

TXT-19-03

Moratorium on Livestock Facilities Licensing

Authority

This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 59.02(2) and 59.69.

Title and Purpose

The title of this ordinance is the Moratorium on Livestock Facilities Licensing. The purpose of this ordinance is to allow Burnett County to impose a moratorium providing adequate time to study, review, consider and determine whether amendments to the Livestock Facilities Licensing Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Burnett County in light of the unique environment and the Burnett County Comprehensive Plan. Further, the imposition of a moratorium will allow Burnett County to determine whether it has adequate resources to enforce any new or existing livestock facility ordinance.

Adoption

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

Definitions

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

Moratorium Imposed

The Burnett County Board of Supervisors hereby imposes a moratorium on the licensing of new livestock facilities that will have 1,000 or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 1,000 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

Action and Study During Moratorium

The Burnett County Board of Supervisors hereby creates a 8-person special study committee which shall be known as the "Large-Scale Livestock Study Committee" and which shall consist of three (3) elected officials, three (3) Burnett County Staff Members, and two (2) interested Burnett County residents and property owners. The County Board Chairman, in consultation with the County Administrator will recommend all committee members to the Large-Scale Livestock Study Committee to the full County Board. A majority vote of the Burnett County Board of Supervisors shall approve the member appointments.

The Large-Scale Livestock Study Committee shall, during the course of the moratorium imposed by this ordinance, research, analyze and synthesize scientific literature regarding the impact of the large-scale livestock facilities on ground water, surface water, and air quality as those issues apply in Burnett County. The Large-Scale Livestock Study Committee is authorized to expend up to \$20,000, allocated from the County Sales Tax Revenue Fund, to engage qualified individual(s) or firm(s) to conduct the research and analysis of scientific literature, or for the necessary studies as determined by the Large-Scale Livestock Study Committee. Additional funds, if needed, must be approved by a majority of the Burnett County Board of Supervisors.

The Large-Scale Livestock Study Committee shall report its recommendations on appropriate county-level regulatory approaches relative to the siting and/or operation of livestock facilities within Burnett County to the full County Board of Supervisors at least 30 days prior to the end of the moratorium adopted pursuant to this ordinance or as soon as the Committee has developed recommendations based upon its research, whichever comes soonest.

Duration of Moratorium

This moratorium shall be in effect for a period of twelve months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date, or until the action and study contemplated by this ordinance is complete and the County Board adopts amendments to the Livestock Facilities Licensing Ordinance, creates a Livestock Facilities Zoning Ordinance, or rescinds this moratorium. The moratorium may be extended for up to 6 more months by a majority vote of the Burnett County Board of Supervisors, if necessary in order for the Large-Scale Livestock Study Committee to complete its responsibilities.