different development concept.
 6. Decreases of any peripheral setback of more than five (5) percent.
 7. Decreases of areas devoted to open space of more than five (5) percent or the substantial relocation of such areas.
 8. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries.
 9. Modification or removal of conditions or stipulations to the development plan approval.
- (c) All changes to the development plan which are not substance shall be approved by the Zoning Administrator before the modification occurs.
- (2) Abandonment of a Development Plan. In the event that a plan is given approval and there after the landowner shall abandon said plan and shall so notify the Zoning Administrator in writing, or in the event the landowner shall fail to commence the planned residential development within eighteen (18) months after approval has been granted, then in either event such approval shall terminate and shall be deemed null and void unless such time period is extended by the Land Management Committee upon written application of the landowner. Whenever a plan has been abandoned as provided by this section, no development shall take place on the property until a new development plan has been approved and filed in conformance with these regulations.

CHAPTER 7

PARKING, LOADING, AND ACCESS REQUIREMENTS

7.01 Purpose. These provisions are intended to reduce traffic congestion on streets by requiring adequate off-street parking and loading areas for each land use. These provisions provide landscaping requirements to improve the appearance of parking lots and to reduce the nuisance of glare. These provisions are also intended to promote traffic safety by ensuring proper access to roads.

7.02 Off-street parking requirements.

- (1) Required number of off-street parking spaces. The minimum number of off-street automobile parking spaces to be provided shall be in accordance with the following schedule. In cases where garages are provided, the number of required spaces shall be reduced by the number of parking spaces within the garages.

One space per employee during the peak shift shall be provided in addition to the following:

<u>USE</u>	<u>OFF-STREET PARKING REQUIREMENT</u>
Residential	2 spaces per dwelling unit.
Commercial Lodging	1 space per room.
Auditorium/Theater	1 space per 3 seats.
Church/Funeral Home	1 space per 4 seats.
Restaurant/Tavern	1 space per 100 square feet of primary floor area or 1 space per 3 seats, whichever is greater.
Boarding House	1 space per bedroom or sleeping room.
Bed and Breakfast Establishment	2 spaces plus 1 space per rental room.
Medical/Dental Clinic or Office	5 spaces per doctor/dentist
Public Boat Launching Ramp	15 spaces per launching lane, each space 10 feet wide x 40 feet long.
Office Uses	1 space per 250 feet of primary floor area.

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Retail Stores and Personal Services Establishments	1 space per 200 feet of primary floor area.
Manufacturing/Trade or Contractor Establishments	2 spaces
Warehouse/Commercial Storage	1 space per 1,000 square feet of primary floor area.
Marinas	0.5 spaces per boat slip.
Commercial Riding Stables	1 space per 3 horses.
Convenience Store	1 space per 100 square feet of primary floor area
Auto Repair	3 spaces per service bay
Outside Retail Sales	1 space per 500 square feet of display area.
Commercial Recreation	1 space per 4 patrons.
Hospital	2 spaces per 3 beds.
Nursing Home	1 space per 3 beds.
School, K-12	1 space per 10 students.
School, College	1 space per 2 students.
School, Nursery	1 space per 6 children.
Golf Course	90 spaces per 9 holes.
Driving Range	1 space per tee.
Drive-thru Facilities	4 vehicle queuing spaces.

- (a) If the parking requirements for particular uses described in Chapter 4 are different from those shown here, the most restrictive requirements shall apply.
- (b) Commercial establishments with drive-through facilities shall, in addition to providing the required off-street parking spaces, maintain an off-street queuing capacity of 4 vehicles per service lane. Such queuing capacity shall be designed so that vehicles queuing in the drive-through lane do not interfere with street traffic flow.

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- (c) Computation. When the computation of the minimum number of parking spaces results in a fractional number, the number shall be rounded up.
- (d) Uses not enumerated. In the case of uses not specifically listed in sub. (1), the minimum number of parking spaces shall be determined by the Zoning Administrator, based upon the requirements for similar uses.
- (e) Multiple uses on a lot. Where more than one use is located on a lot, the required number of parking spaces shall be determined by the sum of the minimum total number of parking spaces for each individual use. However, the Zoning Administrator, may allow a reduction of parking facilities if:
 - 1. The peaks of demand for individual uses do not coincide, or
 - 2. The same parking space can simultaneously serve both uses.
- (2) Application to existing uses. Uses existing on the effective date of this Ordinance which do not have the required amount of parking space shall not further reduce said space; and no expansion of the use shall be permitted, unless parking spaces equal to the parking requirement for the expansion are provided as part of the expansion.
- (3) Application to change of use. Whenever an existing use of a lot is hereafter proposed to be changed to a use having greater parking requirements, the applicant shall provide additional parking spaces equal to the difference in required parking spaces between the existing use and the proposed use.
- (4) Location. Except for commercial, industrial, and institutional uses, all required off-street parking shall be provided on the same lot as the use it serves or on an adjoining lot under the same ownership as the lot containing the use it serves. For commercial, industrial, and institutional uses, parking may be provided off-premise, however:
 - (a) The off-premise property shall be under the same ownership as the lot containing the commercial, industrial, or institutional use; or the off-premise property to serve as the required parking lot shall be leased for such purpose for 20 years or more.
 - (b) Each of the parking spaces shall be within 500 feet of the structure housing the use that the parking spaces are intended to serve.
 - (c) The off-premise parking area shall be located in the same district as the use that the parking spaces are intended to serve, or in an industrial or commercial district.
 - (d) A separate land use permit shall be obtained for the off-premise parking area.
- (5) Abandonment. No parking space, or driveway providing access thereto, shall be

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abandoned, closed, converted to another use, or in any way eliminated from use as a parking space or driveway, unless adequate off-street parking and access are provided to the property in full compliance with the provisions of this Ordinance.

- (6) Design requirements. Parking area design shall be in accordance with design standards contained in the zoning office.
- (7) Lighting. Lighting established for the purpose of illuminating off-street parking areas shall utilize lighting fixtures whose hood, lens, or combination thereof allow no direct beams of light from the fixture to be seen from off the property or to be cast skyward.
- (8) Maintenance. All parking areas shall be properly maintained by the owner, or lessee, of the property.
- (9) Handicapped parking. All off-street parking areas shall provide parking spaces for use by motor vehicles which transport physically disabled persons, in accordance with ILHR 52, Wis. Admin. Code, or the following minimum requirements, whichever are more restrictive:
 - (a) Two percent of the total number of spaces shall be provided for use by physically disabled persons with a minimum of one space.
 - (b) The minimum dimensions for all parking spaces provided for use by physically disabled persons shall be 12 feet in width and 18 feet in length.
 - (c) Parking spaces provided for use by physically disabled persons shall be located as close as possible to an entrance which allows such persons to enter and leave the parking area without assistance.

7.03 Parking area landscaping requirements

- (1) Applicability. These requirements shall apply to all parking spaces created after the effective date of this Ordinance, except for parking spaces located in parking areas which accommodate fewer than 6 vehicles, and except for parking spaces located in multi-level parking structures.
- (2) Parking lot landscaping design shall be done in accordance with minimum landscaping requirements on file at the zoning office.

7.04 Loading and unloading requirements.

- (1) Any use which requires deliveries or shipments shall provide sufficient off-street loading and unloading space so that no public street, alley, or access to any parking area is blocked by such activities.

- (2) The loading and unloading space shall be separate from any parking aisle or parking spaces unless delivery or pickup activities are scheduled for hours when the parking area is not in use.

7.05 Access Requirements

- (1) Every use shall have access to a public highway or private road. Property owners have the responsibility of securing the access.
- (2) For all uses, except agricultural uses, as listed in s. 2.05, no more than 2 access points per lot shall be permitted.
- (3) For all uses, except agricultural uses, as listed in s. 2.05, access shall not be allowed directly to a state highway if access to a town, county, or public or private frontage road is available.
- (4) Driveway width.
 - (a) For all single family residential and duplex residential uses, access driveways shall be at least 10 feet wide and not more than 24 feet wide, and shall extend to within 200 feet of the residence.
 - (b) Access driveways for all other uses, except agricultural uses, shall be at least 20 feet wide and not more than 35 feet wide. Such drives may be reduced to 10 feet wide if they are enter-only or exit-only drives.
- (5) Setback. All access driveways shall be placed such that the driveway edge nearest to a neighbor's lot line is at least 5 feet from the neighbor's lot line, unless driveways are shared by adjoining property owners.
- (6) All access driveways, except those to farm fields, shall be surfaced with gravel or paved and pitched to prevent ponding.
- (7) Location. Access drives shall be located opposite median crossover where present.
- (8) Grade. All driveways shall accommodate emergency vehicles. The maximum grade for driveways serving residences constructed after the effective date of this Ordinance shall be 12%. Any applicant seeking to construct a driveway, any portion of which shall contain a grade in excess of 12%, may seek a variance from the Board of Adjustment, and present any plans and information which demonstrate that the steeper grade satisfies access requirements.

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- (9) Intersection with road. All driveways shall be sloped down from the road edge for at least 20' from the road edge so the elevation of the driveway is at least 6" below the level of the road at a point 20' from the edge of the road.

CHAPTER 8

SIGNS

8.01 Purpose. The purpose of these requirements is to ensure that the outstanding visual resources of the county are protected and that traffic safety is enhanced by setting requirements for the size, number, placement, and lighting of signs.

8.02 Applicability

- (1) Signs restricted. Unless exempted under sub. (2), no sign shall hereafter be located, erected, structurally altered, moved, or reconstructed, except as permitted by this chapter.
- (2) Signs exempted. The following shall be exempt from the requirements of this chapter:
 - (a) Memorial signs and tablets displayed on public property or in cemeteries.
 - (b) Official traffic and parking signs, and informational, legal or directional notices erected by federal, state, or local units of government.
 - (c) Guidance signs authorized by the Wisconsin Department of Transportation under Trans. 200.03, Wis. Admin. Code.
 - (d) Official government entity flags.
 - (e) Outdoor murals or other outdoor artwork determined by the Zoning Administrator not to be signs.
 - (f) Temporary incidental signs not exceeding 9 square feet in sign face area which advertise items such as personal belongings or produce for sale, provide that such signs are displayed no more than 6 months in any calendar year.

8.03 General sign requirements. The following requirements shall apply to all permitted signs, unless exempted in s. 8.02 (2):

- (1) No undulating, swinging, rotating, or otherwise moving sign shall be permitted.
- (2) Except for flashing or fluttering time and/or temperature sign messages, no flashing, fluttering, or otherwise animated sign messages shall be permitted.
- (3) No sign shall obstruct clear visibility of traffic along any public highway or at the intersection of any highways with either driveways or highways.

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- (4) No signs, except signs erected by a unit of government, shall project over or be located within any public right-of-way.
- (5) Signs shall not resemble, imitate, or approximate the shape, size, form, or color of traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices, nor be lighted in such a way so as to cause glare or impair driver visibility upon public roads.
- (6) Signs shall not be located or maintained in such a way that prevents free ingress or egress from any floor, window, or fire escape; and no sign shall be attached to a fire escape.
- (7) Any spotlights used to illuminate signs shall be shielded such that their light source cannot be seen from adjoining roads or properties.
- (8) No sign shall be placed on or over the roof of any building.
- (9) No sign shall be painted or mounted on rocks or other natural features, except that nameplates and/or addresses for residences and "No Hunting," "No Trespassing", "No Dumping," and signs of a similar nature may be affixed to trees.
- (10) No sign shall contain obscene or derogatory language, symbols, or pictures.
- (11) Wall signs.
 - (a) Size. The sign face area of a wall sign shall not exceed 15 percent of the area of the side of the building to which it is attached. If more than one sign is present, the combined sign face area shall not exceed 15 percent of the area of the side of the building to which they are attached. The requirement shall be expanded to 20 % of the area of the side of the building if such side is greater than 250 feet from the road right of way which is subject to a scenic easement such as the Great River Road.
 - (b) Design. Wall signs shall not extend more than 6 inches from the building's wall surface, nor beyond the end of the wall.
- (12) Window signs. The sign face area of window signs shall not exceed 20 percent of the glass area of the window.
- (13) Projecting signs.
 - (a) Size. The sign face area of a projecting sign shall not exceed 24 square feet.
 - (b) The sign shall not extend more than 5 feet from the wall to which it is attached.

(c) The bottom of such sign shall be at least 7 feet above the grade directly below the sign.

(d) The top of such sign shall not extend above the building's roof.

(14) Freestanding signs.

(a) Size. The maximum size of freestanding signs shall be as follows:

1. Directional signs shall not exceed 3 square feet in sign face area.
2. Nameplates and/or addresses for residences; "No Hunting," "No Trespassing," "No Dumping," and signs of a similar nature; "Open/Closed" signs; "Vacancy/No Vacancy" signs; temporary on-premise real estate signs; and operational signs designating entrances, exits, service areas, parking areas, restrooms, and other functional operations of a building or premises shall not exceed 4 square feet in sign face area.
3. On-premise signs which are not listed in subd. 2. Shall not exceed 24 square feet in sign face area.
4. Off premise signs, except for directional signs, shall not exceed 32 square feet.

(b) Such signs shall be located at least 5 feet from all side lot lines.

8.04 Specific requirements for particular signs. In addition to the requirements of s. 8.03, the following requirements shall be met for each specified sign. There shall be no specific requirements for particular signs that are not listed in this section, but such signs shall comply with the requirements of s. 8.03.

(1) Election campaign signs shall be subject to the following:

(a) Such signs located on residential property, as defined in s. 12.04, Wis. Stats, shall not be erected or displayed prior to the election campaign period, as defined in s. 12.04, Wis. Stats., and shall be removed within 7 days after the election.

(b) Such signs located on property other than residential property, as defined in s. 12.04, Wis. Stats., shall meet the following:

1. The signs shall not be placed on public property.
2. The signs shall not exceed 24 square feet in sign face area.
3. The signs shall not be erected or displayed earlier than 60 days prior to the election to which they pertain.
4. The signs shall be removed within 7 days after the election.
5. The sign shall not be illuminated.

(2) Temporary real estate signs, advertising the sale, rent, or lease of property on which the sign is placed, shall be subject to the following:

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- (a) Such signs shall be located at least 15 feet from a lot line.
 - (b) Such signs shall not be illuminated.
 - (c) Such signs shall be removed within 10 days of the sale, rent, or lease of the property.
 - (d) The number of such signs shall be limited to one along each road that abuts the property.
- (3) Temporary on-site construction signs, promoting a building under construction and/or the contractor(s) for such building, shall be subject to the following:
- (a) Only one construction sign shall be allowed per construction project.
 - (b) No such sign shall exceed 24 square feet in sign face area.
 - (c) No such sign shall be erected prior to beginning of construction.
 - (d) All such signs shall be removed within one week after completion of construction and prior to occupancy.
 - (e) Construction signs which are freestanding signs shall be located at least 15 feet from any public right-of-way.
 - (f) Such signs shall not be illuminated.
- (4) Temporary new development signs. Signs promoting a new subdivision, apartment complex, and other new developments shall not exceed 32 square feet in sign face area, shall be located on the premises of the new development, and shall not be illuminated. The sign permit for such signs shall expire after 2 years.
- (5) On-premise residential neighborhood signs shall be freestanding signs only, shall be limited to identifying the name of a neighborhood area such as a subdivision or housing development, shall not exceed 32 square feet in sign face area and shall be placed only at the entrance(s) to the neighborhood area.
- (6) Advertising signs.
- (a) Off- premise. Advertising signs which are off-premise signs shall meet the following:
 - 1. Number limited. No more than 2 such signs shall be permitted for each business establishment, commodity, or product.

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2. Sign spacing for freestanding and projecting signs. This spacing requirement shall only apply to advertising signs which are freestanding or projecting signs. In all districts, an off-premise advertising sign shall be located no closer to any advertising sign than a distance equal to one-half of the required minimum lot width for new lots in the zoning district in which the sign is located.
 3. Off-premise advertising signs shall be allowed only in the C, LI, and HI districts, except off-premise signs placed at the entrance to a community advertising a community, public, or semi-public use shall also be allowed in the agricultural districts provided they do not exceed 24 sf. in sign face area and no more than 1 sign is placed at each entrance point to the community.
- (b) On-premise. Advertising signs which are on-premise signs shall meet the following:
1. Number limited for freestanding and projecting signs. The maximum number of on-premise advertising signs which are freestanding or projecting signs shall be a total of 3 such signs per business.
 2. Sign spacing for freestanding and projecting signs. This spacing requirement shall only apply to advertising signs which are freestanding or projecting signs. No on-premise advertising sign shall be located closer to any advertising sign than a distance equal to one-half of the required minimum lot width for new lots in the zoning district in which the sign is located.
- (7) Directional signs. Directional signs shall be subject to the following:
- (a) Such signs may be in addition to, or in lieu of, off-premise advertising signs erected in accordance with sub.(6).
 - (b) Directional signs are permitted where a change in travel direction is required. A directional sign which indicates that a use is straight ahead is permitted only where the person seeking the use might normally follow a main travel route.
 - (c) Unless limitation is waived, no more than 4 such signs shall be permitted for each use. If multiple travel routes to a particular use are logical the Zoning Administrator, may waive this limitation and authorize the number of such signs deemed necessary.
 - (d) Directional signs shall only contain information identifying the name of an establishment, the distance to the establishment, and a directional arrow. No other information shall be identified on the sign.
 - (e) Such signs shall only be permitted in proximity of road intersections, but shall not obstruct clear visibility of traffic along any public road or intersection of roads.

- (8) Opinion signs. One opinion sign, not to exceed 18 square feet in sign face area, shall be allowed per lot.

8.05 Permits.

- (1) The following signs shall require a sign permit as provided in s.11.02:

(a) Directional signs.

(b) On-premise signs which are any of the following:

1. Advertising signs which are freestanding or projecting signs.
2. Residential neighborhood signs.
3. Temporary new development signs.

(c) All off-premise signs, except temporary civic event signs which promote events of community significance.

- (2) All other signs not listed in sub. (1) shall not require a sign permit, but shall comply with the other requirements of this chapter.

- (3) The changing or altering of the sign face area shall require a sign permit, unless the sign is exempted from the permit requirements as provided in sub. (2). The changing of text or logos or the repainting and routine maintenance of signs shall not be deemed changes or alterations requiring a sign permit.

8.06 Nonconforming signs.

- (1) Except as specified in sub. (2), nonconforming signs may continue, but structural alterations or repairs are prohibited, unless the sign is brought into conformity with this Ordinance.

- (2) Signs that are nonconforming because they are in a public right-of-way; are flashing, fluttering, or moving signs; contain obscene language, symbols, or pictures; or which remain beyond a time limit specified by this chapter or by the sign permits shall be removed or brought into compliance. If such sign is not removed or brought into compliance, the owner or lessee of the property upon which the sign is located shall be subject to prosecution and penalties as provided in chapter 12, enforcement.

8.07 Abandoned signs.

- (1) Abandoned signs shall be removed by the owner or lessee of the property upon which the

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sign is located, unless the sign's message is changed in compliance with this Ordinance. Such removal or change of message shall be completed within 1 year of the date upon which it becomes an abandoned sign.

- (2) If the owner or lessee fails to remove the sign, the Zoning Administrator shall give the owner 60 days written notice to remove said sign or change its message in compliance with this Ordinance. Upon failure to comply with this notice, the owner or lessee of the property upon which the sign is located shall be subject to prosecution and penalties as provided in chapter 12, enforcement.

CHAPTER 9

NONCONFORMING USES, STRUCTURES, LOTS

9.01 Previously lawful condition. Within the districts established and mapped by this Ordinance, or amendments thereto, there may exist uses of lands or buildings, structures, or lots, which were lawful before this Ordinance, or amendments thereto, became effective, but which do not conform to the regulations herein. As set forth in s. 59.69 (10), Wis. Stats., such nonconforming conditions may be continued, subject to the requirements of this chapter.

9.02 Nonconforming uses.

(1) Nonconforming use of land.

- (a) For all nonstructural uses of land, except nonmetallic mining operations, expansions shall be authorized only by a conditional use permit.
- (b) Expansion of a nonconforming nonmetallic mining operation shall be permitted up to the lot lines existing on the effective date of this Ordinance or 20 acres in area, whichever is less, except that greater expansion may be authorized by a conditional use permit.

(2) Nonconforming use of buildings or other structures. The following shall apply to all buildings or structures which house a nonconforming use:

- (a) Structural alterations or structural repairs of an existing building or structure which houses a nonconforming use shall be authorized by a land use permit.
- (b) Additions to an existing building or an existing structure which houses a nonconforming use shall be authorized only by a conditional use permit. Such additions shall comply with all applicable setbacks and other dimensional requirements of this Ordinance, unless variances are granted as provided in s. 11.06.
- (c) If a structure which houses a nonconforming use is destroyed by fire, explosion, flooding, storm damage, or other disaster, such structure may be restored and the nonconforming use may be restored therein upon issuance of a land use permit. Such restoration shall not exceed the original building floor area and volume, unless a conditional use permit is authorized, as provided in par. (b). If the original structure which housed the nonconforming use is also a nonconforming structure, the provisions of s.9.03 shall also apply.

- (3) Change of use. A nonconforming use shall not be changed to any use other than a use permitted in the zoning district in which it is located.
- (4) Discontinuance. Where any such nonconforming use is discontinued for a period of 12 consecutive months, any future use of the building, structure, or land shall conform to the regulations of the district in which it is located.

9.03 Nonconforming structures.

(1) Alterations and additions.

- (a) Structural alterations or structural repairs of nonconforming structures shall meet all the provisions of this ordinance, except that such alterations or repairs need not comply with the setback or yard provisions of this Ordinance, provided they do not result in an increase in floor area nor change the footprint of the structure.
- (b) Additions to or extensions of nonconforming structures are permitted provided that such additions or extensions comply with all the provisions of this Ordinance. Additions or extensions of nonconforming structures along private roads where such structure and road existed prior to the effective date of this Ordinance are permitted provided that such additions or extensions do not extend further toward the road than the existing structure.
- (c) A conforming use in a nonconforming structure may be changed to another conforming use without complying with the setback or yard requirements of these regulations, provided the new conforming use does not result in an increase in floor area nor change the footprint of the structure, and provided that all parking and other site requirements are met.
- (d) Highway projects. When a structure becomes a nonconforming structure as to setback from a highway, because the highway was widened or relocated or changed in jurisdiction by the county, a town, or the Wisconsin Department of Transportation, such a structure shall not require a variance and shall not be considered a nonconforming structure in regards to setback from a highway. However, no such structure shall thereafter be enlarged or rebuilt in such a manner that it will be closer to the right-of-way of the highway.

(2) Repairs and restoration.

- (a) A nonconforming structure that is damaged or destroyed by fire, explosion, flooding, storm damage, or similar calamity, may be repaired or restored provided either 1) the repair or restoration would bring the structure into compliance with this Ordinance; or

- 2) the repair or restoration of the nonconforming portion of the structure occurs fully within the building footprint of the structure before damage and there is no increase in the floor area of the nonconforming portion of the structure.
- (b) Except for historic buildings, no repairs or restoration of nonconforming structures shall be located within any public right-of-way.
- (3) Nonconforming signs. All nonconforming signs shall be subject to the provisions contained in s. 8.06.

9.04 Nonconforming lots.

- (1) Existing lots of record which do not contain sufficient area and/or width to meet the criteria in s. 3.03 (5) (b), shall be considered nonconforming lots. If a nonconforming lot is in common ownership with abutting lands, the contiguous lots shall be considered a single parcel, unless the parcel is redivided to conform to the dimensional requirements for new lots in the applicable zoning district.
- (2) A nonconforming lot may be used for any use permitted within the zoning district in which the lot is located, but shall not be a building site, unless a variance is granted as provided in s. 11.06. Required setbacks and yards shall be determined by the Board of Adjustment.

CHAPTER 10

ADMINISTRATION

10.01 Land Management Committee

- (1) The Land Management Committee, or its successor, created by the Pierce County Board of Supervisors, shall be the designated county zoning agency pursuant to s. 59.69 (2), Wis Stats.
- (2) The Land Management Committee shall adopt and follow any governing rules of procedure as specified in s. 59.69 (2) Wis. Stats., and shall comply with the Wisconsin Open Meeting Law as specified in ss. 19.81 through 19.98, Wis. Stats.
- (3) Duties and powers. In administering this Ordinance, the duties and powers of the Land Management Committee shall be as follows:
 - (a) Supervise the administration of this Ordinance.
 - (b) Exercise those duties and powers specified in s. 59.69, Wis. Stats.
 - (c) Hold public hearings as required by this Ordinance, by Wisconsin Statutes, or by its own motions.
 - (d) Submit recommendations to the County Board of Supervisors for or against proposed zoning text and map amendments, and planned residential developments.
 - (e) Issue or deny conditional use permits, and establish any conditions for such permits.
 - (f) Approve or deny development plans for planned residential developments.
 - (g) Any other duties determined by the County Board of Supervisors.
- (4) Financial Sureties
 - (a) The Land Management Committee may require that a performance bond or letter of credit be provided for the benefit of the County and filed with the County so as to ensure compliance with the terms of this Ordinance or required permit.
 - (b) Failure to provide or maintain such bond or letter of credit shall invalidate any permit.

10.02 Zoning Board of Adjustment.

- (1) Establishment. There is hereby established a Board of Adjustment for the County of Pierce as authorized by s. 59.694, Wis. Stats.
- (2) Membership.
 - (a) Size and appointment. The Board of Adjustment shall consist of 5 regular members and up to two alternate members, all appointed by the chair of the County Board of Supervisors with the approval of the County Board of Supervisors.
 - (b) Eligibility. Members of the Board of Adjustment shall reside in the unincorporated areas of Pierce County. No 2 members of the Board of Adjustment shall reside in the same town.
 - (c) Terms of office. The term of office shall be 3 years. However, these terms of office shall be staggered such that no more than 2 members' terms of office are expired in any one year. Each term shall begin July 1st.
 - (d) Officers. The Board of Adjustment shall choose its own chairperson, vice-chairperson, and secretary.
 - (e) Removal. Members may be removed by the chairperson of the County Board of Supervisors.
- (3) Operation and rules.
 - (a) The Board of Adjustment shall adopt rules for the conduct of its business which shall be in accordance with the provisions of this Ordinance and s. 59.694, Wis. Stats.
 - (b) Call to meetings. The Board of Adjustment shall meet at the call of the chair, and at such other time as the Board of Adjustment may determine, at a fixed time and place.
 - (c) Open meetings. All meetings of the Board of Adjustment shall be open to the public, unless otherwise by Wisconsin law.
 - (d) Minutes. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record.

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(e) In the case of all appeals, the Board of Adjustment may call upon the Land Management Committee for all information pertinent to the decision appealed.

(f) Quorum. The quorum for any meeting shall consist of 3 members.

(g) The chair may administer oaths and compel the attendance of witnesses.

(4) Powers. The Board of Adjustment shall have the following powers:

(a) Appeals. To hear and decide appeals, pursuant to s. 59.694, Wis. Stats., where it is alleged that there is an error or errors in any order, requirement, decision or determination made by the Administrator/Planner, Zoning Administrator, or Land Management Committee. In exercising the above mentioned powers, the Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination which is the subject of the appeal, and to that end shall have all the powers of the officer from whom the appeal is taken.

(b) Variances. To hear and authorize upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance will be observed and substantial justice done. Such variance shall not have the effect of permitting in any district a use that is prohibited in that district.

(c) To grant variances for renewable energy resource systems as provided in s. 59.694 (7)(d), Wis. Stats.

10.03 Administrator/Planner. In administering this Ordinance, the Administrator/Planner or such other person designated by the Land Management Committee, shall possess the following duties and powers:

(1) Oversee the Zoning Administrator in carrying out the assigned responsibilities of this Ordinance.

(2) Make necessary studies relevant to deliberations regarding conditional use permits, as directed by the Land Management Committee.

(3) Recommend to the Land Management Committee amendments necessary to make this Ordinance more effective.

10.04 Zoning Administrator. The Zoning Administrator shall possess the following duties and powers:

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- (1) Administer and enforce this Ordinance as the authorized representative of the Land Management Committee.
- (2) Provide to the public the necessary permit application forms and variance and appeals forms. Assist the public in preparing permit applications and variance and appeal petitions.
- (3) Conduct all necessary on-site inspections and investigations of structures, lands, and waters to certify compliance with this Ordinance.
- (4) Issue or deny land use permits and sign permits.
- (5) Suspend or revoke land use permits and sign permits and/or issue cease and desist orders upon noncompliance with the terms of the permit and/or this Ordinance.
- (6) Issue, deny, or revoke certificates of compliance.
- (7) Investigate alleged zoning violations and give notice of all violations of this Ordinance to the owner, resident, agent, or occupant of the premises.
- (8) Issue citations for uncorrected violations of this Ordinance, and/or assist the Corporation Counsel in initiating enforcement proceedings.
- (9) Gain entry to premises, buildings, and structures during reasonable hours for the purpose of investigating applications for permits and for the purpose of determining compliance with this Ordinance or with any issued permit. If entry is refused after presentation of proper identification, a special inspection warrant may be procured in accordance with s. 66.122, Wis. Stats.
- (10) Record all permits issued, inspections made, work approved, and other official actions.
- (11) Assist in giving all legal notices required by State Statutes or this Ordinance.
- (12) When necessary, provide technical and clerical assistance during hearings conducted by the Board of Adjustment or the Land Management Committee.
- (13) Make referrals and recommendations to the Land Management Committee in accordance with this Ordinance.

CHAPTER 11

PROCEDURES

11.01 Land use permits.

- (1) Applicability. Land use permits, certifying that any such use, structure, or site complies with the provisions of this Ordinance, shall be required in the following instances, unless specifically exempted therefrom by this Ordinance:
 - (a) Construction, reconstruction, location, relocation, erection, extension, enlargement, conversion, or structural alteration of any building, structure, or part thereof, except signs requiring a sign permit and structures which are less than 6 inches in height above grade elevation.
 - (b) Establishment of any accessory or principal use, except uses permitted as conditional uses.
 - (c) A land use permit shall not be required for structures and activities waterward of the ordinary high water mark which have minimal land use impacts, such as the establishment of bulkhead lines; placement of sand blankets, fish cribs, shore protection (rip rap), stream fords, and private boat landings for the personal use of the riparian owner; waterfowl management practices; weed cutting; construction of small private wharfs or private piers for the personal use of the riparian owner; dredging and waterway enlargements; stream straightening; and placement of individual mooring buoys.
- (2) Applications.
 - (a) An application for a land use permit shall be submitted to the Zoning Administrator on forms furnished by the Pierce County Department of Land Management and shall include the following information:
 1. Name and address of the property owner.
 2. Signature of the property owner or agent.
 3. Proof of ownership of the parcel.
 4. Tax parcel number, deed, legal description or other identifier of the subject property.
 5. An accurate plot plan, drawn at a scale which produces a clearly legible drawing, showing the following:
 - a. Boundaries, dimensions, and area of the subject site.
 - b. The spatial relationship of the subject site to abutting public highways and right-of-ways, private roads, easements, and navigable waters.

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- c. The location and dimensions of any existing or proposed structures or additions and their relationship to abutting public roads and right-of ways, private roads, property lines, existing and proposed wells and sanitary waste disposal systems, and the ordinary high water mark of navigable waters.
 - d. Location of proposed or existing road access points, parking and loading areas, and driveways.
 - 6. Additional information as may be required by the Zoning Administrator in order to determine the full compliance with the requirements of this Ordinance.
 - 7. Water supply and sewage disposal. Satisfactory evidence that a safe and adequate supply of water and approved sewage disposal facilities will be provided, in accordance with the requirements of the Pierce County Sanitary Ordinance, shall be submitted.
- (b) Fee. All permit applications shall be accompanied by a fee established by the Pierce County Board of Supervisors.
- (c) No application shall be accepted by the Zoning Administrator until complete as judged by the Zoning Administrator and until all fees established by Pierce County have been paid in full.
- (3) Permit issuance or denial. Upon the Zoning Administrator's determination that the proposed use or structure complies with the provisions of this Ordinance, a land use permit shall be issued. The permit shall authorize the applicant to proceed subject to all provisions of the Ordinance and any conditions attached to the permit. An application for a use or structure not in conformity with the provisions of this Ordinance shall be denied a land use permit and the reasons for denial shall be stated. No permit shall be issued for uses or structures involving human occupancy without documentation that provision has been made for safe and adequate water supply and disposal of sewage.
- (4) Expiration.
- (a) Land use permits to establish a use shall expire 12 months from date of issuance if no action has commenced to establish the use. Any change of land use after the expiration of a land use permit shall be considered a violation of this Ordinance.
 - (b) Except as sub. (5) applies, land use permits for construction of a structure shall expire 12 months from the date of issuance. Any exterior construction after the expiration of a land use permit shall be considered a violation of this Ordinance.
- (5) Renewal. If construction has commenced prior to the expiration of a land use permit, but is not completed prior to such expiration, a 12 month renewal land use permit shall be issued by the Zoning Administrator upon submittal of a renewal application and fee.

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Additional renewals shall be granted by the Zoning Administrator upon a finding that progress had been made during the previous year toward completion of the structure. If a 12 month period passes without evidence of progress towards completion, the Zoning Administrator shall advise the Land Management Committee of same and the Land Management Committee may call a public hearing on the matter and may impose a completion schedule. For purposes of this Ordinance, a structure shall be deemed completed when the roof, exterior walls, doors, windows, and subfloors are in place and finished and sanitary waste disposal system has been installed.

- (6) Termination. If a use or structure does not comply with the issued land use permit or this Ordinance, the permit shall be terminated by the Zoning Administrator. If a use permitted by a land use permit ceases for a period of more than 12 months, the land use permit shall terminate, and all future activity shall require a new land use permit.

11.02 Sign permits.

- (1) Applicability. This section only applies to those signs requiring a sign permit as specified in s. 8.05, that are erected, moved, structurally altered, or reconstructed.

(2) Applications.

- (a) All applications for sign permits shall be made to the Zoning Administrator on forms furnished by the Pierce County Department of Land Management and shall include the following:

1. Name, address, and signature of the applicant.
2. Name, address, and signature of the property owner, along with proof of ownership, of the site for the proposed sign, if different from the applicant.
3. Type, description, and dimensions of the proposed sign.
4. Location of the building, structure, or lot to which or upon which the sign is to be attached or erected.
5. A plan, drawn at a scale which produces a clearly legible drawing, showing the following:
 - a. The distance from the proposed sign to abutting public highways and right-of-ways, private roads, and navigable water.
 - b. The distance from the proposed sign to existing structures and adjacent freestanding or projecting signs.

- (b) Fee. All sign permit applications shall be accompanied by a fee established by the County Board of Supervisors.

- (c) No application shall be accepted by the Zoning Administrator until complete as judged by

the Zoning Administrator and until all fees established by Pierce County have been paid in full.

- (3) Permit issuance or denial. Applications for sign permits shall be reviewed by the Zoning Administrator for compliance with the requirements of this Ordinance. If compliance is found, the sign permit shall be issued. If compliance is not found, the sign permit shall be denied and the reasons for denial stated.
- (4) Expiration. All sign permits shall expire 12 months from the date of issuance if the sign has not been erected. No sign shall be erected, moved, reconstructed, or altered after expiration of a sign permit, unless a new sign permit is obtained.
- (5) Termination. If a sign does not comply with the issued sign permit or this Ordinance, the sign permit shall be terminated by the Zoning Administrator.

