

SEPTEMBER SESSION

September 18, 2018

Chairman Kirkpatrick called the meeting to order. Roll call found all members present except Lopez-Murphy.

Monsignor Roger Scheckel, Pastor of St. Mary of the Assumption Parish, Richland Center, gave the Invocation. County Clerk Vlasak led the Pledge of Allegiance.

County Clerk Vlasak read the agenda for the September session. Motion by Cosgrove, second by Williamson that the agenda be approved. Motion carried.

Chairman Kirkpatrick asked if any member desired that the minutes of the August session be read or if any member desired to amend the minutes of the previous session. Hearing no motion to read or amend the minutes of the July session, the Chairman declared the minutes as approved.

Carrie Leonard, CPA with Johnson Block, presented a report on the 2017 single audit. Highlights of the report are as follows:

- An unmodified opinion will be issued on the financial statements of the County.
- The 2017 regulatory report was filed with the Wisconsin Department of Revenue.
- The government fund balance increased by \$1,525,004. The General Fund balance increased by \$1,387,151. A contribution to the General Fund balance was received from the Highway Department in the amount of \$1,390,421.
- The General Fund's total fund balance as of December 31, 2017 was \$3,425,243. This represents approximately 2.6 month of expenditures.
- Tax certificates as of December 31, 2017 totaled \$773,074 compared to \$711,167 in 2016.
- County-wide sales tax revenue totaled \$1,155,054 in 2017 compared to \$1,151,402 in 2016.
- The County complied with State imposed tax levy limits.
- Three new State Trust Fund loans totaling \$1,572,771 were issued in 2017 to finance infrastructure improvements for the Highway Department and equipment and building improvements for governmental funds.
- Pine Valley recorded operating revenues of \$7,293,614. Pine Valley experienced an operating loss of \$1,580,398 in 2017. This loss was offset by a property tax levy of \$243,689 and \$852,400 of supplemental payments. Part of the operating loss is attributable to recorded depreciation expense of \$1,134,200 in 2017 compared to \$363,179 in 2016. The depreciation expense increase is the result of the cost of the newly constructed facility.
- The most significant intergovernmental revenues are \$1,138,400 for State shared taxes and \$2,471,209 for Health and Human Services.
- Local property taxes have increased approximately 25% over the 2012 level. Increases are related to required long-term debt payments.
- Equalized values have increased approximately 3.9% over an eight year period.
- In 2017 and 2016, Health and Social Services and Public Safety expenditures were approximately 71% of total governmental expenditures.
- As of December 31, 2017 the general obligation debt limitation is \$56,824,060. Debt subject to the limitation totals \$26,562,771. The County has approximately 53.3% of its debt capacity remaining.

Doug Duren, Cazenovia, Richland County Deer Advisory Committee member, addressed the Board regarding deer hunting and chronic wasting disease in Richland County and how local governments can help. Copies of Mr. Duren's correspondence were distributed to Board members.

Resolution No. 18-116 Approving The Town Of Ithaca's Rezoning Of A Parcel Belonging To Vernon and Edwin Wiedenfeld was presented to the Board. Motion by Wegner, second by Peters that Resolution No. 18-116 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 116

A Resolution Approving The Town Of Ithaca's Rezoning Of A Parcel Belonging To Vernon and Edwin Wiedenfeld.

WHEREAS the usual way that zoning is accomplished in the unincorporated areas of counties in Wisconsin is for the county to adopt county-wide zoning and for town boards that wish to do so to elect to be covered by that zoning, but there is an alternate, seldom-used method whereby towns, with the permission of the county board, can adopt their own zoning ordinances, and

WHEREAS the Town of Ithaca is one of two towns in Richland County that has elected to have town zoning and Wisconsin Statutes, section 60.62 (3), provides that the County Board must not only approve the Town's initial zoning ordinance and zoning maps but the County Board must also approve any rezonings before they become effective, and

WHEREAS representatives of the Town of Ithaca met recently with the Zoning and Land Information Committee and requested that the County Board approve the Town's rezoning of a parcel belonging to Vernon and Edwin Wiedenfeld from the Agricultural District to the Commercial this matter and is now recommending that the County Board approve this rezoning.

NOW THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors, in accordance with Wisconsin Statutes, section 60.62(3), that approval is hereby granted for rezoning the following-described real estate from the Agricultural District to the Commercial District in accordance with the Town of Ithaca's Zoning Ordinance:

A parcel of land located in the SE ¼ - NE ¼ and the NE ¼ - SE ¼ of Section 8, T10N, R2E, Town of Ithaca, Richland County, Wisconsin; being more fully described as follows:

Commencing at the East ¼ corner of Section 8; thence N78° 46'00"W, 854.44 feet to the point of beginning; thence S25° 28' 36" W, 359.84 feet; thence N40° 42' 39"W, 381.78 feet; thence N84° 58'55"E, 405.34 feet to the point of beginning.

BE IT FURTHER RESOLVED that the Zoning Administrator shall send a copy of this Resolution to the Town Clerk of Town of Ithaca, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication

RESOLUTION OFFERED BY THE ZONING AND LAND INFORMATION COMMITTEE

FOR AGAINST

| | |
|------------------|---|
| Gary A. Peters | X |
| James D. Huffman | X |
| Jayme Walsh | X |
| Chad Cosgrove | X |
| Steve Williamson | X |

Ordinance No. 18-24 Amending Ordinance No. 2011-9 Which Is Richland County's Floodplain Ordinance was present to the Board. Motion by Huffman, second by Couey that Ordinance No. 18-24 be enacted. Motion carried and ordinance declared enacted.

ORDINANCE NO. 18 - 24

An Ordinance Amending Ordinance No. 2011-9 Which Is Richland County's Floodplain Ordinance.

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

1. Ordinance # 2011-9, which is Richland County's Floodplain Ordinance, is hereby amended by adding the following to the Appendix after the material under the heading "Pavlovic Dam":

Pavlovic Dam

1. Floodway map dated July 12, 2018 and titled "hydraulic Shadow Map- Pavlovic Dam Break Analysis".
2. Flood profile dated July 12, 2018 titled "Pavlovic Dam Break Analysis Flood Profile". The Hydraulic shadow" profile should be used.
3. Floodway data table dated July 12, 2018 and titled "Floodway Data Table-Pavlovic Dam Break Analysis". The floodway data for the Hydraulic Shadow (Dam Failure) should be used.

This Ordinance shall be effective immediately upon its passage and publication.

Dated: September 18, 2018

**ORDINANCE OFFERED BY THE ZONING AND
LAND INFORMATION COMMITTEE**

Passed: September 18, 2018

Published:

FOR AGAINST

Jeanetta Kirkpatrick, Chairman
Richland County Board of Supervisors

| | |
|------------------|---|
| Gary A. Peters | X |
| James D. Huffman | X |
| Steve Williamson | X |
| Jayne Walsh | X |
| Marc Couey | X |

ATTEST:
Richland County Clerk

Ordinance No. 18-25 Amending Ordinance No. 16-32 Which Is Richland County Shoreland Protection Ordinance was presented to the Board. Motion by Williamson, second by Peters that Ordinance No. 18-25 be enacted. Zoning Administrator Bindl explained the ordinance changes. Motion carried and ordinance declared enacted.

ORDINANCE NO. 18 - 25

An Ordinance Amending Ordinance No. 16-32 Which Is Richland County Shoreland Protection Ordinance.

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

1. The purpose of this Ordinance is to amend Ordinance No. 16-32 which is Richland County Shoreland Protection Ordinance, in order to bring it into compliance with the requirements of the Wisconsin Department of Natural Resources, by repealing the following crossed-out language and adopting the following underlined

language.

2. Section 6.2 (2) (d) under the heading “Reduced Principal Setback”:

~~Note: Section 6.2 (2) is optional and is not required to be compliant.~~

3. Section 9.4 (2) under the heading “Impervious Surface Standards”:

For properties that exceed the standard under 9.3 or 9.31 but do not exceed the maximum standard under 9.4 (1) or 9.4 (2), a permit can be issued for a mitigation plan that meets the standards found in ~~12.0–13.0~~.

4. Section 11.3 (4) under the heading “Nonconforming Uses and Structures”:

The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in ~~12.0–13.0~~.

5. Section 12.0 entitled “Maintenance, Repair, Replacement or Vertical Expansion of Structures That Were Authorized by Variance”:

July 5, 2015 is replaced by July 13, 2015.

6. Section 13 is created:

MAINTENANCE, REPAIR, REPLACEMENT OF ILLEGAL STRUCTURES

A structure that was illegally constructed, which is older than ten years and may not be enforced under the shoreland ordinance may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the structure. (No vertical or lateral expansion allowed for structures in violation).

7. Section 13.0 entitled “Mitigation” is renumbered as Section 14.0:

14.0 MITIGATION.

When the county issues a permit requiring mitigation under sections 6.11(2) 9.4 11.5 and 11.7, the property owner must submit a complete permit application, that is reviewed and approved by the county. See the Appendix to this Ordinance for resources available to select appropriate mitigation measures. The application shall include the following:

(1) A site plan shall be designed and implemented to restore natural functions lost through development and human activities. The site plan shall include a scaled plot plan of the lot, including the following information:

a. Location of all existing and proposed structures, including paths, stairways, retaining walls, decks, patios, vegetative cover, etc. with accurate distances shown between the structures and all property lines.

- b. Location of any areas of existing and proposed land disturbance.
- c. Location of septic and well facilities.
- d. Location of the viewing and access corridor.
- e. Location of parking areas and driveways.
- f. Location of ordinary high-water mark and any wetland areas.
- g. Maps showing the existing and proposed topography and slope of the property.
- h. Impervious surface calculations.
- i. A minimum of four photos of the property. These photos shall include a photo taken from the water, along the shoreline and from the principal structure. If necessary, the Zoning Department may require additional photos and/or a site inspection of the property.
- j. Properties which include flood hazard areas shall be required to submit documentation showing the base flood elevation and its location on the property.

