

ORDINANCE NO. 219-2019

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION AND CREATION OF NEW LIVESTOCK FACILITY SITING OPERATIONS WITHIN THE UNINCORPORATED AREAS OF CRAWFORD COUNTY

The Crawford County Board of Supervisors does ordain as follows:

SECTION 1. PURPOSE

The purpose of this moratorium is to allow Crawford County adequate time to study, review, consider and determine whether amendments to the Livestock Facilities Licensing Ordinance (12.07 Crawford County Code of Ordinances) is required to protect public health, safety, and welfare in Crawford County before large-scale livestock facilities commence or expand in Crawford County.

SECTION 2. AUTHORITY – IMPOSITION OF MORATORIUM

Moratorium Imposed. Pursuant to Sections 59.02(2) and 59.69 of the Wisconsin Statutes, the County Board of Supervisors hereby prohibits the creation, construction, or expansion of any large-scale livestock facilities licensing operations within the unincorporated areas of Crawford County. Further, there is hereby established a temporary stay on the acceptance, review, and approval by County officials, staff, and consultants of any permit applications for livestock facilities licensing operations after the effective date of this Ordinance until the effective period of the moratorium expires.

SECTION 3. ADOPTION

This ordinance, adopted by a majority vote of the County Board on roll call vote with a quorum present and voting and proper notice having been given, provides for the imposition of a moratorium on the permitting of new livestock facilities that will have 1,000 or more animal units, and on the permitting of pre-existing livestock facilities that are applying to undergo an expansion if the number of animal units kept at the expanded facility will be 1,000 or more. This moratorium does not apply to an applicant who has acquired legally vested rights by a permit issued prior to the adoption of this ordinance.

SECTION 4. DEFINITIONS

All definitions located in the Crawford County Code of Ordinances are hereby adopted and incorporated as if fully set forth herein.

SECTION 5. DURATION OF MORATORIUM

The moratorium imposed by this ordinance shall be in effect for a period of twelve (12) months following the effective date hereof. This moratorium may be extended for up to twelve (12) months by a majority vote of the Crawford County Board of Supervisors.

SECTION 6. ACTION AND STUDY DURING MORATORIUM

During the moratorium imposed by this ordinance the Crawford County Land Conservation, Planning and Zoning Committee, the Crawford County Land Conservation, Planning and Zoning Department, the Crawford County Community Development Agent, the Crawford County Department of Public Health and a “citizen representative” to be appointed by the Crawford County Board Chairman shall be formed as a “Special Study Committee”. They shall study and analyze the impact of large-scale livestock facility operations. This Special Study Committee shall be charged with researching the issues associated with such operations and making recommendations to the Crawford County Land Conservation, Planning, and Zoning Committee regarding regulatory and police powers necessary to ensure the applicable regulations adequately protect the groundwater, surface water, air quality, public health and safety of residents. The Crawford County Land Conservation Committee shall make reports to the County Board as directed by the County Board with a final report within 10 months of the effective date of this ordinance.

SECTION 7. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 8. CODIFICATION

This ordinance shall not be codified.

SECTION 9. EFFECTIVE DATE

This ordinance shall become effective from and after its passage and publication as required by law.

Land Conservation, Planning and Zoning
Henry Esser, Chairman
Don Dudenbostel
Kim Moret
Wade Dull
David Olson

Passed and approved this 17th day of December, 2019.

Tom Cornford
County Board Chairman

ATTEST: Janet Geisler, County Clerk