11.03 Site plan review.

- (1) Review and Approval
 - (a) Permits for new construction or additions to existing structures and buildings for commercial, industrial, institutional, or multi-family uses shall require site plan approval as set forth in this section. The purpose of such approval is to assure site designs which promote compatibility between land uses, create safe and attractive site layouts and structures, provide proper access to streets and transportation, protect property values, and contribute to efficient land use in Pierce County.
 - (b) The Land Management Committee or its designee shall review the site, existing and proposed structures, architectural plans, neighboring uses, use of landscaping and open space, parking areas, driveway location, loading and unloading areas, highway access, traffic generation and circulation, lighting, drainage, water and sewer systems, and proposed operations.
- (2) Fee. All site plans shall be accompanied by a fee as established by resolution of the County Board.
- (3) Site Plan Requirements. All site plans shall contain the following information:
 - (a) Identification.
 - 1. Name of project.
 - 2. Owner's and/or developer's name, address, and telephone number.
 - 3. Architect and/or engineer's name, address, and telephone number.

4. Address of project.
5. Date site plan was prepared.

(b) Graphic Representation.

1. Three copies of the site plan shall be submitted.
2. Site plan scale shall be no less than 50 feet to the inch, and show date, north arrow, and graphic scale.

(c) Site Plan Information.

1. Lot boundaries, including legal description, and required setback distances.
2. Location of all public and private roads, official map streets, and easements.
3. Location of all water courses, drainage ditches, Shoreland-Wetlands, floodplains, and required setbacks.
4. Location of all existing and proposed public and private utilities, wells, drainage structures, and lighting.
5. Existing and proposed structures and buildings, structures to be removed, the proposed use of all structures and their dimensions.
6. Floor plans and elevations, including dimensions, and exterior plans showing the design and character of each structure and building.
7. Traffic aspects of existing and proposed driveways and parking lots, including parking stall sizes and layout, handicap stalls and ramps, loading zones, driveway widths and traffic direction, sidewalks and pedestrian walkways, and similar improvements.
8. Existing and proposed vegetation, areas of permanent open space, landscaping, fences, ground cover, areas of filling and grading in excess of 6", and contours.
9. Location of signs.
10. Operation plans, construction schedule, and construction phases.
11. Other pertinent information as may be requested by the Land Management Committee or its designee. Items from the list of required information may be waived by the reviewer.

- (4) Review and Findings. The Land Management Committee or its designee shall review the site plan following submittal of complete and acceptable site plan materials. The Land Management Committee or its designee shall not approve a site plan unless it is determined that the proposed site plan is in conformance with the intent and purpose of the ordinance and is consistent with the following scope of review. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the site plan reviewer by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any other feature or condition likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of the county.

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Any comments or objections to the site plan or general suitability of the site shall be communicated to the applicant who shall have an opportunity to respond and amend the site plan. The review shall include:

- (a) The relationship of the site plan to adopted land use plans and policies.
 - (b) Parking, loading, traffic generation and circulation layout so as to:
 - 1. Minimize hazardous traffic movements.
 - 2. Achieve efficient traffic flow in accordance with standards in the Institute of Traffic Engineers' Transportation and Traffic Engineering Handbook.
 - 3. Provide for the optimum number of parking spaces.
 - 4. Provide for optimum loading and unloading in the case of commercial and industrial uses.
 - 5. Provide for optimum access to public streets and highways.
 - 6. Provide for pedestrian safety.
 - (c) Provisions for surface and subsurface drainage and for connections to water and sewer lines, so as to not overload existing public utilities nor increase the danger of erosion, flooding, landslide, or other endangerment of adjacent or surrounding properties.
 - (d) The use of landscaping so as to:
 - 1. Maintain existing mature trees and shrubs to the maximum extent as is practical.
 - 2. Buffer adjacent uses which may be incompatible.
 - 3. Screen unsightly activities from public view.
 - 4. Break up large expanses of asphalt and buildings with plant material.
 - 5. Provide an aesthetically pleasing landscaping design.
 - 6. Make optimum use of open spaces.
 - 7. Provide plant materials and landscaping designs that can withstand the county's climate.
 - (e) Location of principal structures, accessory structures, lighting, free-standing signs, refuse containers, mechanical equipment, etc. so that their locations do not impede safe and efficient traffic flow, adversely impact the development of adjacent property or the character of the surrounding neighborhood, and creates an attractive grouping, spacing, and placement of buildings and structures in relation to the site and its environs.
 - (f) The operations of the proposed use to avoid any negative activity effect on adjacent properties.
- (5) Sureties. The Land Management Committee may impose time schedules and completion of buildings, parking areas, open space uses, drainage and erosion control systems, and

landscaping. The Land Management Committee may require appropriate sureties, including but not limited to cash bonds, performance bonds, maintenance bonds, and letters of credit to guarantee that requirements will be completed on schedule. Failure to complete required improvements within specified time limits shall constitute a zoning violation.

- (6) Appeals. Any person or persons aggrieved by any decision of the Land Management Committee or its designee related to site plan review may appeal the decision to the Board of Adjustment. Such appeal shall be filed with the zoning administrator within 30 days of the decision of the zoning administrator.

11.04 Conditional use permits.

- (1) Applicability. A conditional use permit shall be required for the establishment of each use permitted as a conditional use and for an addition to, or expansion or intensification of, a nonconforming use. Expansion of a use permitted as a conditional uses shall also require a conditional use permit, except that the minor expansion of a building housing a use permitted as a conditional use which would not increase the scale or intensity of that use shall only require a land use permit.
- (2) Application.
 - (a) An application for a conditional use permit shall be submitted to the Zoning Administrator upon forms furnished by the Pierce County Department of Land Management. The application shall contain the following information:
 - 1. All the information required for a land use permit listed in s. 11.01.
 - 2. Upon written request by the Zoning Administrator, such additional information as may be required by the Zoning Administrator so that the Land Management Committee can determine whether or not the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to public health, public safety, or the character of the surrounding area. The written request shall contain an explanation of why the additional information is needed.
 - 3. Water supply and sewage disposal. Where the proposed use involves human occupancy, satisfactory evidence that a safe and adequate supply of water and approved sewage disposal facilities will be provided, in accordance with the requirements of the Pierce County Sanitary Ordinance, shall be submitted.
 - (b) Fee. All conditional use permit applications shall be accompanied by a fee established by the County Board of Supervisors.
 - (c) No application shall be accepted by the Zoning Administrator until complete as judged

by the Zoning Administrator and until all fees established by Pierce County have been paid in full.

- (3) Public hearing. A public hearing shall be held by the Land Management Committee after a public notice has been given as provided in s. 11.09. At the public hearing, any party may appear in person or be represented by an agent.
- (4) Determination. Following review, investigation, and public hearing, the Land Management Committee shall render a decision in writing.
 - (a) If the application is approved, such decision shall include an accurate and complete description of the use as permitted, including all the conditions attached thereto.
 - (b) If the application is denied, the reasons for denial shall be stated.
- (5) Basis of approval.
 - (a) The Land Management Committee shall review each conditional use permit application for compliance with all requirements applicable to that specific use and to all other relevant provisions of this Ordinance. In approving conditional uses, the Land Management Committee also shall determine that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area.
 - (b) To aid in the review of the proposed project against the above criteria, the Land Management Committee may evaluate the following specific criteria, but shall not be limited thereto:
 - 1. Whether the proposed project will adversely affect property in the area.
 - 2. Whether the proposed use is similar to other uses in the area.
 - 3. Whether the proposed project is consistent with adopted Pierce County plans or any officially adopted town plan.
 - 4. Provision of an approved sanitary waste disposal system.
 - 5. Provision for a potable water supply.
 - 6. Provisions for solid waste disposal.
 - 7. Whether the proposed use creates noise, odor, or dust.
 - 8. Provision of safe vehicular and pedestrian access.
 - 9. Whether the proposed project adversely impacts neighborhood traffic flow and congestion.
 - 10. Adequacy of emergency services and their ability to service the site.
 - 11. Provision for proper surface water drainage.
 - 12. Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.

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13. Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.
 14. Whether the proposed project leads to a change in the natural character of the area through the removal of natural vegetation or altering of the topography.
 15. Whether the proposed project would adversely affect the natural beauty of the area.
 16. Whether the proposed project would adversely affect any historic or archeological sites.
- (c) The applicant's failure to satisfy the criteria listed in par. (b) or any other applicable requirement in this Ordinance may be deemed grounds to deny the conditional use permit. At all times the burden of proof to demonstrate satisfaction of these criteria remains with the applicant.
- (d) Applications for Conditional Use Permits in the Exclusive Agricultural District shall comply with any restrictions or limitations contained in Wis. Stats. Chapter 91.
- (6) Conditions and restrictions. The Land Management Committee may, in approving an application for a conditional use permit, impose such restrictions and conditions that it determines are required to prevent or minimize adverse effects from the proposed use or development of other properties in the neighborhood and on the general health, safety, and welfare of the county. Such conditions may include financial sureties. The Land Management Committee may limit the use of land to one specific use permitted in the zoning district for which the conditional use permit is sought.
- (7) Expiration. All conditional use permits shall expire 12 months from the date of issuance where no action has commenced to establish the authorized use. If a time limit has been imposed as a condition for the permit, the permit shall expire at the end of the time limit.
- (8) Notification.
- (a) Pursuant to s. 91.75 (5), Wis. Stats., the Pierce County Department of Land Management shall notify the Wisconsin Department of Agriculture, Trade and Consumer Protection of all conditional uses approved in the Exclusive Agricultural district.
- (b) Pursuant to NR 115.05 (6) (h), Wis. Admin. Code, a copy of any conditional use decision which affects shorelands shall be provided to the district office of the Department of Natural Resources within 10 days of the date such decision is rendered.
- (9) Termination. If an established conditional use does not continue in conformity with the

permit or this Ordinance, the conditional use permit shall be terminated by action of the Land Management Committee. If an established use permitted as a condition use ceases for a period of more than 12 months, the conditional use permit shall terminate, and all future activity shall require a new conditional use permit.

- (10) Resubmission. A conditional use permit application that has been heard and decided shall not be eligible to be resubmitted during the 6 months following the decision. The 6 month period may be waived by the Land Management Committee, provided that the applicant submits a written report identifying how the new application differs materially from the previous application or identifying substantial new evidence that will be offered, and provided that the Land Management Committee votes, by simple majority, that the changes or new evidence would be of such significance that the Committee might consider changing the previous decision.

11.05 Certificate of compliance. No land shall be occupied or used and no building or structure hereafter erected, altered or moved shall be occupied until a certificate of compliance is issued by the Zoning Administrator documenting that the use, building or structure conforms with the provisions of this Ordinance.

11.06 Variance from the requirements of this Ordinance.

- (1) Petition. A petition for variance shall be filed by the property owner, or the owner's agent, using forms furnished by the Pierce County Department of Land Management. Such petition shall include the following:
- (a) Name and address of the property owner and petitioner (if different).
 - (b) Signature of petitioner.
 - (c) Location of property involved in the petition.
 - (d) Proposed use or structure in question, including a site plan showing the preferred arrangement for which the variance is sought.
 - (e) Section(s) of this Ordinance from which a variance is requested.
 - (f) Details as to the narrowness, shallowness, shape, topography, or other characteristics of the land or the physical conditions applying to the building, structure, use or intended use which make it not merely inconvenient but extremely difficult, if not impossible, to comply with the provisions of the Ordinance.
 - (g) A statement that the conditions detailed above are unique to this property and are not

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generally existing on other properties in the same zoning district.

- (h) A statement that the unnecessary hardship was not caused by the applicant nor by any persons still having an interest in the property.
- (i) Fee. A petition for a variance shall be accompanied by a fee established by the County Board of Supervisors.

(2) Processing.

- (a) Public hearing. The Board of Adjustment shall hold a public hearing in accordance with s. 59.694, Wis. Stats., and after a public notice has been given as provided in s. 11.09 (1). At the hearing, any party may appear in person or by agent or by attorney.
- (b) Decision. Within a reasonable time, the Board of Adjustment shall render a decision to either grant or deny the request for variance.
 - 1. A variance granted shall be the minimum to permit a use of the property and may contain conditions or guarantees attached thereto by the Board of Adjustment.
 - 2. A variance denied shall be accompanied by the reasons for denial.
- (3) Standards for variance. The Board of Adjustment shall consider the following standards for granting a variance. The burden of proof at all times remains with the applicant to establish that the proposed variance meets the following standards:
 - (a) Unnecessary hardship. That there are present actual physical conditions applying to the lot, parcel, building, structure, use or intended use on that parcel which are creating the unnecessary hardship in the application of this Ordinance, as distinguished from a mere inconvenience to the owner if the strict letter of the regulations are required.
 - (b) Unique condition. That the conditions described in par. (a) are unique, exceptional, extraordinary, or unusual circumstances applying only or primarily to the property under consideration and are not of such a general or recurrent nature elsewhere in the same zoning district as to suggest or establish the basis for Ordinance changes or amendments, or of having that effect if relied upon as the basis for granting a variance.
 - (c) Conditions not self created. That the condition creating the hardship or difficulty was not caused by the petitioner nor by any person still having an interest in the property.
 - (d) Public interest. That in granting the variance there will not be a substantial detriment to neighboring property and the grant of variance will not be contrary to the purpose of this Ordinance and the public interest.

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- (e) Effect on uses. No variance shall have the effect of allowing in any district a use not permitted in that district.
- (4) Department of Natural Resources notification. Pursuant to NR 115.05 (6) (h), Wis. Admin. Code, a copy of any variance shall be provided to the district office of the Department of Natural Resources within 10 days of the date such decision is rendered.
- (5) Resubmission. A variance petition that has been heard and decided shall not be eligible to be resubmitted during the 6 months following the decision. The 6 month period may be waived by the Board of Adjustment provided that the petitioner submits a written report identifying how the new petition differs materially from the previous petition or identifying substantial new evidence that will be offered and provided that the Board of Adjustment votes by simple majority that the changes or new evidence would be of such significance that the Board might consider changing the previous decision.

11.07 Appeals.

(1) General provisions.

- (a) Where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator, Department Administrator, or Land Management Committee, an appeal may be taken the Board of Adjustment by any person aggrieved, or by any officer, department, board, or bureau of the municipality affected.
- (b) Such appeals shall be filed with the Department of Land Management within 30 days after the date of written notice of the decision or order of the Zoning Administrator, Department Administrator, or Land Management Committee.
- (c) Stays. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify to the Board of Adjustment, after the notice of appeal shall have been filed, that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

(2) Processing an appeal.

- (a) Petitions for appeals shall include:
 - 1. Name, address, and signature of the appellant.

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2. Location of property affected by the appeal.
 3. The decision being appealed and the grounds claimed for the appeal. The burden of proof at all times remains with the appellant.
 4. Such additional information as may be required by the Board of Adjustment.
- (b) Fee. An appeal shall be accompanied by a fee established by the County Board of Supervisors.
- (c) The Pierce County Department of Land Management shall forthwith transmit to the Board of Adjustment the appeal and all documents constituting the record upon which the action appealed from was taken.
- (d) Public hearing. The Board of Adjustment shall hold a public hearing in accordance with s. 59.694, Wis. Stats., and after a public notice has been given as provided in s. 11.09 (1), notice for public hearings. At the hearing any party may appear in person or by agent or attorney.
- (e) Decision. The Board of Adjustment decision of the appeal shall be rendered in writing within 30 days after the public hearing. Such decision shall:
1. State the specific facts which are the basis for the Board's decision.
 2. Either affirm, reverse, vary, or modify the order, requirement, decision or determination appealed from. The Board may also dismiss the appeal for lack of jurisdiction.
- (3) Department of Natural Resources notification. Pursuant to NR 115.05 (6) (h), Wis. Admin. Code, a copy of any appeal decision of the Board of Adjustment which affects shorelands shall be provided to the district office of the Department of Natural Resources within 10 days of the date such decision is rendered.

11.08 Amendments.

- (1) The County Board of Supervisors may amend this Ordinance in accordance with 59.69(5), Wis. Stats., and NR 115, Wis. Admin. Code, and after a public notice has been given as provided in s. 11.09. At the hearing any party may appear in person or by agent or attorney.
- (2) Fee. A petition for an amendment shall be accompanied by a fee established by the County Board of Supervisors. Such fees may be waived as specified in the Department of Land Management Rules of Procedure.

- (3) Rezoning of wetland. A wetland, or a portion of a wetland, in a Shoreland-Wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
 - (a) Storm or flood water storage capacity.
 - (b) Maintenance of dry season streamflow, discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland.
 - (c) Filtering or storage of sediments, nutrients, heavy metals, or organic compounds that would otherwise drain into navigable waters.
 - (d) Shoreline protection against soil erosion.
 - (e) Fish spawning, breeding, nursery, or feeding grounds.
 - (f) Wildlife habitat.
 - (g) Areas of special recreational, scenic, or scientific interest, including scarce wetland types.
- (4) Zoning amendments in the Exclusive Agriculture district.
 - (a) Pierce County may approve petitions for rezoning areas zoned for Exclusive Agriculture use only after findings are made based upon consideration of the following:
 - 1. Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.
 - 2. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.
 - 3. The land proposed for rezoning is suitable for development, and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas.
 - (b) Pursuant to s. 91.77 (3), Wis. Stats., the Wisconsin Department of Agriculture, Trade, and Consumer Protection shall be notified of all rezonings pertaining to the Exclusive Agriculture district.
- (6) Department of Natural Resources notification. Pursuant to NR 115.05 (6) (h), Wis. Admin. Code, a copy of any amendment decision which affects shorelands shall be

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provided to the district office of the Department of Natural Resources within 10 days of the date such decision is rendered.

- (7) Resubmission. A petition for zoning amendment that has been heard and decided shall not be eligible to be resubmitted during the 6 months following final action by the Pierce County Board of Supervisors. The 6 month period may be waived by the Land Management Committee provided that the petitioner submits a written report identifying how the new zoning amendment petition differs substantially from the previous petition or identifying substantial new evidence that will be offered and provided that the Land Management Committee votes by simple majority that the changes or new evidence would be of such significance that the Pierce County Board of Supervisors might consider changing the previous decision.
- (8) Limitations on use. The Land Management Committee and the Pierce County Board of Supervisors may, in the process of approving a zoning amendment, limit the use of land to one or more specific uses permitted in the zoning district for which the amendment is sought.

11.09 Public hearings. When public hearings are required by this Ordinance or by Wisconsin statutes, the following shall apply:

- (1) Notice for public hearings.
 - (a) Notice of any public hearing which the Land Management Committee or Board of Adjustment is required to hold shall be given by publishing in the county a Class 2 notice in accordance with Ch. 985, Wis. Stats. The notice shall specify the time and place of such hearing.
 - (b) If the public hearing involves a petition for a zoning amendment, a copy of the hearing notice shall be mailed by registered mail to the town clerk of each town affected by the proposed amendment at least 10 days prior to the date of such hearing.
 - (c) If the public hearing involves a variance or an appeal before the Board of Adjustment, the Board of Adjustment shall give due notice to the parties in interest.
 - (d) For any public hearing involving shorelands, notice shall be mailed to the Department of natural Resources at least 10 days prior to the date of such hearing.
- (2) Public hearing procedures. The Land Management Committee or Board of Adjustment may adopt any formal or informal public hearing procedures.

CHAPTER 12
ENFORCEMENT

12.01 Violations.

- (1) It shall be unlawful to locate, erect, construct, reconstruct, alter, enlarge, extend, convert, or relocate any building, structure, or sign or use any building, structure, land or sign in violation of the provisions of this Ordinance, or amendments or supplements thereto, lawfully adopted by the County Board of Supervisors. It shall also be unlawful to fail to obtain permits as required by this Ordinance or to fail to comply with any requirement or condition imposed by the Board of Adjustment or Land Management Committee.
- (2) Each and every day of violation as described in sub. (1) may be deemed a separate offense and violation.
- (3) Any person, firm, association, or corporation or representative agent failing to comply with the provisions of this Ordinance may be subject to prosecution under the terms of this Ordinance.

12.02 Prosecution.

- (1) Civil proceedings. Pursuant to s. 66.12, Wis. Stats., an action for violation of this Ordinance shall be a civil action.
- (2) Notification. The Zoning Administrator shall serve any violators with a notice of violation stating the following:
 - (a) The nature of the violation.
 - (b) Corrective measures required to eliminate the violation.
 - (c) That the violator shall be subject to:
 1. Civil action to remove or otherwise eliminate the violation, and/or
 2. Penalties, upon conviction, as set forth in s. 12.03.
- (3) Corporation Counsel. The Zoning Administrator shall report violations to the Pierce County Corporation Counsel. At the Corporation Counsel's discretion, legal action or proceedings may be commenced to prosecute alleged violators pursuant to the proceedings outlined in s. 66.12, Wis. Stats., or pursuant to the issuance of a summons

and complaint.

- (4) Injunction. Compliance with this Ordinance may also be enforced by an injunction at the suit of Pierce County or the owner or owners of real estate within the zoning district affected by such regulation.
- (5) Penalty. Those actions commenced on behalf of Pierce County may, in addition, seek a forfeiture or penalties outlined herein.
- (6) Special inspection warrants. The provisions of s. 66.122, Wis. Stats., shall govern the issuance of all special inspection warrants.

12.03 Orders and citations

- (1) Pierce County zoning officials shall have the authority to issue orders and directives to any person subject to the provision of these regulations to:
 - (a) Cease any act, conduct or use which is deemed to be a violation of these regulations; or
 - (b) Correct within a specified period of days any violation of these regulations and to issue, with or without an order or directive, a citation and notice to appear in a court of competent jurisdiction for any violation of these regulations.

12.04 Penalties. Any person, firm, association, or corporation or representative agent who fails to comply with the provisions of this Ordinance or any order of the Zoning Administrator issued in accordance with this Ordinance shall, upon conviction thereof, forfeit not less than \$10 nor more than \$500 and the cost of prosecution for each violation including court costs and reasonable attorney fees; and in default of payment of such forfeiture and costs shall be imprisoned until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate violation.

12.04 After-the-fact conditional use applications and variance petitions.

- (1) After-the-fact conditional use situation. If building or structure or premises is used to establish a use, which by this Ordinance requires issuance of a conditional use permit, without a conditional use permit first being obtained, the responsible party may attempt to correct the violation by applying for a conditional use permit for the unauthorized use.
 - (a) Procedure.
 - 1. Upon notification of the violation, the responsible party may apply for a

conditional use permit as provided in s. 11.04 (2).

2. Upon submittal of a complete application, the application shall be processed as provided in s. 11.04.

(b) During the pendency of the conditional use permit application, the responsible party shall not carry on any activities in furtherance of the unauthorized use.

(2) After-the-fact variance situations. If a building or structure is constructed in violation of any dimensional requirement of this Ordinance, or if a lot is created in violation of minimum lot area and/or width requirements of this Ordinance, the responsible party may attempt to correct the violation by petitioning for a variance, except that the responsible party shall not be eligible for such correction if a summons and complaint regarding the violation has been filed by the Corporation Counsel prior to submittal of the variance petition.

(a) Procedure.

1. Upon notification of the violation, the responsible party may submit a written request to the Board of Adjustment asking that the Board of Adjustment consider a variance petition regarding the violation.
2. As soon as can be conveniently scheduled, the Board of Adjustment shall decide whether or not to consider such variance petition. In deliberating on the issue, the Board of Adjustment shall consider a recommendation which the Zoning Administrator shall provide.
3. If the Board of Adjustment refuses to accept the request, appropriate enforcement actions shall be applied.
4. If the Board of Adjustment accepts the request, the responsible party may submit a variance petition as provided in s. 11.06 (1).

(b) During the pendency of a variance petition, the responsible party shall not carry on any activities in furtherance of the unauthorized act.

CHAPTER 13

DEFINITIONS

13.01 Word usage.

13.02 Definitions.

13.01 Word usage. In the interpretation of this Ordinance, the provisions and rules of this chapter shall be observed and applied, except when the context clearly requires otherwise:

- (1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (2) Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- (3) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- (4) The word “shall” is mandatory.
- (5) The word “may” is permissive.

13.02 Definitions. When used in this Ordinance, the following terms shall have the meanings herein assigned to them. Words used in this Ordinance, but not defined therein, shall carry the meanings as defined in Webster’s Unabridged Third International Dictionary, or its successor volumes.

Abandonment of Nonmetallic Mining Operations: The cessation of nonmetallic mining operations for more than 365 consecutive days where the cessation is not specifically set forth in an operator’s application, operation or reclamation plan or permit, or is not specifically approved by the Land Management Committee upon written request. Abandonment of operations does not include the cessation of activities due to labor strikes or natural disasters.

Accessory Use: See Use, Accessory.

Accessory Building: See Building, Accessory.

Accessory Structure: See Structure, Accessory.

Accessory Residence: (1) A dwelling unit that is accessory to a nonresidential use on the same lot, is the only dwelling unit on the lot, and provides living quarters for the owner, proprietor, commercial tenant, employee, or caretaker of the nonresidential use. (2) A dwelling unit located in an accessory building located on a residential parcel.

Administrator/Planner: An authorized representative of the Land Management Committee appointed by the County of Pierce to supervise the operation of the planning department and to carry out, or to delegate carrying out, the assigned responsibilities of this Ordinance.

Agriculture, General: Any agricultural use, except those listed for intensive agriculture, including apiculture; animal husbandry; dairying; floriculture; forage crop production; forest crop production; grain production; grazing; horticulture; orchards; speciality crop production, such as maple syrup, mint, and willow; viticulture; and truck farming.

Airport: The use of any area of land or water which is used, or intended for use by four or more aircraft, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

Airstrip: The use of any area of land or water which is used, or intended for use by three or fewer aircraft based at such airstrip, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

Art: The conscious use of skill, taste, and creative imagination in the production of objects whose primary or sole value is intended to be aesthetic. Art is distinct from other forms of production by its application of a personal, unanalyzable creative power, not only expertness in workmanship.

Art Gallery: An institution or business exhibiting or dealing in works of art.

Bed and Breakfast Establishments: Any place of lodging that provides 8 or fewer rooms for rent to transient guests, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

Bluffline: A line along the top of a slope of at least 20 percent, connecting the points at which the slope, proceeding away from the bottom of the slope, becomes less than 12 percent.

Boardinghouse: A place in which lodging, with or without meals, is offered for compensation to non-transient guests, that provides 8 or less rooms for rent, is the owner's personal residence, and is occupied by the owner at the time of rental.

Boathouse: An accessory building which is accessible by boats from navigable water, is designed,

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constructed, and used solely for the purpose of storing or protecting boats and other water-related recreational materials, and used in conjunction with a residence.

Building: An enclosed structure built, maintained, or intended to be used for the protection, shelter, or enclosure of persons, animals, or property and which is affixed to the ground.

Building, Accessory: A building, not attached to a principal building by means of a common wall, common roof, or an above ground, roofed passageway, which is:

1. Subordinate to and serves a principal structure or a principal use.
2. Located on the same lot as the principal structure or use served.
3. Customarily incidental to the principal structure or use.

Building, Principal: A building which houses a principal use of a lot, including any functional appurtenances, such as decks, stairways, and balconies, which are attached to, or located within 3 feet of, said building.

Building Site: A lot on which buildings or structures that are permitted in the applicable zoning district may be placed.

Building Zone: The area of a lot between the required road setback line (or front yard line) and rear yard line (or navigable water setback line).

Camp Site: A segment of a campground which is designated for camping by a camping party.

Campground: Any parcel or tract of land owned by a person, the state or a local government unit which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or by one to 3 camping units if the parcel or tract of land is represented as a campground.

Camping Unit: Any single temporary shelter, except sleeping bags, bed rolls, and hammocks, used for camping by a camping party.

Camping Party: Any individual or camping family or a group consisting of not more than 6 persons who are 7 years of age or older provided that such individual, family, or group is engaging in camping.

Camping: The placement of a temporary shelter used as, or designed to be used for sleeping purposes. Examples of shelters used for camping include tents, trailers, motor homes, recreational vehicles, tarpaulins, bed rolls, and sleeping bags.

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Cemetery: Land used for the burial of dead humans, and dedicated for cemetery purposes, including columbaria, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Certificate of Compliance: An official written document, issued by the Zoning Administrator, which certifies that the use or structure complies with all applicable provisions of this Ordinance and the land use permit, sign permit, or conditional use permit issued for that use or structure.

Change of Use: Conversion of a principal use of a lot from one use category, as listed in s. 2.05(3), to another use category.

Clean fill: Clean soil, brick, building sone, concrete, reinforced concrete, broken pavement, and unpainted or untreated wood.

Clean fill site: A site used only to dispose of clean fill.

Commercial Riding Stable: See Riding Stable, Commercial.

Commercial Communication Towers, Antennas, and Transmitters: Any facilities or equipment used, or designed to be used, for receiving or sending communication signals, except for such facilities which are used solely for private, recreational use.

Community Living Arrangements: A facility defined as such in s.46.03 (22), Wis. Stats.

Conditional Use Permit: A permit, issued by the Land Management Committee, stating that a use permitted as a conditional use may be established, expanded, or enlarged subject to any conditions placed on the authorization and the provision of this Ordinance.

Conditional Use: See Use Permitted As A Conditional Use.

Contractors Establishment: See Trade or Contractors Establishment.

Deck: An unenclosed, unroofed exterior platform structure, with or without railings, which is elevated above preconstruction grade, is typically of wood construction, either attached to a building or freestanding.

Department of Natural Resources: The Wisconsin Department of Natural Resources.

Driveway: A means of access to or from a property, site, or use; or a means of circulation within a parking area.

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Duplex: Two attached dwelling units on a single lot regardless of the form of ownership of the units.

Dwelling Unit, Single Family: A free-standing building which provides or is intended to provide living quarters exclusively for one family, except dwelling units that meet the definition of manufactured home.

Dwelling Unit: A building or portion thereof which provides or is intended to provide living quarters exclusively for one family.

Effective Date of This Ordinance: The date that this Ordinance takes effect on a given parcel of land as provided in s. 1.06 or the date that an amendment to this Ordinance becomes effective.

Enclosed Structure: A structure consisting of a solid roof, a permanent foundation, a floor, and solid walls extending from the floor to the roof. Solid doors, windows, or other glazing are allowed in the wall segments. Open breezeways or screen walls do not qualify as enclosed structures.

Family, Camping: A parent or parents with their dependent children and not more than 2 guests. This definition to be used for camping related purposes only.

Family: A person or group of persons living together as a single housekeeping unit.

Family Day Care Home: A dwelling unit where supervision and care and/or instruction for not more than 8 children under the age of 7 is provided for periods of less than 24 hours per day, and which is licensed by the Wisconsin Department of Health and Social Services.

Farm and Home Based Business: A business, profession, occupation, or trade for gain or support which is conducted on the same lot as a residence or farmstead.

Farm Market: A use or structure(s) which principally involves the retail sale of farm and garden products, regardless of whether such products were produced on the premises.

Fence: A barrier intended to prevent escape or intrusion, or to mark a boundary. A fence does not include a railing serving a deck, porch, balcony, or similar items.

Floodplain: The land which has been or may be hereafter covered by flood water during a regional flood, including the floodway and the flood fringe as defined in Chapter NR 116, Wisconsin Administrative Code. Floodplains are designated as A zones on the Flood Insurance Rate Maps for Pierce County.

Floor Area: The sum of the gross horizontal areas of the several floors of the building, measured from the outer lines of the exterior walls of the building, except that the floor area of the dwelling

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does not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces. (See also Primary Floor Area).

Footprint, Building: A single horizontal plane bounded by the exterior walls of a building.

Garage: An accessory structure (except for public highway garages) primarily intended for and used for the enclosed storage or shelter of motor vehicles.

General Agriculture: See Agriculture, General.

Grade Elevation: The average elevation around the base of a building or a structure where such building or structure meets the surface of the ground.

Historic Building: A building which is one of the following: (1) listed on, or nominated by the state historical society for listing on, the National Register for Historic Places in Wisconsin; (2) included in a district which is listed on, or nominated by the state historical society for listing on, the National Register for Historic Places in Wisconsin, and which has been determined by the state historical society to contribute to the historic significance of the district; (3) listed on a certified municipal register of historic property; or (4) included in a district which is listed on a certified municipal register of historic property, and which has been determined by the municipality to contribute to the historic significance of the district.

Home Business: A business conducted on the same lot as, and in conjunction with, a residence.

Home Occupation: A business, profession, occupation, or trade which is conducted for gain or support, located entirely within a principal dwelling unit, operated by at least one person residing in the dwelling unit, and is accessory, incidental and secondary to the use of the building as a residence and does not change the essential residential character or appearance of the dwelling unit.

Impervious Surface Ratio: A measure of the intensity of use of a parcel of land determined by dividing the total area of all impervious surfaces within the site by the total area of the site.

Impervious Surface: Surfaces which do not absorb precipitation including buildings, structures, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, or packed stone.

Indoor Maintenance: Businesses which offer maintenance, including repair of goods and equipment. Examples of such uses include automobile body shops, small engine repair shops, boat repair and service, and electronics maintenance and repair.

Industry, Heavy: Assembly and manufacturing activities which not included in the definition of Light Industry.

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Industry, Light: The assembly or manufacturing of goods from component parts in which all such operations are conducted in buildings, and which shall not include basic industrial or heavy industrial processes such as metal foundries, metal plating, thermoforming of plastics, blending or formulation of fuels or other hazardous substances, extensive painting or coating of products which would require a spray booth, water wall, drying oven or apparatus, or any process or activity which involves hazardous materials, produces hazardous wastes, produces excessive noise, creates air or water emissions requiring pretreatment, special treatment, or pollution control devices, produces odors detectable in the ambient outdoor air, or which causes any other condition or nuisance which impairs the full use of neighboring properties.

Institutional Recreation Camp: An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

Kennel: Any establishment wherein or whereon 8 or more dogs over the age of 5 months are kept for breeding, sale, or sporting purposes, or where boarding care is provided for compensation.

Land Management Committee: The committee designated by the Pierce County Board of Directors to fulfill the responsibilities as stated in this Ordinance.

Land Use Permit: A permit, issued by the Zoning Administrator, stating that a use or a structure, except a sign or use permitted as a conditional use, may be established, expanded, or enlarged subject to any conditions placed on the permit and the provisions of this Ordinance.

Livestock: Any horse, bovine, sheep, goat, pig, domestic rabbit, or domestic fowl, including game fowl raised in captivity.

Living Quarters: A building or a portion of a building which provides, as a minimum, an area equipped or furnished for sleeping purposes. Living quarters also include those finished portions of a building in which normal residential activities occur.

Lodging: A use which provides commercial transient lodging in individual rooms, suites of rooms, or units. Examples of such uses include motels, hotels, inns, cottages, cabins, and resorts.

Lot Line, Side: Any lot line other than a front or rear lot line.

Lot of Record: Any lot, the description of which is properly recorded with the Pierce County Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

Lot Width: The horizontal distance of a line which connects two side lot lines, runs through the building zone of the lot, and is perpendicular to the line bisecting the angle formed by the side lot

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lines. For lots with parallel side lot lines, the lot width is the perpendicular distance between the side lot lines.

Lot Line, Rear: In the case of rectangular or most trapezoidal shaped lots, that lot line which is generally parallel to and most distant from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to, and at the maximum possible distance from, the front lot line.