(2) The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty.

Mitigation options include:

- a. Shoreland Buffer Restoration of at least 35 feet.
 - 1. Identify the vegetation to be cut and the size and type of species to be removed.
 - 2. A list of desired native species appropriate for the site (or cultivars of native species) to be included in the restoration area and a schedule of planting.
 - 3. A scaled plot plan showing the placement, size and densities of each species to be planted within the buffer area.
 - 4. A narrative description of how the applicant intends to carry out the project including the erosion control measures that will be used during construction. Please include the name and phone number of the landscape architect or consultant, if applicable.
- b. Evaluation and/or replacement of Private On-Site Waste Treatment System performed by a Wisconsin licensed plumber.
- c. Any proposed device(s) or system(s) designed by an engineer or landscape architect that mitigates surface water runoff or infiltrates runoff and furthers the purpose and intent of shoreland zoning.
- d. Wetland restoration.
- e. Elimination of non-conforming accessory structures such as garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck retaining wall, porch, fire pit.

f. Removal of other shoreland modifications/items such as seawalls, beaches, or impervious surfaces.

g. Relocating a non-conforming principal structure to a conforming location.

h. Elimination of existing erosion and sedimentation on areas that have surface drainage towards the water.

8. Sections 14-17 are renumbered 15-18.

9. Subsection 17.2 (19) (c) entitled "Navigable Waters" under the heading "Definitions":

(c) artificially constructed drainage ditches, ponds or storm water retention basins that are not hydrologically connected to a natural navigable water body.

9. This Ordinance shall be effective immediately upon its passage and publication.

September 18, 2018
AND

ORDINANCE OFFERED BY THE ZONING

September 18, 2018

LAND INFORMATION COMMITTEE

Published:

FOR AGAINST

Jeanetta Kirkpatrick, Chairman

Gary A. Peters X

Richland County Board of Supervisors

James D. Huffman X

ATTEST:

Steve Williamson X

Victor V. Vlasak

Jayme Walsh X

Richland County Clerk

Marc Couey x

Ordinance No. 18-26 Amending Richland County Zoning Ordinance No. 5 was presented to the Board.

Motion by Williamson, second by Peters that Ordinance No. 18-26 be enacted. Zoning Administrator Bindl explained the changes to the ordinance. Motion carried and ordinance declared enacted.

ORDINANCE NO. 18 - 26

An Ordinance Amending Richland County Zoning Ordinance No. 5.

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

1. That Richland County Zoning Ordinance No. 5, which is Ordinance No. 2003-16, as amended to date, is hereby further amended as follows:

2. Section C entitled “General Agricultural and Forest District (A-F)” is repealed and replaced by the following:

C. GENERAL AGRICULTURAL AND FORESTRY DISTRICT (A-F)

This district provides for the continuation of general agriculture and forestry practices. The intent is to preserve areas with adequate soil types, drainage and topography for farming and forestry and to prevent uneconomical scattering of residential, commercial and industrial development in such areas. This district shall be in compliance with Chapter 91, Wisconsin Statutes. Land being rezoned out of this district shall occur only if the town and county find the following:

1. The land is better suited for a use not allowed in this district.
2. The rezoning is consistent with the Richland County Comprehensive Plan
3. The rezoning is consistent with Richland County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that is zoned for or legally restrict to agricultural use.

Richland County shall by March 1 of each year provide to DATCP a report of the number of acres that the political subdivision has rezoned out of the A-F district during the previous year.

1. Permitted Uses

a. Agricultural use. An agricultural use in the General Agricultural and Forestry District (A-F) means any of the following activities conducted for the purpose of producing an income or livelihood:

- (1) Crop or forage production
- (2) Keeping livestock
- (3) Beekeeping
- (4) Nursery, sod, or Christmas tree production.

- (5) Floriculture
- (6) Aquaculture
- (7) Fur farming
- (8) Forest management
- (9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program

b. Accessory use. An accessory use in the General Agricultural and Forestry District (A-F) means any of the following uses on a farm.

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(2) An activity or business operation that is an integral part of or incidental to, an agricultural use.

(3) Farm residences

(4) A business, activity or enterprise whether or not associated with an agricultural use that is conducted by the owner or operator of a farm, that requires no buildings, structures or improvements other than those described in sub. (1) or (3), that employs no more than 4 full-time employees annually and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland. No outside storage of stock in trade or vehicles, or other items related to the business, activity, or enterprise is permitted excepting those vehicles incidental to the permitted use of the property.

c. Prior nonconforming uses

d. Transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

e. Undeveloped natural resources and open space areas.

f. Community and other living arrangements per Wisconsin Statute 59.69 (15), and meet the definition of an accessory use found in Section IX.

2. Uses Authorized by Conditional Permit

Before granting a conditional use permit in the, General Agriculture and Forestry District (A-F) the County shall require comment from the Town Board and or Plan Commission of the affected

town prior to any issuance of said conditional use permit.

- a. Agriculture-related uses that support and enhance agricultural uses within the district, do not impair or limit agricultural uses within the district, and do not unnecessarily convert cropland or prime farmland within the district.
- b. Governmental, institutional, religious, or nonprofit community uses if the following apply:
 - (1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - (4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- c. One manufactured home incidental to a farm operation provided such home does not require more than a single access to a Class A, B or C highway and meets the definition of a farm residence. If the party living in the manufactured home no longer works on the farm, the manufactured home shall be removed from the premises.
- d. Temporary placement of a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- e. Non-metallic mineral extraction if the following apply:
 - (1) The operation and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The operation and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The operation and its location are designed to minimize the conversion of land

at and around the site of the use from agricultural use or open space use.

(4) The operation does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(5) The operation is permitted and in compliance with the Richland County Non-Metallic Mining Ordinance #2, which includes Section 13.30 (1) and (2).

f. Transportation, communications, pipeline, electric transmission, utility, wind energy systems, or drainage uses if consistent with Ch. 91.46(4) WI Stats, including wind and solar energy systems where the energy generated is primarily to be used off site and as long as the following apply:

(1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.

(2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.

(3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.

(4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

g. Kennels, as long as they are located more than 2,640 feet from a dwelling other than one occupied or rented by the owner and meets the definition of an accessory use found in Section IX and is consistent with CH 91.01 (1) WI Stats.

h. Trailer Camps, Camp Grounds, Institutional Recreational Camps and Camping Resorts per Section III A. 2. and meets the definition of an accessory use found in Section IX and is consistent with CH 91.46 (5) WI Stats.

i. Public Airports that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.

j. Private landing strips that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.

k. Replacement of an existing manufactured home less than 24 feet wide or an existing mobile home less than 24 feet wide with a replacement manufactured home less than 24 feet wide that has at least 1,000 square feet of floor space and meet the definition of an accessory use found in Section IX.

l. Placement of an agricultural structure within 500 feet of an existing non-agricultural structure under separate ownership.

m. Recreational Residential Rental if consistent with Ch. 91.01(1) WI Stats.

n. Bed and Breakfast establishments, as defined in section 91.01(1) (d) Wisconsin Statutes.

3. Area, Height and Setback Requirements

a. Lots not served by public sanitary sewer - Minimum of 2 acres.

b. Minimum Floor Area: 600 square Feet

c. Minimum Lot Width: 200 feet at the building setback line

d. Setbacks

(1) Principal Structure Side Yard: 20 feet

(2) Secondary or Accessory Structure Side Yard: 20 feet

(3) Rear Yard: Principal or Secondary: 50 feet

(4) Minimum highway setback shall be determined by Section G of this ordinance.

e. Open Space Requirements

Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.

f. Structures Not Buildings

Structures that are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback and other dimensional requirements of this ordinance. Excludes fences and public utility poles.

g. Accessory Uses and Structures:

Any permanent, roofed structure serving as an accessory use if attached to the principal building shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building it shall conform to the setback, and other dimensional requirements of the district within which it is located.

3. Section IX entitled "Definitions" is repealed and replaced by the following. The following definitions are new:

- # 3 entitled "Agriculture-Related Uses"
- # 15 entitled "Conditional Use"
- # 26 entitled "Farm"
- # 27 entitled "Farm Acreage"
- # 28 entitled "Farm Residence"
- # 44 entitled "Livestock"
- # 54 entitled "Nonfarm Residence"
- # 55 entitled "Nonfarm Residential Acreage"
- # 58 entitled "Prime Farmland"
- # 59 entitled "Prior Nonconforming Use"
- # 62 entitled "Protective Farmland"
- # 64 entitled "Recreational Residential Rental"
- # 57 entitled "Zoning Administrator"

Definitions

Except where specifically defined herein all words used in this Ordinance shall carry their customary meanings. Words use in the present tense include the future, and the plural includes the singular; the word "shall" is intended to be mandatory.

1. **Adult Family Home:** A private residence in which care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in section 51.05 (5), Wisconsin Statutes.
2. **Agricultural Structure:** Any structure which is devoted primarily to agricultural use.
3. **Agriculture-Related Uses:** An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products or facility for processing agricultural wastes.

4. **Animal unit:** Means a unit of measure to determine the total number of single animal types or combination of animal types, as specified in the following Table, which are fed, confined, maintained or stabled in a large-volume animal feeding operation. One animal unit is equivalent to one head of beef or slaughter cattle weighing more than 1,000 pounds.

