

**Town of Lincoln, Kewaunee County, Wisconsin**

**RESOLUTION AMENDING THE TOWN OF LINCOLN  
LIVESTOCK FACILITY SITING AND LICENSING ORDINANCE  
and the  
AMENDMENT TO THE LIVESTOCK FACILITY SITING AND LICENSING  
ORDINANCE**

**Resolution #** 2019-2

**WHEREAS**, with the adoption of Chapter 10, Town of Lincoln Zoning Ordinance, the **Livestock Facility Siting and Licensing Ordinance** and the **Amendment to the Livestock Facility Siting and Licensing Ordinance** are in need of updating;

**BE IT THEREFORE RESOLVED** that the Town of Lincoln Board of Supervisors hereby adopts by this **Resolution** the following **Amendment to the Town of Lincoln Livestock Facility Siting and Licensing Ordinance and Amendment to the Amendment to the Livestock Facility Siting and Licensing Ordinance** until such time as the Plan Commission may hold a public hearing on the ordinance and the Town Board of Supervisors can adopt said ordinances.

**Ordinance #** 2019-

**AMENDMENT TO THE TOWN OF LINCOLN  
LIVESTOCK FACILITY SITING AND LICENSING ORDINANCE**

**1. Authority**

This ordinance is an amendment adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 92.15 and 93.90. Further this ordinance is adopted pursuant to the powers granted to the town board under the grant of village powers pursuant to Sec. 60.22 of Wis. Statutes for the protection of public health and safety.

**2. Purpose and Findings**

Purpose: The purpose of this amendment is to comply with requirements of Sec. 93.90 of Wis. Statutes and ch. ATCP 51, Wis. Adm. Code (ATCP 51), and to establish standards and authority to protect the public health and safety of the people of the Town of Lincoln. This amendment updates the **Town of Lincoln's Livestock Facility Siting Ordinance** to the **Chapter 11: Town of Lincoln's Livestock Facility Siting and Conditional Use Permitting Ordinance**.

**3. Applicability**

This Ordinance applies to all lands within the boundaries of Lincoln Township.

**4. General Regulations:** The following amendments to the Town of Lincoln Livestock Facility Siting and Licensing Ordinance is hereby adopted:

- A.** The terms "license, licensee, licenses, licensed, and licensing" shall be replaced with the term "conditional use permit" permittee, permits, permits, permitted, and permitting throughout the ordinance.

- B. **Section 4 General Regulations** shall be rewritten to read: Livestock Facilities Restricted to A-1 Exclusive Agricultural Zones: Livestock facilities shall only be located on land parcels that are zoned to allow for livestock facilities.
- C. **Section 8 B 1, 2, and 3 a) and c): Setbacks** shall be deleted and rewritten as follows: All setbacks for livestock facilities and manure structures shall comply with sections 10.0404(6), (9), (10), (11), (12), and (13) of Town of Lincoln Chapter 10 Zoning Code.  
**Section 8 B 3 b):** shall remain as written: Waste storage structures shall comply with all requirements of other Town of Lincoln ordinances.
- D. **Section 8 C:** shall be rewritten to read: All water quality setbacks specified in ATCP 51.12 (3), (4), and (5) and Kewaunee County Chapter 39 shall be complied with."
- E. **Section 11 A 3:** shall be rewritten to read: "Contains sufficient credible information to show, in the absence of clear and convincing evidence to the contrary, that the proposed livestock facility meets or is exempt from the standards specified in this ordinance or the Town of Lincoln Chapter 10 Zoning Ordinance."
- F. **Section 18 D:** shall be rewritten to read: "Notwithstanding the provisions of Section 10.1008 (2) of the Town of Lincoln Zoning Ordinance..."

## 5. Penalties

Any person violating this ordinance shall be subject to the penalties applicable under Section 18 of the Livestock Facility Siting and Licensing Ordinance of the Town of Lincoln.

## 6. Effective Date

This amendment is effective upon enactment and publication.

Enacted this 6th day of May, 2019, by the Town Board of Supervisors of the Town of Lincoln, Kewaunee County, Wisconsin.

### TOWN BOARD



Cory Cochart, Chairman



Jordan Nowak, Supervisor #1



Jesse Jerabek, Supervisor #2

## CERTIFICATION OF ENACTMENT

I hereby certify that the foregoing ordinance was duly enacted by the Town Board of the Town of Lincoln on this

6th day of May, 2019.

Mary Ann Salmon

Mary Ann Salmon, Town Clerk

Ordinance # 2019-

### **AMENDMENT TO THE AMENDMENT TO THE TOWN OF LINCOLN LIVESTOCK FACILITY SITING AND LICENSING ORDINANCE**

#### **1. Authority**

This ordinance is an amendment adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 92.15 and 93.90. Further this ordinance is adopted pursuant to the powers granted to the town board under the grant of village powers pursuant to Sec. 60.22 of Wis. Statutes for the protection of public health and safety.

#### **2. Purpose and Findings**

Purpose: The purpose of this amendment is to comply with requirements of Sec. 93.90 of Wis. Statutes and ch. ATPC 51, Wis. Adm. Code (ATPC 51), and to establish standards and authority to protect the public health and safety of the people of the Town of Lincoln. This amendment updates the **Town of Lincoln's Amendment to the Livestock Facility Siting and LICENSING Ordinance.**

#### **3. Applicability**

This Ordinance applies to all lands within the boundaries of Lincoln Township.

#### **4. General Regulations:** The following amendments to the Town of Lincoln Livestock Facility Siting and Licensing Ordinance is hereby adopted:

- A.** All references to the **Town of Lincoln Livestock Facility Siting and Licensing Ordinance** are hereby changed to the **Town of Lincoln Livestock Facility Siting and Conditional Use Permit Ordinance.**

#### **5. Penalties**

Any person violating this ordinance shall be subject to the penalties applicable under Section 18 of the Livestock Facility Siting and Conditional Use Permit Ordinance of the Town of Lincoln.

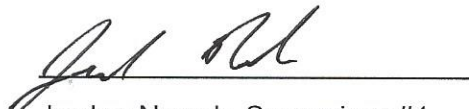
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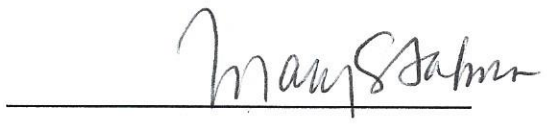
  
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