Lot Line, Front: The lot line nearest to the centerline of the public or private road from which the lot takes access.

Lot Line: A line bounding a lot which divides one lot from another lot or from a street or road.

Lot Area: The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters nor any land in a public right of way or private access easement.

Lot: A continuous parcel of land, not divided by a public right-of-way, occupied or intended to be occupied by a principal structure or use and the accessory structures or uses permitted thereto, and sufficient in size to meet the lot width and lot area provisions of this Ordinance.

Manufactured Home Park: Any plot or plots of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two manufactured homes on a year-round basis and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the manufactured home park and its facilities. Manufactured home parks shall not include automobile or manufactured home sale lots on which unoccupied manufactured homes are parked for the purposes of inspection and sale.

Manufactured Home: A dwelling unit which is, or was as originally constructed, designed to be transported after fabrication on its own wheels, or by a motor powered vehicle, arriving at a site where it is to be occupied as a residence (whether occupied or not) complete and ready for occupancy (with or without major appliances and furniture) except for minor and incidental unpacking and hookup operations, and designed, equipped and used primarily for sleeping, eating, and living quarters or is intended to be so used, and includes any additions, attachments, annexes, foundations, and appurtenances.

Structures which are delivered to the site in halves or other modular arrangements (consisting of complete wall sections or large units fabricated off-premise by the manufacturer of the basic unit and designed and intended to be attached to the basic unit) and which when joined together exceed 18 feet in width throughout, meet minimum floor area requirements of this Ordinance, have a length to width ratio of not more than 2.5 to 1 (with length measured along the center of the longest roof axis and width measured perpendicular to the above at the completed unit's most narrow span), and which

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are placed upon a permanent foundation are considered single family residences or single family dwelling units.

Mini-Storage: Indoor storage of customer's items within partitioned buildings with individual access to each partitioned area.

Model Home: A single family dwelling unit which is used as a model for inspection by prospective home buyers and is unoccupied as a residence, but is intended for eventual use as a single family residence and which may or may not contain a home sales office.

Multiple Family Dwelling: A building containing three or more dwelling units.

Navigable Water: Mississippi River, St. Croix River, all natural inland lakes, all streams, ponds, sloughs, flowages and other waters within Pierce County which are navigable under the laws of the State of Wisconsin. Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated from adjacent uplands and levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis (Muench vs. Public Service Commission, 256 Wis. 492 (1952) and DeGaynor and Co., Inc., vs. Department of Natural Resources, 70 Wis. 2d 936 (1975)). For example, a stream which is navigable by skiff or canoe during normal spring high water is navigable, in fact, under the laws of this state though it may be dry during other seasons.

Nonconforming Use: Any use of structures, land, or water which was lawfully established at the time of the effective date of this Ordinance or subsequent amendments thereto, which does not fully comply with the use requirements imposed by this Ordinance.

Nonconforming Structure: Any building or structure, other than a sign, legally established prior to the effective date of this Ordinance or subsequent amendments thereto, which does not fully comply with the requirements imposed by the individual sections of this Ordinance that pertain to the size, height, location, setback, and similar characteristics of structures.

Nonconforming Sign: Any sign, legally established prior to the effective date of this Ordinance or subsequent amendments thereto, which does not fully comply with the requirements imposed by this Ordinance.

Nonconforming Lot: A lot which, in its most recent configuration, does not contain sufficient area and/or width to meet the criteria of s. 3.02 (3) or s. 3.04 (5).

Nonmetallic Mining Refuse: Waste soil, rock, mineral, liquid, vegetation and other waste material resulting from a nonmetallic mining operation. This term does not include merchantable byproducts resulting directly from or displaced by the nonmetallic mining operation.

Nonmetallic Mining Site: The location where a nonmetallic mining operation is conducted or is proposed to be conducted, including all surface areas from which minerals are removed, related storage and processing areas, areas where nonmetallic mining refuse is deposited, and areas disturbed by the nonmetallic mining operation by activities such as the construction or improvement of roads or haulageways.

Nonmetallic Mining/Nonmetallic Mining Operation: Operations or activities for the extraction from the earth for sale or use by the operator of mineral aggregates such as stone, sand, gravel and nonmetallic minerals such as asbestos, beryl, clay, feldspar, peat, talc; and topsoil-related operations or activities such as excavation, grading or dredging if the purpose of those operations or activities is the extraction of mineral aggregates and nonmetallic minerals; and related processes such as crushing, screening, scalping, dewatering and blending. Nonmetallic mining or nonmetallic mining operation does not include or allow the following activities or uses by way of illustration which include, but are not limited to: manufacture of concrete building blocks or other similar products, asphalt or hot blacktop mixing and production of ready mix concrete.

Nonmetallic mining does not include the following activities:

- (a) Excavations or grading by a person solely for domestic use at his or her residence.
- (b) Excavations or grading conducted for highway construction purposes within the highway right-of-way.
- (c) Grading conducted for farming, preparing a construction site or restoring land following a flood or natural disaster.
- (d) Excavations for the foundation of structures provided that such excavation does not exceed a volume of material 1.5 times the volume of the polyhedron bounded by the natural grade, the bottom of the footings, and the exterior of the foundation walls.
- (e) Minor land disturbances such as installation of utilities, walks and driveways, sanitary waste disposal systems, or fuel storage tanks.
- (f) Any mining operation, the reclamation of which is required in a permit obtained under ss. 293.01 to 293.93, Wis. Stats.
- (g) Any activities conducted at a solid or hazardous waste disposal site required to prepare, operate or close a solid waste disposal facility under ss. 289.95 to 289.33 or a hazardous waste disposal facility under ss. 291.001 to 291.97, Wis. Stats., provided, however, that section applies to activities related to solid or hazardous waste disposal which are conducted at a nonmetallic mining site separate from the solid or hazardous waste disposal facility such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.
- (h) Any nonmetallic mining site or portion of a site which is subject to permit and reclamation requirements of the Department of Natural Resources under ss. 30.19, 30.195 and 30.20, Wis. Stats.

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Occupancy Unit: A room, or interconnected rooms, consisting of living quarters physically separated from any other unit in the same building. The unit may include facilities for cooking, eating, and other facilities convenient to human living.

Offices: Exclusively indoor uses for handling of information or administrative services. Such uses do not typically provide services directly to customers on a walk-in or on-appointment basis.

Open Space: Area on a lot that is open to the sky, contains no structures, parking, driveways, or other impervious surfaces, and contains no nonmetallic mining uses. (See also Preserved Open Space.)

Open Fence: A fence whose entire length is not greater than 50% opaque and whose individual elements or sections are also not greater than 50% opaque.

Ordinary High Water Mark: The landward most line along the bank of the shore of navigable water up to which the presence and action of surface water is so continuous as to leave a distinct mark on the bank. Such distinct mark may be the result of erosion, cobble deposition, water staining, destruction of terrestrial vegetation, total or virtual absence of terrestrial vegetation, and/or other easily recognized characteristics.

Outdoor Recreation, Private: Land uses which offer recreation activities primarily outdoors, including such uses as private parks, sportsman's clubs, campgrounds, golf courses, and ski hills, and which are operated for members or on a commercial basis for members of the public.

Outdoor Recreation, Public: Land uses operated by governmental units which offer recreation activities primarily outdoors.

Planned Residential Development: An area of land, controlled by a developer, to be developed as a single entity for more than one dwelling unit, the plan for which does not necessarily comply with the various dimensional and locational requirements for the zoning districts in which it is located, but in which each dwelling unit is located on its own lot.

Preserved Open Space: Open space which has been permanently preserved in conjunction with a planned residential development or manufactured home park.

Primary Floor Area: The floor area of a building for purposes of determining required parking ratios for certain uses, such area to include only that portion of the total floor area devoted to customer service, sales and office space and not to include warehouses, utility, hallways and other accessory space, except as they generate parking demand.

Principal Use: See Use, Principal.

Principal Structure: See Structure, Principal.

Principal Building: See Building, Principal.

Private Riding Stable: See Riding Stable, Private.

Rear Yard: See Yard, Rear.

Rear Lot Line: See Lot Line, Rear.

Reclamation: The rehabilitation of a nonmetallic mining site, including, but not necessarily limited to, removal of nonmetallic mining refuse, grading of the site, replacement of topsoil, stabilization of soil conditions, establishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution, construction of fences and, if practical, restoration of plant, fish and wildlife habitat.

Recreation Camp: See Institutional Recreation Camp.

Residence, Single Family: The use of premises for the act or fact of dwelling in a single family dwelling unit.

Residence: The use of premises for the act or fact of dwelling.

Residential Density: The ratio of dwelling units to acres for a particular tract of land.

Residential Use: Any listed under “residential uses” in s. 2.05 (3).

Riding Stable, Private: Any establishment where 6 or fewer adult horses are kept for riding or private recreation.

Riding Stable, Commercial: Any establishment where 7 or more adult horses are kept for riding or recreation, or where any number of horses are stabled for compensation, sale, or show.

Road, Private: A recorded, described easement for access which serves two or more building lots, but does not include a shared driveway.

Roadside Stand: A use or structure involving only the display and sale of agriculture products which are produced exclusively on the premises.

Salvage Yard: Any land or structure where waste or scrap materials including, but not limited to, scrap iron and other metals, paper, rags, rubber tires, glass, and inoperable vehicles or appliances, are either bought, sold, exchanged, baled, packed, disassembled, or hauled for compensation.

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Setback: The minimum horizontal distance from the centerline of a road, or from the edge of the right-of-way of a road, or from the ordinary high water mark to a structure or use.

Shorelands: Those lands which are located within 1000 feet of the ordinary high water mark of a navigable lake, pond, or flowage; or within 300 feet of the ordinary high water mark of a navigable river or stream, or to the landward side of the floodplain of the river or stream, whichever distance is greater.

Shrubbery: Woody vegetation which is less than a height of 15 feet and is generally incapable of attaining such height.

Side Yard: See Yard, Side.

Sign, Advertising: A sign, except for directional signs, used to arouse a desire to buy a commodity or product or to patronize a business or to identify a business.

Sign, Directional: An off-premise sign intended solely for the purpose of directing people to an establishment that is not located on a state highway.

Sign Face Area: The entire surface area of a sign display face upon which copy could be placed; or, if no background or frame, the total area of the smallest rectangle or rectangles, which can encompass all words, letters, figures, emblems, and any other element of the sign's message. When a sign has more than one display face, the combined surface area of all display faces that can be viewed simultaneously shall be considered the sign face area.

Sign, Freestanding: Signs which have their own base of support from the ground and are not attached to a building.

Sign, Off-Premise: A sign which is not located on the lot on which the individual, firm, association, profession, business, commodity, or product promoted on the sign is located.

Sign, On-Premise: A sign located on the same lot on which the individual, firm, association, profession, business, commodity or product promoted on the sign is located.

Sign, Opinion: A sign which expresses a personal opinion or belief of a noncommercial nature.

Sign Permit: A permit, issued by the Zoning Administrator, stating that a sign may be established, located, or altered subject to any conditions placed on the authorization and the provisions of this Ordinance.

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Sign, Projecting: A sign, generally oriented perpendicular to the face of a building wall, which is attached to a building and which extends more than 6 inches from a building wall, typically having two viewable sides.

Sign, Wall: A sign painted on a building wall and all other sign, oriented parallel to the face of a building wall, which are attached to a building wall and where no part of the structure of the sign extends more than 6 inches out from a wall as measured near the points of attachment to the building, nor above the roof of the building, nor beyond the end of a wall.

Sign, Abandoned: A sign which advertises a use that has ceased, or relates to an individual, firm, or association, profession, business, commodity, or product that no longer exists, or relates to an activity or purpose that is no longer applicable.

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify a person or entity, or to communicate information of any kind to the public and which is intended to be visible from any road or from navigable water.

Single Family Residence: See Residence, Single Family.

Single Family Dwelling Unit: See Dwelling Unit, Single Family.

Site Plan: A graphic representation of a parcel of land and all of the structures and features, or proposed structures and features, contained thereon.

Slope: The relationship of the change in vertical distance to the change in horizontal distance, expressed as a percentage.

Solid Waste Facility: A facility or land for solid waste treatment, solid waste storage, or solid waste disposal, and includes commercial, industrial, municipal, state and federal establishments or operations such as, without limitation because of enumeration, sanitary landfills, dumps, incinerators, land disposal sites, transfer stations, storage facilities, collection and transportation services and processing, treatment and recovery facilities. Solid waste facility does not include a salvage yard.

Structural Alterations: Any change in the supporting members of the exterior portions of a building or structure, such as foundations, load-bearing wall columns, sills, and rafters, or any change in the dimensions or configuration of the roof or exterior walls.

Structural Repairs: Any repairs of the supporting members of the exterior portions of a building or structure, such as foundations, load-bearing wall columns, sills, and rafters.

Draft for County Board Approval

Structure: Anything constructed, erected, or manufactured, the use of which requires a more or less permanent location on or in the ground.

Structure, Accessory: A building or other structure which is customary, incidental, and subordinate to a permitted principal use of a lot and located on the same lot as the principal use, and does not meet the definition of a principal structure.

Structure, Permanent: A structure placed on or in the ground or attached to another structure in a fixed position, and intended to remain in place for a period of more than 9 months.

Structure, Principal: A building or other structure which houses a principal use of a lot, including any functional appurtenances, such as decks, stairways, and balconies, which are attached to, or located within 3 feet of, said building or structure.

Temporary Accessory Unit: A temporary dwelling unit installed on the same lot as a single family residence and used to provide independent, but supervised housing for disabled or infirm dependent(s).

Topsoil: Soil material (normally the A horizon and upper part of the B horizon of a soil profile) which is acceptable for respreading on the surface of regraded areas to provide a medium which sustains a dense plant growth capable of preventing wind and water erosion of the topsoil and other materials beneath.

Trade or Contractors Establishment: Uses such as plumbers, heating and air conditioning contractors, excavators, carpenters, painting contractors, wastewater treatment system contractors, electricians, well drillers, and similar uses in which primary work takes place off premise.

Trailer Camp: Any privately or publicly owned parcel or tract or land designed, maintained, intended, or used for the purpose of supplying accommodations for use by trailers or recreational vehicles on a temporary basis, open to the public and designated as a trailer camp area.

Trailer: A portable structure built on a chassis which can be towed by an appropriate motor vehicle and is designed to be used as a temporary dwelling for travel, recreation, or vacation use, and which does not fall into the definition of a manufactured home.

Transient: A person who travels from place to place away from his or her permanent address for vacation, pleasure, recreation, culture, or business.

Tree: Woody vegetation that is, or is capable of attaining, a height of at least 15 feet.

Unincorporated Area: All lands and waters located within Pierce County which are located outside the municipal boundaries of a village or city.

Use, Accessory: A use subordinate to and customarily incidental to a permitted principal use of a lot and located on the same lot as the principal use.

Use, Principal: The basic use of a lot or structure, or one of the basic uses of a lot or structure where more than one basic use exists on a lot. Principal uses are those listed as such in s. 2.05 (3).

Use Permitted As A Conditional Use: A use whose nature, character, or circumstance is so unique or so dependent upon specific conditions that predetermination of permissibility by right is not practical, but which may be permitted on a case-by-case basis subject to the conditional use permit procedure.

Use, Unspecified Temporary: A use which is conducted for not more than 7 consecutive days nor more than 10 days in any one year period.

Use: The purpose or activity for which a parcel of land, or structure(s) thereon, is designed, arranged, intended, occupied, or maintained.

Utility Facilities: Any structure or equipment, except for communication towers, used or designed for the production, transmission, delivery, or furnishing of heat, light, water, power, sewer services, or telecommunications either directly or indirectly to or for the public.

Variance: An authorization, granted by the Board of Adjustment, to depart from the literal requirements of this Ordinance.

Walkway: An unenclosed, unroofed exterior platform structure, with or without railings, not exceeding 48 inches wide.

Wetland: Those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

Woodland: Land covered with trees, not including orchard or nursery trees.

Yard, Front: A yard extending along an entire front lot line from the front lot line to the depth or width specified in the yard requirements for the applicable district.

Yard, Rear: A yard extending along an entire rear lot line from the rear lot line to the depth or width as specified in the yard requirements for the applicable district.

Yard, Side: A yard extending along an entire side lot line from the side lot line to the depth or width specified in the yard requirements for the applicable district.

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Yard: A required area on a lot, unoccupied by buildings and open to the sky, extending along a lot line to a specified depth or width.

Zoning Administrator: An authorized representative of the Land Management Committee appointed by the County of Pierce for purpose of carrying out the terms of this Ordinance.

Zoning Map: The series of maps showing the location and boundaries of the zoning districts established by this Ordinance.

ORDINANCE 97-07

REZONING A PARCEL OF LAND IN ELLSWORTH TOWNSHIP FROM AGRICULTURE
TO LIGHT INDUSTRY--Steien Rezone

The Board of Supervisors of Pierce County, Wisconsin does Ordain as follows:

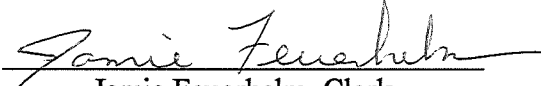
Section 1: The Official Pierce County Zoning Map for the Town of Ellsworth be amended to change the zoning from Agriculture (A) to Light Industry (LI) for a parcel of land described as: Commencing at the NW corner of Section 2, T26N-R17W then East along CTH N 300', S 300', W300' to STH 63, then North to the point of beginning. The parcel is 2 acres in size.

Section 2: That this Ordinance shall not be codified.

Section 3: That this Ordinance shall take effect upon passage.

Dated this 30th day of September, 1997.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Attested as to form and legality:


William Thiel, Corporation Counsel

ADOPTED OCTOBER 28, 1997

ORDINANCE 97-08

REZONING A PARCEL OF LAND IN SPRING LAKE TOWNSHIP FROM AGRICULTURE
TO LIGHT INDUSTRY--Schoeder Rezone


The Board of Supervisors of Pierce County, Wisconsin does Ordain as follows:

Section 1: The Official Pierce County Zoning Map for the Town of Spring Lake be amended to change the zoning from Agriculture (A) to Light Industry (LI) for a parcel of land described as: The west 400' of the east 660' of the NW 1/4 of the SE 1/4, Section 35, T27N - R15W, excluding the east 150' of the north 150' (house site).

Section 2: That this Ordinance shall not be codified.

Section 3: That this Ordinance shall take effect upon passage.

Dated this 30th day of September, 1997.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Attested as to form and legality:


William Thiel, Corporation Counsel

ADOPTED OCTOBER 28, 1997

ORDINANCE NO. 97-10

**ORDINANCE - TO AMEND SECTION 3.68.060 A. -
SALE OF COUNTY OWNED REAL ESTATE**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

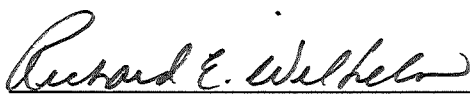
SECTION 1: That Section 3.68.060 A. be amended to read as follows:

- A. Immediately cause the real estate to be appraised by a ~~at least two~~ qualified real estate appraisers; and

SECTION 2: That this Ordinance shall be effective upon its adoption and publication as required by law.

Dated this 28th day of October, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

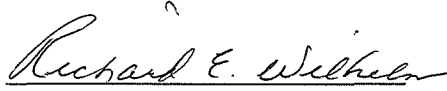
ORDINANCE 97-11

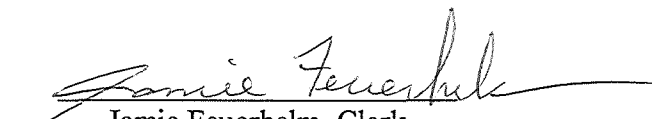
Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt Revised Zoning Maps for the Towns of Isabelle, Maiden Rock, Martell, Oak Grove, and Union.

The Board of Supervisors of Pierce County does Ordain as follows:


- Section 1: The Official Zoning Maps for Pierce County be amended as shown on the attached maps for the Towns of Isabelle, Maiden Rock, Martell, Oak Grove, and Union, all of Pierce County, Wisconsin.
- Section 2: The zoning map for each town as amended shall be in effect in that town upon adoption of the county zoning ordinance by said town.
- Section 3: That this ordinance shall not be codified.

Approved this 16th day of December, 1997.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality


William Thiel, Corporation Counsel

ADOPTED DECEMBER 16, 1997

ORDINANCE NO. 97-12

TO CREATE SECTION 2.38.025; SHERIFF'S FEES FOR THE SALE OF REAL ESTATE

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

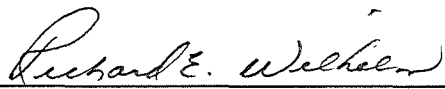
SECTION 1. That Section 2.38.025 of the Pierce County Code to be created to read as follows:

Section 2.38.025 Fees For The Sale of Real Estate. In accord with §814.705(2), Wis. Stats., the Sheriff shall, as and for the sale of real estate under §814.70(9), Wis. Stats., collect a fee of \$150.

SECTION 2. That this Ordinance shall take effect upon the first day of the month next following the month and year of the adoption of this Ordinance. That this Section not be codified.

Dated this 16th day of December, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm

ATTESTED TO BY:



APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JANUARY 27, 1998

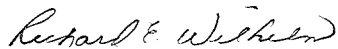
ORDINANCE 97-13

Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt Revised Zoning Maps for the Towns of Rock Elm and Ellsworth.

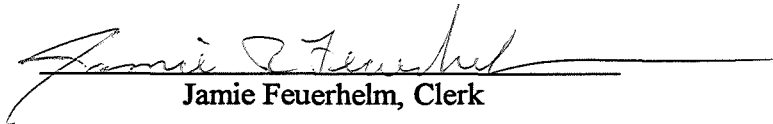
The Board of Supervisors of Pierce County does Ordain as follows:

- Section 1: The Official Zoning Maps for Pierce County be amended as shown on the attached maps for the Towns of Rock Elm and Ellsworth.
- Section 2: The zoning map for each town as amended shall be in effect in that town upon adoption of the county zoning ordinance by said town.
- Section 3: That this ordinance shall not be codified.

Approved this 27th day of January, 1998.

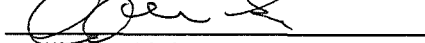


Richard Wilhelm, Chairman



Jamie Feuerhelm, Clerk

Approved as to form and legality



William Thiel, Corporation Counsel

ADOPTED JANUARY 27, 1998

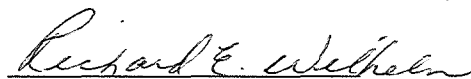
ORDINANCE 97-14


Amending Sections 17.24.050, 17.52.090 and 18.64.110 of the Pierce County Code Relating to Fees for Department of Land Management Functions

The Board of Supervisors of Pierce County does ordain:


- Section 1: Section 17.24.050 Fees. The applicant, upon filing of ~~his~~ an application, shall pay a fee ~~to the zoning administrator in accordance with the following schedule:~~
~~[schedule follows]~~ as established by the County Board from time to time and kept on file in the office of the County Clerk.
- Section 2: Section 17.52.090 Fees. The applicant, upon filing of ~~his~~ an application, shall pay a fee ~~to the zoning administrator in accordance with the following schedule:~~
~~[schedule follows]~~ as established by the County Board from time to time and kept on file in the office of the County Clerk..
- Section 3: Section 18.64.110 Fees. The applicant, upon filing of ~~his~~ an application, shall pay a fee ~~to the zoning administrator in accordance with the following schedule:~~
~~[schedule follows]~~ as established by the County Board from time to time and kept on file in the office of the County Clerk..

Approved this 24th day of February, 1998.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality:


William Thiel, Corporation Counsel

ADOPTED FEBRUARY 24, 1998

ORDINANCE 97-15

Amending the Pierce County Subdivision Ordinance

The Board of Supervisors of Pierce County does Ordain as follows:

Section 1: That Sections 17.04, 17.08, 17.28, 17.32, 17.36, 17.40, 17.44, 17.48, 17.64, and 17.68 are repealed.

Section 2: That Title 17 of the pierce County Code as set forth in attached Exhibit "A" is hereby recreated.

Section 3: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 24th day of Feb, 1998.

Richard Wilhelm, Chairman

Jamie Feuerhelm, Clerk

Approved as to form and legality:

William Thiel, Corporation Counsel

Draft

Pierce County Subdivision Ordinance

for

County Board Approval

February 24, 1998

Approved by Land Management Committee February 11, 1998

CHAPTER 1

GENERAL PROVISIONS

1.01 Title. This Ordinance shall be known as the “Pierce County Subdivision Ordinance”, hereinafter referred as “this Ordinance.”

1.02 Authority. The provisions of this Ordinance are adopted by the Pierce County Board of Supervisors pursuant to the authority granted by § 236.45, Wis. Stats.

1.03 Purpose and Intent. The purpose and intent of this Ordinance are to advise and regulate the division of land in Pierce County, Wisconsin, to promote public health, safety, aesthetics, and general welfare, and to:

- (1) Ensure accurate legal descriptions of subdivided land and adequate records of land titles.
- (2) Ensure proper monumenting of subdivided land.
- (3) Prevent the overcrowding of land, provide for suitable building sites, and protect the health, safety, prosperity, and welfare of the future residents of the proposed subdivision and of the community.
- (4) Ensure that the design of the street system will contribute to neighborhood quality, traffic flow and safety.
- (5) Provide for adequate light and air; provide for erosion control and the protection of the natural environment, aesthetics, and historical sites.
- (6) Facilitate sound, orderly development of land by encouraging well planned and designed plats with workable design standards.
- (7) Secure safety from fire, flooding, and other dangers.
- (8) Facilitate adequate provision for transportation, storm water drainage, water and sewer, parks and open space, and other facilities.
- (9) Ensure that future development is consistent with adopted county, municipal, and town comprehensive or development plans or their components, and official maps.
- (10) Ensure that future development is consistent with the Pierce County zoning,

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floodplain, riverway, and other ordinances, where applicable.

1.04 Abrogation and Interpretation.

(1) It is not the intent of this Ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, or permits previously adopted or issued pursuant to laws.

After enactment, where it imposes greater restrictions, the provisions of this Ordinance shall govern.

(2) In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. After enactment of this ordinance, where it imposes greater restrictions than State Statutes, the provisions of this Ordinance shall govern.

(3) In areas subject to requirements of the Pierce County Zoning Ordinance, if the zoning lot requirements change, only those lots which are legally recorded with the Pierce County Register of Deeds may qualify for grandfathered status. To avoid future zoning changes that might affect the lots, it is advisable for applicants to record all approved land divisions as soon as possible.

(4) Title 17 of the Pierce County Code as adopted on June 25, 1968 and amendments thereto is hereby repealed.

(5) Nothing in this ordinance shall be construed to prohibit a town, village, or city from adopting an ordinance more restrictive than the limitations contained herein.

1.05 Effective Date. This Ordinance shall become effective on the day following its enactment by the Pierce County Board of Supervisors.

1.06 Severability. If any section, paragraph, clause, provision, or portion of this Ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.07 Applicability. The provisions of this Ordinance shall apply to combining or dividing parcels of land in the unincorporated area of the County as follows:

(1) The combining of 2 or more parcels of land shall comply with the requirements of s. 1.09, combining parcels.

(2) The creation of at least one but not more than 4 parcels or building sites of 15 acres or less in size within a period of 5 years by the same or successive owners shall comply with the requirements of Chapter 2, Certified Survey Map Land Divisions in addition to all other applicable provisions.

(3) The creation of 5 or more parcels or building sites which are 15 acres or less in size either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years shall comply with the requirements of Chapter 3, Plats in addition to all other applicable provisions.

(4) A condominium plat prepared pursuant to s. 703.11 of the Wis. Stats. and other applicable statutes, shall be reviewed by the county in the same manner as a subdivision plat as set forth in this ordinance and comply with the applicable design standards and required improvements of this ordinance.

(5) The Land Management Committee also has the authority to require submittal of copies of a preliminary or final plat within a village or city to determine if the county has any objection to the plat on the basis of conflict with any park, parkway, expressway, major highways, airports, drainage channels, schools, or other planned public developments, pursuant to s. 236.12, Wis. Stats.

(6) Exceptions. The provisions of this ordinance shall not apply to divisions of land of less than 5 parcels which involve:

(a) Transfers of interest in land by will or pursuant to court order.

(b) Leases for a term not to exceed 10 years, mortgages, or easements.

(c) Sale or exchange of land between owners of adjoining property, provided additional lots are not created and provided any new lot configurations meet applicable zoning or other regulations.

(d) Cemetery plats created under §157.07, Wis. Stats.

(e) Assessors plats created under §70.27, Wis. Stats., but such plats shall comply with § 236.15(1)(a) to (g) and 236.20(1) and (2)(a) to (e), unless waived under §236.20(2)(L), Wis. Stats.

1.08 Compliance. Any division or combining of land which is applicable under s. 1.07, Applicability, shall not be entitled to recording and/or improvements to the land unless such division is in compliance with all the requirements of this Ordinance. All approved certified survey maps and plats shall be filed for recording with the Register of Deeds of Pierce County

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prior to transferring ownership of any parcels created by a land division.

1.09 Combining Parcels. A certified survey map shall be required for the combining of 2 or more parcels into 1- 4 parcels when the resulting parcel(s) is 15 acres or less in size. The certified survey map shall be reviewed according to section 2.02 and comply with the requirements of §236.34, Wis Stats., and shall be filed for recording with the Register of Deeds of Pierce County. If the combining of lots results in 5 or more lots of 15 acres or less in size the plotting procedure of Chapter 3 is required.

CHAPTER 2

CERTIFIED SURVEY MAP LAND DIVISIONS

2.01 Certified Survey Map Required. Land divisions which create at least one but not more than 4 parcels or building sites of 15 acres or less in size within a 5 year period by one or successive divisions by the same or subsequent owners are considered certified survey map land divisions requiring approval under this section. Approval of a certified survey map shall be required.

(1) Land divisions which create 1 or 2 parcels of 15 acres or less in size within a 5 year period by one or successive divisions by the same or subsequent owners are considered minor certified survey map land divisions.

(2) Land divisions which create 3 or 4 parcels of 15 acres or less in size within a 5 year period by one or successive divisions by the same or subsequent owners are considered major certified survey map land divisions.

2.02 Minor Certified Survey Map Land Division.

(1) Submittal. The certified survey map shall be submitted to the Pierce County Department of Land Management and Records. The certified survey map shall be prepared according to §236.34, Wis. Stats., and shall show clearly on its face all existing buildings and the date the map was prepared.

(2) Access. The applicant shall submit a statement from the appropriate town, county or state agency approving access for each lot.

(3) Soil test. Sufficient soil evaluations shall be submitted to demonstrate that each lot is suitable for a soil absorption wastewater system. The Department of Land Management may accept information from the *Soil Survey for Pierce County, Wisconsin*, or soil evaluations from adjacent property if appropriate to satisfy this requirement.

(4) Slopes. A separate drawing at the same scale as the certified survey map shall be submitted designating portions of the lot which have greater than 12% slopes and greater than 20% slopes.

(5) Review. The Pierce County Department of Land Management & Records shall review the minor land division for compliance with this ordinance and §236.34, Wis Stats., and shall approve or reject the certified survey map. Any lot which has historical or unique features, or the development of which may be harmful to the health, safety, welfare,

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prosperity, aesthetics and general welfare of the future residents of the community shall be referred to the Land Management Committee for review and approval consistent with S. 3.03 (3).

(6) Approval. If approved, a written statement certifying approval shall be affixed to the certified survey map.

(7) Rejection. If rejected, the applicant shall be notified, in writing, of the reasons for rejection.

2.03 Major Certified Survey Map Land Division.

(1) Submittal of Preliminary Map. A preliminary certified survey map shall be prepared according to §236.34, Wis. Stats., and include all information required for preliminary plat applications contained in s. 3.03 (1) (b) (c) and (d) except 2' contour intervals may be omitted in place of showing slopes of 12% and greater as certified by a registered land surveyor. The Department of Land Management shall be authorized to reject any application deemed incomplete.

(2) Preliminary Review and Decision. The Land Management Committee shall review and render a decision on the preliminary major certified survey map land division in accordance with s. 3.03 (2), (3) (a) and (c).

(3) Final Approval. A final major certified survey map land division which is in accordance with the preliminary map as approved by the Land Management Committee shall be submitted to the Department of Land Management for final approval. The Department of Land Management shall review and approve the final major certified survey map land division as to its conformance with the approved preliminary major certified survey map §.236.34, Wis. Stats.

2.04 Certified Survey Map Land Divisions Involving Dedication of Land. Certified survey map land divisions which involve the dedication of public right-of-ways or other dedications of public lands shall require approval of the applicable governmental entity(ies). The Department of Land Management shall not approve such certified survey map land divisions until approval of the applicable governmental entity(ies) has been obtained.

2.05 Fees. Submittal of a certified survey map for review shall be accompanied by review fees and other fees as established by the County Board. Certified survey map land divisions shall require a park fee in lieu of dedication of land for park purposes.

2.06 Recording. Certified survey maps shall be recorded as provided in §236.34 (2), Wis. Stats.

CHAPTER 3

PLATS

3.01 General. Land divisions which create 5 or more parcels or building sites which are 15 acres or less in size either through a single division or successive divisions by either the same or subsequent owners(s), within a period of 5 years shall follow the procedures contained in this chapter.

3.02 Concept Approval. Prior to filing a preliminary plat for approval, the applicant shall consult with the Pierce County Department of Land Management and Records for assistance and to become informed of the purpose and objectives of these regulations and shall meet with the Land Management Committee to present a concept plan for review and approval.

(1) Submittal. The applicant shall provide 8 copies of a concept plan drawn to a reasonable scale depicting the proposed general lot layout, exterior boundary, roadways, known easements, wetlands, floodplain, existing land use of the tract and adjacent lands, and slopes in excess of 12% and in excess of 20%, and any additional information required by the Department of Land Management which is deemed relevant to the proposed plat. The concept plan shall be submitted to the Department of Land Management at least 20 calendar days prior to the meeting of the Land Management Committee at which it is to be considered. The Department of Land Management shall be authorized to reject any application deemed incomplete.

(2) Review and Approval. The Land Management Committee shall review the proposed concept plan as to conformance with county plans, ordinances, purposes and the suitability of the land for subdivision. The committee shall approve, conditionally approve or reject the concept plan and shall state in writing any conditions of approval or reasons for rejection.

3.03 Procedure for Approval of Preliminary Plat.

(1) Submittal. After concept plan approval the applicant shall submit to the Pierce County Department of Land Management, at least 20 calendar days prior to the Land Management Committee meeting at which it is to be considered, the following:

(a) A signed application form requesting review and approval of a preliminary plat. The Department of Land Management shall be authorized to reject any application deemed incomplete.

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(b) Eight copies plus any additional copies as may be required for other reviewing agencies. The plat shall be based upon a survey prepared by a registered land surveyor on reproducible material and shall show the following information unless waived in whole or in part in writing by the Zoning Administrator:

1. All requirements of §236.20, Wis. Stats.
2. The names and addresses of the owner and registered surveyor preparing the plat and date of preparation.
3. An 8 ½ x 11 inch reproducible copy of the proposed plat.
4. The location and names of adjacent platted lands and the owners of adjoining parcels of unplatted land, including the use and zoning of adjacent land.
5. Contours at vertical intervals of not more than 2 feet, with slopes of 12 percent or greater and 20 percent or greater delineated.