TABLE
Number of Animal Units Per Animal For Various Types of Farm Animals

| Type of Farm Animal | Animal Units per Animal | Number of Animals Needed to Equal 1,000 Animal Units |
|-------------------------------------|-------------------------|--|
| DAIRY CATTLE: | | |
| Milking and Dry Cows | 1.4 | 700 |
| Heifers (800 to 1200 lbs) | 1.1 | 910 |
| Heifers (400 to 800 lbs) | 0.6 | 1670 |
| Calves (under 400 lbs) | 0.2 | 5000 |
| BEEF CATTLE: | | |
| Steers or Cows (1000 lbs to Mkt) | 1.0 | 1000 |
| Steers or Cows (600 to 1000 lbs) | 0.8 | 1250 |
| Calves (under 600 lbs) | 0.5 | 2000 |
| Bulls | 1.4 | 700 |
| SWINE: | | |
| Pigs (55 lbs to Mkt) | 0.4 | 2500 |
| Pigs (up to 55 lbs) | 0.1 | 10000 |
| Sows | 0.4 | 2500 |
| Boars | 0.5 | 2000 |
| SHEEP: | | |
| Per Animal | 0.1 | 10000 |
| HORSES: | | |
| Per Animal | 2.0 | 600 |
| DUCKS: | | |
| Per Bird (Wet Lot) | 0.2 | 5000 |
| Per Bird (Dry Lot) | 0.01 | 100000 |
| CHICKENS: | | |
| Layers | 0.01 | 100000 |
| Broilers | 1.002 | 200000 |
| TURKEYS: | | |
| Per Bird | 0.018 | 55000 |
| DUCKS: | | |
| Per Bird (Wet Lot) | 0.0 | 5000 |
| Per Bird (Dry Lot) | 0.01 | 100000 |

CHICKENS:

| | | |
|----------|-------|--------|
| Layers | 0.01 | 100000 |
| Broilers | 0.005 | 200000 |

TURKEYS:

| | | |
|----------|-------|-------|
| Per Bird | 0.018 | 55000 |
|----------|-------|-------|

5. **Bed and Breakfast Establishment:** Any place of lodging that provides 4 or fewer rooms for rent to tourists or transients, provides no meals other than breakfast, is the owner's personal residence and is occupied by the owner at the time of rental.
6. **Blasting:** The act of using a set charge of dynamite or other explosive at one firing to free up, loosen, or dislodge a desired product at the permitted mine site.
7. **Boarding house:** A building or premise where meals, and lodging and meals are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms offered for compensation shall be deemed a hotel or motel.
8. **Boathouse:** Any structure used for protecting or storing of boats used for noncommercial purposes in conjunction with aresidence.
9. **Building Area of a Lot:** That part of the lot bounded by the required building setback, side, and rear yard line.
10. **Buildings:** Any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
11. **Building Accessory:** Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.
12. **Camp Grounds and Camping Resorts:** Any privately or municipally owned parcel or tract of land accessible by automobile or other engine driven vehicle designed, maintained, intended or used for the purpose of supplying accommodations for overnight use by recreational vehicles, open to the public and designated as a developed camp area and set aside for free or paying camping purposes.
13. **Camper:** A sleeping unit such as a recreational vehicle or part thereof, which is used to house person(s) on a temporary basis and is not considered a structure and is not permanently hooked to a private septic system. Campers shall be between ten and thirty-six feet long, including the hitch and eight feet or less in width.
14. **Community-Based Residential Facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility and which is licensed as a community-based residential facility by the State of Wisconsin, as defined in sec. 50.01(1g), Wisconsin Statutes.

15. Conditional Use : A use allowed under a conditional use permit.

16. **Construction Aggregate:** is either sand and gravel or crushed stone (stone crushed from bedrock) that is predominately produced and used for local construction purposes (i.e., asphalt or concrete roads, concrete asphalt, building or dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, roofing granules, and other similar uses) or used for agricultural uses such as ag lime and bedding sand for livestock operations. Small amounts of sand and gravel or crushed stone may be produced and used for other purposes such as salt and sand for icy roads, water filtration systems in septic systems, landfills, mortar sand, and sand for sand blasting.
17. **County Planning and Zoning Committee:** The Richland County Planning and Zoning Committee as authorized by Section 59.97 of the Wisconsin Statutes. An authorized representative of the Planning and Zoning Committee (such hiring to be approved by the Personnel Committee and the County Board) for the purpose of carrying out the terms of this Ordinance.
18. **Crushing:** The act of breaking down, squeezing, pressing and pounding an object or material so that the action destroys or deforms the object into a usable or desired form.
19. **Drying:** The action to remove moisture from the intended marketable material.
20. **Dwelling:** A structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.
21. **Dwelling, Multi-family:** A dwelling containing separate living units for two or more families and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
22. **Dwelling, Single-family:** A residential structure which is designed to house a single family and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
23. **Extraction:** Obtaining the raw material from the permitted site following the permitted conditions. This also includes the acts of “Blasting”, “Stripping”, “Hauling”, and “Mine Construction”.
24. **Family:** A person or persons who live together in one dwelling unit as a single housekeeping unit.
25. **Family farm business:** Any lawful activity, except a farm, conducted primarily for any of the following:
 - a. The purchase, sale, lease or rental of personal or real property;
 - b. The manufacturing, processing or marketing of products, commodities or any other personal property.
 - c. The sale of services, except farm implement sales or repair shops, automotive sales or repair shops and major recreation equipment sales or repair shops.
 - d. No more than 2 persons who are not members of the resident farm family may be employed in the farm family business.

26. **Farm:** All land under common ownership that is primarily devoted to agricultural use. A parcel of 35 or more acres of contiguous land which is devoted primarily to agricultural use, meaning beekeeping, commercial feedlots, dairying, egg production, floriculture, fish or fur farming, forest and game management, grazing, livestock raising, orchards, plant greenhouses, and nurseries, poultry raising, raising of grain, grass, mint and seed crops, raising of fruit, nuts and berries, sod farming, which may or may not participate in any state or federal agricultural programs.
27. **Farm Acreage:** The size of a farm in acres. Farm acreage does not include non-farm residential acreage.
28. **Farm Residence:**
- (a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:
1. An owner or operator of the farm
2. A parent or child of an owner or operator of the farm.
3. An individual who earns more than 50 percent of his or her gross income from the farm.
- (b) A migrant labor camp that is certified under s. 103.92
29. **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; provided that the floor area of a dwelling shall not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.
30. **Garage, Private:** A structure primarily intended for and used for the enclosed storage or shelter of the private motor vehicles of the families resident upon the premises. Carports are considered garages.
31. **Garage, Public or Commercial:** Any garage other than a private garage.
32. **Grade, Established:** The elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation.
33. **Greenhouse:** Structure for production and/or sale of plants.
34. **Group home-community based residential facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care is provided to persons residing in the facility as a primary function of the facility.
35. **Hauling:** The action of carting or transporting of any material on public roadways, either raw or processed, from the original location of the raw or processed material to another location not on the permitted grounds.
36. **Historical Site:** A building (1) listed on or nominated by the State Historical Society for listing on the National Register for Historical Places in Wisconsin; or (2) included in a district which is listed 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; or (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.

37. **Household Occupations:** A gainful occupation conducted by a member of the family within his or her place or residence, where the space used is incidental to residential use, where the floor area does not exceed twenty (20) percent of the total floor area, and where no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such things as baby sitting, millinery, dressmaking, canning, laundering and crafts, but does not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.
38. **Industrial Sand:** is a high purity silica sand product sold for any of the following uses: glassmaking, metal casting, metal production, chemical production, paint and coatings, ceramics and refractories, and oil and gas recovery (i.e. "frac sand"). This sand is classified as 212322 Industrial and Sand Mining according to the NAICS (North American Industry Classification System) Standard Industrial Classification (SIC) System.
39. **Institutional recreational camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.
40. **Junk or Salvage Yard:** An area consisting of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.
41. **Kennel:** Premises where dogs, cats or other household pets are maintained, boarded, bred or cared for remuneration or kept for the purpose of sale.
42. **Holiday:** Legal holidays recognized by the State of Wisconsin on which no work is performed by employees of the State. These shall include; New Years Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day.
43. **Large-volume animal breeding or feeding operation:** means a feedlot or facility, other than a pasture, which became operational, or which came to be such a facility, after April 16, 1997, and where 1,000 or more animal units will be fed, confined, maintained or stabled for a total of 45 consecutive days or more in any 12-month period. Two or more animal feeding operations under common ownership are deemed to be a single animal feeding operation if they are adjacent to each other or if they utilize a common area or system for the disposal of wastes.
44. **Livestock:** means bovine animals, equine animals, cattle, swine, sheep, goats, poultry, and farm raised game birds
45. **Lot:** For the purpose of this Ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory buildings are placed, together with the required open spaces; provided that no such parcel shall be bisected by a public street, and shall not include any portion of a public right-of-way.
46. **Major recreational equipment:** Large items normally used for recreational purposes, including but not limited to travel trailers, motor homes, all-terrain vehicles, snowmobiles, boats and motors, buses and vans converted for sleeping purposes.

47. **Manufactured dwelling:** Any structure or component thereof which is intended for use as a dwelling and:

- a. Is of closed construction and fabricated or assembled on site or off site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
- a. Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

The term manufactured dwelling does not include a building of open construction which is not subject to paragraph (a) 2. All manufactured dwellings shall meet the requirements of Wisconsin Administrative Code, Chapter DSPS.

48. **Manufactured home:** A structure transportable in one or more sections, which in the traveling mode, is 8 feet or more in width or 40 body feet or more in length, and when erected on site is 600 square feet or more of floor space in the General Agriculture and Forestry district or 960 square feet or more of floor space in the Agriculture and Residential, Single Family Residential (R-1), Single Family Residential (R-2) and General Commercial Districts and which is built on a permanent chassis and designed to be used as a dwelling with a foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. This term includes all structures which meet the above requirements, and which the manufacturer voluntarily files a certification pursuant to Title 24 Code of Federal Regulations Part 3282.13 and complies with the standards set forth in Title 24 Code of Federal Regulations Part 3280. This term is meant to include double-wide mobile homes that meet the above requirements and were manufactured after June 15, 1976. No manufactured home which is less than 24 feet wide shall be used for any purpose other than human habitation. A manufactured home which is less than 24 feet wide shall not be used for a purpose which is merely incidental to residential use.