(c) Accompanying information shall include:

1. Erosion control plans.
2. Areas of filling, grading, lagooning or dredging.
3. Sufficient soil tests to establish the suitability of soil absorption wastewater systems for each lot.
4. Any restrictive covenants related to the proposed land division.
5. A statement and location of any improvements proposed to be provided by the applicant.
6. A statement from appropriate town, county or state agency approving access connections onto existing road system.

(d) Any additional information required by the Land Management Committee. Any cost involved in producing and reviewing such additional information shall be the responsibility of the applicant.

(e) A review fee established by the County Board of Supervisors. Review fees required by other reviewing agencies shall be submitted to those agencies.

(f) The applicant also shall submit the original drawing of the preliminary plat to the appropriate state plat review agency, in accordance with §236.12.(6), Wis. Stats.

(g) Erosion control bond. Applicant shall submit a bond or irrevocable letter of credit for erosion control work. The amount of the bond shall be 200% of the estimated cost installing and maintaining erosion control for all project improvements. The additional amount is to compensate the county if necessary for any administrative expenses and repair work which may be necessary should applicant fail to install and maintain measures correctly.

(2) Requirements.

(a) The preliminary plat shall comply with the Pierce County zoning, floodplain, and St.Croix Riverway zoning ordinances, if applicable, The Pierce County Land Management Plan, the approved concept plan, and other adopted county plans and ordinances.

(b) The preliminary plat shall comply with the requirements of Chapter 4, Design Standards, and Chapter 5, Improvements.

(c) Land subject to hazards of life, health, or property shall not be subdivided for residential purposes until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plan.

(3) Review and Decision.

(a) After reviewing the preliminary plat and data for compliance with this Ordinance, the Land Management Committee shall either approve, approve conditionally, or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection.

(b) Failure of the Committee to act within 90 calendar days of submittal of the preliminary plat shall constitute an approval of the preliminary plat, unless such time is extended by agreement with the applicant.

(c) Approval of the preliminary plat shall entitle the applicant to final approval of the layout shown by such plat if the final plat is submitted within 6 months of the date of approval of the preliminary plat and conforms to such layout and conditions attached to the approved preliminary plat. The Land Management Committee may extend the time for acceptance of the final plat to 24 months.

3.04 Procedure for Approval of Final Plat.

(1) Submittal. The applicant shall submit the following:

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- (a) Eight copies of the final plat shall be submitted to the Pierce County Department of Land Management and Records by the applicant. The final plat may constitute only that portion of the approved preliminary plat which the applicant proposes to record at that time. Final plats shall conform to the approved preliminary plat, and to the requirements of §236 Wis. Stats., including §236.20, Wis. Stats., but contours do not have to be shown.
- (b) The applicant shall also submit the original drawing of the final plat to the appropriate state plat review agency, in accordance with §236.12(6), Wis. Stats. Such plats shall comply fully with the requirements of Chapter 236, Wis. Stats.
- (c) The applicant shall submit a copy of the plat to the township(s) which the proposed land division is located.
- (d) Submission for subs.(b) and (c) shall be made at the same time as copies are submitted to the county, and the applicant shall provide the county with a written statement of the date that required materials were sent to all appropriate agencies.
- (e) Road construction. Applicant shall provide a statement from the appropriate town, county or state agency that all roads have been constructed to standards, except that final paving may occur after final approval.

(2) Requirements.

- (a) The final plat shall be prepared by a registered land surveyor and shall comply with the requirements of §236.20, Wis. Stats. and any other information as required by the Land Management Committee during preliminary plat approval.
- (b) The final plat shall show on its face all lands reserved for future public dedication or reserved for the common use of property owners within the plat. If common property is located within the plat, then provisions for its use, maintenance, and ownership must also be provided with the plat.
- (c) Certificates. All final plats shall provide all the certificates required by §236.21, Wis. Stats.

(3) Final Plat Review and Approval.

- (a) The Land Management Committee shall examine the final plat as to its conformance with the approved preliminary plat, any conditions of approval of the

preliminary plat and the requirements of this Ordinance.

(b) The Land Management Committee shall not grant final approval until the state plat review agency has submitted a letter of no objection to the plat and the appropriate township(s) have indicated agreement to accept any dedications.

(c) The Land Management Committee shall approve or reject the final plat and shall state in writing any reasons for rejection.

(d) Failure of the Land Management Committee to act within 60 calendar days of submittal of the final plat shall constitute an approval of the final plat, unless such time is extended by agreement with the applicant.

3.05 Recording. Within 30 calendar days of the date of the last approval of the final plat, the plat shall be filed by the applicant for recording with the Register of Deeds of Pierce County in accordance with §236.25, Wis. Stats. Failure to record the plat within 30 days shall nullify the approval of the final plat.

3.06 Replat. Any replat of a recorded plat or part thereof shall be done in accordance with §236.36, Wis. Stats.

3.07 Procedure for Dedication.

(1) Parks, Playgrounds, and Open Spaces. The Land Management Committee shall require that suitable sites not to exceed ten percent of the total area of the subdivision be dedicated for future public use such as parks, playgrounds, and open spaces, subject to acceptance thereof by the county or town.

(2) Streets, Drainageways, Other Public Ways. Any part of a street, drainageway, or other public way which is indicated on the plat shall conform to the arrangement, width and location indicated, and shall be dedicated for such use, subject to acceptance thereof by the county, town, or other public agency or commission. If a town elects not to accept the street, drainageway, or other public way or the improvements thereon, at the time of plat approval, such streets or improvements shall be shown as to be dedicated to the public on the plat. Unless specifically waived by the Land Management Committee, when the town is ready and able to accept such streets, drainage ways or other public ways together with improvements thereon, the developer of the plat shall take necessary legal steps to make such dedications and include this commitment in covenants related to the plat or shall state this commitment on the face of the plat.

(3) Payment in Lieu of Dedication. At the option of the Land Management Committee, as an alternative to required dedication of parks, playgrounds, and open spaces, a fee as

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(8) Construction of public roads shall be in accordance with appropriate public road design standards.

(9) Construction of private roads shall be in accordance with appropriate town road design standards, unless waived by the town in which the land division is proposed, in which case the Land Management Committee shall specify standards for private road design applicable to the particular land division.

(10) Street Names. All street names shall be as assigned by the county in accordance with the uniform address numbering system.

4.02 Alleys.

(1) Alleys may be required in commercial and industrial districts for service access, off-street loading, unloading and parking.

(2) The width of alleys shall not be less than 20 feet and dead end alleys shall be prohibited.

4.03 Easements and Restrictions.

(1) Utility Easements. Easements shall be provided for utilities where necessary and shall be at least 20 feet wide centered on rear and other lot lines as required. Such easements shall be for the use of public bodies and private public utilities having the right to serve the area.

(2) Easements shall be provided along each side of the center line of any water course or drainage channel to a sufficient width to provide proper maintenance and protection and to provide for storm water run-off.

4.04 Blocks. When blocks are utilized, the following shall apply:

(1) The length, width, and shape of blocks shall be appropriate to the need for convenient access, control and safety of street traffic and the limitations and opportunities of the topography.

(2) Width. Blocks shall generally have sufficient width to provide for 2 tiers of lots of appropriate depth, except one tier of lots is sufficient where blocks abut a lake or stream, plat boundary, or an arterial street.

(3) Within blocks, pedestrian right-of-ways of at least 15 feet in width may be required by

the Land Management Committee to provide improved circulation or access to schools, playgrounds, parks, shopping centers, waterways, and other community facilities.

(4) Blocks adjoining arterial streets shall be so orientated that the long dimension of the block shall front on the arterial street in order to create as few intersections as possible along the arterial street.

4.05 Lots.

(1) Area and dimensions of lots shall conform to the requirements of the Pierce County Zoning Ordinance, where applicable. For areas where zoning is not applicable, minimum lot size shall be 1 acre, exclusive of land in any rights of way or easements.

(2) Corner lots shall have sufficient width in order to permit appropriate building setback from both streets.

(3) Every lot in a land division shall front or abut on a public or private street for a distance of at least feet unless a rule exception is granted by the Land Management Committee.

(4) Double frontage lots shall be disallowed, except where lots abut an existing or proposed arterial street or where necessary to overcome specified disadvantages of topography and orientation. The Land Management Committee may require a planting screen easement of at least 10 feet in width contained in a non-access reservation along the property line abutting such arterial street or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(5) Every lot that is intended for building purposes shall contain at least one acre of net area with slopes less than 20 percent, of which one-half acre shall be less than 12 percent slopes. Net area shall exclude rights of way, easements, wetlands, and floodplain. The dimensions and location of the net area shall, in the judgement of the zoning administrator, be suitable for a building site. The zoning administrator shall be authorized to disapprove lots which do not meet the requirements of this section. Appeals of the zoning administrator's decision shall be to the Land Management Committee. Lots which are not to be used for building purposes shall be designated as outlots and have deed restrictions prohibiting building on such lots.

(6) There shall be a building setback line on each lot of 75 feet from the road centerline unless a greater building setback is required by the Pierce County Zoning Ordinance, where applicable.

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fee. As work progresses, the Committee will authorize the escrow agent to make payments to the applicant or contractors to assure completion of the improvements.

(c) If the improvements are not completed within the specified time, the Land Management Committee may use the financial assurance, or any necessary portion thereof, to complete same.

5.02 Public Water/Sanitary Sewer Systems. In areas that have a public water or sanitary sewer system on or near the proposed land division, the local municipality furnishing such service and the Land Management Committee shall determine the feasibility of serving the land division. The Land Management Committee may require the subdivider to join the water or sanitary sewer system.

CHAPTER 6

ADMINISTRATION AND ENFORCEMENT

6.01 Administration. The administration and enforcement of the provision of this Ordinance shall be the responsibility of the Pierce County Land Management Committee or its authorized representative in the Department of Land Management and Records.

6.02 Rule exceptions.

(1) Where the Land Management Committee finds that undue difficulties will result from strict compliance with the regulations of this Ordinance or better design will result, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such rule exception will not have the effect of nullifying the intent and purpose of this Ordinance.

(2) A majority vote of the entire membership of the Land Management Committee shall be required to grant any rule exception to these regulations and any rule exception thus granted shall be entered into the minutes of the Committee setting forth the reasons which, in the judgment of the Committee, justified the rule exception.

6.03 Appeals. Any persons aggrieved by an objection to a plat or failure to approve a plat or certified survey map may appeal therefrom in the following manner:

(1) Decisions of the Department of Land Management shall be appealed to the Land Management Committee. Such appeal shall be made within 30 days of the decision.

(2) Actions of the Land Management Committee shall be appealed as provided in §236.13(5), Wis Stats.

6.04 Penalties. Any person, firm or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit not less than \$100 nor more than \$500 and the cost of prosecution for each violation, and in default of payment of such forfeiture and the cost, shall be imprisoned in the County jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense. Compliance therewith may also be enforced by an injunction at the suit of the County or the owner or owners of real estate within the area affected by the regulations of this Ordinance, as provided by law.

6.05 Amendments. The Pierce County Board of Supervisors may from time to time amend the regulations imposed by this Ordinance. The Land Management Committee shall hold a public hearing on all proposed amendments as required by §236.45, Wis. Stats. Notice of the hearing shall be given by publication of a class 2 notice, as required by §236.45(4), Wis. Stats.

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CHAPTER 7

DEFINITIONS

7.01 Word Usage. For purposes of this Ordinance, words used in the present tense include the future; singular number includes the plural number; and the plural number includes the singular number. The word “shall” is intended to be mandatory.

7.02 Definitions. For purposes of this Ordinance, the following definitions shall be used:

Alley: A public or private right-of-way which provides secondary access to abutting properties.

Arterial Street: A street used, or intended to be used, primarily for fast or heavy through traffic, including freeways, expressways, as well as standard arterial streets, highways and parkways.

Block: A group of lots existing within well defined and fixed boundaries, bounded on at least one side by a street, bounded on the other sides by other streets, natural or man-made barriers, or unplatted land, and having an assigned number, letter or other name through which it may be identified.

Building Setback Line: A line marking the minimum allowable horizontal distance that a building or structure may be built from a road.

Building Construction Line: The shortest line between lot lines which extends through the building site.

Certified Survey Map: A map prepared in accordance with §236.34, Wis. Stats.

Certified Survey Map Land Division: The creation of at least one but not more than four parcels or building sites of 15 acres or less in size either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

Collector Street: A street used, or intended to be used, to carry traffic from minor streets to the major system of arterial streets including the principal entrance streets to residential developments.

Committee: The Pierce County Land Management Committee

Concept Plan: A map showing the salient features of a plat and proposed development

areas and surrounding conditions submitted to the Land Management Committee for purposes of initial consideration.

County: Pierce County, including any agency, department or committee thereof.

Cul-de-sac: A minor street with only one outlet and having a turnaround for the safe and convenient reversal of traffic movement.

Final Plat: The map or plan of record of a subdivision plat and any accompanying material.

Land Division: The act or process of dividing land into two or more parcels or building sites. See also certified survey map land divisions and plats.

Lot: Designated parcel, tract, or area of land established by plat, land division or as otherwise permitted by law to be used, developed, or built upon as a unit.

Lot, Corner: A lot abutting on two or more streets at their intersection.

Lot, Double Frontage: A lot, other than a corner lot, with frontage on more than one street.

Minor Street: A street used, or intended to be used, primarily for access to abutting properties.

Ordinary High Water Mark: The landward most line along the bank of a shore of navigable water up to which the presence and action of surface water is so continuous as to leave a distinct mark on the bank. Such distinct mark may be the result of erosion, cobble deposition, water staining, destruction of terrestrial vegetation, total or virtual absence of terrestrial vegetation, and/or other easily recognized characteristics.

Outlot: A parcel of land not to be used for building purposes, so designated on the plat.

Plat: The creation of five or more parcels or building sites which are 15 acres or less in size either through a single division or successive divisions by either the same or subsequent owner(s) within a period of 5 years.

Preliminary Plat: A map showing the salient features of a plat submitted to the Land Management Committee for purposes of preliminary consideration.

Private Road: A vehicle access way not owned or maintained by a unit of government serving 3 or more lots or building sites, the use of which is restricted to the owners of the

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lots or building sites served.

Replat: The process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat, certified survey map, or a part thereof.

Setback: The minimum horizontal distance from a road centerline, high water mark, or other lot line to the structure or use.

Street: A way for vehicular traffic that provides vehicular access to lots, not including access driveways within lots.

Subdivision: (1) A division of land resulting in a certified survey map land division or a plat for county purposes.

(2) A division of land as defined in S. 236.02 (12) for state plat review purposes.

Surety Bond: A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.

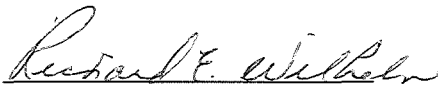
ORDINANCE 97-16

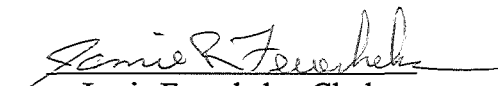
Creating the Pierce County Sanitary Code

The Board of Supervisors of Pierce County does Ordain as follows:

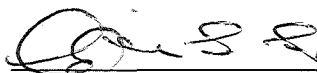
- Section 1: That Sections 17.16, 17.52, and 17.80 of the Pierce County Code are hereby repealed.
- Section 2: That Title 21 of the Pierce County Code is as set forth in attached Exhibit "A" is hereby created.
- Section 3: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 24 day of February, 1998.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality:


William Thiel, Corporation Counsel

ADOPTED MARCH 24, 1998

DRAFT FOR COUNTY BOARD APPROVAL

Title 21: Private Sewage System

Sections:

21.01	Sewage Disposal Required
21.02	Purpose
21.03	Adoption of Sewage Regulations
21.04	Definitions
21.05	Administration
21.06	Issuing Agent
21.07	Sanitary Permit
21.08	Construction Involving an Increase of Wastewater Load
21.09	Fees
21.10	Inspections
21.11	Maintenance Program
21.12	Filing Requirements for Soil and Site Evaluation Reports
21.13	Experimental System Verification
21.14	As-built Submittal
21.15	Emergency Insurance of a Sanitary Permit
21.16	Sanitary Reconnections
21.17	Temporary Holding Tanks Permits
21.18	Privies
21.19	Wisconsin Replacement Fund Program
21.20	Disclaimer of Liability and Warranties
21.21	Interpretation
21.22	Variances
21.23	Violations

Title 21

Private Sewage Systems

21.01 SEWAGE DISPOSAL REQUIRED.

All premises intended for human occupation or occupancy shall be provided with an adequate functioning public sewer, privy, private sewage system, or other approved method of sewage disposal. (Ord. 80-1(part): §3.0 of Ch. 4 of Ord. passed 6/25/68).

21.02 PURPOSE.

- (a) To exercise Jurisdiction over the Construction and inspection of all new private sewage disposal systems in the County.
- (b) To provide plan review and inspection performed by State certified inspectors.
- (c) To establish and collect permit fees to defray sewage system inspection costs.
- (d) To provide remedies and penalties for violations.
- (e) To establish a County office responsible for administration of the private sewage system.

21.03 ADOPTION OF SEWAGE REGULATIONS.

- (a) Adoption. Pursuant to Section 59.065 (1), Wisconsin Statutes, the Pierce County Board of Supervisors hereby adopts the Pierce County Private Sewage System Ordinance.
- (b) Reference to State Regulations. This title shall be subject to the provisions of Chapter 145 of The Wisconsin Statutes as applicable, and all subsequent rules and regulations promulgated there under regarding private sewage systems.
- (c) Severability. If any section, paragraph, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If any application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgement shall not be applicable to any other structure, land, or water not specifically included in said judgement.

21.04 DEFINITIONS.

Bedroom: Any room which could be used for sleeping purposes regardless of actual use of the room. Examples of such rooms include, but are not limited to dens, sewing rooms, studies, and nurseries.

Certified soil tester: Permitted to conduct soil morphological evaluations and evaluate the significance of soil mottling.

Department: means the Department of Commerce.

Domestic Wastewater: The type of wastewater normally discharged from plumbing fixtures, appliances or devices in dwelling units including, but not limited to sanitary, dishwashing, laundry, bath, garbage disposal and cleaning wastewater.

Dwelling: Any structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household to the exclusion of all others.

Failing Sanitary System: Has the same meaning as given in s. 145.245 (4), Stats. s. 145.245 (4), Stats. reads: "a failing private sewage system is one which causes or results in any of the following conditions: (a) the discharge of sewage into surface water or ground water; (b) the introduction of sewage into zones of saturation which adversely affects the operation of a private sewage system; (c) the discharge of sewage to a drain tile or into zones of bedrock; (d) the discharge of sewage to the surface of the ground; (e) the failure to accept sewage discharges and back up of sewage into the structure served by the private sewage system."

Farm: A tract of land with at least 35 contiguous acres devoted primarily to agricultural purposes generally under the management of a tenant or the owner.

Issuing agent: The Pierce County Department of Land Management through its authorized agent, the Pierce County Zoning Administrator assigned the duties of administering the private sewage system program by the Pierce County Board of Supervisors.

POWTS: Privately Owned Wastewater Treatment System. Has the meaning as given in s. 145.01 (12), Stats.

Privy, Pit : An enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber which is not watertight.

Privy, Vault: An enclosed nonportable toilet into which nonwater-carried human wastes are deposited to a subsurface storage chamber which is watertight.

Sanitary Permit: A permit issued by the department or the issuing agent for the installation of a private sewage system.

State plumbing code: Chs. Comm 82 to 87 of the State Administrative Code.

21.05 ADMINISTRATION.

The administration of this section shall be the duty of the Issuing Agent. The Issuing agent shall provide, contract for or hire state certified inspectors or testers as directed by action of the County Board.

21.6 ISSUING AGENT.

The Pierce County Zoning Administrator shall act as the Pierce County issuing agent and is hereby assigned the duties of administering the privately owned wastewater treatment system (POWTS) program.

21.7 SANITARY PERMIT.

(a) Validity.

1. No person may install, repair, alter, modify, or reconnect to a private sewage system or privy unless the owner of the property on which the private sewage system or privy is to be installed, repaired, altered, modified, or reconnected holds a valid sanitary permit. Minor repairs per s. 145.06, Wis. Stats. do not require a permit.
2. No person may sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.
3. A sanitary permit is valid for two years from the date of issue and is renewable for similar periods thereafter.
4. A sanitary permit may be transferred from the holder to a subsequent owner of the land, except that the subsequent owner must obtain a new copy of the sanitary permit from the issuing agent. May also be transferred from one licensed plumber to another licensed plumber.

(b) Application Forms. The issuing agent shall use the sanitary permit forms provided by the department.

(c) Application Process.

1. The applicant shall submit the completed sanitary permit application to the issuing agent.
2. The issuing agent shall review the certified soil tester's reports for the proposed private sewage systems and verify the report at the proposed site, if necessary.
3. The issuing agent shall approve or disapprove applications for sanitary permits and assist applicants in preparing an approvable application.

4. The issuing agent shall issue written notice to each applicant whose sanitary permit application is disapproved. Each notice shall:

- a. State the specific reasons for disapproval and amendments to the application, if any, which would render the application approvable.
- b. Inform the applicant of the right to appeal and the procedures for conducting an appeal under Chapter 145, Wisconsin Statutes.

21.08 CONSTRUCTION INVOLVING INCREASED WASTEWATER LOAD

(a) Construction involving increased wastewater load is defined as:

1. Any addition or remodeling which adds a bedroom or increases the total gross area of the liveable area of an existing dwelling unit by 25%.
2. A public building or place of employment.

(b) A sanitary permit for construction increasing wastewater loads shall be required. The sanitary permit shall require documentation to verify whether the size of the existing private sewage system can accommodate the increased wastewater load. Documentation shall comply with Com 83.055(3)(c).

(c) No permit for construction involving increased wastewater load shall be issued unless the existing system is approved according to sub (b) above, the existing system is modified to comply with this code, or an affidavit is filed in accordance with sub. (d) below.

(d) If an existing system is found to be compliant except that it is undersized for the structure for which the permit is sought, the owner may file an affidavit with the Pierce County Register of Deeds which states that the system is undersized. Such affidavit is to run with the property.

21.09 FEES.

(a) The fee for a sanitary permit shall be as established by the County Board.

(b) Fees shall be established for all activities and systems listed in Com 83, and for other activities and permits as established by the County Board.

(c) A county may not charge more than one fee for a sanitary permit or the renewal of a sanitary permit in any 12-month period.

(d) The issuing agent shall forward a copy of each valid sanitary permit and the department's portion of the fee to the department within 90 days after the permit is issued.

(e) Plan Revision. No permit fee shall be charged for a system that requires revision from the department or Pierce County on a parcel that has a valid sanitary permit.

21.10 INSPECTION.

- (a) The issuing agent shall inspect or cause the inspection of all private sewage systems after construction, but before backfilling, no later than the end of the next work day, excluding Saturdays, Sundays, and holidays, after receiving notice from the plumber in charge.
- (b) The issuing agent shall file inspection reports and conduct surveys and inspections as required by the department.

21.11 MAINTENANCE PROGRAM

- (a) The applicant for a sanitary permit shall be provided written notice of the Maintenance Program at the time the sanitary permit is issued. The records of this notification shall be maintained by the Issuing Agent. Upon the sale of the property, the owner shall provide written notification of the maintenance program to the buyer.
- (b) Every three years after the installation of a private sewage disposal system the owner will provided a certification form by the County sanitarian at least 30 days prior to its due date. The form must be filled out by either:
 - 1. A licensed master plumber or master plumber restricted sewer.
 - 2. A licensed septic tank pumper.
 - 3. County Personnel licensed to inspect septic systems.

The certification form must be signed by the owner.

- (c) The certification form will state that:
 - 1. The private sewage disposal system is in proper operating condition at the time of inspection.
 - 2. The septic tank was recently pumped by a licensed septic tank pumper or it was inspected and is less than 1/3 full of sludge and scum.
- (d) Circumstances, such as inclement weather, road weight restrictions and site limitations, may necessitate a delay in septic tank maintenance until conditions permit.
- (e) The certification form is to be filed with the Pierce County Department of Land Management.

21.12 FILING REQUIREMENTS FOR SOIL AND SITE EVALUATION REPORTS.

- (a) Two soil and site evaluation reports shall be submitted in ink or photo copied with the certified soil testers original signature on the report and the plot plan. Soil and site evaluation reports submitted in pencil and without the CST's original signature will be returned. Site evaluation reports shall be completed in accordance with Comm 83.09.
- (b) Plot plans shall be submitted in accordance with Comm 83.05 (2). All plot plans should have a location map.
- (c) Perc test reports on file for perc tests performed after June 21, 1980 will be allowed to be used for the permitting of a soil absorption system.
- (d) Perc tests submitted before June 21, 1980, will require a complete soil and site evaluation by a certified soil tester.

21.13 EXPERIMENTAL SYSTEM VERIFICATION.

The issuing agent shall conduct an on-site inspection to verify the soil conditions for all experimental soil absorption systems. At least one soil observation pit is needed to verify the soil conditions.

21.14 AS-BUILT SUBMITTAL

- (a) The installing licensed master plumber shall indicate on the as-built exactly the way the system was installed.
- (b) As-builts shall be submitted by the installing licensed plumber to the issuing agent before the issuance of a sanitary permit the following calendar year.
- (c) As-built forms can be obtained from the issuing agent.

21.15 EMERGENCY INSURANCE OF A SANITARY PERMIT

- (a) Due to inclement weather and emergency at the time of installation, a soil and site evaluation, or an existing private sewage system evaluation, cannot be conducted, nor are plans and specifications submitted to department, if department approval is necessary. In such cases, a sanitary permit may be issued in an apparent noncompliance with the administrative rules because the owner is acting under the direction of the county or department to abate a nuisance or other health or safety concern.

The compelling need to protect public health and safety takes priority over the ministerial duty to review plans. As a part of this procedure, the owner must be made aware that he is responsible for a soil and site evaluation, or corrective measures if the existing private sewage system is failing. The notice to the owner should be made in the form of an affidavit that also includes a statement from the owner agreeing to have a complete soil and site conditions or other circumstances permit.

- (b) A copy of the affidavit, in lieu of a soil and site evaluation report, must be included with a copy of the permit submitted to the Department as specified in s. 145.19 (3), Stats.

21.16 SANITARY RECONNECTIONS.

The issuing agent shall not issue a land use permit for the construction of a structure to be connected to an existing private sewage system, the reconstruction of a structure connected to an existing private sewage system, or the disconnecting a structure from an existing structure and connecting another structure to an existing private sewage system unless the owner provides the documentation required per Comm 83.055 Issuance of building permits.

21.17 TEMPORARY HOLDING TANKS PERMITS.

No sanitary permit shall be issued for a temporary holding tank unless the plan has state approval for the installation of a holding tank.

21.18 PRIVIES.

- (a) The storage chamber of a vault privy shall conform with the construction requirements for holding tanks, and shall have a minimum storage capacity of 200 gallons or one cubic yard. The storage chamber shall be anchored to prevent flotation caused by saturated soil conditions. Applicants for vault privies shall record a signed privy installation agreement and a signed holding tank agreement in the Register of Deeds Office.
- (b) Applicants for pit privies shall submit a soil evaluation report by a certified soil tester indicating conformance with limiting factors expressed in the plumbing code. The storage chamber of a pit privy shall be sited in soils recognized to provide treatment and dispersal in accordance with the plumbing code. Applicants shall record a signed privy installation agreement in the Register of Deeds Office.
- (c) The storage chamber for a pit or vault privy shall be provided with a vent for the purpose of relieving explosive gases. The vent shall be at least 3 inches in diameter, installed in accordance with s. Comm 82.31 (16)(a-f), and be fabricated or provided with screening to prevent insects from entering the storage chamber. All windows, ventilators and other openings of privies shall be screened to prevent insects from entering.
- (d) Servicing of a vault privy relative to the pumping, transporting and disposal of the contents shall be in accordance with ch. NR 113. Applicants shall provide a signed holding tank servicing contract with a licensed plumber prior to the issuance of a permit
- (e) Abandonment of a vault privy shall be accomplished by having the contents of the storage chamber pumped and disposed of in accordance with ch. NR 113, removing the entire top of the chamber, and filling the remaining portion of the emptied storage chamber with soil or other inert material to an elevation equal to the surrounding grade.
- (f) The abandonment of a pit privy shall be accomplished by filling the storage chamber with

soil or other inert material to an elevation equal to the surrounding grade.

(g) A privy shall not be installed in the floodway. A privy installed in the floodfringe shall comply with floodproofing and other applicable floodplain ordinance standards.

(h) Setbacks Requirements.

	Well	Structure	Lot line	Slope >12%	High water mark	Lake/Stream
PIT PRIVIES	50 feet	25 feet	25 feet	25 feet	50 feet	75 feet
VAULTED PRIVIES	25 feet	25 feet	25 feet	25 feet	50 feet	75 feet

(i) All privies shall be properly vented, rodent resistant, have a self-closing door, and be kept in a nuisance free condition.

(j) Public privies shall also comply with state requirements for public facilities.

21.19 WISCONSIN REPLACEMENT FUND PROGRAM.

Filing deadline for the application is December 15, applications received after the 15th of December will be processed the following year.

21.20 DISCLAIMER OF LIABILITY AND WARRANTIES.

(a) This section shall not create a liability on the part of or be a cause of action against the county or any officer, agent or employee thereof for any injury or damage that may result from reliance on this section of approval or denial of any permit or site.

(b) The issuance of a sanitary permit and the final inspection of such a system does not warrant the system's function nor is there a guarantee that the system is free from defects or that all aspects of the system comply with Wisconsin Statutes or Administrative Code requirements.

21.21 INTERPRETATION.

In their interpretation and application, the provisions of this section shall be held to be a minimum requirements and shall be a limitation or repeal of any other powers granted by the Wisconsin Statutes.

21.22 VARIANCES

Petitions for variances must be filed with the department. Requests shall be reviewed by the issuing agent prior to submitting to the department. The issuing agent shall add any relevant evidence regarding the request.

21.23 VIOLATIONS AND ENFORCEMENT.

- (a) The issuing agent shall investigate violations of the private sewage system ordinance, issue orders to abate the violations, and submit orders to the Corporation Counsel, the District Attorney or Attorney General for enforcement.
- (b) The issuing agent, pursuant to powers granted by Chapter 145, Wisconsin Statutes, shall investigate nuisances and issue orders to abate the violations and submit orders to the Corporation Counsel for enforcement.
- (c) Any person who violates any provision of Chapter 145 or any rules or regulations promulgated under such statute, and whoever violates any provisions, rules or regulations of this title, or any provision or regulation adopted by the Pierce County Board of Supervisors pursuant to the authority granted by this title shall, upon conviction, forfeit not less than \$100.00 plus cost of prosecution and in default thereof, shall be imprisoned in the County Jail not less than one day nor more than 30 days, and each day's failure to comply shall constitute a separate violation.

The provisions of any Pierce County citation ordinance adopted pursuant to Chapter 66.119, Wisconsin Statutes, authorizing the use and issuance of citations for violations, may also be used to enforce the terms and provisions of this title.

In addition, violations of the provision of this title and of the aforesaid Wisconsin Statutes and rules and regulations may be enforced by the bringing of a suit for injunctive relief.

An action to enjoin a violation of this title and any rules or regulations promulgated under this title may be commenced and prosecuted by Corporation Counsel of Pierce County.

In addition to such forfeiture or imprisonment, an action may be brought to enjoin, remove, abate, or vacate any use in violation of this title.

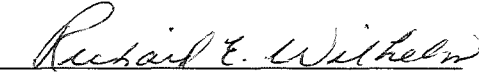
ORDINANCE 97-17


Amending the Pierce County Zoning Ordinance (10-28-97) to Adopt a Revised Zoning Map for the Town of Spring Lake.

The Board of Supervisors of Pierce County does Ordain as follows:

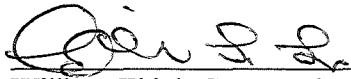
- Section 1: The Official Zoning Map for Pierce County be amended as shown on the attached map for the Town of Spring Lake.
- Section 2: The zoning map for Spring Lake as amended shall be in effect upon adoption of the county zoning ordinance by Spring Lake.
- Section 3: That this ordinance shall not be codified.

Approved this 24th day of February, 1998.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality


William Thiel, Corporation Counsel

ADOPTED FEBRUARY 24, 1998

ORDINANCE NO. 97-18

Ordinance - To Editorially Correct Section 2 of Ordinance No. 97-06; Repeal Provisions In Title 17 of the County Code

THE PIERCE COUNTY BOARD OF SUPERVISORS does hereby ordain as follows:

SECTION 1: WHEREAS, on September 30, 1997 the Pierce County Board of Supervisors did adopt Ordinance No. 97-06 which, in part, at Section 2 caused the repeal of certain sections of Title 17 of the County Code; and

WHEREAS, an editorial error was made in the description of the code sections to be repealed; and

WHEREAS, subsequent to the adoption of the Ordinance it has been determined by the Department of Land Management and its director that said errors occurred and need to be corrected; and

WHEREAS, the petition as and for change to the Zoning Code submitted to public hearing and for approval of the respective town boards under §59.69 did not contemplate the repeals in question but, rather, repeal of other sections of Title 17; and

WHEREAS, it is deemed to be in the best interest of the County and the towns participating in county zoning that said editorial errors be corrected.

SECTION 2: That in accord with Section 1 above, Section 2 of Ordinance No. 97-06 shall be and is hereby amended to read as follows:

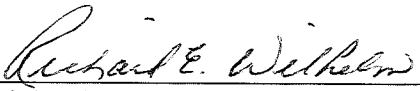
Sections 17.12, 17.20, 17.24, 17.64, 17.68, 17.72 and 17.76 of the Pierce County Code are hereby repealed.

SECTION 3: That the effective date of Section 2 above, as it amends Ordinance No. 97-06, shall be retroactive to September 30, 1997 in accord with the above stated intent that Sections 17.56 and 17.80 of Title 17 of the Pierce County Code be retained and not be repealed and that Sections 17.64 and 17.68 were intended to be repealed.

SECTION 4: This Ordinance shall not be codified. That it shall take effect upon its adoption and publication as required by law, subject to the retroactive application of Section 2 to September 30, 1997.

Dated this 24th day of February, 1998.

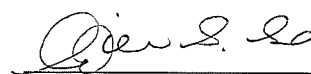
PIERCE COUNTY


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:


County Clerk


Corporation Counsel

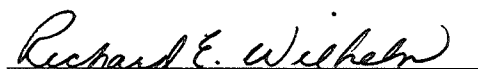
ADOPTED FEBRUARY 24, 1998


ORDINANCE 97-19
AMENDING APPEAL PROCEDURES IN TITLE 18 OF THE PIERCE COUNTY CODE

The Board of Supervisors of Pierce County does ordain:

- Section 1: Section 10.01 (3) shall be amended to insert (g) and renumber the following sections accordingly:
(g) Review and approve site plans pursuant to Section 11.03.
- Section 2: Section 10.02 (3) (e) shall be amended to read:
(e) In the case of all appeals, the Board of Adjustment may call upon the ~~Land Management Committee~~ administrator/planner of the Department of Land Management for all information pertinent to the decision appealed.
- Section 3: Section 10.02 (4) (a) shall be amended to read:
(a) Appeals. To hear and decide appeals, pursuant to s. 59.694, Wis. Stats., where it is alleged that there is an error or errors in any order, requirement, decision or determination made by the ~~administrator/planner or zoning administrator, or Land Management Committee~~. In exercising the above mentioned powers, the Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination which is the subject of the appeal, and to that end shall have all the powers of the officer from whom the appeal is taken.
- Section 4: Section 10.04 (13) shall be amended to read:
(13) Make referrals and recommendations to the Land Management Committee and Board of Adjustment in accordance with this Ordinance.
- Section 5: Section 11.03 (6) shall be amended to read:
(6) Appeals. Any person or persons aggrieved by any decision of the Land Management Committee's ~~or its designee~~ related to site plan review may appeal the decision to the ~~Board of Adjustment~~ Land Management Committee. Such appeal shall be filed with the zoning administrator within 30 days of the decision. ~~of the zoning administrator~~
- Section 6: Section 11.04 (11) shall be amended to read:
(11) Persons aggrieved by conditional use permits decisions issued by the Land Management Committee may, within thirty (30) days of the filing of each such decision in the office of the Zoning Administrator, file a certiori review action with the Pierce County Circuit Court.
- Section 7: This ordinance shall take effect upon passage and publication as required by law.