49. **Mine Construction:** The process involved in preparing a site for nonmetallic mineral extraction activities, including but not limited to the stripping of topsoil and overburden, the destruction of tree cover and other vegetation, the building of access roads, and the construction of accessory structures and buildings to be used in the course of mining activities.

50. **Migrant labor camp:** The site and all structures maintained as living quarters by, for or under the control and supervision of any person for: 1. A migrant worker, or 2. Any other person who is not related by blood or marriage to his or her employer and who occasionally or habitually leaves an established place of residence to travel to another locality to accept seasonal employment in the planting, cultivating, raising, harvesting, handling, drying, packing, packaging, processing, freezing, grading or storing of any agricultural or horticultural commodity in its unmanufactured state.

51. **Mobile Home:** A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway and equipped and used or intended to be used primarily for human habitation; with walls of rigid uncollapsible construction; and which has an overall length in excess of 45 feet. No mobile home shall be used for any purpose other than human habitation. A mobile home shall not be used for a purpose which is merely incidental to residential use.

52. **Mobile 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 mobile 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 mobile home park and its facilities.

53. **Non Conforming Uses or Structures:** Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements, shall be considered a nonconforming structure and not a nonconforming use.
54. **Nonfarm Residence: A single-family or multi-family residence other than a farm residence.**
55. **Nonfarm Residential Acreage: The total number of acres of all parcels on which nonfarm residences are located. If a nonfarm residence is located on one or 2 or more adjoining parcels owned by the same person, the adjoining parcels are also considered "nonfarm residential acreage" unless clearly devoted to non-residential use other than open space use.**
56. **Non-Metallic Mineral-Mining or Non-metallic mining:** All or any part of the process involved in the mining of non-metallic minerals including but not limited to the commercial extraction, agglomeration, beneficiation, removal of overburden and the production of refuse. It does not mean exploration, or prospecting, or mining of non-metallic minerals for a property-owner's sole use on the property-owner's property.
57. **Normal High Water Mark:** A line of reference commonly identified as being where the land is coterminous to the normal high water elevation. For the purposes of this Ordinance, the normal high water mark is defined as the line where the natural vegetation changes from predominantly aquatic to predominately terrestrial.
58. **Prime Farmland: An area with a Class I or II land capability classification as identified by the Natural Resources Conservation Service (NRCS) of the Federal Department of Agriculture (FDA) or land that is identified as prime farmland in a certified farmland preservation plan.**
59. **Prior Nonconforming use: A land use that does not conform with the Richland County Zoning Ordinance Number Six, but that existed lawfully before the farmland preservation zoning ordinance was enacted.**
60. **Processing:** To convert raw material into a marketable form, on site, by a special process that includes the actions of “crushing”, “washing”, “screening”, “drying” and “rail-load out”. Processing shall also include moving material by way of conveyor system or other forms of transportation, but shall not include moving material on public roadways.
61. **Professional Home Offices:** Residences of doctors of medicine, dentists, veterinarians, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, and musicians used to conduct their professions.
62. **Protected farmland: Land that is located in a General Agricultural and Forestry District (A-F), is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.**
63. **Recreation Camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

64. **Recreational Residential Rental:** The use of land or a building, whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other consideration, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.
65. **Resort:** A recreational development consisting of at least 5 rental units providing lodging, with or without meals, for transient guests, providing that no unit shall have an individual on-site soil sewage disposal system unless it meets the minimum lot size specifications stated in Section II.G.7, of this Ordinance. A resort does not include a tavern or a gift shop.
66. **Roadside Stand:** A farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on said farm.
67. **Screening:** Sorting or sizing of material into a marketable product size.
68. **Setbacks from a Highway:** The minimum horizontal distance from the center line of a highway or its right-of-way (line) to the nearest part of a structure, measured at right angles to the center line or right-of-way line.
69. **Shed:** A structure used for shelter or storage. A shed shall not be used as a dwelling.
70. **Sign:** A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
71. **Single Family Dwelling:** A residential structure which is designed to house a single family and which is a minimum of 24 feet in width, has a roof with a minimum slope of 3 to 12 pitch, placed on a basement and has a minimum of an 8 inch eave attached to at least 50% of the perimeter of the structure. This definition includes manufactured homes but excludes mobile homes. This structure and the land that it is placed on must be owned in common.
72. **Story:** The part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.
73. **Stripping:** To take away or remove soil, rock, or other overburden materials from Nonmetallic minerals and use that material in the reclamation process, where applicable.
74. **Structural Alterations:** Any change in the supporting members of a building such as bearings, wall columns, beams or girders or any substantial changes in the roof and exterior wall in excess of \$2,000.00 in value.
75. **Structure:** Anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.
76. **Structure, Existing:** A structure which has been completed, or for which a Zoning Permit has been obtained or on which construction has actually begun.
77. **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.

78. **Structure, Principal:** The building or structure containing the primary use of a property.

79. **Sustained Yield Forestry:** Management of forested lands to provide annual or periodic crops of forest products.

80. **Tourist Home:** A building in which lodging, with or without meals is offered to transient guests for compensation, provided there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.

81. **Trailer:** A vehicular, portable structure built on a chassis which can be transported by any motor vehicle and is designated to be used as a temporary dwelling for travel, recreation, and vacation use, which does not fall within the definition of a mobile home.

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

83. **Use, Accessory:** A use customarily incidental to the principal use and on the same lot as the principal use.

84. **Use, Principal:** The primary use of a property or structures.

85. **Washing:** The action that involves water or some other liquid for the purpose of cleansing by removing impurities or undesirables from the intended product.

86. **Wind Energy System:** A system whereby the wind is utilized to generate electricity.

87. **Zoning Administrator:** The public official charged with the administration, enforcement and interpretation of the Richland County Zoning Ordinance who shall carry out the directions of the Richland County Zoning and Land Information Committee.

4. This Ordinance shall be effective immediately upon its passage and publication.

Dated: September 18, 2018
September 18, 2918

ORDINANCE OFFERED BY THE ZONING AND Passed:
LAND INFORMATION COMMITTEE

Jeanetta Kirkpatrick, Chair
Richland County Board of Supervisors

FOR AGAINST

| | | |
|-----------------------|------------------|---|
| ATTEST: | Gary A. Peters | X |
| Victor V. Vlasak | James D. Huffman | X |
| Richland County Clerk | Jayme Walsh | X |
| | Marc Couey | X |
| | Steve Williamson | X |

Zoning Administrator Bindl reported that there have been no zoning amendments received since the last County Board session and that there are no rezoning petitions being recommended for denial by the Zoning and Land Information Committee.

Resolution No. 18-117 Commemorating The Service Of An Employee At Pine Valley Community Village Who Has Retired was read by County Clerk Vlasak. Motion by Sebranek, second by Cosgrove that Resolution No. 18-117 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 117

A Resolution Commemorating The Service Of An Employee At Pine Valley Community Village Who Has Retired.

WHEREAS Ms. Patricia Wilson, who was hired on January 17, 1994, retired on August 18, 2018 from the position of Food Service Worker II at Pine Valley Community Village after over 23 years of dedicated service to Richland County, and

WHEREAS the County Board wishes to express its appreciation to Ms. Patricia Wilson for her many

years of dedicated service to Richland County.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation to Ms. Patricia Wilson for her over 23 years of dedicated service to Richland County and the County Board hereby expresses its best wishes to Ms. Wilson for a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this Resolution to:

Ms. Patricia Wilson
801 E. Haseltine Street
Richland Center, WI 53581

RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF PINE VALLEY
COMMUNITY VILLAGE BOARD OF TRUSTEES

FOR AGAINST

| | |
|----------------------|---|
| Richard D. McKee | X |
| Larry Sebranek | X |
| Jeanetta Kirkpatrick | X |
| Donald Seep | X |

Resolution No. 18-118 Relating To The County Obtaining A Tax Deed To Certain Tax Delinquent Real Estate In The Town of Richland was read by County Clerk Vlasak. Motion by Marshall, second by Sebranek that Resolution No. 18-118 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 118

A Resolution Relating To The County Obtaining A Tax Deed To Certain Tax Delinquent Real Estate In The Town of Richland.

WHEREAS the County is the owner and holder of tax certificates relating to certain tax-delinquent real estate in the Town of Richland, and

WHEREAS the County is at this time authorized by the Wisconsin Statutes to take a tax deed to this tax delinquent real estate and to thereby become the owner of that real estate, subject to the statutory right of redemption of the former owner, and

WHEREAS the Property, Building and Grounds Committee has carefully considered this matter and is now recommending that the County Board authorize the taking of title by the County to this tax delinquent parcel of real estate.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to execute and issue a tax deed in favor of Richland County to the following-described parcel of real estate in the Town of Richland which is known as Tax Parcel No. 022-2942-2000 as to which the County owns and holds the following unredeemed tax certificates for the following tax years:

| <u>Year of tax</u> | <u>Certificate No.</u> | <u>Amount of tax (without interest)</u> | |
|--------------------|------------------------|---|----|
| 2010 | 430 | \$1,831.45 | 17 |
| 2011 | 425 | \$2,984.61 | |

| | | |
|------------|-----|-------------------|
| 2012 | 356 | \$3,149.30 |
| 2013 | 362 | \$3,232.93 |
| 2014 | 299 | \$3,362.81 |
| 2015 | 328 | \$3,223.80 |
| 2016 | 277 | \$3,229.69 |
| 2017 | — | <u>\$2,633.21</u> |
| Total..... | | \$23,647.80 |

The legal description relating to this parcel is as follows:

The following-described real estate situated in Richland County, State of Wisconsin:

Lot Two (2) Richland County Certified Survey Map No. 1061, recorded in the Office of the Register of Deeds for Richland County, Wisconsin on September 7, 2017 in Volume 9 of CSMs, pages 247-250, as Document No. 316811.

Subject to Grant of Access and Utility Easement recorded as Document No. 316265, Richland County Register of Deeds.

Subject to Grant of Access and Utility Easement recorded as Document # 316337, Richland County Register of Deeds.

Subject to gas line easements recorded as Document No. 131008 and 131010, Richland County Register of Deeds.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

**RESOLUTION OFFERED BY THE PROPERTY,
BUILDING AND GROUNDS COMMITTEE**

FOR AGAINST

| | |
|-------------------------|---|
| Richard D. McKee | X |
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Chad Cosgrove | X |
| Steve Williamson | X |

Resolution No. 18-119 Paying The Village Of Yuba For Special Assessments On A Tax Delinquent Parcel was read by County Clerk Vlasak. Motion by Brewer, second by Huffman that Resolution No. 18-119 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 – 119

A Resolution Paying The Village Of Yuba For Special Assessments On A Tax Delinquent Parcel.

WHEREAS when the County goes to sell tax delinquent real estate which it has acquired ownership of, the County has to pass clear title to the buyer which means that the County has to pay any special assessments levied on that Parcel in order to remove those assessments as a lien on the parcel, and

WHEREAS the County took ownership of Tax Parcel No. 196-0636-1400 in the Village of Yuba and sold it at auction without having paid the Village's special assessments on that Parcel and these special assessments now need to be paid.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to pay the special assessments levied by the Village of Yuba on Tax Parcel No. 196-0636-1400 in the total amount of \$4,062.34, including a sewer special assessment of \$2,525.63 and a water special assessment of \$1,536.71, and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to issue a County check in accordance with this Resolution, and

BE IT FURTHER RESOLVED that \$4,062.34 is hereby transferred from the Contingency Fund to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

| | |
|-------------------------|---|
| Marty Brewer | X |
| Linda Gentes | X |
| Jeanetta Kirkpatrick | X |
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Donald Seep | X |

Resolution No. 18-120 Relating To Cancelling Real Estate Taxes That Were Erroneously Assessed was read by County Clerk Vlasak. Motion by Wegner, second by Gentes that Resolution No. 18-120 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 120

A Resolution Relating To Cancelling Real Estate Taxes That Were Erroneously Assessed.

WHEREAS in 2011 an error was made regarding the assessment of real estate taxes for Tax Parcel No. 022-2933-4000 in the Town of Richland, with the result that the County's records show that real estate taxes were assessed against that Parcel in error for 7 years, between 2011and 2017, in the total amount of \$190.81, and

WHEREAS Wisconsin Statutes, section 75.25 provides that the County Board can cancel invalidly-assessed real estate taxes, and

WHEREAS the Finance and Personnel Committee has carefully considered this matter and is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that, in accordance with Wisconsin Statutes, section 75.25, the real estate taxes assessed for Tax Parcel # 022-~~2933-~~4000 in the Town of Richland for 2011 through 2017 in the amount of \$190.81 are hereby cancelled, and

BE IT FURTHER RESOLVED that the designation "Tax Parcel # 022-2933-4000" is hereby eliminated, and

BE IT FURTHER RESOLVED that \$190.81 is hereby transferred from the Contingency Fund to cover the cost of cancelling 7 years of delinquent taxes, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

| | |
|-------------------------|---|
| Marty Brewer | X |
| Linda Gentes | X |
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Jeanetta Kirkpatrick | X |
| Donald Seep | X |

Resolution No. 18-121 Accepting County Ownership Of 2 Items was read by County Clerk Vlasak. Motion by Brewer, second by Sebranek that Resolution No. 18-121 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 121

A Resolution Accepting County Ownership Of 2 Items.

WHEREAS the County's new property insurance carrier, Municipal Property Insurance Company of Middleton, is requiring County Board acceptance of ownership of any items that are donated to the County before such items will be covered by insurance, and

WHEREAS there are 2 items which have been donated to the County and which now require acceptance of ownership by the County Board, and

WHEREAS the Finance and Personnel Committee has carefully considered this matter and is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County hereby accepts ownership of the following items:

1. The Veterans of Foreign Wars building at the County Fairgrounds;
2. A drone with 2 camera attachments for the Sheriff's Department, and

BE IT FURTHER RESOLVED that approval is hereby granted for the Sheriff's Department to use the donated drone for law enforcement purposes, and

BE IT FURTHER RESOLVED that the County Board expresses its appreciation to the Veterans of Foreign Wars and to the anonymous donor of the drone, for these donations, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

| | |
|-------------------------|---|
| Marty Brewer | X |
| Linda Gentes | X |
| Jeanetta Kirkpatrick | X |
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Donald Seep | X |

Resolution No. 18-122 Approving Providing Incentives To County Employees Regarding The Wellness Program And Making An Appropriation was read by County Clerk Vlasak. Motion by Seep, second by Gentes that Resolution No. 18-122 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 122

A Resolution Approving Providing Incentives To County Employees Regarding The Wellness Program And Making An Appropriation.

WHEREAS, at its July 16, 2018 session, the County Board adopted Resolution No. 18-86 creating a County Wellness Committee to aid and encourage County employees to engage in healthy lifestyles, and

WHEREAS the Committee wants to provide an incentive to County employees to respond to a survey to find out what they want in a wellness program and an appropriation is needed to carry out this survey, and

WHEREAS the Finance and Personnel Committee has carefully considered this proposal and is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County Wellness Committee to conduct a survey of County employees to find out what they want in a wellness program, and

BE IT FURTHER RESOLVED that \$1,000 is hereby appropriated from the Contingency Fund to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

| | |
|----------------------|---|
| Marty Brewer | X |
| Linda Gentes | X |
| Jeanetta Kirkpatrick | X |

| | |
|-------------------------|---|
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Donald Seep | X |

Resolution No. 18-123 Approving Entering Into A Contract With The City Of Richland Center For Maintenance Of The Courthouse Grounds was read by County Clerk Vlasak. Motion by Wegner, second by McKee that Resolution No. 18-123 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 123

A Resolution Approving Entering Into A Contract With The City Of Richland Center For Maintenance Of The Courthouse Grounds.

WHEREAS the Property, Building and Grounds Committee has proposed that the County enter into a contract with the City of Richland Center for lawn mowing and snow removal at the Courthouse, and

WHEREAS Wisconsin Statutes, section 66.0301 authorizes agreements between government entities for the provision of services.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to enter into a contract with the City of Richland Center according to which the City would provide lawn mowing and snow removal at the Courthouse as follows:

- (a) snow plowing of parking lots, sidewalks, salting and snow removal, if needed, at a rate of \$65.00 per hour per person;
- (b) lawn mowing at a rate of \$45.00 per hour per person, and

BE IT FURTHER RESOLVED that Corporation Counsel Ben Southwick is directed to work with City Attorney Jay Robb to draft a contract in accordance with this Resolution to be presented to the Property, Building and Grounds Committee and the City, and

BE IT FURTHER RESOLVED that the Property, Building and Grounds Committee is authorized to enter into a contract in accordance with this Resolution, without further County Board approval, and

BE IT FURTHER RESOLVED funds to carry out this Resolution shall come from the Courthouse annual budget, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

**RESOLUTION OFFERED BY THE PROPERTY,
BUILDING AND GROUNDS COMMITTEE**

FOR AGAINST

| | |
|-------------------------|---|
| Richard D. McKee | X |
| Buford E. Marshall, Jr. | X |
| Chad Cosgrove | X |
| Larry Sebranek | X |
| Steve Williamson | X |

Resolution No. 18-124 Amending The Rules Of The Board And The Committee Structure Resolution was read by County Clerk Vlasak. Motion by Turk, second by Pulvermacher that Resolution No. 18-124 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 18 - 124

A Resolution Amending The Rules Of The Board And The Committee Structure Resolution.

WHEREAS, at the start of each County Board session, the Rules and Resolutions Committee has customarily undertaken the task of reviewing the Rules of the Board and the Committee Structure Resolution suggesting possible amendments, and

WHEREAS the Rules and Resolutions Committee has received a proposal suggestion for amending the Rules of the Board and a proposal for amending the Committee Structure Resolution the Committee is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED that the following amendments to the Rules of the Board is hereby approved:

1. The words “Chairman” and “Chairperson” are replaced by “Chair”, and

BE IT FURTHER RESOLVED that the Committee Structure Resolution is hereby amended by deleting the Aging and Disability Resource Center of Eagle County, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage.

RESOLUTION OFFERED BY THE RULES AND RESOLUTIONS COMMITTEE AND ETHICS BOARD

FOR AGAINST

| | |
|-----------------|---|
| David J. Turk | X |
| Donald Seep | X |
| Chad Cosgrove | X |
| Ed Pulvermacher | X |
| Jayme Walsh | X |

Resolution No. 18-125 Allowing Advertising The Salary Range For The Vacant Position Of Director Of The Health And Human Services Department was read by County Clerk Vlasak. Motion by Peters, second by Brewer that Resolution No. 18-125 be adopted. Motion by Gentes, second by Seep to amend the resolution by adding “The successful applicant’s salary within the range will be determined by the Health and Human Services Board based upon the successful applicant’s education and experience”. Motion carried on the amendment. Motion by Couey, second by Wenger to amend the resolution by adding “BE IT FURTHER RESOLVED that the Health and Human Services Board is hereby authorized to establish on a one-time basis the salary of the Director, within the advertised range, of the successful applicant based upon his or her education and experience”. Motion carried on the second amendment. Motion carried and resolution, as amended twice, declared adopted.