Approved this 24th day of March, 1998


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality:


William Thiel, Corporation Counsel

ADOPTED APRIL 21, 1998

RESOLUTION 97-1

RESOLUTION - TO ADOPT COUNTY INTERNET ETHICS POLICY

WHEREAS, Pierce County has made available computer resources for use by its employees, officers and agents, to better facilitate their production of services on behalf of County government and the citizens of the County; and

WHEREAS, one component of the availability of computer resources is access to the Internet, from which information may be obtained which is of benefit to Pierce County; and

WHEREAS, use of the Internet by employees, officers and agents of the county can both be subject to the potential for abuse and, if employees, officers and agents are not careful, may result in the unintentional distribution of confidential information or otherwise impact upon individual health, safety and welfare; and

WHEREAS, the Department of Solid Waste has drafted a policy for the ethical use of the Internet, which policy has been reviewed both by the personnel and computer committees; and

WHEREAS, the Personnel Committee recommends that the Department of Solid Waste Internet Policy be adopted for use by the County as a whole.

NOW, THEREFORE BE IT RESOLVED that upon recommendation of the Personnel Committee the Pierce County Board of Supervisors does hereby adopt as County-wide policy the attached Usage of Internet Policy, which policy shall guide, govern and restrict access to and use of the Internet via County computers, by employees, officers and agents of Pierce County, alike, in the course of their representation of the interests of Pierce County.

BE IT FURTHER RESOLVED that the County Clerk shall distribute copies of the attached policy, Exhibit "A", to all department heads and elected officers and, through those representatives, to each employee who has access to and may, in the course of his/her production of services on behalf of the County, have access to the Internet through the County's computer system.

Dated this 15th day of April, 1997.

PIERCE COUNTY


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED APRIL 15, 1997

PIERCE COUNTY POLICY - USAGE OF INTERNET

The Internet has become a de facto standard means of communication between disparate government, commercial, educational and private organizations.

Pierce County Departments can use this business tool in conformity with the best practices for governmental agencies. To the extent that officers and employees of the County will seek to utilize the Internet in their official capacities, each is responsible, however, for adhering to the guidelines in the following policy.

By definition, the Internet is a collection of computers, computer networks, communication protocols, information servers and personal and organizational informational retrieval clients connected together in a global community. Traffic may be cross multiple and involve different networks prior to reaching the client destination. There is no central authority on the Internet and all networks are equal in status to other networks.

Typical Internet services shall include the receipt and provision of information through: (1) electronic mail (E-Mail); (2) electronic discussion groups; (3) access to library or other information resources; and (4) transfer of files or other programs.

The Internet also provides opportunities to engage in long distance computing (i.e., using multiple computer sites for co-processing or completing complex computing tasks) and the ability to present information about a department or the county.

Under no circumstances should it be considered that communications sent and/or received over the Internet are private. Numerous individuals, over whom Pierce County has no control, may gain access to and intercept communications to and from Pierce County, its employees and officers sent over the Internet. In consequence, it is of the utmost importance that all employees and officers refrain, at all times, from transmitting or seeking the receipt of information over the Internet which is deemed by State or Federal law or regulations or Pierce County Code or policy to be confidential. **CONFIDENTIAL INFORMATION SHALL NOT BE TRANSMITTED NOR SOUGHT TO BE RECEIVED OVER THE INTERNET AT ANY TIME BY ANY OFFICER OR EMPLOYEE OF THE COUNTY.**

E-Mail messages constitute the property of Pierce County. E-Mail shall be used solely for the business purposes of the County with its primary intent being to increase the timeliness of and effectiveness of business communications by, to and on behalf of the County.

The use of the access to the Internet provided by Pierce County shall be strictly limited to employees and officers of the County and shall only be for official purposes associated with the performance of governmental or proprietary functions in the name of and on behalf of Pierce County. Correspondingly, all data and information received and/or transmitted shall be and shall remain the property of Pierce County and shall not belong to the individual employee or officer.

The use of Pierce County's access to the Internet shall constitute a privilege afforded to the individual officer or employee of the County in question, to facilitate greater efficiency and performance, economies of scale and to promote the timeliness of performance on the County's behalf. As a privilege, access to the Internet may be revoked with respect to any employee or officer who abuses his/her privilege, at any time, without prior notice and without the right to or expectation of any form of pre or post deprivation hearing or other accommodations. Employees who have been denied access to the Internet through Pierce County shall be expected, notwithstanding the loss of such privilege, to perform their jobs on a timely basis and in an efficient manner.

Uses of the Internet which are prohibited by Pierce County and which may result in a loss of use privileges or job related discipline or both shall include but not be limited to:

- illegal activities, as defined in accord with State or Federal law or local ordinances;
- wagering, betting or selling chances;
- harassment;
- commercial activities;
- solicitation, except in relationship to County sanctioned activities;
- promotion of political or private causes, positions or activities and/or undertaking activities deemed to be unethical;
- advertising or promotions;
- political lobbying;
- receipt of or transmission of pornographic or other unacceptable materials;
- the allowance by one with use privileges to a third party of access to and use of Pierce County's Internet service;
- the playing of games or engaging in personal, non-County related discussion groups or accessing resources for personal reasons;
- uses contrary to express instructions of supervisor within Pierce County hierarchy;
- transmission or receipt of information in the possession of Pierce County deemed to be confidential under State or Federal law or regulations or local ordinances;
- other private, non-governmental uses.

The failure or refusal of an employee or officer of the County to abide by this policy may, in addition to resulting in the loss, temporarily or permanently, of an employee's Internet use privileges, result in employment related sanctions, including but not limited to an oral or written reprimand, suspension with or without pay or termination of employment. Officers may be sanctioned in accord with applicable State statutes.

Additionally, should an employee or officer of the County engage in a use of the County's access to the Internet in a manner not consistent with this policy, the County reserves the right to contend, should a third party be injured as a result thereof, that the employee or officer in question was acting outside of the scope of his/her official responsibilities and, in the process, refuse to indemnify the employee or officer for damages and/or costs of defense should litigation ensue

In addition to the above described policy violations, because each Internet user's identification includes suffixes directly pertaining to Pierce County it is imperative that employees and officers not participate in news groups, chat groups or bulletin boards where the content is not clearly and appropriately related to his/her official responsibilities because messages conveyed might be construed as an official County or departmental position.

It is further understood that E-Mail messages must be able to withstand public scrutiny without embarrassment to a department or the County, it being potential that messages may be forwarded beyond the intended recipient, accessed by third parties or inadvertently disclosed, subpoenaed in a legal action or otherwise made public.

In their use of E-Mail employees and officers shall use generally accepted standards of business conversation. They shall utilize good judgment in the type of message created, the tone and content of messages. Content shall always be construed as personal opinion unless it is specifically set forth as County or departmental position.

Incoming E-Mail messages containing attachments may imperil the County and its systems by importing viruses. All employees and officers shall routinely scan such attachments for viruses prior to using or executing the attachments.

Because the physical security of messages cannot be guaranteed in most E-Mail systems, employees and officers must, before sending a message by E-Mail, determine whether its contents are susceptible to public disclosure or must be maintained confidentially.

It is the responsibility of each department head and/or work supervisor to oversee the use of the Internet by Pierce County employees and to determine if Internet services are appropriate modes upon which an employee can perform his/her assigned work. Although the content of E-Mail messages or other usage of the Internet may not routinely be monitored the County reserves the right to monitor and, where necessary, to disclose the contents of E-Mail messages or other data for the purposes of enforcing this policy in the best interests of Pierce County. Furthermore, contents of E-Mail messages may be subject to subpoenas and other legal process at all times.

RESOLUTION 97-2

Resolution - To designate April 13-19, 1997 as Pierce County Crime Victims' Rights Week

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN
LADIES AND GENTLEMAN:

WHEREAS, one violent crime is committed in America every 18 seconds; and

WHEREAS, 36.9 million Americans are victimized in the United States each year, and of those, 9.9 million are victims of violent crime; and

WHEREAS, crime victims play an indispensable role in bringing offenders to justice; and

WHEREAS, law-abiding citizens are no less deserving of justice, rights, resources, restoration, and rehabilitation than the violent offenders who victimize them; and

WHEREAS, crime victims and their advocates over the past two decades have made unparalleled progress toward balancing the scales of justice in our criminal justice system; and

WHEREAS, the bells of liberty and justice are ringing across America in support of the millions of survivors of crime, their families and advocates who deserve justice; and

WHEREAS, as a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore, and expand crime victims' rights; and


WHEREAS, Pierce County Victim/Witness Assistance Program is joining forces with victim service programs, criminal justice officials and concerned citizens throughout Pierce County and America to observe *National Crime Victims' Rights Week*;

THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors designates the week of April 13 to April 19, 1997 as *Pierce County Crime Victims' Rights Week*; and

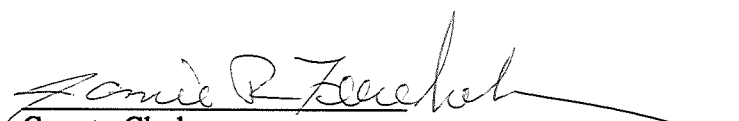
BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors reaffirms a commitment to address victims' rights and criminal justice issues during 1997 *Pierce County Crime Victims' Rights Week* and throughout the year.

Dated this 15th Day of April, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED APRIL 15, 1997

Resolution No. 97-03

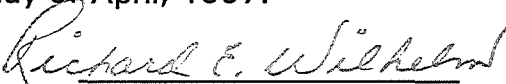
Resolution to Authorize Transfer of Funds From General Fund Into
MCH Nutrition

WHEREAS, the Finance Committee has been requested to recommend to the County Board of Supervisors that \$6,708 be transferred into acct #227-19-54142 to offset the 1995 deficit.

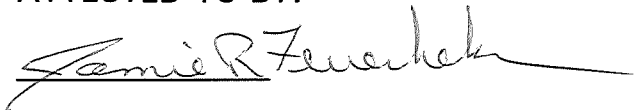
WHEREAS, the Finance Committee did on October 14, 1996, authorize transfer of the sum of \$6,708 from the General Fund into acct #227-19-54142, subject to County Board approval and, correspondingly, recommends the same to the full County Board.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$6,708 be and is hereby authorized to be transferred from the General Fund into acct #227-19-54142 for the purpose expressed above.

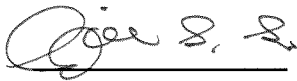
Dated this 15th day of April, 1997.


Richard Wilhelm, County Board Chairman

ATTESTED TO BY:



APPROVE AS TO
FORM AND LEGALITY BY:



ADOPTED APRIL 15, 1997

RESOLUTION NO. 97-04

RESOLUTION - TO ADOPT 1997 SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES AND ELECTED OFFICIALS

WHEREAS, the Personnel Committee has duly considered both the existing salaries for non-represented employees and the elected officials of Pierce County; and

WHEREAS, part and parcel of said analysis has been consideration of the 1996 DMG Salary Matrix; and

WHEREAS, the Personnel Committee recommends that the former 10 step Matrix be modified by decreasing step increases beyond the mid-point to 1% over the mid-point and extending the Matrix to 13 steps, together with revamping the Matrix to place employees within such a 13 step Matrix system; and

WHEREAS, the Personnel Committee has duly met and hereby recommends salary increases, subject to the step 10 salary Matrix system, as and for non-represented employees and elected officials for the 1997 calendar year, retro-active to January 1, 1997.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors as follows:

- A. Retro-active to January 1, 1997 all non-represented employees of the County (with the express exception of those set forth by description in paragraph C., below) shall receive a 3% increase in base salary calculated upon the basis of the 10 step salary Matrix as it exists prior to 4-15-97.
- B. That it hereby adopts the Personnel Committee's recommended modification to the 1996 David M. Griffiths & Associates, Ltd., salary Matrix for Pierce County by modifying the former 10 step matrix system to a 13 step Matrix by decreasing step increases beyond the mid-point to 1% over the mid-point and by extending the said matrix to 13 steps and that it hereby orders and directs that employees of the County be placed into the 13 step matrix system, as revised during 1997
- C. Employees above step 10 on the salary Matrix as it exists prior to 4-15-97 shall receive a non-base adjustment of 3% paid quarterly.
- D. Retro-active to January 1, 1997, elected officials of the County shall receive the following salary increases, above and beyond their 1996 base salaries:
 1. Sheriff \$3,996.00;
 2. County Clerk \$1,072.00;
 3. Clerk of Circuit Court \$2,305.00;
 4. Register of Deeds \$3,984.00; and
 5. County Treasurer \$3,984.00.

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to non-represented employees and elected officials, to the extent that their base salaries have been increased effective on or after January 1, 1997 said employees and officials shall receive the corresponding benefits, based on base salary, in accord with the County's existing plan.

BE IT FURTHER RESOLVED that the total sum of not to exceed \$20,000 on an as needed basis shall be transferred from the Contingency Fund to the appropriate line items in individual departmental budgets for the purpose of defraying the base and non-base salary increases identified above for non-represented employees.

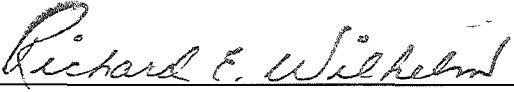
BE IT FURTHER RESOLVED that the sum of \$19,037 be transferred from the Contingency Fund to the respective departmental budgets to defray the base salary adjustments as and for elected officials.

BE IT FURTHER RESOLVED that an amount estimated at \$15,000 shall be transferred from the Contingency Fund to meet the anticipated costs of additional benefit expenses attributable as and against the increased base salaries afforded to non-represented employees and elected officials as set forth above.

BE IT FURTHER RESOLVED that to the extent called for above, this Resolution shall be retro-active to January 1, 1997.


Dated this 15th day of April, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:

The questions was divided and adoption was for the elected officials only.


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corperation Counsel

RESOLUTION NO. 97-05

RESOLUTION - TO IMPLEMENT DAVID M. GRIFFITH & ASSOCIATES, LTD. STUDY AS TO ORGANIZATION AND STAFFING OF PIERCE COUNTY PUBLIC HEALTH DEPARTMENT

WHEREAS, the County Board of Supervisors authorized David M. Griffith & Associates, Ltd., Madison, Wisconsin, to perform an organization and staffing study of the Pierce County Public Health Department; and

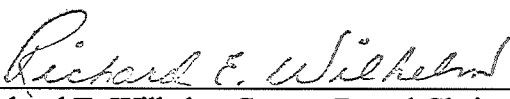
WHEREAS, said study has been completed and a draft report has been issued thereupon; and

WHEREAS, both the DMG Steering Committee and Board of Health have reviewed the said organization and staffing study of the Pierce County Public Health Department and recommended its adoption by the full County Board of Supervisors.

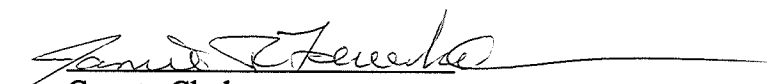
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that upon recommendation of the DMG Steering Committee and Board of Health, it hereby goes on record as approving of the implementation of the organization and staffing study of the Pierce County Public Health Department, as set forth in the draft report of David M. Griffith & Associates, Ltd., dated March 31, 1997.

Dated this 15th day of April, 1997.

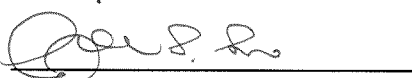
PIERCE COUNTY BOARD


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED APRIL 15, 1997

RESOLUTION 97-06

RESOLUTION - TO AMEND ARTICLE VII, B., PERSONNEL POLICY - PAYROLL ADMINISTRATION; AUTHORIZATION FOR DIRECT DEPOSIT

WHEREAS, Pierce County has established a personnel policy which, in part, at Article VII. B. establishes the method of payment of wages to employees of the County; and

WHEREAS, the current policy does not provide for or allow the County, as employer, to pay wages and salaries in the form of direct deposit into an individual employee's bank account or accounts; and

WHEREAS, for the convenience of the employees and to increase administrative efficiency, it is deemed to be in the best interests of the County to offer direct deposit of employee paychecks into not more than two bank accounts designated by each employee; and

WHEREAS, in order to place into effect such a policy requires amendment of the existing Personnel Policy at Article VII. B.; and

WHEREAS, direct deposit should be offered to all non-represented employees and those represented employees whose collective bargaining agents are in concurrence with said plan.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record as being in favor of and as implementing a direct deposit policy pursuant to the terms of which employee wages and salary checks shall not physically be handed to employees on paydays but, instead, shall be electronically transmitted to a bank account or bank accounts of each individual employee's choice.

BE IT FURTHER RESOLVED that said policy shall be as set forth and attached "Exhibit A".

BE IT FURTHER RESOLVED that the Corporation Counsel is instructed, pursuant to this Resolution, to draft an amendment to Article VII. B. of the Personnel Policy to effectuate the terms and conditions of attached Exhibit "A".


BE IT FURTHER RESOLVED that this Resolution shall take effect immediately for non-represented employees and, for represented employees, after collective bargaining agents' approval of said policy has been solicited and an open enrollment period has been extended to employees, which effective date shall commence with the payroll of July 18, 1997.

Dated this 24th day of June, 1997.

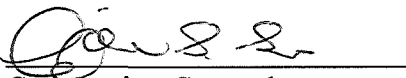
PIERCE COUNTY BOARD


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

EXHIBIT "A"

VII. Payroll Administration

B. Payment of Wages

- (1) Method of payment - All county employees shall be paid either by order checks signed by the authorized county officials or pursuant to direct deposit, as described at (4) below.
- (2) Pay Period and Pay Day - Except for some positions, county employees shall be paid every other Friday. County Board Supervisors shall be paid at any payroll providing vouchers have been submitted to the office of the County Clerk four (4) days prior to the pay day.
- (3) Check Distribution - Employee payroll checks shall be issued by the County Treasurer's Office at 11:30 a.m. on each pay day. Employees NOT WORKING on Friday pay day, may, with prior notification, pick up their checks in the County Treasurer's Office between 4:15 p.m. and 4:30 p.m. on Thursday. Undistributed checks for absent employees shall be held under security until the employee picks up the check ~~of~~ it is mailed to him or her at the employees request.
- (4) Direct Deposit - Pierce County will offer direct deposit of salary and wage checks to all employees, effective July 18, 1997. Participation in this program shall be entirely voluntary. Those employees who desire to participate shall be required to execute a written authorization. Each June 30 and December 31 following the initial offering of this plan, enrollment shall be open, at which time employees may choose to participate or may, if already participating, withdraw their consents to participate. In addition, the opportunity to enroll shall be extended to all new county employees as of their first day of employment notwithstanding the open enrollment dates set forth above.

The County Direct Deposit Plan shall be made available to all non-represented employees and to those represented employees whose bargaining units approve of this plan in the form of a Side Letter Agreement.

The plan components shall be as follows:

- a. Each employee shall designate in writing not more than two (2) banks and not more than two (2) accounts, either savings or checking, into which deposits shall be made pursuant to instruction. If an Employee designates more than one (1) account, he/she shall instruct the County in writing as to the exact dollar amount or percentage of net pay to be placed in one (1) of the accounts. The remainder shall be deposited in the second account designated.

- b. Net pay shall be remitted to the designated account and bank at approximately 9:00 A.M. on Friday of each payroll week. In the event that a payroll Friday falls on a recognized holiday for Pierce County, the deposits shall be made on the day before said holiday.
- c. Each participating employee shall receive a stub which shall display gross income, withholding and other deductions and net pay. The net pay shall represent the amount remitted electronically to the employee's bank account. A record of the amount so rendered shall be provided to the employer at the time of the next payday.
- d. In addition to deciding whether or not to commence or continue participation, on each reopening date of the plan, employees may change the designation of the account and bank to which direct deposit shall be made. In addition, should an employee close the account to which direct deposits are made pursuant to his/her direction, it shall be incumbent upon each such employee to immediately and, at a minimum, at least five (5) days prior to the date of the next payroll, to advise the office of the County Clerk of the change and instruct the clerk in writing of the new account and/or bank to which direct deposits shall be remitted thereafter.
- e. Employees who choose not to participate in the direct deposit program shall receive a payroll check disbursed by the Treasurer's office under the current Personnel Policy.

RESOLUTION 97-07

RESOLUTION - SUPPORTING RESOLUTION 97-14 OF THE ONEIDA COUNTY BOARD OF SUPERVISORS AND RESOLUTION 275-397 OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS REQUESTING THE STATE LEGISLATURE TO AMEND §111.70, WIS. STATS., AS IT RELATES TO BINDING ARBITRATION

WHEREAS, the Pierce County Board of Supervisors is concerned that under the current municipal collective bargaining law, §111.70, Wis. Stats., it is unable to adequately represent the interests of the Pierce County taxpayers and formulate annual budgets consistent with the limitations applied against county budgets under State law; and

WHEREAS, both the Oneida County and La Crosse County Boards of Supervisors did recently adopt a Resolution, No. 97-14, requesting the State Legislature to amend §111.70, Wis. Stats., which governs municipal collective bargaining; and

WHEREAS, Pierce County is in support of §111.70, Wis. Stats., being amended in one or more of the fashions requested of the Legislature in the Oneida County and La Crosse County Resolutions, copies of which are attached hereto as Exhibit "A".

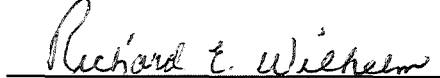
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it goes on record as requesting the State Legislature to amend §111.70, Wis. Stats., in one or more of the following respects by a legislation adopted during the forthcoming legislative session:

- (1) Do not allow access to binding arbitration on economic issues when a qualified economic offer has been made by the municipal employer, similar to the Qualified Economic Offer (QEO) provision in State law for professional school district employees;
- (2) Adopt the same procedures as are used for State employment labor relations which allow for collective bargaining but without binding arbitration or the right to strike;
- (3) Change the factors that arbitrators consider so the local economic conditions are given the greatest weight, with wage weights in other counties given much less weight; and
- (4) Modify retroactivity so that if good faith bargaining has been shown to exist, retroactivity would be significantly limited.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to each County Board chairperson in the State of Wisconsin, as well as to each member of the State Senate and State Assembly, as well as to the Governor of the State and the director of the Wisconsin Counties Association.

Dated this 15th day of April, 1997.


PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

Mailed 4/28

ADOPTED APRIL 15, 1997

RESOLUTION NO. 97-08

COUNTY AID BRIDGE CONSTRUCTION
UNDER SECTION 81.38 OF THE STATUTES

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

LADIES AND GENTLEMEN;


WHEREAS, the various towns hereinafter named have filed petitions for County Aid in the construction of Bridges under Section 81.38 of the Statutes, said petitions are hereby granted, and the county's share is appropriated as follows:

Town	Job No.	Bridge	Amount of County Aid Granted	Amount Raised by Local Units
Clifton	330.0114	1090th St., .7 mi So of C.T.H. "M"	7,456.34	7,456.34
Clifton	330.0115	1250th St., Pipe #1	750.00	750.00
Clifton	330.0116	1250th St., Pipe #2	750.00	750.00
Ellsworth	330.0323	710th St., N. of 490th	350.00	350.00
Ellsworth	330.0328	610th Ave. W. of 610th St.	4,701.36	4,701.36
Ellsworth	330.0331	490th Ave.	654.37	654.38
Ellsworth	330.0332	580th Ave.	3,892.73	3,892.73
El Paso	330.0634	490th St., .1 mi N. of 410th Ave.	2,703.98	2,703.98
El Paso	330.0635	270th St., .05 mi. No. of 450th Ave.	3,378.47	3,378.47
El Paso	330.0636	270th St., .5 mi N. of 450th Ave.	1,893.56	1,893.57
El Paso	330.0637	270th St., .7 mi N. of 450th Ave.	3,018.26	3,018.26
El Paso	330.0639	270th St., .1 mi S. of 490th Ave.	781.17	781.17
Gilman		Various Cave Creek Bridges & Approaches (1000-96-65)	2,503.52	2,503.53
Gilman		Cave Creek Bridge & Approaches B-47-0130 (1000-96-66)	20,184.35	20,184.35
Hartland	330.084	210th Ave., Project #1	520.04	750.00
Hartland	330.085	210th ave., Project #2	1,556.61	1,556.62
Hartland	330.086	210th Ave., Project #3	748.59	750.00
Hartland	330.0818	210 St., S. of USH 10	7,691.18	7,691.19
Martell	330.1229	710th St., S. of 730th Ave.	652.46	652.47
Oak Grove		Wind River Bridge & Approaches B-47-0149 (7888-01-70)	12,024.29	12,024.30
River Falls		Trimbelle River Bridge & Approaches B-47-0148 (7886-01-71)	11,243.90	11,243.90
Rock Elm		Eleven (11) Various Pipes	24,470.65	25,058.20
Salem	330.1716	270th Ave. W. of 410th Ave.	6,817.71	6,817.71
Salem	330.1717	410th Ave., E. of 450th Ave.	4,925.36	4,925.36
Salem	330.1718	490th St., S. of 410th Ave.	1,002.23	1,002.23
Salem		385th St., Bridge B-47-0150 (7896-01-70)	18,765.09	18,765.09
Spring Lake		Stein Bridge B-47-0144 (1000-96-18)	1,263.29	1,263.29
Union		190th St., Culvert #1	1,153.83	1,153.83
Union		190th St., Culvert #2	981.33	981.33
Totals			146,834.67	147,653.66

The County Board does hereby levy a tax to meet said appropriations on all of the property in the county which is taxable for such purpose.

WARNING: It is directed that provision of this levy shall be made in the county budget, but that this levy shall not be duplicated.


DATED this 15th day of April, 1997.
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman


PIERCE COUNTY HIGHWAY DEPARTMENT

Steve Schoeder, Chairman

ATTESTED TO:

By: 
County Clerk

APPROVED AS TO
FORM AND LEGALITY:

By: 
Corporation Counsel

RESOLUTION NO. 97-09

RESOLUTION - TO AUTHORIZE EXECUTION OF AGREEMENT FOR DISPOSAL OF DREDGE MATERIAL BY U.S. ARMY CORPS OF ENGINEERS ON COUNTY LAND

WHEREAS, the Pierce County Highway Department owns a gravel pit located on lands owned by the County which constitutes a suitable site for deposition of dredge materials from the Mississippi River, which materials are dredged from the river by a government contractor; and


WHEREAS, pursuant to the instructions of the Highway Committee, the Highway Commissioner has negotiated an agreement with the U.S. Army Corps of Engineers, which agreement has been reviewed and revised by the Corporation Counsel; and

WHEREAS, the Highway Committee recommends to the County Board that said agreement for a limited term lease of the County gravel pit for deposition of dredge spoil materials be entered into, subject to the consideration and responsibilities of the government and its contractor, set forth in the attached agreement.


NOW, THEREFORE BE IT RESOLVED BY THE PIERCE COUNTY BOARD OF SUPERVISORS that it hereby authorizes Chairperson Richard Wilhelm to execute the attached agreement with the United States of America, Department of the Army, Army Corps of Engineers, as and for use of a County gravel pit site for deposition of dredge spoil materials taken from the Mississippi River by a government contractor.

Dated this 27th day of May, 1997.

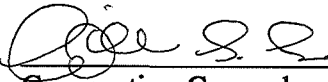
PIERCE COUNTY


Richard E. Wilhelm
County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED MAY 27, 1997

RESOLUTION NO. 97-11

RESOLUTION - TO ADOPT AND IMPLEMENT DAVID M. GRIFFITH & ASSOCIATES, LTD. STUDY AS TO ORGANIZATION, MANAGEMENT AND STAFFING OF PIERCE COUNTY ADMINISTRATIVE SERVICES AND COMMITTEE STRUCTURE

WHEREAS, the County Board of Supervisors authorized David M. Griffith & Associates, Ltd., Madison, Wisconsin, to perform an independent study of the organization, management and staffing of the County's administrative services and its County Board committee structure; and,

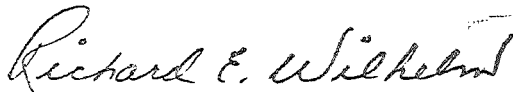
WHEREAS, said study has been completed and a report has been issued thereupon; and

WHEREAS, the DMG Steering Committee has reviewed the said report and recommended its adoption by the full County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that upon recommendation of the DMG Steering Committee it hereby goes on record as approving the adopting and implementation of the ORGANIZATION, MANAGEMENT AND STAFFING OF THE PIERCE COUNTY ADMINISTRATIVE SERVICES AND COMMITTEE STRUCTURE, as set forth in the final report of David M. Griffith & Associates, LTD., dated June 18, 1997.

Dated this 24th day of June, 1997.

PIERCE COUNTY BOARD



Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:



County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:

Corporation Counsel

ADOPTED JULY 22, 1997

RESOLUTION NO. 97-12

RESOLUTION - TO APPROVE OF LEASE OF OFFICE SPACE TO WISCONSIN DEPARTMENT OF TRANSPORTATION, DIVISION OF MOTOR VEHICLES

WHEREAS, Pierce County has surplus office space available which has, in the past, been rented to the State of Wisconsin, Department of Transportation, Division of Motor Vehicles for local office purposes; and

WHEREAS, an agreement has been arrived at for the lease of said office space in the courthouse on the second, fourth and fifth Wednesday of each month for an indefinite term; and

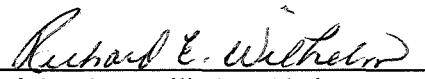
WHEREAS, the Corporation Counsel has reviewed the proposed agreement and finds it to be in order; and

WHEREAS, it is deemed in the best interests of the County to enter into such an agreement.


NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record ratifying the attached Lease Agreement pursuant to which space in the County Courthouse shall be leased to the Wisconsin Department of Transportation, Division of Motor Vehicles, subject to the County's right to withdraw from said lease on sixty (60) days written notice.

Dated this 27th day of May, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED MAY 27, 1997

RESOLUTION 97-13

**ON BEHALF OF A BI-PARTISAN TRANSPORTATION STRATEGY
AND SUPPORTING USER FEE INCREASES FOR THE
STATE TRANSPORTATION BUDGET**

WHEREAS, Pierce County's economic well being depends on a quality, safe and efficient transportation system; and

WHEREAS, the last Legislature failed to adopt the Wisconsin Department of Transportation's budget proposal for the 1995-96 biennium which included revenue increases to fund our state's documented transportation needs; and

WHEREAS, the failure to adopt a budget for the current biennium which contained sufficient revenue has caused delays in the completion of many planned transportation projects, will result in a deterioration in the quality of life of our citizens; jeopardize the public safety; create major impediments to the economic growth in the state; and make Wisconsin's businesses and industries less competitive in the state, national and world markets; and

WHEREAS, the inadequacy of existing funding levels has been recognized by numerous organizations, including the Department of Transportation, the Transportation Development Association of Wisconsin, the Wisconsin Study Committee, the Wisconsin County Highway Association, the Wisconsin Counties Association, and AFSCME, AFL-CIO as well as many other; and

WHEREAS, such delays threaten our transportation infrastructure in ways which are detrimental to local economic development and which could lead to additional property tax burdens; and

WHEREAS, failure to address transportation infrastructure investments in the 1997 - 1999 State of Wisconsin Biennial budget will result in higher costs and the need for even more sizable user fee increases in subsequent budgets; and

WHEREAS, transportation projects enjoy great public support and provide a consensus point for business, government, labor and Wisconsin specific interests such as agriculture, forestry and tourism; and

WHEREAS, the public in general and Wisconsin voters in particular reject partisanship and political gamesmanship on vital public interest items like transportation infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors call upon members of the Wisconsin Legislature to adopt a bipartisan transportation budget which meets documented highway maintenance and construction needs; and

BE IT FURTHER RESOLVED THAT, the Pierce County Board of Supervisors support the following user fee increases to be devoted to transportation funding: a three (3) cent per gallon increase in the motor fuel tax; a ten dollar increase in motor vehicle registration fees; and the modification of the gas tax indexing formula to eliminate the consumption factor; and

BE IT FURTHER RESOLVED THAT, the Pierce County Board of Supervisors ask that these revenues be used to answer pressing needs reconstruction and resurfacing of state highways in Pierce County; increase funds for local roads and streets, including returning counties to a 30% share of costs in General Transportation Aids and enhancing the County Highway Improvement Program; and

BE IT FINALLY RESOLVED THAT, the Pierce County Board of Supervisors forward copies of this resolution to Governor Tommy G. Thompson, our State Representatives and Senators, Department of Transportation Secretary Charles Thompson and the Wisconsin Counties Association.

Dated this 27 day of May, 1997.

PIERCE COUNTY BOARD

Richard E. Wilhelm
Richard Wilhelm, Chairman

ATTESTED TO BY:

Jamie R Feuerhelm
County Clerk

I, Jamie Feuerhelm, as county clerk do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the County of Pierce at the meeting held May 27, 1997.

Jamie R Feuerhelm

APPROVED AS TO
LEGALITY BY:

Joel S. L.
Corporation Counsel

Sent 6/10/97

RESOLUTION 97-14

RESOLUTION - TO ADOPT SAFETY RELATED POLICIES FOR USE BY COUNTY DEPARTMENTS

WHEREAS, the Highway Committee and Highway Department have engaged the services of a safety consultant for the purpose of providing training related to safety standards prescribed under rules of the State of Wisconsin Department of Industry, Labor and Human Relations; and

WHEREAS, the consultant has recommended to the Department and Committee that it adopt 3 policies to guide activities of County employees and agents;

WHEREAS, it is deemed to be appropriate on a County-wide basis to adopt these policies for the purposes of guiding not only the performance of employees of the Highway Department but, additionally, those of all affected County Departments; and

WHEREAS, the Highway Committee recommends to the County Board of Supervisors that it adopt the policies so recommended.


NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that upon recommendation of the Highway Committee it hereby goes on record as ratifying, for use by all County Departments, employees, agents and officers, the safety policies proposed for the Highway Department through its consultant, R. & F. Safety Consulting, those policies being identified as follows:

- (1) Trenching and Excavation Policy;
- (2) Crane, Hoist & Sling Safety Policy;
- (3) Forklift Policy.

BE IT FURTHER RESOLVED that original copies of the policies in question shall be maintained at the office of the Pierce County Highway Department, Highway Commissioner, with copies made available to all affected Departments, employees and agents of the County.

Dated this 27th day of May, 1997.


PIERCE COUNTY BOARD OF SUPERVISORS


Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION 97-15

**RESOLUTION COMMENDING 4-H DELEGATES AND VOLUNTEERS FOR
INTERNATIONAL 4-H YOUTH DEVELOPMENT EXCHANGE**

WHEREAS, Pierce County takes part in a formal four county interstate exchange program for 4-H youth development participants from Pierce, Pepin, Saint Croix and Dunn Counties;

WHEREAS, eight Pierce County 4-H delegates selected by special application, and four adult volunteer chaperons will represent the county and the State of Wisconsin from July 14-20, 1997;

WHEREAS, the trip participants are: Joshua Turner age 15, son of Brad and Tricia Turner, Olivet Otters 4-H Club; Wendy Kannel age 15, daughter of Ron and Caroline Kannel, Olivet Otters 4-H Club; Tina Geraets age 15, daughter of Bob and Kathy Geraets, Rock Elm Skyrockets 4-H Club; Stephanie Geraets age 15, daughter of Steve and Virginia Geraets, Rock Elm Skyrockets 4-H Club; Amber Jakes age 15, daughter of Don and Lori Jakes, Royal Rushers 4-H Club; Maria Maier age 15, daughter of Robert and JoAnn Maier, Big River Hustlers 4-H Club; Steve Day age 15, son of Bert and Harriet Day, Mann Valley 4-H Club; and Peter Kimball age 16, son of Mark and Susan Kimball, Martell Rushers 4-H Club;

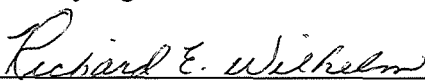
WHEREAS, the 4-H adult volunteer chaperons are: Susan and Mark Kimball of River Falls and Beverly and John Bierbrauer of Ellsworth;

WHEREAS, these individuals will be traveling to the Canadian province of Nova Scotia in a unique and educational exchange of international cultures befitting the Cooperative Extension 4-H program goals of leadership and life skill education;


THEREFORE BE IT RESOLVED that the Pierce County Agriculture and Extension Education Committee along with the County Board of Supervisors commend these youth delegates and adult volunteers on their special selection for this international 4-H youth development exchange and wish them safe travel and Godspeed as they represent Pierce County and the State of Wisconsin in Nova Scotia.

DATED this 24th day of June, 1997


Respectfully submitted,
Pierce County Agriculture and Extension Education Committee


Richard Wilhelm, County Board Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION

97-16

— TO IMPLEMENT THAT PORTION OF THE DAVID M. GRIFFITH AND ASSOCIATES, LTD. STUDY PERTAINING TO CREATION OF ADMINISTRATIVE COORDINATOR POSITION —

WHEREAS, the Board of Supervisors retained David M. Griffith and Associates, Ltd. (hereinafter "DMG") to produce a study on the organization, management and staffing of Pierce County's administrative service areas and committee structure; and

WHEREAS, DMG has returned a report, dated June 6, 1997, containing recommendations for the County to follow; and

WHEREAS, first and foremost among DMG's recommendations is that the County contemplate creating the position of Administrative Coordinator and staffing it on a full-time basis with a person possessing proven ability in the areas of human relations, financial management and governmental organization; and

WHEREAS, the DMG report contains a number of recommendations which may be implemented, from time to time, as Pierce County deems to be appropriate; and

WHEREAS, it is of importance to the County to first obtain the services of an Administrative Coordinator before seeking to implement other recommendations of DMG in its June 6, 1997 report

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record as accepting the DMG report of June 6, 1997 as to the organization, management and staffing study of Pierce County's administrative service areas and committee structure, specifically pertaining to DMG's recommendations that the County create the position of Administrative Coordinator in accord with Wisconsin law and staff said position with a person skilled in the areas of human relations, financial management and governmental organization.

BE IT FURTHER RESOLVED that the County shall implement that portion of the DMG report and recommendations pertaining to the position of Administrative Coordinator by establishing a Search Committee whose charge it shall be to develop a job description and, in conjunction with the Finance and Personnel Committees, to establish a budget and salary for such a position and, additionally, to solicit candidates for the same.

BE IT FURTHER RESOLVED that the said Search Committee shall consist of four County Board Supervisors, two department heads and one outside consultant.

ADOPTED JULY 22, 1997

BE IT FURTHER RESOLVED that the Search Committee shall be immediately empowered to engage in its work pursuant to this Resolution and that it shall commence its search for a full-time Administrative Coordinator as soon as possible.

Dated this 24th day of June, 1997.

PIERCE COUNTY

By: Richard E. Wilhelm
Richard Wilhelm, County Board Chairman

ATTEST:

Jamie R. Feuerhake
County Clerk

RESOLUTION 97-17

Resolution Relating To The County Of Pierce Participation In The Wisconsin Community Development Block Grant For Economic Development Program

WHEREAS, Federal monies are available under the Community Development Block Grant program administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Industrial Development Committee has recommended that an application be submitted to the State of Wisconsin for the following projects: A loan to The Berquist Company to assist in the purchasing of new equipment; and

WHEREAS, it is necessary for the County Board, to approve the preparation and filing of an application for the County to receive funds from this program; and

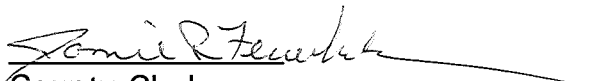
WHEREAS, the County Board has reviewed the need for the proposed project(s) and the benefit(s) to be gained therefrom;

NOW, THEREFORE, BE IT RESOLVED, that the County Board does approve and authorize the preparation and filing of an application for the above name project(s); and the Board Chairman is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Industrial Development Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

DATED this 24th day of June, 1997.


County Board Chairman, Richard Wilhelm

ATTESTED BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:

Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION 97-19

RESOLUTION - TO CREATE PERMANENT .4 FTE LEGAL SECRETARY POSITION IN THE OFFICE OF CORPORATION COUNSEL

WHEREAS, due to an increase work load resulting from juvenile cases, commitment and guardianship cases, more secretarial assistance is required by the office of the Corporation Counsel; and

WHEREAS, the Personnel Committee at its meeting of June 13, 1997 approved of the creation of a permanent .4 FTE (728 hours per year) Legal Secretary position in said office, effective immediately for the period ending on December 19, 1997 for a total of 364 hours; and

WHEREAS, the Finance Committee did approve funding of said position in the amount of \$5,957 with \$2,917 transferred from the Contingency Fund.

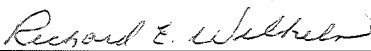
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby creates in the office of the Corporation Counsel a permanent .4 FTE (728 hours per year) Legal Secretary position effective immediately subject to the limitation that for the remainder of the year of 1997 no more than 364 hours of work be presented through said employee to the County.

BE IT FURTHER RESOLVED that \$2,917 shall be transferred from the Contingency Fund to fund said position for the remainder of the 1997 calendar year.

BE IT FURTHER RESOLVED that said employee be paid at the rate of \$11.52 per hour, plus contributions toward retirement, health insurance and FICA/Medicare.

Dated this 24th day of June, 1997.

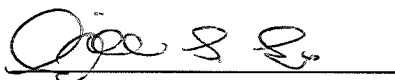
PIERCE COUNTY


Richard E. Wilhelm
County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY


Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION 97-20

RESOLUTION - TO CREATE TEMPORARY FINANCIAL RECORDER POSITION IN FAIR DEPARTMENT

WHEREAS, the Personnel Committee, pursuant to request of the Fair Committee, did at its meeting of June 13, 1997 act to recommend creation of a limited term Fair Department position of Financial Recorder; and

WHEREAS, said position is to be effective retro-active to June 9, 1997 for a period not to extend beyond October 24, 1997; and

WHEREAS, the need for said position is to be reviewed by the Fair Committee prior to formulation of the 1998 budget; and

WHEREAS, the Finance Committee approved the transfer of \$8,602 from the Contingency Fund into the Fair account to fund this limited term position; and

WHEREAS, it is deemed in the best interests of Pierce County to create and fill said position.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record as creating a limited term position of Financial Recorder in the Fair Department.

BE IT FURTHER RESOLVED that said position shall be created for the term commencing with June 9, 1997 and extending through October 24, 1997 during which the employee shall be limited to no more than 480 work hours.

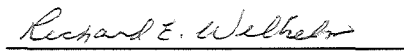
BE IT FURTHER RESOLVED that the wage for said position shall be \$14.84 per hour and that FICA/Medicare payments and retirement system contributions shall be made on the employee's behalf.

BE IT FURTHER RESOLVED that the sum of \$8,602 be transferred from the Contingency Fund into the Fair account to partially fund said position.


BE IT FURTHER RESOLVED that the Fair Committee shall review the necessity of said position at or before the time of formulation of its budget requests to the full County Board of Supervisors for the 1998 fiscal year.

Dated this 24th day of June, 1997.

PIERCE COUNTY


Richard E. Wilhelm
County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION NO. 97-21

WAGE AND SALARY TREATMENT OF PART-TIME AND TEMPORARY PERSONNEL, PIERCE COUNTY FAIR

WHEREAS, Resolution 94-27 has established a system for compensating temporary and part-time County Fair employees; and

WHEREAS, as interpreted by the Corporation Counsel, Resolution 94-27 does not meet with the current intent of the Fair Committee and its Fair Coordinator; and

WHEREAS, so as to provide greater flexibility in both hiring and retaining individuals for part-time and temporary employment positions at the Fair, it is deemed in the best interests of Pierce County that the Fair Committee be granted broader authority than is allowed under Resolution 94-27.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that to the extent that Resolution 94-27 establishes a wage and salary compensation system for temporary and part-time employees of the Pierce County Fair, said Resolution is hereby expressly repealed.

BE IT FURTHER RESOLVED that effective upon the date of adoption of this Resolution, the following wage and salary structure for part-time and temporary employees of the Pierce County Fair is hereby implemented:

- A. Part-time Employees. Employees who work part-time on an annual basis shall be compensated according to the following schedule which shall be implemented from the beginning of employment onward for a given employee unless there is a break or cessation in the employment relationship lasting at least ten (10) months:

Step 1:	\$5.55 for the first 500 hours ;
Step 2:	\$6.50 for service between 500 and 1,000 hours;
Step 3:	\$7.45 for 1,000 to 1,500 hours; and
Step 4:	\$8.40 for in excess of 1,500 hours.

The second, third and fourth steps above shall be subject to the recommendation of the Fair Coordinator and the Standing Committee. Wage increases beyond the fourth step shall be at the discretion of the Personnel Committee, subject to recommendation of the Coordinator and Standing Committee. Hours of service shall be accumulated from year to year for purposes of application of the step system set forth above.


- B. Temporary Employees. Temporary employees shall be hired at the step 1 rate for part-time employees set forth immediately above, in which category they shall remain for a period of five (5) years of continuous temporary employment. Movement beyond step 2 shall be at the discretion of the Fair Coordinator with the approval of the Standing Committee and the Personnel Committee. The sole exception to this shall be that, subject to the discretion of the Fair Coordinator and with the approval of the Standing Committee, security and first-aid personnel may be moved to step 2 and from there to steps 3 and 4 without first serving 5 years of continuous temporary employment at the step 1 level.

BE IT FURTHER RESOLVED that for purposes of this Resolution "temporary" employees shall be defined as those employees whose services are retained to assist the County strictly with respect to putting on the annual Pierce County Fair. The term "part-time" employee shall refer to all other employees who do not work on an annualized full-time basis as otherwise defined in accord with the Pierce County Personnel Policy.

RESOLUTION NO. 97-21

Dated this 24th day of June, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY


Corporation Counsel

RESOLUTION 97-22

**RESOLUTION TO APPROPRIATE FUNDS FROM THE GENERAL FUND FOR
SNOWMOBILE TRAIL GROOMER**

WHEREAS, the Pierce County Snowmobile Council has recommended the replacement of one of their trail groomers at a cost of \$81,000, and

WHEREAS, the Pierce County Snowmobile Council has funds in the amount of \$41,000 to apply to the purchase of a 1996 Production LMC Series 1800 groomer, and

WHEREAS, the Pierce County Snowmobile Council Requests a loan in the amount of \$40,000 to fund the balance of the purchase, and

WHEREAS, the Finance Committee has reviewed the request and recommends that it be approved.

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors authorize the transfer of \$40,000 from the General Fund to fund the balance of the purchase price of \$81,000 for the 1996 Production LMC Series 1800 groomer, and

BE IT FURTHER RESOLVED that the amount of \$40,000 be appropriated to the Pierce County Snowmobile Council October 1, 1997, with the amount repaid at a rate of \$8,000 per year or more per year for five years, and

BE IT FURTHER RESOLVED that payments in the amount of \$8,000 shall be due October 1 of each year beginning in 1998 and for four years thereafter, and

BE IT FURTHER RESOLVED that the Council be directed to repay the loan balance at a rate of 5% interest on the unpaid balance with principal and interest deposited into the General Fund.

BE IT FURTHER RESOLVED that the Corporation Counsel shall draft a note to be executed by the Council to represent their obligation to repay the principal and interest mentioned above in this Resolution.

DATED this 24th day of June, 1997.



Richard Wilhelm, Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JULY 22, 1997

PROMISSORY NOTE

WHEREAS, Pierce County (hereinafter the "Lender"), acting by and through its County Board of Supervisors did by adoption of Resolution 97-22 at its meeting of July 22, 1997 grant to the Pierce County Snowmobile Council (hereinafter the "Borrower") a loan of \$40,000 to apply against the purchase price for a 1996 production LMC Series 1800 Snowmobile Trail Groomer at a cost of \$81,000; and

WHEREAS, the Borrower acknowledges its responsibility in accord with this Promissory Note to repay this obligation to the lender.

NOW THEREFORE WITNESSETH:

The Borrower hereby acknowledges that on or about October 1, 1997 the sum of \$40,000 shall have been transferred on its account and to it by the Lender for the express purpose of defraying a portion of the purchase price for a 1996 production LMC Series 1800 Snowmobile Trail Groomer and that the Borrower hereby agrees that said sum shall be repaid to the Lender in the following fashion: \$8,000 in principal shall be paid by the Borrower to the Lender on or before October 1 of each year beginning with the calendar year of 1998 and concluding with October 1, 2002. In addition at the time of each annual payment of principal under this note, the Borrower shall, on the declining balance, remit to the Lender the sum of simple interest at the rate of 5% per anum.

The Borrower hereby acknowledges consideration to sustain its obligation under this note in favor of the Lender.

Dated this 24th day of JULY, 1997.

PIERCE COUNTY SNOWMOBILE COUNCIL

By:

President Bob Farnell
Vice Pres Wally Hines
Sec. Don Rader
Treas. Scott Rypers

RESOLUTION NO. 97-23

RESOLUTION OPPOSING SENATE BILL 150 AND ASSEMBLY BILL 262

WHEREAS, Senate Bill 150 and Assembly Bill 262, eliminate the portion of property tax levied by the Counties that support specific services if those services are provided by the municipality, and

WHEREAS, the bills have the affect of establishing a user fee form of taxation and will create an accounting problem for the municipalities involved, and

WHEREAS, the proponents of the bills are recommending consolidation or streamlining the provision of services, and

WHEREAS, other measures may be more effective in accomplishing the task, this resolution opposes SB 150 and AB 262 and recommends that a Legislative Council Study be conducted for the examination of the effect of and procedures necessary for consolidation or streamlining the provision of local government services which will address the limited home rule of the county acting as an arm of the State and the full home rule of the municipalities of the county.

WHEREAS, the Pierce County Board of Supervisors goes on record opposing SB 150 and AB 262 because it does not accomplish either consolidation of services or streamlining of service provision for the municipalities or the county, but instead creates an administrative problem for the involved municipalities, and

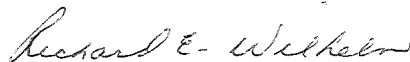
BE IT RESOLVED, that the Pierce County Board of Supervisors requests a Legislative Council Study of the local government provision of services including recommendations for procedures to be followed by the involved municipalities, addressing the limited home rule of the counties and full home rule of the municipalities, and

BE IT FURTHER RESOLVED, that through such a study the involved parties including citizens at large, tax payer alliances, municipal representatives, and county representatives will be part of the discussion regarding the services provided and "best means" of provision, and therefore will be part of the planning of any substantive change to the present service provision and necessary budget adjustments, and

BE IT FINALLY RESOLVED, that the Pierce County Clerk be directed to forward a copy of this resolution to the 71 other county boards, the Tax Payer's Alliance, the Wisconsin Alliance of Cities, the Wisconsin Towns Association, the Wisconsin Counties Association, the Pierce County State Legislators and the Governor of the State of Wisconsin.


Dated this 24th day of June, 1997

Pierce County Board of Supervisors



Richard Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JUNE 24, 1997

RESOLUTION 97- 24

RESOLUTION - TO AMEND COUNTY INTERNET ETHICS POLICY RESOLUTION 97-1

WHEREAS, the Pierce County Board of Supervisors did on April 15, 1997 adopt Resolution 97-1 establishing a County Internet Ethics Policy; and

WHEREAS, the Pierce County Veterans Service office, in order to participate in a personal loan program on behalf of interested veterans, which program is maintained by the State of Wisconsin, Department of Veterans Affairs, has need to transmit confidential information over the Internet by officers and employees of the County on behalf of said veterans; and

WHEREAS, under the current Internet Policy, said transmission is prohibited; and

WHEREAS, amending the Internet Policy to afford access to the Internet on behalf of veterans through the County Veterans Service office would be beneficial to those veterans; and

WHEREAS, it is deemed to be in the best interests of the citizens of Pierce County who are veterans to so amend the policy.

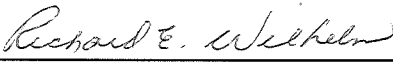
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby amends Resolution 97-1 which incorporated by reference a new County policy entitled "Usage of Internet" by incorporating in said policy the following language:

To the extent that this policy prohibits the transmission of confidential information over the Internet by officers or employees of the County, an express exception shall be made for the Department of Veterans Services with respect to its participation in programs of the Wisconsin Department of Veterans Affairs which are serviced or may be serviced in a secure manner over the Internet.


BE IT FURTHER RESOLVED that this amendment to Resolution 97-1 and the policy incorporated therein by reference shall take effect upon adoption.

Dated this 24th day of June, 1997.

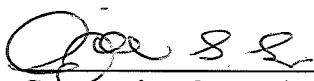
PIERCE COUNTY BOARD


Richard E. Wilhelm
County Board Chairman

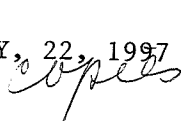
ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED JULY 22, 1997

 7/24/97

RESOLUTION 97-25

To Authorize the Sale of Surplus Real Estate

WHEREAS, Pierce County owns an 80 acre parcel obtained by a warranty deed in November, 1990; and

WHEREAS, the County does not presently use or need, nor is it foreseeable that it will ever use or need this property; and

WHEREAS, an adjoining property owner has offered to purchase it from the County; and

WHEREAS, the Finance Committee, at their May 30th meeting, determined it would be to the benefit of the County and its taxpayers to return this land to the tax rolls.

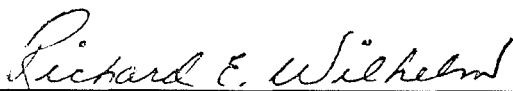
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby authorizes the sale of the following described real estate to Gerald and Donna Constant at a price of \$58,501:

The South half (S 1/2) of the Northwest Quarter
(NW 1/4), Section two (2), Township twenty-six
North (T26N), Range Seventeen (17) West

BE IT FURTHER RESOLVED that the County Clerk and County Chairman are hereby authorized to execute a quit-claim deed in favor of Gerald and Donna Constant for the above described property, upon payment to the County of the sum of \$58,501.

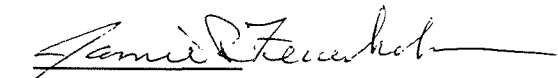
Dated this 24th day of June, 1997

PIERCE COUNTY BOARD OF SUPERVISORS



Richard Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:

Corporation Counsel

ADOPTED AUGUST 26, 1997

RESOLUTION 97-26

RESOLUTION - TO ADOPT 1997 SALARY SCHEDULE FOR NON-
REPRESENTED EMPLOYEES

WHEREAS, the Personnel Committee has duly considered the existing salaries for non-represented employees of Pierce County; and

WHEREAS, part and parcel of said analysis has been consideration of the 1996 DMG Salary Matrix; and

WHEREAS, the Personnel Committee has duly met and hereby recommends salary increases, subject to the step 10 salary Matrix system, as and for non-represented employees for the 1997 calendar year, retro-active to January 1, 1997.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors as follows:

- A. Retro-active to January 1, 1997 all non-represented employees of the County (with the express exception of those set forth by description in paragraph B., below) shall receive a 3% increase in base salary calculated upon the basis of the 10 step salary Matrix as it exists prior to 6-27-97.
- B. Employees above step 10 on the salary Matrix as it exists prior to 6-27-97 shall receive a non-base adjustment of 3% paid quarterly.

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to non-represented employees to the extent that their base salaries have been increased effective on or after January 1, 1997 said employees shall receive the corresponding benefits, based on base salary, in accord with the County's existing plan.

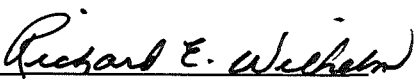
BE IT FURTHER RESOLVED that the total sum of not to exceed \$44,100 on an as needed basis shall be transferred from the Contingency Fund to the appropriate line items in individual departmental budgets for the purpose of defraying the base and non-base salary increases identified above for non-represented employees.

BE IT FURTHER RESOLVED that an amount estimated at \$10,000 shall be transferred from the Contingency Fund to meet the anticipated costs of additional benefit expenses attributable as and against the increased base salaries afforded to non-represented employees as set forth above.

BE IT FURTHER RESOLVED that to the extent called for above, this Resolution shall be retro-active to January 1, 1997.

Dated this 22nd day of July, 1997

PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED JULY 22, 1997

RESOLUTION NO. 97-27

RESOLUTION - TO AUTHORIZE PHASE III DESIGN PROPOSAL AGREEMENT WITH VOORHIS ASSOCIATES, INC. - LAW ENFORCEMENT CONSULTATION PROJECT

WHEREAS, Voorhis Associates, Inc., has performed Phase I and Phase II analyses of Pierce County's needs for a new Law Enforcement Center; and

WHEREAS, Voorhis Associates, Inc. has recommended that the County proceed to a Phase III design proposal, which proposal has been discussed by the Finance Committee; and

WHEREAS, the proposal would be Voorhis Associates to engage in assisting, monitoring and evaluating the work of an architectural team designing a facility; and

WHEREAS, the Finance Committee is in approval thereof and recommends the retention of their services in this respect.

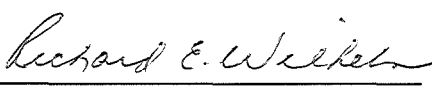
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby authorizes a transfer from the contingency fund in an amount not to exceed \$28,285 as and for funding the performance by Voorhis Associates, Inc., of the Phase III Judicial Center Design Phase monitoring an evaluation of work of the architectural team.

BE IT FURTHER RESOLVED that the sum due and owing to Voorhis Associates, Inc., as and for the Phase III services shall not exceed \$28,285.

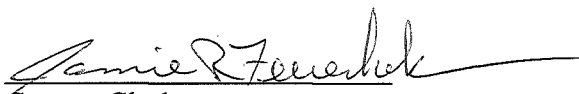
BE IT FURTHER RESOLVED that the Corporation Counsel shall assist the County in preparing a contract representing its needs and interests as to Phase III of the Law Enforcement Project with Voorhis Associates, Inc.

Dated this 22nd day of July, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED AUGUST 26, 1997

DISALLOWANCE OF CLAIM

Gary and Judith Rohl
vs.
COUNTY OF PIERCE

WHEREAS, a Notice of Claim for Damages dated June 19, 1997, was received on June 24, 1997, in the Office of the Pierce County Clerk; and,

WHEREAS, in said Notice of Claim for Damages Rohl's attorney alleges that on August 13, 1995, at approximately 8:20 a.m., on CTH "J" .75 miles north of 690th Avenue located in Martell Township, Pierce County, Wisconsin, Amy Rohl was operating an automobile which left the traveled portion of CTH "J" resulting in a one car accident in which Amy Rohl sustained conscious pain and suffering and later died.

WHEREAS, Rohl's attorney alleges that the injuries and resulting death were solely and proximately caused by the negligence of Pierce County, its agents, servants and/or employees, in its acts, omissions and want of repair of CTH "J" as well as by reason of the insufficiency or want of repairs of the highway pursuant to Wis. Stats. Sec. 81.15.

WHEREAS, Rohl's attorney alleges as a direct and proximate result of this accident, Judith Rohl, as special administrator for the estate of Amy Rohl, has a claim for the conscious pain and suffering which Amy Rohl incurred prior to her death in the amount of One Hundred Thousand and No/100 (\$100,000) Dollars.

WHEREAS, Rohl's attorney alleges as a direct and proximate result of this accident, Gary Rohl, as the surviving father of Amy Rohl, has filed a claim for the loss of society and companionship of his daughter, Amy Rohl, has incurred pecuniary loss and will continue to incur said losses in the future, all to his damage in the amount of Five Hundred Thousand and No/100 (\$500,000) Dollars.

WHEREAS, Rohl's attorney alleges as a direct and proximate result of this accident, Judith Rohl, as the surviving mother of Amy Rohl, has a claim for the loss of society and companionship of her daughter, Amy Rohl, has incurred pecuniary loss and will continue to incur said losses in the future, all to her damage in the amount of Five Hundred Thousand and No/100 (\$500,000) Dollars.

WHEREAS, Rohl's attorney alleges that as a direct and proximate result of this accident, Judith Rohl, as special administrator for the estate of Amy Rohl, has a claim for funeral and burial plot expenses in the amount of Seven Thousand Five Hundred Twenty-Six and No/100 (\$7,526.00) Dollars.

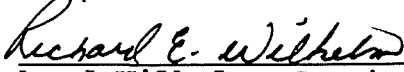
WHEREAS, after review of this matter by the Corporation Counsel's office, said office recommends that the claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the claim submitted on behalf of Judith and Gary Rohl is hereby denied, and no action on this claim may be brought against Pierce County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, pursuant to Wisconsin Statutes 893.80.

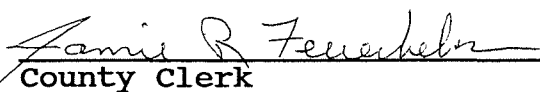
BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to: Ardell W. Skow, Doar, Drill & Skow, S.C., Office Park, P.O. Box 546, Baldwin, WI. 54002-0546, by certified mail, return receipt requested, as a notice of disallowance.

DATED this 22nd day of July, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS


Richard Wilhelm, County Board Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM AND
LEGALITY BY:


Corporation Counsel

RESOLUTION 97-29

RESOLUTION - TO AMEND RESOLUTION 97-19 TO CREATE .4 FTE LEGAL SECRETARY POSITION IN OFFICE OF CORPORATION COUNSEL

WHEREAS, pursuant to Resolution 97-19 the Pierce County Board of Supervisors did create the part-time position of Assistant Legal Secretary in the office of the Corporation Counsel; and

WHEREAS, said position was created subject to a limitation of hours expressed in terms of being no greater than .40 full-time equivalency position; and

WHEREAS, in order to accommodate vacations and other scheduled and unscheduled leaves within that office of Henri Jansa it is required to increase the amount of time allocated to said position; and

WHEREAS, due to an oversight this requirement was not incorporated in the original Resolution; and

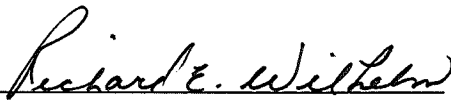
WHEREAS, the Personnel Committee recommends that Resolution 97-19 be amended in the fashion herein described.

NOW, THEREFORE BE IT RESOLVED BY THE PIERCE COUNTY BOARD OF SUPERVISORS that it hereby amends Resolution 97-19 calling for the creation of the part-time Assistant Legal Secretary position in the office of the Corporation Counsel by expanding the allocation of time for said position from .40 to .48 full-time equivalency.

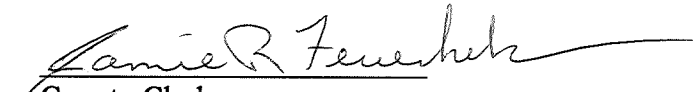
BE IT FURTHER RESOLVED that in all other respects Resolution 97-19 shall remain in full force and effect as originally adopted by the Board of Supervisors at its meeting in June, 1997.

Dated this 26th day of August, 1997.


PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED SEPTEMBER 30, 1997

RESOLUTION LOWERING SPEED LIMIT ON CTH "CC"

WHEREAS, Section 349.11(1) , Wisconsin Statutes, states that local authorities with respect to highways under their jurisdiction may adjust highway speed limits in certain cases; and,

WHEREAS, "local authorities" includes the County Board; and,

WHEREAS, local authorities may determine that any statutory speed limit is greater or less than is reasonable or safe under the conditions found to exist upon any part of the highway or that the actual speed of vehicles upon any part of the highway is greater or less than is reasonable and prudent; and,

WHEREAS, it has been investigated and reported by the Highway Department and the Highway Committee to the County Board that the new Spring Valley School's driveway access to CTH "CC" makes it unsafe for vehicles to travel at 55 M.P.H. from the junction of STH "29" and CTH "CC" south 0.6 miles; and

WHEREAS, Sec. 349.11(5) states: "that local authorities shall place and maintain upon highways where the speed limit is modified by them.....standard signs giving notice of speed and all speed signs so erected shall conform to the rules of [the Department of Transportation]"; and,

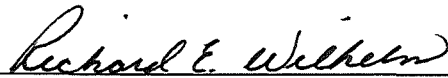
WHEREAS, Section 11.04.010 of the Pierce County Code expressly adopts Wisconsin Statutes by reference as they pertain to traffic; and,

WHEREAS, Section 346.57, Wisconsin Statutes, indicates that is a violation to drive faster than the posted speed limits;

SO NOW THEREFORE BE IT RESOLVED, that the speed limit on the aforementioned section of roadway shall be 45 M.P.H.;

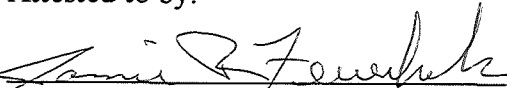
BE IT FURTHER RESOLVED, that the Highway Department shall place and maintain appropriate speed limit signs on that stretch of the roadway.

DATED this 26th day of August, 1997.



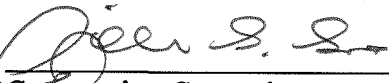
Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:



County Clerk

Approved as to form and legality:



Corporation Counsel

ADOPTED SEPTEMBER 30, 1997

Resolution 97-31

TO IMPLEMENT THAT PORTION OF THE DAVID M. GRIFFITH AND ASSOCIATES,
LTD., STUDY PERTAINING TO CREATION OF
BUSINESS MANAGER - PUBLIC HEALTH DEPARTMENT

WHEREAS, the Board of Supervisors retained David M. Griffith and Associates, Ltd. (hereinafter "DMG") to produce a study on the organization and staffing of the administrative, financial and clerical support areas of the Pierce County Public Health Department; and

WHEREAS, DMG has returned a report, dated April 8, 1997, which contains a number of recommendations for the Public Health Department which may be implemented, from time to time, as Pierce County deems to be appropriate; and

WHEREAS, DMG identifies a weakness in the area of financial management and reporting and recommends creating the position of Business Manager on a full-time basis; and

WHEREAS, the Business Manager will coordinate accounting, budgeting and fiscal reporting of the Pierce County Public Health Department.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record as accepting the DMG recommendation to create the position of Business Manager for the Pierce County Public Health Department and staff said position with a person skilled in the areas of development and maintenance of accounting, budgeting, auditing and related record keeping and reporting activities.

BE IT FURTHER RESOLVED that the Personnel Committee shall, in consultation with David M. Griffith and Associates, and subject to its recommendations of April 7, 1997, develop a job description for the position.

BE IT FURTHER RESOLVED that the salary and fringe benefits for this position shall be established pursuant to the schedule prepared by David M. Griffith and Associates.

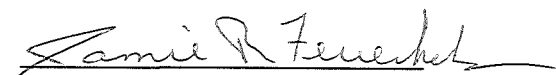
BE IT FURTHER RESOLVED that after it has developed the job description, the Personnel Committee shall be directed to immediately begin recruitment for the position of Business Manager for the Pierce County Public Health Department.

DATED this 26th day of August, 1997.



Richard Wilhelm, County Board Chair

Attested to by:



County Clerk

Approved as to form and legality:



Corporation Counsel

ADOPTED AUGUST 26, 1997

RESOLUTION NO. 97-32

RESOLUTION - TO AMEND THE PIERCE COUNTY PERSONNEL POLICY REGARDING COUNTY RESIDENCY

WHEREAS, the Pierce County Board of Supervisors has determined that County employees should be residents of Pierce County, the following Resolution is hereby adopted, amending the Pierce County Personnel Policy as follows:


F. County Residency

Applicants for employment with Pierce County need not be residents of the County. However, non-represented employees hired on or after _____, 1997, must establish residence in Pierce County within one and one-half years (18 months) after the employee's first day of work for the County. The above referenced time-frame shall include an employee's twelve (12) months probationary period. An employee who satisfactorily completes his or her probationary period will then have an additional six (6) months in which to establish residency in Pierce County. No later than at the time a non-represented position is filled the successful applicant shall be informed of this requirement and shall, as a condition of employment, execute a statement acknowledging his/her intent to comply with this policy.

Any non-represented employee who fails to comply with the terms of this paragraph shall be subject to immediate discharge. An employee discharged for violation of this paragraph may have decision reviewed under the Grievance Procedure of the Pierce County Personnel Policy. Requests for exemptions to the requirement of this paragraph must be submitted, in writing, to the Personnel Committee.

Dated this 26th day of August, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED OCTOBER 28, 1997

Whereas, the Pierce County Board of Supervisors has determined that certain County employees should be residents of Pierce County (when and where did we determine this I wonder), the following Resolution is hereby adopted, amending the Pierce County Personnel Policy as follows:

F. County Residency

Subject to Q. below, in which case it is mandatory.

1. Pierce County residency may be a requirement listed in the position description for a non-represented position.

2. Non-represented personnel in Emergency Government and the in Sheriff's Department ~~should~~ live within thirty minutes commuting distance to Ellsworth, WI. *shall*

RESOLUTION 97-33

RESOLUTION IN SUPPORT OF THE MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION'S ECONOMIC DEVELOPMENT PLANNING EFFORTS AND CONCURRENCE WITH THE ANNUAL UPDATE OF THE OVERALL ECONOMIC DEVELOPMENT PROGRAM (OEDP) REPORT.

WHEREAS, the OEDP Report shall be updated annually to maintain a perspective evolving potentials and constraints affecting economic development in the county and the nine county region, and

WHEREAS, this (OEDP) update maintains eligibility of funding from the U.S. Department of Commerce-Economic Development Administration for public works grants, business loans, and technical assistance research grants that lead to business expansion and job creation in the nine county region, and

WHEREAS, the Pierce County Board of Supervisors actively supports and currently participates in the Economic Development District activities of the Mississippi River Regional Planning Commission (MRRPC), and

WHEREAS, this report also serves as an economic database to assist development investment decisions, and

WHEREAS, as a result of the participation and cooperative efforts of the nine participating MRRPC counties the Commission is eligible for Economic Development Planning Funds from the U.S. Department of Commerce Economic Development Administration,

WHEREAS, an increased level of understanding and cooperation between units of government and agencies would improve opportunities for economic development in the region,

NOW THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby concur with the 1997 Overall Economic Development Program (OEDP) Report and supports the Mississippi River Regional Planning Commission's application to the Economic Development Administration for planning funds,

BE IT FURTHER RESOLVED, that two original copies of this Resolution be transmitted to the office of the Mississippi River Regional Planning Commission to document Pierce County's desire to cooperate with the other counties in the Mississippi River Regional Planning Commission.