RESOLUTION NO. 18 – 125 (Amended)

A Resolution Allowing Advertising The Salary Range For The Vacant Position Of Director Of The Health And Human Services Department.

WHEREAS, at its July, 2018 session, the County Board adopted Resolution 18-99 which amended the County's Handbook of Policies and Work Rules to eliminate the requirement that advertisements for County positions shall include the salary range for the position, and

WHEREAS the Health and Human Services Board has proposed to the Finance and Personnel Committee that the Board be authorized to advertise the salary range for the vacant position of Director of the Health and Human Services Department, and

WHEREAS the Finance and Personnel Committee has carefully considered this proposal and is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the Health and Human Services Board is authorized to include the following in advertisements for the vacant position of Director of the Health and Human Services Department:

"Range of annual salary: \$76,273.60 to \$85,134.40. The successful applicant's salary within the range will be determined by the Health and Human Services Board based upon the successful applicant's education and experience.", and

BE IT FURTHER RESOLVED that the Health and Human Services Board is hereby authorized to establish on a one-time basis the salary of the Director, within the advertised range, of the successful applicant based upon his or her education and experience.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

| | |
|-------------------------|---|
| Linda Gentes | X |
| Marty Brewer | X |
| Jeanetta Kirkpatrick | X |
| Buford E. Marshall, Jr. | X |
| Larry Sebranek | X |
| Donald Seep | X |

Motion by Brewer, second by Huffman to approve the appointment of Gary Peters to the City Library Board to replace David Turk. Motion carried. The term of the appointment is July 1, 2018 to July 1, 2021.

Steve Williamson presented information regarding the removal of the trees and islands from the courthouse parking lot.

Board members received copies of the County Treasurer's reports on the cash balance history and cash balance comparison.

Motion by Huffman, second by Wegner to adjourn to Tuesday, October 16th at 6:00 p.m. Motion carried.

STATE OF WISCONSIN)
)SS
COUNTY OF RICHLAND)

I, Victor V. Vlasak, County Clerk in and for the County of Richland, do hereby certify that the foregoing is a true copy of the proceedings of the County Board of Supervisors of Richland County for the September session held on the 18th day of September, 2018.

Victor V. Vlasak
Richland County Clerk

ORDINANCE NO. 18 - 26

An Ordinance Amending Richland County Zoning Ordinance No. 5.

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

1. That Richland County Zoning Ordinance No. 5, which is Ordinance No. 2003-16, as amended to date, is hereby further amended as follows:

2. Section C entitled "General Agricultural and Forest District (A-F)" is repealed and replaced by the following:

C. GENERAL AGRICULTURAL AND FORESTRY DISTRICT (A-F)

This district provides for the continuation of general agriculture and forestry practices. The intent is to preserve areas with adequate soil types, drainage and topography for farming and forestry and to prevent uneconomical scattering of residential, commercial and industrial development in such areas. This district shall be in compliance with Chapter 91, Wisconsin Statutes. Land being rezoned out of this district shall occur only if the town and county find the following:

1. The land is better suited for a use not allowed in this district.
2. The rezoning is consistent with the Richland County Comprehensive Plan
3. The rezoning is consistent with Richland County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that is zoned for or legally restrict to agricultural use.

Richland County shall by March 1 of each year provide to DATCP a report of the number of acres that the political subdivision has rezoned out of the A-F district during the previous year.

1. Permitted Uses

a. Agricultural use. An agricultural use in the General Agricultural and Forestry District (A-F) means any of the following activities conducted for the purpose of producing an income or livelihood:

- (1) Crop or forage production
- (2) Keeping livestock
- (3) Beekeeping
- (4) Nursery, sod, or Christmas tree production.

- (5) Floriculture
- (6) Aquaculture
- (7) Fur farming
- (8) Forest management
- (9) Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program

b. Accessory use. An accessory use in the General Agricultural and Forestry District (A-F) means any of the following uses on a farm.

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use.

(2) An activity or business operation that is an integral part of or incidental to, an agricultural use.

(3) Farm residences

(4) A business, activity or enterprise whether or not associated with an agricultural use that is conducted by the owner or operator of a farm, that requires no buildings, structures or improvements other than those described in sub. (1) or (3), that employs no more than 4 full-time employees annually and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland. No outside storage of stock in trade or vehicles, or other items related to the business, activity, or enterprise is permitted excepting those vehicles incidental to the permitted use of the property.

c. Prior nonconforming uses

d. Transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

e. Undeveloped natural resources and open space areas.

f. Community and other living arrangements per Wisconsin Statute 59.69 (15), and meet the definition of an accessory use found in Section IX.

2. Uses Authorized by Conditional Permit

Before granting a conditional use permit in the, General Agriculture and Forestry District (A-F) the County shall require comment from the Town Board and or Plan Commission of the affected

town prior to any issuance of said conditional use permit.

- a. Agriculture-related uses that support and enhance agricultural uses within the district, do not impair or limit agricultural uses within the district, and do not unnecessarily convert cropland or prime farmland within the district.
- b. Governmental, institutional, religious, or nonprofit community uses if the following apply:
 - (1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.
 - (4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use
 - (5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.
- c. One manufactured home incidental to a farm operation provided such home does not require more than a single access to a Class A, B or C highway and meets the definition of a farm residence. If the party living in the manufactured home no longer works on the farm, the manufactured home shall be removed from the premises.
- d. Temporary placement of a manufactured home less than 24 feet wide while a permanent dwelling is being constructed. Except in exceptional circumstances, temporary placement shall not exceed 3 years.
- e. Non-metallic mineral extraction if the following apply:
 - (1) The operation and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.
 - (2) The operation and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.
 - (3) The operation and its location are designed to minimize the conversion of land

at and around the site of the use from agricultural use or open space use.

(4) The operation does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(5) The operation is permitted and in compliance with the Richland County Non-Metallic Mining Ordinance #2, which includes Section 13.30 (1) and (2).

f. Transportation, communications, pipeline, electric transmission, utility, wind energy systems, or drainage uses if consistent with Ch. 91.46(4) WI Stats, including wind and solar energy systems where the energy generated is primarily to be used off site and as long as the following apply:

(1) The use and its location in the General Agriculture and Forestry District (A-F) are consistent with the purposes of that district.

(2) The use and its location in the General Agriculture and Forestry District (A-F) are reasonable and appropriate, considering alternative location or are specifically approved under state or federal law.

(3) The use is designed to minimize the conversion of land at and around the site of the use from agricultural use or open space use.

(4) The use does not impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(5) Construction damage to land remaining in agricultural use is minimized and repaired to the extent feasible.

g. Kennels, as long as they are located more than 2,640 feet from a dwelling other than one occupied or rented by the owner and meets the definition of an accessory use found in Section IX and is consistent with CH 91.01 (1) WI Stats.

h. Trailer Camps, Camp Grounds, Institutional Recreational Camps and Camping Resorts per Section III A. 2. and meets the definition of an accessory use found in Section IX and is consistent with CH 91.46 (5) WI Stats.

i. Public Airports that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.

j. Private landing strips that meet the definition of an accessory use found in Section IX and is consistent with CH 91.46 (4) WI Stats.

k. Replacement of an existing manufactured home less than 24 feet wide or an existing mobile home less than 24 feet wide with a replacement manufactured home less than 24 feet wide that has at least 1,000 square feet of floor space and meet the definition of an accessory use found in Section IX.

l. Placement of an agricultural structure within 500 feet of an existing non-agricultural structure under separate ownership.

m. Recreational Residential Rental if consistent with Ch. 91.01(1) WI Stats.

n. Bed and Breakfast establishments, as defined in section 91.01(1) (d) Wisconsin Statutes.

3. Area, Height and Setback Requirements

a. Lots not served by public sanitary sewer - Minimum of 2 acres.

b. Minimum Floor Area: 600 square Feet

c. Minimum Lot Width: 200 feet at the building setback line

d. Setbacks

(1) Principal Structure Side Yard: 20 feet

(2) Secondary or Accessory Structure Side Yard: 20 feet

(3) Rear Yard: Principal or Secondary: 50 feet

(4) Minimum highway setback shall be determined by Section G of this ordinance.

e. Open Space Requirements

Every part of the required area of a yard shall be open to the sky. In this regard, the setback and yard requirements shall apply to all projections, such as sills, cornices, steps, porches, ornamental features, and fire escapes.

f. Structures Not Buildings

Structures that are not buildings and which are six inches or more in height from the surface of the ground shall be subject to the setback and other dimensional requirements of this ordinance. Excludes fences and public utility poles.

g. Accessory Uses and Structures:

Any permanent, roofed structure serving as an accessory use if attached to the principal building shall be considered a part of the principal building. If such structure is a building and is not attached to the principal building it shall conform to the setback, and other dimensional requirements of the district within which it is located.

3. Section IX entitled "Definitions" is repealed and replaced by the following. The following definitions are new:

- # 3 entitled "Agriculture-Related Uses"
- # 15 entitled "Conditional Use"
- # 26 entitled "Farm"
- # 27 entitled "Farm Acreage"
- # 28 entitled "Farm Residence"
- # 44 entitled "Livestock"
- # 54 entitled "Nonfarm Residence"
- # 55 entitled "Nonfarm Residential Acreage"
- # 58 entitled "Prime Farmland"
- # 59 entitled "Prior Nonconforming Use"
- # 62 entitled "Protective Farmland"
- # 64 entitled "Recreational Residential Rental"
- # 57 entitled "Zoning Administrator"

Definitions

Except where specifically defined herein all words used in this Ordinance shall carry their customary meanings. Words use in the present tense include the future, and the plural includes the singular; the word "shall" is intended to be mandatory.