Dated this 30th day of September, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS

Richard E. Wilhelm
Richard Wilhelm, County Board Chairman

ATTESTED TO BY:

Jamie Feuerhelm
County Clerk

APPROVED AS TO
LEGALITY BY:

[Signature]

I, Jamie Feuerhelm, as county clerk do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the County of Pierce at the meeting held Sept. 30, 1997.

ADOPTED SEPTEMBER 30, 1997

RESOLUTION 97-34

**RESOLUTION SUPPORTING CONTINUED STATE FUNDING OF THE
KINNICKINNIC PRIORITY WATERSHED PROJECT WITHIN PIERCE COUNTY**

WHEREAS, the State of Wisconsin Non-Point Source Program has recognized the importance of the Kinnickinnic River watershed in Pierce County, and has made the commitment to provide funding to support efforts to improve and protect water quality in this priority area; and

WHEREAS, the Kinnickinnic Priority Watershed Project has been planned by local staff and stakeholders within new guidelines developed by the Department of Natural Resources to assure cost-effectiveness; and

WHEREAS, innovative partnerships and collaborative efforts that went into the planning of the Kinnickinnic Priority Watershed Project would be lost and the trust and relationships built among stakeholders would be difficult to re-establish with the elimination or reduction of funding provided to Pierce County; and

WHEREAS, the County's investment of staff time, money, equipment, and credibility would be lost with the elimination or reduction of State funds committed to Kinnickinnic Priority Watershed Project; and

WHEREAS, the elimination or reduction of State funding to the Kinnickinnic Priority Watershed Project could result in a failure to utilize Federal EQIP funding that has been committed to the project area under the assumption that watershed staff would be used for the implementation of conservation practices; and

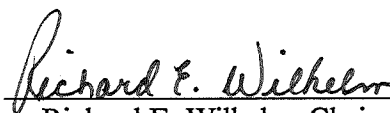
WHEREAS, Pierce County is rapidly changing and urbanizing, the planning completed to date would be obsolete if this watershed project were to be revisited at a later time; suspension of this project would essentially mean that all efforts to this date would be irreclaimable

NOW, THEREFORE, BE IT RESOLVED, the Pierce County Board of Supervisors strongly encourages the State of Wisconsin to honor its commitment to continue its funding of the existing Kinnickinnic Priority Watershed Project within Pierce County.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Land Water Conservation Board Members, the secretary of the D.N.R., all State and Federal Legislators whose districts include Pierce County and to D.A.T.C.P. and W.L.C.A.

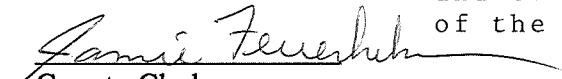
Dated this 30th day of September, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:

9/30/97: Amended: BE IT FURTHER RESOLVED,.....
and to D.A.T.C.P. and W.L.C.A. and the Governor
of the State of Wisconsin.


County Clerk

APPROVED AS TO
FORM AND LEGALITY:


Corporation Counsel

ADOPTED SEPTEMBER 30, 1997

Cert 10/1/97

RESOLUTION NO 97-35

RESOLUTION - TO ADOPT COVENANTS FOR TRENTON INDUSTRIAL PARK

WHEREAS, Pierce County owns real estate in the Town of Trenton which it wishes to have developed for industrial and light industrial purposes as the Trenton Industrial Park; and

WHEREAS, it is deemed to be in the interest of the County and its Highway Department, which maintains operations on said property, to establish covenants to run with the land, binding owners and occupants of sites in the industrial park to certain restrictions deemed to be in the best interests of the County and all other users of the park; and

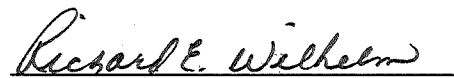
WHEREAS, the Industrial Development Committee has prepared covenants to run with the land which it recommends to the County Board of Supervisors for its adoption.

NOW, THEREFORE BE IT RESOLVED BY THE PIERCE COUNTY BOARD OF SUPERVISORS that it hereby ratifies adoption of the attached "Exhibit A" as covenants which are to be attached to the property owned by the County and known as the Trenton Industrial Park, establishing standards for future use of said property by owners and occupants of sites in the Trenton Industrial Park, to be developed by Pierce County.

BE IT FURTHER RESOLVED that the attached covenants shall be legally affixed and attached to each parcel of real estate which is conveyed from Pierce County to a third party and that, initially, the covenants shall be recorded as and against all property located in and known presently as the Trenton Industrial Park.

Dated this 30th day of September, 1997.


PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED OCTOBER 28, 1997

RESOLUTION 97-36
(As Amended On The Floor Of The County Board)

**AGREEMENT TO SETTLE INJUNCTIVE LAWSUIT:
PROCH PROPERTY EASEMENT**

WHEREAS, Pierce County conveyed real estate adjoining the County Fairgrounds, referred to as Outlot 104, Village of Ellsworth Assessor's Plat and commonly referred to as the Proch Property, to a third party in 1964 subject to a reservation to itself of a permanent and perpetual easement on the west gate entrance and road leading to the County Fairgrounds, together with the road, gates and ticket house at the west gate entrance in their location at that time, as well as a permanent and perpetual easement to the parking facilities located on the described outlot for the period of the Pierce County Fair only; and

WHEREAS, in 1992, the County was required to bring an injunctive action against the then owner of Outlot 104 in a case captioned Pierce County v. Roger Hines and Entertainment Diversified Company of Ellsworth, Inc., Pierce County Circuit Court Case No. 92CV73; and

WHEREAS, the County was awarded a permanent injunction in said lawsuit against interference with its easement rights by Entertainment Diversified Co. of Ellsworth, Inc., and its successors in title; and

WHEREAS, a portion of Outlot 104 has subsequently been conveyed from Entertainment Diversified Company of Ellsworth, Inc., to Richard H. Doom and Janet L. Doom, who are in the process of having a structure erected upon their part of Outlot 104 to be leased to the United States Government for use as a post office for the Village of Ellsworth; and

WHEREAS, the owner of the remaining portion of Outlot 104, Entertainment Diversified Co. of Ellsworth, Inc., has announced plans to erect a car wash structure and appurtenant facilities on its portion of said parcel; and

WHEREAS, the combination of the new post office building and car wash will, barring agreement with Pierce County, substantially interfere with the County's retained easement rights, identified generally above; and

WHEREAS, Pierce County has filed a lawsuit against Richard H. Doom and Janet L. Doom and Entertainment Diversified Company of Ellsworth, Inc., as Case No. 97CV218, Pierce County Circuit Court, seeking injunctive relief against interference by either or both of said Defendant owners of portions of Outlot 104 with Pierce County's retained easement rights; and

WHEREAS, the Finance Committee did meet with representatives of the named Defendants in the above-captioned lawsuit, as a result of which concessions on the part of one or both of the Defendants acceptable to the Finance Committee, and in furtherance of the County's interest in Outlot 104 have been made; and

WHEREAS, the Finance Committee hereby recommends the following settlement to the County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it hereby accepts the recommendation of the Finance Committee and that it shall accept an agreement of the Defendants in the lawsuit captioned Pierce County v. Richard H. Doom and Janet L. Doom and Entertainment Diversified Company of Ellsworth, Inc., jointly and severally, that in exchange for the County's agreement to dismiss its injunctive lawsuit, the said Defendants and both of them shall agree to the following:

1. That that certain parcel of land approximately 100 by 300 foot in area immediately adjacent to that to the north of Outlot 104 which is owned by Pierce County and upon which is located a gully and/or uneven ground shall be cleared of trees and brush and shall be leveled out for use by the County for parking purposes during the annual Pierce County Fair. In addition, a storm sewer and culvert shall be installed to

facilitate the run-off of water. All of said work and improvements shall be performed subject to and with the approval of a duly designated representative of the Pierce County Highway Department. All labor and materials shall be supplied at the expense of the Defendants.

2. They shall arrange with the Village of Ellsworth to allow for parking along the following Village streets so as to facilitate parking thereupon during the time of the annual Pierce County Fair in accord with the attached letter and map:

Cairns, Grant, Hollywood and Charlotte

Furthermore, they shall arrange with the State of Wisconsin to remove the no parking restrictions along S.T.H. 65 as it adjoins Outlot 104 on the grounds of the Pierce County Fair during the time of the annual County Fair.

3. The Defendants shall jointly and severally execute a Quit Claim Deed to Pierce County as to that portion of Outlot 104 which is currently contained within the existing fence of the Pierce County Fairgrounds, to the extent that said fence extends beyond the true property line. The Pierce County Surveyor shall prepare a legal description for such parcel.
4. The fill identified under 1., above, shall be covered with black dirt and seeded no later than May 31, 1998, at the sole expense of the Defendants.

BE IT FURTHER RESOLVED that upon acknowledgment, in the form of a written stipulation by the named Defendants, that they are in agreement with and shall fulfill the responsibilities identified above, the Corporation Counsel is instructed to dismiss the above referred to lawsuit.

BE IT FURTHER RESOLVED that in exchange for the Defendants' willingness to enter into such a stipulation and fulfillment of the obligations required thereby, Pierce County shall relinquish its right and interest in Outlot 104 to a permanent and perpetual easement to use of the parking facilities on said Outlot during the annual Pierce County Fair. All other rights reserved to Pierce County in accord with the reservation of rights in the Deed of July 28, 1964, and the subsequent Circuit Court Decision confirming its permanent easement right shall be retained by the County.

BE IT FURTHER RESOLVED that the Defendants shall file a performance bond with the County in the amount of \$30,000 to guarantee their faithful and timely performance under the terms or this resolution.

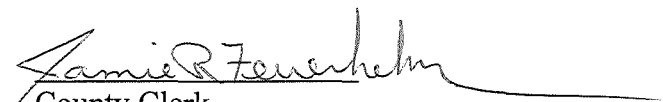
Dated this 30th day of September, 1997.

PIERCE COUNTY BOARD



Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

Resolution 97-37

RESOLUTION FOR INCLUSION UNDER GROUP LIFE INSURANCE

WHEREAS, the Finance Committee did at their September 12, 1997 meeting forward a recommendation to the County Board to offer two new levels of additional life insurance coverage for Pierce County employees available through the Employee Trust Fund Board; and

WHEREAS, the additional units of life insurance coverage shall be made available to all eligible employees of Pierce County on a voluntary basis and no employee will be mandated or required to participate; and

WHEREAS, should an employee choose to participate in the program, he/she will be responsible for the entire premium for additional coverage; and

WHEREAS, should Pierce County choose to discontinue participation in the offering of the additional life insurance units the County will not be bound under any agreement to continue to offer the additional units of life insurance.

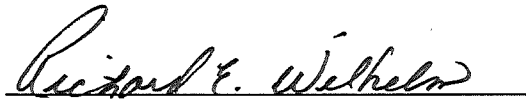
THEREFORE BE IT RESOLVED by the County Board of Pierce County that pursuant to the provisions of Chapter 40 of the Wisconsin Statutes such County Board hereby determines to be included under the following group life insurance programs provided by Chapter 40 of the Wisconsin Statutes for its eligible personnel: Basic Group Life Insurance and Additional Group Life Insurance, Units 1,2,3, and Spouse and Dependent Group Life Insurance.

BE IT FURTHER RESOLVED, that the proper officers are herewith authorized and directed to take all actions and make such deductions and submit such payments as are required by the Group Insurance Board of the State of Wisconsin to provide such group life insurance.

BE IT FURTHER RESOLVED, that the Pierce County WRS Agent submit a certified copy of this resolution to the State of Wisconsin Department of Employee Trust Funds.

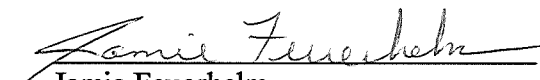
BE IT FURTHER RESOLVED, that this coverage shall become effective on the first day of the fourth month after Department of Employee Trust Funds receipt of this resolution.

DATED this 28th day of October, 1997.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the County Board of Pierce County on the 12th day of November, 1997.

I understand that Wis. Stats. Sec. 943.395 provides criminal penalties for knowingly making false and fraudulent statements on this and hereby certify that, to the best of my knowledge and belief, the information is true and correct. EIN # 69-036-0012-000.
Number of eligible employees: 300


Jamie Feuerhelm
WRS Agent and County Clerk
414 W. Main Street P.O. Box 119
Ellsworth, WI. 54011

Approved as to form
and legality by:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97-38

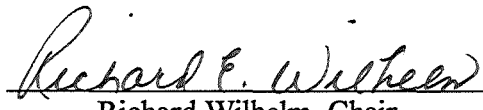
**RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS FROM
GENERAL FUND INTO VETERAN'S RELIEF FUND**

WHEREAS, the Finance Committee at their September 19th meeting recommend to the County Board of Supervisors that \$382 be transferred into acct #101-23-54170-000-000 Veterans' Relief Fund, to offset the 1996 deficit; and

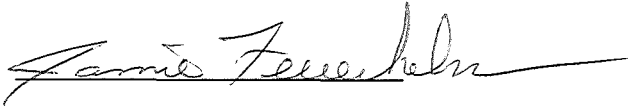
WHEREAS, the Finance Committee further recommended that an additional \$350 be appropriated into acct #101-23-54170-000-000 to enable the Veterans Service Office to continue the program until the end of fiscal year 1997.

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$732 be transferred from the General Fund into acct #101-23-54170-000-000 for the purposes expressed above.

DATED this 28th day of October, 1997.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:



Approved as to form
and legality:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

RESOLUTION 97-39

RESOLUTION - TO APPROVE OF LEASE OF COUNTY OWNED LAND

WHEREAS, Pierce County has surplus real estate available which is currently not in use; and

WHEREAS, an agreement has been arrived at for the lease of said real estate as described as follows:

Amended 10/28/97: That part of the NE 1/4 of the NW 1/4 of Section 18, Township 26 North, Range 17 West, located Westerly of STH 65, containing ~~30.21 acres, more or less~~ 8.5 acres, more or less, adjacent to Hwy 65 North.

WHEREAS, the Corporation Counsel has reviewed the proposed agreement and finds it to be in order; and

WHEREAS, it is deemed in the best interests of the County to enter into such an agreement.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record ratifying the attached Lease Agreement pursuant to which real estate described above is leased to Bradley D. Gardner.

Dated this 28th day of October, 1997.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

LEASE AGREEMENT

This Lease by and between Pierce County, a Wisconsin Quasi-Municipal Corporation (hereinafter "County") and Bradley D. Gardner (hereinafter "Lessee");

WHEREAS, the County owns real estate which is not currently needed for public use purposes;

WHEREAS, the Lessee has need for cropland and wishes to lease the real estate described herein for such purpose.

NOW THEREFORE THIS LEASE:

1. Term of Lease.

The term of this Lease shall be for one (1) crop year commencing with the growing season beginning November 1, 1997 and extending through the harvesting of the Lessee's crops on or before October 31, 1998. This Lease may be extended for an additional one (1) year term and for successive one (1) year terms upon written consent of the County's Finance Committee issued at least thirty (30) days prior to the last day of each year.

2. Permitted Use.

The Lessee may use the described real estate for the purpose of raising crops and for no other further purpose without the express, written consent of the County. In addition to obeying this restriction on his use of the premises, the Lessee understands and acknowledges that he shall not commit any waste upon the property, waste being defined as including but not being limited to the cutting of any standing timber, whether for firewood or other purposes, or other physical alteration to the real state, itself. Furthermore, the Lessee's right to use the described real estate for corn crop purposes shall be subject to the following conditions and shall be limited strictly as follows:

3. Rent.

The rent for this Leasehold shall be in the amount of \$55 per acre for the term set forth in 1., above, which sum shall be paid in advance on or before the first date of this Lease and that of each annual extension hereof in accord with paragraph one, above. Each such payment of rent shall be mailed or delivered to the Office of the Pierce County Clerk. The failure or refusal of the Lessee to make each such payment in a timely fashion shall constitute cause for the County to terminate the Leasehold.

4. Limitation On Liability.

The Lessee understands and acknowledges that the County shall have no responsibility for any injuries sustained by the Lessee, his agents or employees, nor damages to his equipment or machinery, while on the leased premises. Furthermore, the Lessee shall be responsible for any and all injuries suffered by him and to third parties and their property occasioned by the permitted use of this real estate. In addition, the Lessee shall be solely responsible for any crop loss or damage which may be sustained due to wind, hail, rain or other forms of disaster or vandalism. To this extent, the Lessee agrees to indemnify the County and to hold it harmless from any injuries or property damage resulting from his use and enjoyment of the described real estate.

5. Notices.

Notices under this Agreement, whether required or deemed to be advisable, should be mailed or delivered personally to the following persons:

- (1) PIERCE COUNTY
Jamie Feuerhelm, County Clerk
P.O. Box 119
Ellsworth, WI 54011
- (2) LESSEE
Bradley D. Gardner
742 W. Dale St.
Ellsworth, WI 54011

6. Real Estate Accepted In "As Is" Condition.

No warranties, whether express or implied, are being provided to the Lessee by the County as to the suitability of the subject real estate for the growing of crops nor as to its fertility, the Lessee agrees to accept possession of it "As Is".

7. Fertilization.

The Lessee may apply appropriate amounts and types of fertilizer to the subject real estate in conjunction with his use of it to raise corn.

8. Description of Subject Real Estate.

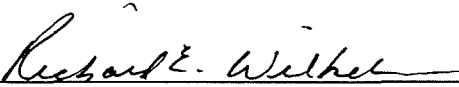
The real estate which is the subject of this Lease is described as follows:

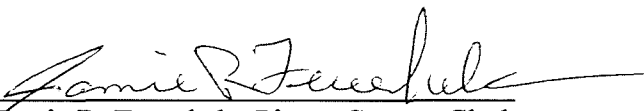
A parcel of land located in the Village of Ellsworth, Pierce County, Wisconsin, more particularly described as follows:

That part of the NE 1/4 of the NW 1/4 of Section 18, Township 26 North, Range 17 West, located Westerly of STH 65, containing 8.5 tillable acres, adjacent Highway 65 North.

Dated this 31st day of October, 1997.

PIERCE COUNTY


Richard Wilhelm, County Board Chair


Jamie R. Feuerhelm Pierce County Clerk

LESSEE


Bradley D. Gardner

Resolution 97-40
CARE OF SOLDIER'S GRAVES

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

LADIES AND GENTLEMEN:

WHEREAS, the Claims Committee has audited the claims for care of Soldier's Graves and found them to be justified claims against Pierce County.

THEREFORE, BE IT RESOLVED, that the County clerk be authorized to pay the below schedule of claims:

<u>CEMETERY ASSOCIATION</u>	<u>NUMBER OF GRAVES</u>	<u>AMOUNT CLAIMED</u>
Bay City	64	\$ 192.00
Beldenville	39	117.00
Bethel Mission	27	81.00
Bethlehem	14	42.00
Diamond Bluff	53	159.00
Eidsvold Lutheran	5	15.00
Free Home	21	63.00
Gilman Lutheran	53	159.00
Greenwood Valley	5	15.00
Hartland Methodist	9	27.00
Hartland Presbyterian	8	24.00
Maiden Rock	76	228.00
Mann Valley	9	27.00
Maple Grove	133	399.00
Martell Lutheran	26	78.00
Martell Methodist	11	33.00
Mt. Olivet	20	60.00
Mt. Tabor	19	57.00
Oak Ridge	19	57.00
Ono Methodist	28	84.00
Our Lady's	22	66.00
Our Savior's	15	45.00
Pine Glen	186	558.00
Plum City Protestant	44	132.00
Poplar Hill	108	324.00
Rush River	61	183.00
Sacred Heart Elmwood	36	108.00
Sacred Heart-Spring Valley	6	18.00
Salem Lutheran	4	12.00
South Rush River	27	81.00
Spring Lake Lutheran	19	57.00
Spring Lake	54	162.00
St. Bridget's	97	291.00
St. Francis	74	222.00
St. John's Lutheran-Spring Valley	72	216.00
St. John's-Oak Grove	2	6.00
St. John's Catholic-Plum City	62	186.00
St. Joseph's-Prescott	76	228.00
St. Joseph's-El Paso	13	39.00
St. Martin's	30	90.00
St. Mary's-Big River	10	30.00
St. Paul's	42	126.00
Svea	19	57.00
Thurston Hill	18	54.00
Trenton	46	138.00
Trimbelle	44	132.00
TOTAL	1,826	\$5,478.00

DATED this 12th day of November, 1997



Richard Wilhelm
County Board Chair

ATTESTED BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97- 41

ASSESSOR'S CLAIMS

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

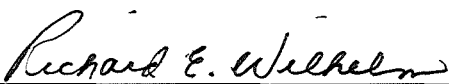
LADIES AND GENTLEMEN:

WHEREAS, the Claims Committee has audited the Assessor's Claims for listing of dogs and found them to be justified against Pierce County.

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the schedule of claims:

Townships		
Clifton - Don Dusek	210	105.00
Diamond Bluff - Linda Kinneman	125	62.50
Ellsworth - Audrey Murphy	220	110.00
El Paso - Clarice McCarthy	103	51.50
Gilman - Marvel Olson	257	128.50
Hartland - Janice Anderson	198	99.00
Isabelle - Lora Henn	56	28.00
Maiden Rock - Faye Owen	90	45.00
Martell - Marvel Olson	348	174.00
Oak Grove - Susan Huppert	135	67.50
River Falls - Caroline Hamilton	271	135.50
Rock Elm - Dennis Churchill	83	41.50
Salem - Sandra Kane	89	44.50
Spring Lake - Marvel Olson	186	93.00
Trenton - June Olson	161	80.50
Trimbelle - John Barnes	109	54.50
Union - Gene Weiss	94	47.00
Villages		
Bay City - Cynthia Kern	34	17.00
Ellsworth - Peggy Nelson	242	121.00
Elmwood - Delores Wilson	124	62.00
Maiden Rock - Shirley Gilles	13	6.50
Plum City - Jean McDonough	30	15.00
Spring Valley - Lance Gurney	85	42.50
Cities		
Prescott - Janet Huppert	174	87.00
River Falls - Larry Thompson	260	130.00
TOTALS	3697	\$1,848.50

DATED this 12th day of November, 1997.



Richard Wilhelm
County Board Chair

ATTESTED BY:



Annie R. Feuerhelm
County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:



Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97-42

BANK DEPOSITORIES

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

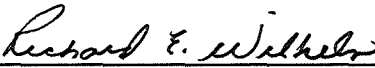
LADIES AND GENTLEMEN:

WHEREAS, the Wisconsin Statutes provide that bank depositories for County funds be designated for each ensuing year.

THEREFORE, BE IT RESOLVED, that the following are bank institutions for Pierce County funds for the calendar year 1997:

M & I Community State Bank, Ellsworth, Wisconsin
Hiawatha National Bank, Hager City, Wisconsin
First National Bank, River Falls, Wisconsin
Bank of Spring Valley, Spring Valley, Wisconsin
Citizen State Bank, Elmwood, Wisconsin
Mutual Savings Bank of Milwaukee, Ellsworth, Wisconsin
Bank One Wisconsin Trust Co., NA, Madison, Wisconsin
Local Government Investment Fund, Madison, Wisconsin
River Falls State Bank, River Falls, Wisconsin
First National Bank of Hudson, Ellsworth, Wisconsin

DATED this 12th day of November, 1997.


Richard Wilhelm
County Board Chair

ATTESTED BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97-43

DOG CLAIMS

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

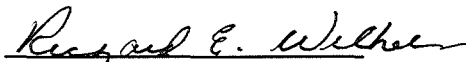
LADIES AND GENTLEMEN:

WHEREAS, the Claims Committee has audited the Dog Claims against Pierce County,

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the below schedule of claims:

Claimant and Claim	Amount Claimed	Amount Allowed
Wayne Bulmer	\$200.00	\$200.00
Roger Eng	\$48.00	\$48.00
Steven Kiefer	\$700.00	\$700.00
Richard Kornmann	\$78.40	\$78.40
Robert Traynor	\$300.00	\$300.00
TOTAL		\$1,326.40

Dated this 12th day of November, 1997.


Richard Wilhelm
County Board Chair

ATTESTED BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97-44

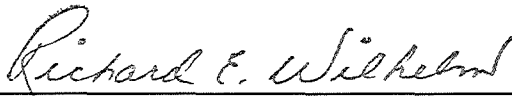
**Resolution Designating the M & I State Bank and the First National Bank
of River Falls as Working Banks**

WHEREAS, the Finance Committee at it's October 21, 1997, meeting adopted a recommendation to designate the M & I Community State Bank and the First National Bank of River Falls as the working banks for Pierce County for the period from January 1, 1998 through December 31, 1999. M & I Community State Bank being designated to have a non-interest bearing checking account, and the First National Bank of River Falls designated to have a Interest Bearing Checking Account.

SO, NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby accepts the recommendation of the Finance Committee and hereby designates the M & I Community State Bank as the working bank for a non-interest bearing checking account and the First National Bank of River Falls as the working bank for the Interest Bearing Checking Account for the period of January 1, 1998 through December 31, 1999.

Dated this 12th day of November, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS

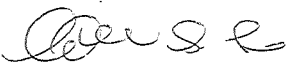


Richard Wilhelm, County Board Chairman

ATTESTED TO BY:

Pierce County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:



Corporation Counsel

AGREEMENT
Attachment to Resolution 97-44

WHEREAS, the Pierce County Board of Supervisors designates by Resolution 97-44, the First National Bank of River Falls as one of the working banks for Pierce County, Wisconsin, from January 1, 1998 through December 31, 1999.

NOW THEREFORE, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, Pierce County, Wisconsin, and the First National Bank of River Falls covenant and agree as follows:

1. The term of this agreement shall be from January 1, 1998 through December 31, 1999.

2. All deposits made by Pierce County being funds of Pierce County, shall be deposited at the M & I Community State Bank in the County's account and shall be wired or accessed by draft, to First National Bank of River Falls to the Interest Bearing Checking account daily.


3. The Treasurer or designee shall contact the Bank by 10:00 a.m. with the amount each time a wire is sent. Receipts shall be sent to Treasurer's Office regularly.

4. There will be no service charges, and no minimum balance required. Statement will be required semi-monthly.


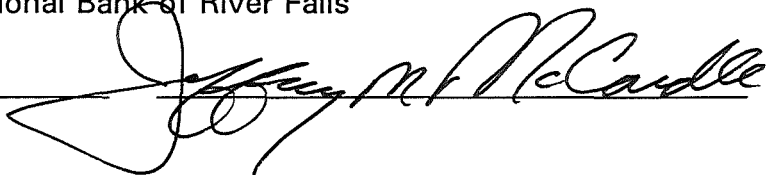
5. Interest on the Checking account shall be .20% below the Federal Reserve Discount rate. Interest will be paid on the average collected balance.

6. The First National Bank of River Falls shall collateralize in conformity with the Pledge Agreement on all amounts on deposits over \$500,000.00


Dated this 12th day of November, 1997.


Richard Wilhelm, Chair

First National Bank of River Falls

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

AGREEMENT
Attachment to Resolution 97-44

WHEREAS, the Pierce County Board of Supervisors designates the M & I Community State Bank as one of the working banks for Pierce County, Wisconsin.


NOW THEREFORE, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, Pierce County, Wisconsin, and the M & I Community State Bank covenant and agree as follows:

1. The Term of this agreement shall be from January 1, 1998 through December 31, 1999.

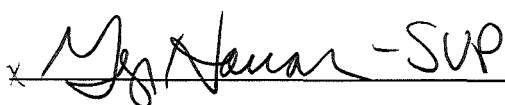
2. All deposits made by Pierce County, being funds of Pierce County, be deposited in a Non-Interest Bearing Checking Account of which there shall be approximately \$15,000 average collected balance, and which there is a semi monthly statement required.

3. Funds on deposit in the non-interest bearing checking account will be wired or accessed by draft, with no service charges to Pierce County, to the First National Bank of River Falls interest-bearing checking account, by authorization of Pierce County Treasurer or designee. Copies of wire transfers to be forwarded to the Pierce County Treasurer's Office.

Dated this 12th day of November, 1997.

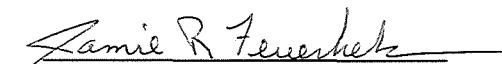

Richard Wilhelm, Chair

M & I Community State Bank

x  - SUP

x  - Corp. Services

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

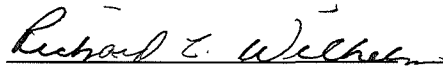
RESOLUTION NO. 97-45

Resolution - Adopting the 1998 Budget

BE IT RESOLVED, that there be a tax levied upon all taxable property of Pierce County for operation and maintenance for the 1997 Budget in the amount of County Operating Levy: \$6,522,288; Debt Service: \$100,618; County Library: \$162,117; County Aid Bridges: \$120,000; for a total of \$6,905,023.

Dated this 12th day of November, 1997.

PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

ATTESTED TO BY:


Jamie R. Feuerhelm

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

RESOLUTION 97-46

NEW POSITIONS FOR 1998

WHEREAS, the Personnel Committee at their October 14, 1997, meeting reviewed the following requests for additional personnel in 1998, pursuant to Section IV(B)(2)(d) of Pierce County personnel Code:

Administrative Office

Accounting Coordinator	County Allocation	\$34,489
Insurance Coordinator (Increase to 100%)	County Allocation	\$5,314

Data Processing

Computer Technician	County Allocation	\$42,313
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District Attorney

Legal Secretary (Increase to 60%)	County Allocation	\$2,683
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Fair

Finance Director - 50%	County Allocation	\$19,497
Groundskeeper (Increase to 100%)	County Allocation	\$15,128

Public Health

Clerical - 20%	County Allocation	\$5,314
EPSDT - 15% No County Funds & Home Care - 5% No County Funds		

Sheriff

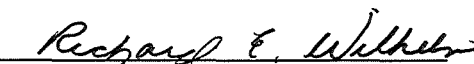
COPS Officer	County Allocation	\$39,304
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TOTAL	\$164,042.00
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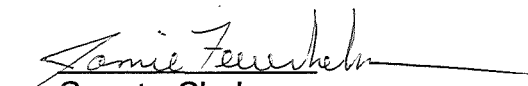
NOW, THEREFORE, BE IT RESOLVED, that above personnel be included in the 1998 budget.

DATED this 12th day of November, 1997.

PIERCE COUNTY BOARD OF SUPERVISORS


Richard Wilhelm, County Board Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED NOVEMBER 12, 1997

Resolution 97-47

RESOLUTION - SALARY ADJUSTMENTS FOR
NON-REPRESENTED EMPLOYEES AT STEP 10
OR ABOVE ON 1997 DMG SALARY MATRIX
AND TRANSFER OF FUNDS FROM CONTINGENCY FOR SAME

WHEREAS, at the October 31, 1997, meeting of the Personnel Committee, discussion was held regarding salary adjustment for Pierce County non-represented employees who have reached Step 10 of their Grade and those employees who are above their Grade and Step as of 1/1/97, and

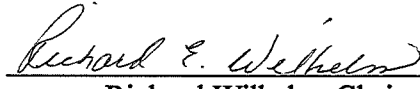
WHEREAS, the committee reviewed recommendations received from David M. Griffith & Associates, Ltd., and base their action on same.

NOW, THEREFORE BE IT RESOLVED, that the Personnel Committee recommends the following action be taken to adjust salaries of the following positions:


1. The Law Clerk annual salary shall be adjusted an additional 2% for a total of 5%, effective 1/1/97 through 12/31/98, non-base, with payments made quarterly.
2. The District Attorney's Office Manager, Long Term Support Supervisor, Elderly and Handicapped Services Supervisor, Deputy Human Services Director, and Land Management Administrator 1997 annual salary shall be adjusted an additional 2.5%, non-base, paid quarterly, retro-active to 1/1/97 to 12/31/97.

BE IT FURTHER RESOLVED that on December 12, 1997, the Finance Committee recommended that \$7,392.23 be transferred from the Contingency Fund into the appropriate 1997 budgets to cover the salary and benefits for additional adjustments.

DATED this 16th day of December 1997.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED DECEMBER 16, 1997

Resolution 97-48

TO RATIFY PIERCE COUNTY AFSCME - HUMAN SERVICES
(NON-PROFESSIONALS) COLLECTIVE BARGAINING AGREEMENT

WHEREAS, Pierce County and the AFSCME - Human Services (Non-Professionals) have been parties to a collective bargaining agreement which expired on December 31, 1995; and

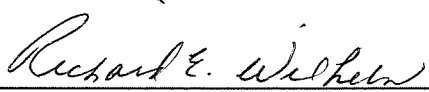
WHEREAS, negotiations were undertaken by and between the County and AFSCME - Human Services (Non-Professionals), with respect to the collective bargaining agreement; and

WHEREAS, an arbitration award dated November 7, 1997, directs the adoption and incorporation of the Final Offer dated February 13, 1997.

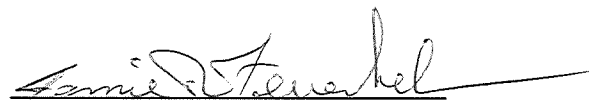
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and its AFSCME - Human Services (Non-Professionals) staff for the term of January 1, 1996 to December 31, 1998 as incorporating the attached Final Offer, Exhibit "A" to this Resolution.

BE IT FURTHER RESOLVED that an amount not to exceed \$ 150,000.00 shall be transferred from the Contingency Fund to cover the salary adjustments and fringe benefits for the period of January 1, 1996 to December 31, 1998.


DATED this 16th day of December, 1997.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED DECEMBER 16, 1997

**RE-REVISED FINAL OFFER
PIERCE COUNTY
HUMAN SERVICES (Nonprof.) NEGOTIATIONS**

February 13, 1997

All items shall remain as in the 1994-95 collective bargaining agreement except as follows:

1. **ARTICLE 5 - SENIORITY AND JOB POSTING, Section 5.15** Create to read as follows:

ESS I shall move to ESS II after two years of service as an ESS I.
[Carol Hilsген to move from ESS I to ESS II effective October 1996.]

2. **ARTICLE 14 - HEALTH AND WELFARE BENEFITS, Section 14.01** Delete second sentence of the first paragraph and "Effective May 1, 1994" from the third sentence of paragraph 1.

3. **ARTICLE 14 - HEALTH AND WELFARE BENEFITS, Section 14.02** Replace "6.1%" with "up to 6.5%."

4. **ARTICLE 26 - WAGES** Effective January 1, 1996, increase July 1, 1995, wage rates 3%. Effective January 1, 1997, increase January 1, 1996, wage rates 3%. Effective January 1, 1998, increase January 1, 1997, wage rates 3%.

5. **ARTICLE 27 - SEPARABILITY AND SAVINGS CLAUSE, Section 27.02** Revise first sentence as follows:

In the event that any article or section is held invalid, or enforcement of or compliance with which has been restrained, as above set forth, the parties affected thereby shall enter into timely collective bargaining negotiations, . . .