1. **Adult Family Home:** A private residence in which care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in section 51.05 (5), Wisconsin Statutes.
2. **Agricultural Structure:** Any structure which is devoted primarily to agricultural use.
3. **Agriculture-Related Uses:** An agricultural equipment dealership, facility providing agricultural supplies, facility for storing or processing agricultural products or facility for processing agricultural wastes.

4. **Animal unit:** Means a unit of measure to determine the total number of single animal types or combination of animal types, as specified in the following Table, which are fed, confined, maintained or stabled in a large-volume animal feeding operation. One animal unit is equivalent to one head of beef or slaughter cattle weighing more than 1,000 pounds.

TABLE
Number of Animal Units Per Animal For Various Types of Farm Animals

| Type of Farm Animal | Animal Units per Animal | Number of Animals Needed to Equal 1,000 Animal Units |
|-------------------------------------|-------------------------|--|
| DAIRY CATTLE: | | |
| Milking and Dry Cows | 1.4 | 700 |
| Heifers (800 to 1200 lbs) | 1.1 | 910 |
| Heifers (400 to 800 lbs) | 0.6 | 1670 |
| Calves (under 400 lbs) | 0.2 | 5000 |
| BEEF CATTLE: | | |
| Steers or Cows (1000 lbs to Mkt) | 1.0 | 1000 |
| Steers or Cows (600 to 1000 lbs) | 0.8 | 1250 |
| Calves (under 600 lbs) | 0.5 | 2000 |
| Bulls | 1.4 | 700 |
| SWINE: | | |
| Pigs (55 lbs to Mkt) | 0.4 | 2500 |
| Pigs (up to 55 lbs) | 0.1 | 10000 |
| Sows | 0.4 | 2500 |
| Boars | 0.5 | 2000 |
| SHEEP: | | |
| Per Animal | 0.1 | 10000 |
| HORSES: | | |
| Per Animal | 2.0 | 600 |
| DUCKS: | | |
| Per Bird (Wet Lot) | 0.2 | 5000 |
| Per Bird (Dry Lot) | 0.01 | 100000 |
| CHICKENS: | | |
| Layers | 0.01 | 100000 |
| Broilers | 1.002 | 200000 |
| TURKEYS: | | |
| Per Bird | 0.018 | 55000 |
| DUCKS: | | |
| Per Bird (Wet Lot) | 0.0 | 5000 |
| Per Bird (Dry Lot) | 0.01 | 100000 |

CHICKENS:

| | | |
|----------|-------|--------|
| Layers | 0.01 | 100000 |
| Broilers | 0.005 | 200000 |

TURKEYS:

| | | |
|----------|-------|-------|
| Per Bird | 0.018 | 55000 |
|----------|-------|-------|

5. **Bed and Breakfast Establishment:** Any place of lodging that provides 4 or fewer rooms for rent to tourists or transients, provides no meals other than breakfast, is the owner's personal residence and is occupied by the owner at the time of rental.
6. **Blasting:** The act of using a set charge of dynamite or other explosive at one firing to free up, loosen, or dislodge a desired product at the permitted mine site.
7. **Boarding house:** A building or premise where meals, and lodging and meals are offered for compensation for five but not more than 12 persons and where no more than five sleeping rooms are provided for such purpose. An establishment where meals are served for compensation for more than 12 persons shall be deemed a restaurant. An establishment with more than five sleeping rooms offered for compensation shall be deemed a hotel or motel.
8. **Boathouse:** Any structure used for protecting or storing of boats used for noncommercial purposes in conjunction with aresidence.
9. **Building Area of a Lot:** That part of the lot bounded by the required building setback, side, and rear yard line.
10. **Buildings:** Any structure used, designed, or intended for the protection, shelter, or roofed enclosure of persons, animals, or property.
11. **Building Accessory:** Any building except the principal building or buildings on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.
12. **Camp Grounds and Camping Resorts:** Any privately or municipally owned parcel or tract of land accessible by automobile or other engine driven vehicle designed, maintained, intended or used for the purpose of supplying accommodations for overnight use by recreational vehicles, open to the public and designated as a developed camp area and set aside for free or paying camping purposes.
13. **Camper:** A sleeping unit such as a recreational vehicle or part thereof, which is used to house person(s) on a temporary basis and is not considered a structure and is not permanently hooked to a private septic system. Campers shall be between ten and thirty-six feet long, including the hitch and eight feet or less in width.
14. **Community-Based Residential Facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility and which is licensed as a community-based residential facility by the State of Wisconsin, as defined in sec. 50.01(1g), Wisconsin Statutes.

15. Conditional Use : A use allowed under a conditional use permit.

16. **Construction Aggregate:** is either sand and gravel or crushed stone (stone crushed from bedrock) that is predominately produced and used for local construction purposes (i.e., asphalt or concrete roads, concrete asphalt, building or dimension stone, railroad ballast, decorative stone, retaining walls, revetment stone, roofing granules, and other similar uses) or used for agricultural uses such as ag lime and bedding sand for livestock operations. Small amounts of sand and gravel or crushed stone may be produced and used for other purposes such as salt and sand for icy roads, water filtration systems in septic systems, landfills, mortar sand, and sand for sand blasting.
17. **County Planning and Zoning Committee:** The Richland County Planning and Zoning Committee as authorized by Section 59.97 of the Wisconsin Statutes. An authorized representative of the Planning and Zoning Committee (such hiring to be approved by the Personnel Committee and the County Board) for the purpose of carrying out the terms of this Ordinance.
18. **Crushing:** The act of breaking down, squeezing, pressing and pounding an object or material so that the action destroys or deforms the object into a usable or desired form.
19. **Drying:** The action to remove moisture from the intended marketable material.
20. **Dwelling:** A structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.
21. **Dwelling, Multi-family:** A dwelling containing separate living units for two or more families and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
22. **Dwelling, Single-family:** A residential structure which is designed to house a single family and is a minimum of 24 feet in width. This definition includes manufactured homes but excludes mobile homes. The structure and the land that it is placed on must be owned in common.
23. **Extraction:** Obtaining the raw material from the permitted site following the permitted conditions. This also includes the acts of “Blasting”, “Stripping”, “Hauling”, and “Mine Construction”.
24. **Family:** A person or persons who live together in one dwelling unit as a single housekeeping unit.
25. **Family farm business:** Any lawful activity, except a farm, conducted primarily for any of the following:
 - a. The purchase, sale, lease or rental of personal or real property;
 - b. The manufacturing, processing or marketing of products, commodities or any other personal property.
 - c. The sale of services, except farm implement sales or repair shops, automotive sales or repair shops and major recreation equipment sales or repair shops.
 - d. No more than 2 persons who are not members of the resident farm family may be employed in the farm family business.

26. **Farm:** All land under common ownership that is primarily devoted to agricultural use. A parcel of 35 or more acres of contiguous land which is devoted primarily to agricultural use, meaning beekeeping, commercial feedlots, dairying, egg production, floriculture, fish or fur farming, forest and game management, grazing, livestock raising, orchards, plant greenhouses, and nurseries, poultry raising, raising of grain, grass, mint and seed crops, raising of fruit, nuts and berries, sod farming, which may or may not participate in any state or federal agricultural programs.
27. **Farm Acreage:** The size of a farm in acres. Farm acreage does not include non-farm residential acreage.
28. **Farm Residence:**
- (a) A single-family or duplex residence that is the only residential structure on the farm or is occupied by any of the following:
1. An owner or operator of the farm
2. A parent or child of an owner or operator of the farm.
3. An individual who earns more than 50 percent of his or her gross income from the farm.
- (b) A migrant labor camp that is certified under s. 103.92
29. **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; provided that the floor area of a dwelling shall not include space not useable for living quarters, such as attics, unfinished basement rooms, garages, breezeways, and unenclosed porches or terraces.
30. **Garage, Private:** A structure primarily intended for and used for the enclosed storage or shelter of the private motor vehicles of the families resident upon the premises. Carports are considered garages.
31. **Garage, Public or Commercial:** Any garage other than a private garage.
32. **Grade, Established:** The elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation.
33. **Greenhouse:** Structure for production and/or sale of plants.
34. **Group home-community based residential facility:** A place where 5 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care is provided to persons residing in the facility as a primary function of the facility.
35. **Hauling:** The action of carting or transporting of any material on public roadways, either raw or processed, from the original location of the raw or processed material to another location not on the permitted grounds.
36. **Historical Site:** A building (1) listed on or nominated by the State Historical Society for listing on the National Register for Historical Places in Wisconsin; or (2) included in a district which is listed 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; or (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.

37. **Household Occupations:** A gainful occupation conducted by a member of the family within his or her place or residence, where the space used is incidental to residential use, where the floor area does not exceed twenty (20) percent of the total floor area, and where no article is sold or offered for sale except such as is produced by such home occupation. A household occupation includes such things as baby sitting, millinery, dressmaking, canning, laundering and crafts, but does not include the display of any goods nor such occupations as barbering, beauty shops, dance schools, real estate brokerage, or photographic studios.
38. **Industrial Sand:** is a high purity silica sand product sold for any of the following uses: glassmaking, metal casting, metal production, chemical production, paint and coatings, ceramics and refractories, and oil and gas recovery (i.e. "frac sand"). This sand is classified as 212322 Industrial and Sand Mining according to the NAICS (North American Industry Classification System) Standard Industrial Classification (SIC) System.
39. **Institutional recreational camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.
40. **Junk or Salvage Yard:** An area consisting of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.
41. **Kennel:** Premises where dogs, cats or other household pets are maintained, boarded, bred or cared for remuneration or kept for the purpose of sale.
42. **Holiday:** Legal holidays recognized by the State of Wisconsin on which no work is performed by employees of the State. These shall include; New Years Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day.
43. **Large-volume animal breeding or feeding operation:** means a feedlot or facility, other than a pasture, which became operational, or which came to be such a facility, after April 16, 1997, and where 1,000 or more animal units will be fed, confined, maintained or stabled for a total of 45 consecutive days or more in any 12-month period. Two or more animal feeding operations under common ownership are deemed to be a single animal feeding operation if they are adjacent to each other or if they utilize a common area or system for the disposal of wastes.
44. **Livestock:** means bovine animals, equine animals, cattle, swine, sheep, goats, poultry, and farm raised game birds
45. **Lot:** For the purpose of this Ordinance a lot shall be defined as a parcel of land on which a principal building and its accessory buildings are placed, together with the required open spaces; provided that no such parcel shall be bisected by a public street, and shall not include any portion of a public right-of-way.
46. **Major recreational equipment:** Large items normally used for recreational purposes, including but not limited to travel trailers, motor homes, all-terrain vehicles, snowmobiles, boats and motors, buses and vans converted for sleeping purposes.