6. **APPENDIX A** Eliminate the following classifications: Part-time, Nutrition Site Manager, Homemaker I and II, Production Coordinator, Client Specialist, Clerk I, Typist II and Child Support Specialist.

7. **APPENDIX A** Create a new grouping of positions:

[July 1, 1995 rates]	<u>Start</u>	<u>6 Mo.</u>	<u>18 Mo.</u>
Food Service Driver	\$7.93	\$8.13	\$8.33
Commodity Clerk			
Site Worker			

8. **APPENDIX A**

B. Create a new grouping of positions:

[July 1, 1995 rates]	<u>Start</u>	<u>6 Mo.</u>	<u>18 Mo.</u>
Field Assistant	10.12	10.40	10.77
Clerk II			
Energy Assistance Coordinator			

9. **APPENDIX A** Mary Berg will be classified as an Accounting Assistant and be moved to a pay rate equal to the Economic Support Specialist II.
10. **APPENDIX A** Laurie Klumb will be classified as a Parent Aide and be moved to a pay rate equal to the Social Services Aide I/II.
11. **APPENDIX A** Reclassify the Child Support Collection Clerk equal to ESS II
12. **APPENDIX A** Irene Kilness and Joe Stoetzel will be classified as Van Drivers.
13. **APPENDIX A** Create a Child Support Specialist II classification equal to ESS II.
14. **APPENDIX A** Create a Child Support Specialist I classification equal to ESS I.

Respectfully submitted,

WELD, RILEY, PRENN & RICCI, S.C.

By: _____
Stephen L. Weld Date
Attorneys for Pierce County

**PIERCE COUNTY
WAGE SCHEDULE****County Final Offer****1996**

	<u>Start</u>	<u>6 Mo.</u>	<u>18 Mo.</u>
Elderly Benefit Specialist	13.29	13.77	14.31
Accountant	12.06	12.41	12.78
Economic Support Spec. II Terminal Operator II Social Services Aide II Child Support Specialist II Accounting Assistant Parent Aide II Child Support Collection Clerk	10.51	10.97	11.54
Field Assistant Clerk II Energy Assistance Coordinator	10.42	10.71	11.09
Van Driver	10.41	10.69	11.07
Terminal Operator I	10.38	10.61	11.02
Economic Support Spec. I Social Services Aide I Child Support Specialist I Parent Aide I	10.37	10.60	10.90
Food Service Driver Commodity Clerk Site Worker	8.17	8.37	8.58

**PIERCE COUNTY
WAGE SCHEDULE****County Final Offer****1997**

	<u>Start</u>	<u>6 Mo.</u>	<u>18 Mo.</u>
Elderly Benefit Specialist	13.69	14.18	14.74
Accountant	12.42	12.78	13.16
Economic Support Spec. II Terminal Operator II Social Services Aide II Child Support Specialist II Accounting Assistant Parent Aide II Child Support Collection Clerk	10.83	11.30	11.89
Field Assistant Clerk II Energy Assistance Coordinator	10.73	11.03	11.42
Van Driver	10.72	11.01	11.40
Terminal Operator I	10.69	10.93	11.35
Economic Support Spec. I Social Services Aide I Child Support Specialist I Parent Aide I	10.68	10.92	11.23
Food Service Driver Commodity Clerk Site Worker	8.42	8.62	8.84

**PIERCE COUNTY
WAGE SCHEDULE****County Final Offer****1998**

	<u>Start</u>	<u>6 Mo.</u>	<u>18 Mo.</u>
Elderly Benefit Specialist	14.10	14.61	15.18
Accountant	12.79	13.16	13.55
Economic Support Spec. II Terminal Operator II Social Services Aide II Child Support Specialist II Accounting Assistant Parent Aide II Child Support Collection Clerk	11.15	11.64	12.25
Field Assistant Clerk II Energy Assistance Coordinator	11.05	11.36	11.76
Van Driver	11.04	11.34	11.74
Terminal Operator I	11.01	11.26	11.69
Economic Support Spec. I Social Services Aide I Child Support Specialist I Parent Aide I	11.00	11.25	11.57
Food Service Driver Commodity Clerk Site Worker	8.67	8.88	9.11

RESOLUTION 97-49

RESOLUTION - TO APPROVE OF LEASE OF COUNTY OWNED LAND

WHEREAS, Pierce County has surplus real estate available which is currently not in use; and

WHEREAS, an agreement has been arrived at for the lease of said real estate as described as follows:

That part of the NW 1/4 of the NW 1/4 of Section 18, Township 26 North, Range 17 West, containing 10.3 acres, more or less.

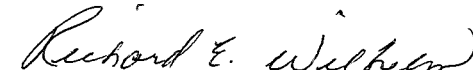
WHEREAS, the Corporation Counsel has reviewed the proposed agreement and finds it to be in order; and

WHEREAS, it is deemed in the best interests of the County to enter into such an agreement.

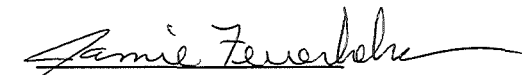
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record ratifying the attached Lease Agreement pursuant to which real estate described above is leased to Dennis Olson.

Dated this 16th day of December, 1997.

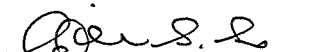
PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED DECEMBER 16, 1997

LEASE AGREEMENT

This Lease by and between Pierce County, a Wisconsin Quasi-Municipal Corporation (hereinafter "County") and Dennis Olson (hereinafter "Lessee");

WHEREAS, the County owns real estate which is not currently needed for public use purposes;

WHEREAS, the Lessee has need for cropland and wishes to lease the real estate described herein for such purpose.

NOW THEREFORE THIS LEASE:

1. Term of Lease.

The term of this Lease shall be for one (1) crop year commencing with the growing season beginning December 17, 1997 and extending through the harvesting of the Lessee's crops on or before December 16, 1998. This Lease may be extended for an additional one (1) year term and for successive one (1) year terms upon written consent of the County's Finance Committee issued at least thirty (30) days prior to the last day of each year.

2. Permitted Use.

The Lessee may use the described real estate for the purpose of raising crops and for no other further purpose without the express, written consent of the County. In addition to obeying this restriction on his use of the premises, the Lessee understands and acknowledges that he shall not commit any waste upon the property, waste being defined as including but not being limited to the cutting of any standing timber, whether for firewood or other purposes, or other physical alteration to the real state, itself. This prohibition shall not prevent the Lessee from removal of a large, fallen tree from the described premises nor from grubbing and removing elm and box elder saplings which are growing in the cropland on the leasehold property. Furthermore, the Lessee's right to use the described real estate for soybean or corn crop purposes shall be subject to the following conditions and shall be limited strictly as follows:

3. Rent.

The rent for this Leasehold shall be in the amount of \$55 per acre for the term set forth in 1., above, which sum shall be paid in advance on or before the first date of this Lease and that of each annual extension hereof in accord with paragraph one, above. Each such payment of rent shall be mailed or delivered to the Office of the Pierce County Clerk. The failure or refusal of the Lessee to make each such payment in a timely fashion shall constitute cause for the County to terminate the Leasehold.

4. Limitation On Liability.

The Lessee understands and acknowledges that the County shall have no responsibility for any injuries sustained by the Lessee, his agents or employees, nor damages to his equipment or machinery, while on the leased premises. Furthermore, the Lessee shall be responsible for any and all injuries suffered by him and to third parties and their property occasioned by the permitted use of this real estate. In addition, the Lessee shall be solely responsible for any crop loss or damage which may be sustained due to wind, hail, rain or other forms of disaster or vandalism. To this extent, the Lessee agrees to indemnify the County and to hold it harmless from any injuries or property damage resulting from his use and enjoyment of the described real estate.

5. Notices.

Notices under this Agreement, whether required or deemed to be advisable, should be mailed or delivered personally to the following persons:

- (1) PIERCE COUNTY
Jamie Feuerhelm, County Clerk
P.O. Box 119
Ellsworth, WI 54011
- (2) LESSEE
Dennis Olson
N5697 730th St.
Ellsworth, WI 54011

6. Real Estate Accepted In "As Is" Condition.

No warranties, whether express or implied, are being provided to the Lessee by the County as to the suitability of the subject real estate for the growing of crops nor as to its fertility, the Lessee agrees to accept possession of it "As Is".

7. Fertilization.

The Lessee may apply appropriate amounts and types of fertilizer to the subject real estate in conjunction with his use of it to raise corn and soybeans.

8. Description of Subject Real Estate.

The real estate which is the subject of this Lease is described as follows:

A parcel of land located in the Village of Ellsworth, Pierce County, Wisconsin, more

particularly described as follows:

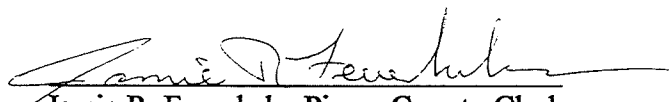
That part of the NW 1/4 of the NW 1/4 of Section 18, Township 26 North, Range 17 West, containing 10.3 tillable acres.

Dated this 17 day of Dec., 1997.

PIERCE COUNTY



Richard Wilhelm, County Board Chair



Jamie R. Feuerhelm Pierce County Clerk

LESSEE



Dennis Olson

RESOLUTION 97-50

RESOLUTION - TO ADOPT 1998 SALARY SCHEDULE FOR NON-REPRESENTED EMPLOYEES

WHEREAS, the Personnel Committee has duly considered the existing salaries for non-represented employees of Pierce County; and

WHEREAS, part and parcel of said analysis has been consideration of the 1997 DMG Salary Matrix; and

WHEREAS, the Personnel Committee has duly met and hereby recommends salary increases, subject to the step 10 salary Matrix system, as and for non-represented employees for the 1998 calendar year.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors as follows:

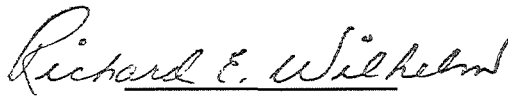
A. Effective January 1, 1998 all non-represented employees of the County shall receive a 3% increase in base salary calculated upon the basis of the 10 step salary Matrix as it exists.

BE IT FURTHER RESOLVED that the total sum of not to exceed \$54,000 on an as needed basis shall be transferred from the Contingency Fund to the appropriate line items in individual departmental budgets for the purpose of defraying the salary increases identified above for non-represented employees.

BE IT FURTHER RESOLVED that an amount estimated at \$12,000 shall be transferred from the Contingency Fund to meet the anticipated costs of additional benefit expenses attributable as and against the increased salaries afforded to non-represented employees as set forth above.

Dated this 16th day of December, 1997


PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

ADOPTED DECEMBER 16, 1997

RESOLUTION NO. 97-51

Resolution - To Implement Language In Pierce County Employee Benefit Plan Document Concerning Switching Between Health Insurance Plans

WHEREAS, Pierce County offers to its employees a conventional, self-insured plan of health insurance; and

WHEREAS, pursuant to action taken by this Board and its Finance Committee on a purely voluntary basis it offers to employees an alternate to said plan, namely an HMO plan administered by Atrium Health Services; and

WHEREAS, questions have arisen as to the ability of employees, who have chosen one plan over the other, to opt to change their coverage; and

WHEREAS, the current language in the Pierce County Employee Benefit Plan Document does not, expressly or impliedly, deal with this potential; and

WHEREAS, it is deemed to be in the best interests of the employees of Pierce County to offer to them the opportunity to switch back and forth as and between the County's standard, self-insured health care plan and the HMO plan administered by Atrium Health Services.

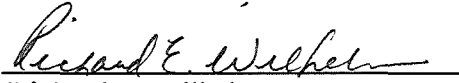
NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record as adopting, for implementation purposes with respect to its employee benefit plan document, the language attached hereto and identified as Exhibit "A" to facilitate an employee's choice on a once-a-year basis effective January 1, of the year next following the exercise of the afforded option during the month of December, of switching back and forth as and between the two health care plans offered by Pierce County to its employees,

BE IT FURTHER RESOLVED that implementation of this policy change shall be subject only to review by the County's plan administrators and that copies of the said policy be forwarded to each administrator by the County Clerk.

BE IT FURTHER RESOLVED that it is the intent of the County that the pre-existing condition exclusions generally applicable under the terms and conditions of the existing employee benefit plan document shall not apply as to this one-time-annually option afforded to employees to switch health coverage as and between the two plans offered to them through Pierce County, their employee.

Dated this 27th day of January, 1997.

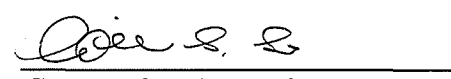
PIERCE COUNTY


Richard E. Wilhelm
County Board Chairman

ATTESTED TO BY:

APPROVED AS TO FORM
AND LEGALITY BY:


County Clerk


Corporation Counsel

ADOPTED JANUARY 27, 1998

EXHIBIT "A"

[To be inserted into employee handbook]

SWITCHING BETWEEN ALTERNATE COVERAGE

As of the time of the addition of this amendment to the Pierce County Employee Benefit Plan Document (Jan 27, 1998) the company (defined in the introduction to said document as "Pierce County") offers to its employees a choice between conventional health care coverage under its self-insured plan and a health maintenance organization (HMO) plan on a purely voluntary basis. Subject only to the conditions set forth in the plan document concerning initial application for and eligibility for participation in the company's plan of health care benefits, should an employee or an employee in his/her dependents choose initially to participate in one of the two company plans of health care benefits and should that employee thereafter opt to obtain coverage under the other plan, then during the thirty one (31) day period immediately prior to the end of a given calendar year each such employee may, effective on January 1 of the next following calendar year, have his/her coverage changed as and between the two company plans. To do so, employees must notify the company and the plan administrator(s) of this intent during the month of December. Should an employee so notify the company ~~and the plan administrator(s)~~ no pre-existing condition exclusions or qualifications shall be imposed due to his/her exercise of this right. Furthermore, this restriction shall not apply should the company cease and desist from offering an HMO alternative to its standard health care coverage plan. In such an event, no matter at what period of the time the HMO coverage ceases to be offered, all participating employees in the HMO plan will automatically be afforded with coverage, unless they decline, in the company's conventional health care plan.

8/28/01

To prepare for inclusion of this language in the revised Plan document, the above revisions were made to Exhibit "A".

RESOLUTION 97-52

Resolution - To Ratify Recommended HIPAA Amendments To Group Health Insurance Plan For Non-represented Personnel -

WHEREAS, Pierce County contracts with Comprehensive Care Services Company, Inc. (hereinafter called "CCS") for administrative services relative to its self-insured health insurance plan for its employees and officers; and

WHEREAS, CCS, under a letter of December 2, 1997, recommended certain changes in the County's health insurance plan, which changes are, for the most part, required pursuant to the recently adopted Health Insurance Portability and Accountability Act (HIPAA) and others of which are, in accord with CCS's experience, I recommend for the County to consider; and

WHEREAS, the Personnel Committee has duly considered the proposed amendments and believes that their ratification, to the extent not required by HIPAA is advisable and as to those required by HIPAA that the County must implement those changes; and

WHEREAS, because union personnel are involved, it will require either that ratification and implementation of the said amendments take effect at the next contract date for each such set of represented employees or require a side letter agreement with their respective collective bargaining units; and

WHEREAS, it is the recommendation of CCS at, a minimum, said changes be ratified on behalf of non-represented employees, effective January 1, 1998.

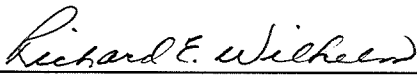
NOW THEREFORE BE IT FURTHER RESOLVED BY THE PIERCE COUNTY BOARD OF SUPERVISORS that it hereby goes on record as ratifying those changes to the County's self-funded health insurance plan recommended by CCS in its letter of December 2, 1997, both as to those changes required under HIPAA and those which are otherwise recommended by CCS.

BE IT FURTHER RESOLVED that this Resolution shall amend the County's health insurance plan at this time solely with respect to non-represented employees, in the manner set forth in the December 2, 1997, letter from CCS and that as to represented employees, the County shall consider either procuring consent to such changes in advance of the next contract reopening date from each affected union or, alternatively, wait until the next contract opener to implement such changes.

BE IT FURTHER RESOLVED that this Resolution shall be effective retroactive January 1, 1998 with respect to non-represented personnel and the changes incorporated by reference from CCS's letter of December 2, 1997.

DATED this 27th day of January, 1998.

PIERCE COUNTY BOARD


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED JANUARY 27, 1998

Resolution 97-53

TO AMEND THE PIERCE COUNTY 457 DEFERRED COMPENSATION PLAN

WHEREAS, Pierce County has offered employee participation in a deferred compensation plan since 1984; and,

WHEREAS, recent changes under the Internal Revenue Code require that Pierce County amend the existing plan; and,

WHEREAS, at the December 30, 1997 meeting of the Finance Committee, a recommendation was made to the County Board to amend the plan document to allow an increase in the annual deferral limit from \$7,500 to \$8,000, effective for wages received for work performed on or after 1/1/98; and,

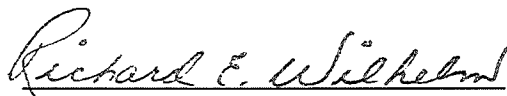
WHEREAS, at the December 30, 1997 meeting of the Finance Committee, a recommendation was made to the County Board to increase in-service withdrawal from \$3,500 per year to \$5,000.

NOW, THEREFORE BE IT RESOLVED that Article VII, Sec. 8.05 is hereby amended by deleting "\$3,500 or less" from the heading. Additionally, the first sentence is amended by replacing "is \$3,500 or less" with "does not exceed the dollar limit under Section 411(a)(11)(A) of the Code.

BE IT FURTHER RESOLVED, that under Section 411(a)(11) of the Internal Revenue Code, in-service withdrawal provisions are increased from \$3,500 to \$5,000.

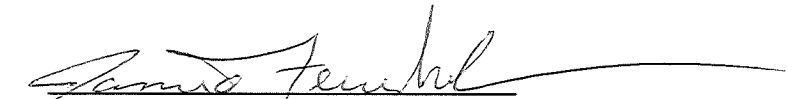
BE IT FURTHER RESOLVED, that these amendments will become effective retroactive to January 1, 1998.

DATED this 27th day of January, 1998.

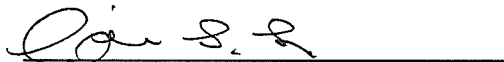


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

Approved as to

ADOPTED JANUARY 27, 1998

Resolution 97-54

TO APPROVE AMERICAN FAMILY LIFE ASSURANCE COMPANY (AFLAC)
AS ADMINISTRATORS FOR THE SECTION 125 FLEXIBLE BENEFITS PLAN OFFERED
TO PIERCE COUNTY EMPLOYEES

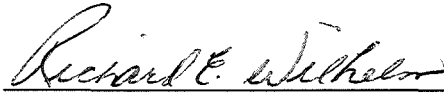
WHEREAS, in 1994 Pierce County implemented a plan to offer eligible employees the opportunity to participate in the cafeteria plan within the context of Section 125 of the Internal Revenue Code; and

WHEREAS, at the October 21, 1997 meeting of the Finance Committee, a recommendation was made to the County Board to approve a change in administrators for the Section 125 plan.


NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors approve American Family Life Assurance Company (AFLAC) as administrators for the Section 125 Flexible Benefits Plan offered to eligible Pierce County employees.

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors approve this change in administrators effective 1/1/98.

DATED this 27th day of January, 1998.

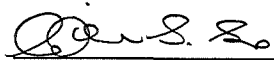

Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

I, _____, as county clerk do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the County of Pierce at the meeting held _____.

Approved as to legality
and form:


Corporation Counsel

ADOPTED JANUARY 27, 1998

Resolution 97-55

1998 SALARY ADJUSTMENTS FOR ELECTED OFFICIALS

WHEREAS, on January 16, 1998, the Personnel Committee did duly consider the existing salaries for the elected officials of Pierce County; and

WHEREAS, the Personnel Committee recommends salary adjustments for the elected officials of Pierce County.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors as follows:

A. Retro-active to January 1, 1998 all elected officials of Pierce County shall receive a 3% increase in their 1997 base salaries in the amount of:


1.	Sheriff	Increase \$ 1,430	Total \$ 49,085
2.	County Clerk	\$ 1,104	\$ 37,897
3.	Clerk of Circuit Court	\$ 1,104	\$ 37,897
4.	Register of Deeds	\$ 1,104	\$ 37,897
5.	County Treasurer	\$ 1,104	\$ 37,897

BE IT FURTHER RESOLVED that the total sum of not to exceed \$ 5,846 shall be transferred from the Contingency Fund to the appropriate line items in individual department budgets for the salary adjustment.

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to elected officials, to the extent that their base salaries have been increased effective 1/1/98 said officials shall receive the corresponding benefits in the amount of \$1,262, based on base salary, in accord with the County's existing plan..

BE IT FURTHER RESOLVED that to the extent called for above, this Resolution shall be retro-active to January 1, 1998.

DATED this 27th day of January, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to
form and legality:


Corporation Counsel

ADOPTED FEBRUARY 24, 1998

Resolution 97-56

Resolution - Unfunded Retirement Liability

WHEREAS Pierce County has an unfunded liability as of December 31, 1996 of \$2,760,582 toward the Wisconsin Retirement System, and

WHEREAS this unfunded liability is being amortized at 8% over 40 years beginning on January 1, 1990, and

WHEREAS the unfunded liability will increase with any increase in the benefits provided to retired employees, and


WHEREAS there are several bills in the legislature that propose to increase the retirement benefits, now

THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors urges the State Legislature to act responsibly and to not increase retirement benefits without first addressing the unfunded liability of employers.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each County Board Chairman in the State of Wisconsin, each member of the State Senate and State Assembly, the Governor and the Wisconsin Counties Association.

Dated this 27th day of January, 1998.

PIERCE COUNTY BOARD OF SUPERVISORS



Richard Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM
AND LEGALITY BY:


Corporation Counsel

Fiscal Impact: Potentially significant savings if unfunded liability was reduced



ADOPTED JANUARY 27, 1998

Resolution 97-58

To Create Position of Social Worker - Long Term Support and
Social Worker - Children/Youth/Family Unit, Department of Human Services

WHEREAS, the State is requiring that Pierce County hire an additional social worker for the Long Term Support Unit to provide adequate care management service and to address underspending and lapse; and

WHEREAS, the position will be fully funded by state and federal funds and there will be no cost to Pierce County; and

WHEREAS, Pierce County has been experiencing an increase in placements in group homes, child caring institutions and state correctional facilities; and

WHEREAS, the Department of Human Services has requested creation of a Social Worker position to work under the Intensive Supervision Program for Juveniles, a program to maintain juveniles in their own homes with intensive supervision and immediate action for failing to comply with a written contract.

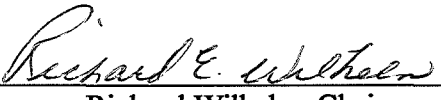
WHEREAS, to encourage counties to use the program the state has made a number of grants available to fully fund the program for two years.

WHEREAS, the Personnel Committee, at their February 13, 1998, meeting reviewed the requests and recommends the creation of these two positions.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors approve creation of a social worker position - Long Term Support Unit, fully funded by state and federal funds; and creation of a social worker position - Children/Youth/Family Unit, contingent upon receiving grant funding with the position to sunset should the grant expire.

BE IT FURTHER RESOLVED that said positions shall be effective upon approval of funds.

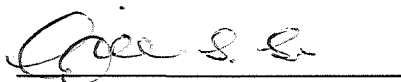
DATED this 24th day of February 24, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED FEBRUARY 24, 1998

Resolution 97-59

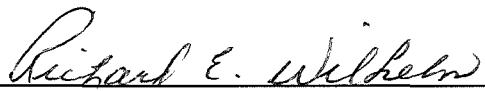
To Transfer From General Fund to Fair Department for 1997 Deficit

WHEREAS, the Fair Department budget for 1997 reflects a deficit in the amount of \$28,039.32; and


WHEREAS, the Finance Committee has met on the matter and recommends to the County Board of Supervisors that said deficit shall be covered from the General Fund.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$28,039 be transferred from the General Fund into the Fair Account No. 101-25-55460 for the purpose expressed above.

DATED this 24th day of February, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED MARCH 24, 1998

Resolution 97-60

Adopting County Library Study Committee Report


WHEREAS, the Pierce County Board of Supervisors appointed a Library Study Committee to review the programs and services provided by the Pierce County Library Service.

WHEREAS, said study has been conducted and completed, the Library Study Committee presents the report of their findings.

WHEREAS, said report reflects the best interest of township residents; reflects the interest of municipalities maintaining public libraries; and establishes goals and objectives for future library services;

NOW, THEREFORE, BE IT RESOLVED, the Pierce County Board of Supervisors adopt the Library Study Committee's report attached as Exhibit "A" as its guide for future library service improvements in the County of Pierce.

DATED this 24th day of February, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:

Adopted March 24, 1998


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED MARCH 24, 1998

Resolution 97-61

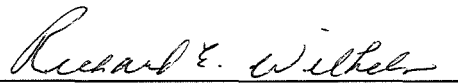
To Transfer from General Fund to Solid Waste Development Fund

WHEREAS, during construction of the Material Recovery Facility sanitary sewer the Finance Committee approved the installation of a lift station on the site so as to accommodate future County development of the area; and


WHEREAS, at the August 3, 1995, Finance Meeting it was approved that costs for the sanitary sewer in the amount of \$60,730 with lift station would be transferred from the General Fund to defray the Material Recovery Facility costs.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors authorize the amount of \$60,730 be transferred from the General Fund into the Solid Waste Development Fund #431.


DATED this 24th day of February, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED MARCH 24, 1998

Resolution 97-62

TO AMEND 1996-98 COUNTY BOARD RULES

WHEREAS, on February 13, 1998, the Finance Committee did review current per diems paid to County Board Supervisors; and

WHEREAS, it was felt that additional compensation should be awarded to County Board Supervisors who participate in a third meeting in a one day time period.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors approve the following amendment to the 1996 - 98 County Board Rules:

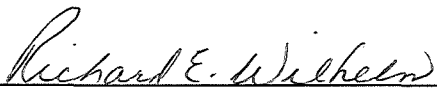
Delete Section 2.03.430 E and F, and insert:

Section 2.03.430 Compensation and Per Diem

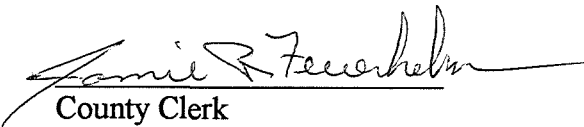
- E. Per diems for all County Board supervisors shall be established at \$35.00 per meeting. If a supervisor attends two consecutive meetings on the same day, the per diem is \$50.00. If a supervisors is required to attend a third meeting that day, the meeting will be \$20.00 or no more than \$70.00 for any one day. If a supervisor attends two non-consecutive meetings in a day the meeting shall be paid at \$35.00 each, but no more than \$70.00 any given day.
- F. Per diems for County Board meetings, whether regularly scheduled or Special, shall be \$50.00 per meeting. Supervisors representing the County attending meetings shall be compensated at a rate of \$70.00 per day.

BE IT FURTHER RESOLVED this amendment shall become effective April 1, 1998.

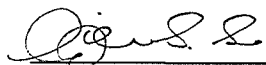
DATED this 24th day of February, 1998.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Attested to by:


County Clerk

Approved as to form
and legality:


Corporation Counsel

ADOPTED MARCH 24, 1998

RESOLUTION 97-63

FEE SCHEDULE FOR DEPARTMENT OF LAND MANAGEMENT

Whereas: The Department of Land Management collects fees for sanitary permits, zoning permits, and subdivision park fees to offset program costs, and

Whereas: Since sanitary fees have not been revised since 1992, zoning fees since 1989, and park fees since 1972, it is necessary to review the fee schedule, and


Whereas: The Land Management Committee recommends that fees cover 75% of program costs, and the current level is 45%, and


Whereas: The current park fee is insufficient to provide park lands in the developing areas of the county, and

Whereas: The committee held a public hearing and received comments on the attached fee schedule.

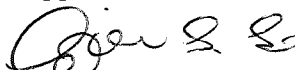
Now, Therefore be it Resolved: The County Board of Supervisors approve the attached fee schedule.

Approved this 24th day of February 1998.


Richard Wilhelm, Chairman


Jamie Feuerhelm, Clerk

Approved as to form and legality:


William Thiel, Corporation Counsel

ADOPTED MARCH 24, 1998

RESOLUTION 97-64

RESOLUTION OPPOSING PROPOSED CHANGES TO THE WISCONSIN
ADMINISTRATIVE CODES 83 AND 85 GOVERNING PRIVATE SEWAGE DISPOSAL

WHEREAS, the Department of Commerce has proposed dramatic changes to the Administrative Codes 83 and 85 which included , but are not limited to, the following highlights:

- a. Allowance of the disposal of partially treated wastes to the surface of the ground and to surface waters of the State by "high-tech" systems that require sophisticated and continuous maintenance and monitoring, and whose performance standards have not yet been proven in Wisconsin climatic conditions.
- b. Provision of management and accountability of holding tank wastes and "high-tech" system maintenance and monitoring by third party entities that have yet to be defined.
- c. Prohibition of local government units to disallow the installation of certain technologies that are undesirable by such governments, or incompatible with administrative resources.
- d. Abdication of plat review responsibility, including the reversal of policy to allow holding tanks to be installed on all State approved subdivision lots, including those already certified as outlots by virtue of having insufficient area for septage treatment, and
- e. The imposition of an unfunded mandate in the form of the requiring counties to compel maintenance pumping all septic tanks, regardless of age which will create immeasurable administrative and legal costs in addition to extending the life of many systems which should be replaced as soon as possible.

WHEREAS, it is anticipated that these proposals would place significant additional responsibilities and encumbrances on local authorities; substantial increased expense to individuals, including taxpayers; and most significantly, cause adverse and irreparable change to the environment of the State of Wisconsin, and

WHEREAS, the Wisconsin County Code Administrators and many member counties have embraced the development of new technology for waste disposal, and have continuously provided specific input for an orderly development of such technology for more than five years, with this input being ignored or rejected out-of-hand by the Department of Commerce, and

WHEREAS, Pierce County is opposed to these changes in the proposed working drafts of the Administrative Codes 83 and 85 because of said adverse economic and environmental impacts.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Pierce County herein assembled, that the Board go on record strongly opposing the Department of Commerce proposed changes to the Administrative Codes 83 and 85.

BE IT FURTHER RESOLVED, that copies of this resolution be furnished to state legislative Committee on Urban Affairs, Financial Institutions and Environmental Resources; to

BE IT FURTHER RESOLVED, that copies of this resolution be furnished to state legislative Committee on Urban Affairs, Financial Institutions and Environmental Resources; to the Assembly Legislative Committee on Environmental Resources; to the Department of Commerce; to the Department of Natural Resources; to the Wisconsin Counties Association; to the State of Wisconsin County Boards; and to the Governor of the State of Wisconsin.

Dated this 24th day of March, 1998.

Countersigned by:

Richard E. Wilhelm

Chairman

COUNTY BOARD OF SUPERVISORS

Attested to by:

Samie R. Feenkel
County Clerk

Approved as to form
and legality:

Joe S. S.
Corporation Counsel

INTRODUCED BY THE PLANING
AND ZONING COMMITTEE

Rita Kozak
RITA KOZAK, Chair

LeRoy Peterson
LEROY PETERSON, Vice-Chair

William Schroeder
WILLIAM SCHROEDER

Richard A. Rummele
RICHARD RUMMELE

Daniel Pittman
DANIEL PITTMAN

RESOLUTION NO: 97-65

TO DECLARE APRIL 6 - 12, 1998
AS
PUBLIC HEALTH WEEK IN PIERCE COUNTY

WHEREAS, healthy, energetic citizens are Wisconsin's greatest resource for achieving progress in all areas of development; and

WHEREAS, local boards of health, such as the Pierce County Board of Health, provide leadership in the public health functions of community health assessment, policy development and assurance to promote a healthy community; and

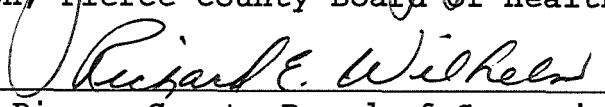
WHEREAS, local public health departments, such as the Pierce County Public Health Department, deliver a wide range of services for environmental health, disease prevention, nutrition, home health care, health educating and other related programs; and

WHEREAS, in an effort to preserve and enhance the health of all Wisconsin citizens, we support our public health professionals to provide these services in their various areas of expertise;


NOW, THEREFORE, the Pierce County Board of Supervisors hereby proclaims the week of April 6 - 12, 1998, as "**PUBLIC HEALTH IS EVERYWHERE**" WEEK in Pierce County and urge all citizens to join us in recognizing the valuable contributions of public health activities.

PIERCE COUNTY BOARD OF SUPERVISORS

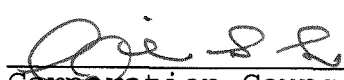
Submitted by: 
Chairperson, Pierce County Board of Health


Chairperson, Pierce County Board of Supervisors

ATTESTED TO BY:


County Clerk - Pierce County

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel - Pierce County

ADOPTED MARCH 24, 1998

RESOLUTION NO. 97-66
RESOLUTION - TO SETTLE CLAIM OF DELBERT & NANCY JOHNSON

WHEREAS, Delbert E. and Nancy L. Johnson submitted a claim to the County Clerk, alleging that the County is responsible under a certain road sharing and well maintenance agreement to pay to them certain sums of money for road repairs and well maintenance; and

WHEREAS, it has been determined by the Corporation Counsel that the agreement to which the Johnsons referred in their claim is valid and binding against the County; and

WHEREAS, the Johnsons have expended certain out-of-pocket monies to repair the private road in question and to maintain the well; and

WHEREAS, it is deemed in the best interests of the County to settle this claim but, at the same time, to Quit Claim to the Johnsons the County's right in the right-of-way of the private road and to further require that they agree to remove from title to the County's property any responsibility of the County to, in the future, maintain the said well or assist in the repair of the private right-of-way;

WHEREAS, the Finance Committee has reviewed this claim and has authorized settlement upon the terms expressed above and the Corporation Counsel has drafted documentation to this effect.


NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record in support of settlement of the claim of Delbert E. and Nancy L. Johnson in the following fashion:

- (1) That the County shall pay to the Johnsons the sum of \$1,241.00 as and for a past obligation for road repair and well maintenance;
- (2) That the County shall tender to the Johnsons a Quit Claim Deed describing the County's portion of the right-of-way of the aforementioned private road;
- (3) That in exchange for the County's performance as indicated at par. (1) and (2), above, the Johnsons shall execute all necessary agreements and acknowledgments, as drafted by the County's Corporation Counsel, pursuant to which they shall agree that the County shall no longer be held liable under a certain road repair and well maintenance agreement which exists against the title to the County's property in question and which was recorded against said title on or about August 15, 1980.

BE IT FURTHER RESOLVED that the County Board Chairman and County Clerk are hereby authorized to execute a Quit Claim Deed to the right-of-way of said private road in favor of the Johnsons and such other documentation of the settlement agreement as is prepared by the Corporation Counsel.

BE IT FURTHER RESOLVED that upon receipt back from the Johnsons of the signed agreements and other papers drafted by the Corporation Counsel, the County shall remit the sum of \$1,241 to them and in full and complete satisfaction of their claim.

Dated this 24th day of March, 1998.

PIERCE COUNTY BOARD

Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO FORM AND LEGALITY BY:


Corporation Counsel

ADOPTED MARCH 24, 1998