47. **Manufactured dwelling:** Any structure or component thereof which is intended for use as a dwelling and:

- a. Is of closed construction and fabricated or assembled on site or off site in manufacturing facilities for installation, connection or assembly and installation at the building site; or
- a. Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer.

The term manufactured dwelling does not include a building of open construction which is not subject to paragraph (a) 2. All manufactured dwellings shall meet the requirements of Wisconsin Administrative Code, Chapter DSPS.

48. **Manufactured home:** A structure transportable in one or more sections, which in the traveling mode, is 8 feet or more in width or 40 body feet or more in length, and when erected on site is 600 square feet or more of floor space in the General Agriculture and Forestry district or 960 square feet or more of floor space in the Agriculture and Residential, Single Family Residential (R-1), Single Family Residential (R-2) and General Commercial Districts and which is built on a permanent chassis and designed to be used as a dwelling with a foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. This term includes all structures which meet the above requirements, and which the manufacturer voluntarily files a certification pursuant to Title 24 Code of Federal Regulations Part 3282.13 and complies with the standards set forth in Title 24 Code of Federal Regulations Part 3280. This term is meant to include double-wide mobile homes that meet the above requirements and were manufactured after June 15, 1976. No manufactured home which is less than 24 feet wide shall be used for any purpose other than human habitation. A manufactured home which is less than 24 feet wide shall not be used for a purpose which is merely incidental to residential use.

49. **Mine Construction:** The process involved in preparing a site for nonmetallic mineral extraction activities, including but not limited to the stripping of topsoil and overburden, the destruction of tree cover and other vegetation, the building of access roads, and the construction of accessory structures and buildings to be used in the course of mining activities.

50. **Migrant labor camp:** The site and all structures maintained as living quarters by, for or under the control and supervision of any person for: 1. A migrant worker, or 2. Any other person who is not related by blood or marriage to his or her employer and who occasionally or habitually leaves an established place of residence to travel to another locality to accept seasonal employment in the planting, cultivating, raising, harvesting, handling, drying, packing, packaging, processing, freezing, grading or storing of any agricultural or horticultural commodity in its unmanufactured state.

51. **Mobile Home:** A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway and equipped and used or intended to be used primarily for human habitation; with walls of rigid uncollapsible construction; and which has an overall length in excess of 45 feet. No mobile home shall be used for any purpose other than human habitation. A mobile home shall not be used for a purpose which is merely incidental to residential use.

52. **Mobile 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 mobile 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 mobile home park and its facilities.

53. **Non Conforming Uses or Structures:** Any structure, land, or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming in respect to use but not in respect to frontage, width, height, area, yard, parking, loading or distance requirements, shall be considered a nonconforming structure and not a nonconforming use.
54. **Nonfarm Residence: A single-family or multi-family residence other than a farm residence.**
55. **Nonfarm Residential Acreage: The total number of acres of all parcels on which nonfarm residences are located. If a nonfarm residence is located on one or 2 or more adjoining parcels owned by the same person, the adjoining parcels are also considered "nonfarm residential acreage" unless clearly devoted to non-residential use other than open space use.**
56. **Non-Metallic Mineral-Mining or Non-metallic mining:** All or any part of the process involved in the mining of non-metallic minerals including but not limited to the commercial extraction, agglomeration, beneficiation, removal of overburden and the production of refuse. It does not mean exploration, or prospecting, or mining of non-metallic minerals for a property-owner's sole use on the property-owner's property.
57. **Normal High Water Mark:** A line of reference commonly identified as being where the land is coterminous to the normal high water elevation. For the purposes of this Ordinance, the normal high water mark is defined as the line where the natural vegetation changes from predominantly aquatic to predominately terrestrial.
58. **Prime Farmland: An area with a Class I or II land capability classification as identified by the Natural Resources Conservation Service (NRCS) of the Federal Department of Agriculture (FDA) or land that is identified as prime farmland in a certified farmland preservation plan.**
59. **Prior Nonconforming use: A land use that does not conform with the Richland County Zoning Ordinance Number Six, but that existed lawfully before the farmland preservation zoning ordinance was enacted.**
60. **Processing:** To convert raw material into a marketable form, on site, by a special process that includes the actions of “crushing”, “washing”, “screening”, “drying” and “rail-load out”. Processing shall also include moving material by way of conveyor system or other forms of transportation, but shall not include moving material on public roadways.
61. **Professional Home Offices:** Residences of doctors of medicine, dentists, veterinarians, clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, artists, teachers, authors, and musicians used to conduct their professions.
62. **Protected farmland: Land that is located in a General Agricultural and Forestry District (A-F), is covered by a farmland preservation agreement, or is otherwise legally protected from nonagricultural development.**
63. **Recreation Camp:** An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.

64. **Recreational Residential Rental:** The use of land or a building, whole or in part, for the temporary accommodation of visitors, but does not include the accommodation of visitors without receipt of payment or other consideration, where the accommodation is incidental to and normally associated with the permitted residential use of a dwelling unit.
65. **Resort:** A recreational development consisting of at least 5 rental units providing lodging, with or without meals, for transient guests, providing that no unit shall have an individual on-site soil sewage disposal system unless it meets the minimum lot size specifications stated in Section II.G.7, of this Ordinance. A resort does not include a tavern or a gift shop.
66. **Roadside Stand:** A farm building used or intended to be used solely by the owner or tenant of the farm on which such building is located for the sale of farm products raised on said farm.
67. **Screening:** Sorting or sizing of material into a marketable product size.
68. **Setbacks from a Highway:** The minimum horizontal distance from the center line of a highway or its right-of-way (line) to the nearest part of a structure, measured at right angles to the center line or right-of-way line.
69. **Shed:** A structure used for shelter or storage. A shed shall not be used as a dwelling.
70. **Sign:** A sign is any structure or natural object or part thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.
71. **Single Family Dwelling:** A residential structure which is designed to house a single family and which is a minimum of 24 feet in width, has a roof with a minimum slope of 3 to 12 pitch, placed on a basement and has a minimum of an 8 inch eave attached to at least 50% of the perimeter of the structure. This definition includes manufactured homes but excludes mobile homes. This structure and the land that it is placed on must be owned in common.
72. **Story:** The part of a building included between the surface of a floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it.
73. **Stripping:** To take away or remove soil, rock, or other overburden materials from Nonmetallic minerals and use that material in the reclamation process, where applicable.
74. **Structural Alterations:** Any change in the supporting members of a building such as bearings, wall columns, beams or girders or any substantial changes in the roof and exterior wall in excess of \$2,000.00 in value.
75. **Structure:** Anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.
76. **Structure, Existing:** A structure which has been completed, or for which a Zoning Permit has been obtained or on which construction has actually begun.
77. **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.

78. **Structure, Principal:** The building or structure containing the primary use of a property.
 79. **Sustained Yield Forestry:** Management of forested lands to provide annual or periodic crops of forest products.
 80. **Tourist Home:** A building in which lodging, with or without meals is offered to transient guests for compensation, provided there are no more than five sleeping rooms for such purpose and no cooking facilities are provided in the individual rooms or apartments.
 81. **Trailer:** A vehicular, portable structure built on a chassis which can be transported by any motor vehicle and is designated to be used as a temporary dwelling for travel, recreation, and vacation use, which does not fall within the definition of a mobile home.
 82. **Trailer Camp:** Any privately or publicly owned parcel or tract of land accessible by automobile or other engine-driven vehicle designed, maintained, intended, or used for the purpose of supplying accommodations for use by recreational vehicles on a temporary basis, open to the public and designated as a trailer camp area.
 83. **Use, Accessory:** A use customarily incidental to the principal use and on the same lot as the principal use.
 84. **Use, Principal:** The primary use of a property or structures.
 85. **Washing:** The action that involves water or some other liquid for the purpose of cleansing by removing impurities or undesirables from the intended product.
 86. **Wind Energy System:** A system whereby the wind is utilized to generate electricity.
 87. **Zoning Administrator:** The public official charged with the administration, enforcement and interpretation of the Richland County Zoning Ordinance who shall carry out the directions of the Richland County Zoning and Land Information Committee.
4. This Ordinance shall be effective immediately upon its passage and publication.

Dated: September 18, 2018

Passed: September 18, 2918

ORDINANCE OFFERED BY THE ZONING AND
LAND INFORMATION COMMITTEE

Jeanetta Kirkpatrick, Chair
Richland County Board of Supervisors

FOR AGAINST

| | | |
|-----------------------|------------------|---|
| ATTEST: | Gary A. Peters | X |
| Victor V. Vlasak | James D. Huffman | X |
| Richland County Clerk | Jayme Walsh | X |
| | Marc Couey | X |
| | Steve Williamson | X |