

ORDINANCE

2014-02

TOWN OF BLOOMER, CHIPPEWA COUNTY, WISCONSIN

–Declaring a Moratorium on the Commencement of Nonmetallic Mining Operations
for a Period of One (1) Year Pending Study of Possible Additional
or Replacement Legislation Pertaining to the Same–

THE TOWN BOARD OF THE TOWN OF BLOOMER, CHIPPEWA COUNTY, WISCONSIN,
HEREBY ORDAINS AS FOLLOWS:

Section One: Purpose of Ordinance.

Pursuant to §§60.10(2)(c), 60.23, 60.62, 61.35, and 62.23, Wis. Stats., pending study and recommendation as to potential amendments to existing ordinances or adoption of new ordinances, it being the desire of the Town of Bloomer to determine the advisability of amending its existing Comprehensive Plan and amendment to or adoption of new police power ordinances or zoning ordinances with respect to the use of land for nonmetallic mining operations, including, but not limited to, actual mines and associated nonmetallic mineral material storage or loading facilities and otherwise determining if local regulations of such types of land uses is in the best interests of the citizens of the Town, no permit shall be issued under the Town Zoning Code for nonmetallic mining operations until either the passage of one (1) year from the date of adoption of this Ordinance, its earlier repeal by the Town Board or the adoption of additional police power or zoning regulations of non metallic mining, whichever occurs first.

Section Two: Basis for Adoption of Ordinance.

This Ordinance is adopted for the purpose of facilitating the following types of analyses of the health, welfare, and safety needs of the Town, its citizens and property owners:

- [1] Concerns related to the number of haul trucks making use of public highways in the Town pertaining to pedestrian and motor vehicle safety issues as well as with respect to extraordinary highway maintenance needs occasioned by such truck traffic.
- [2] Concerns pertaining to the interest of the Town to preserve and promote property values in the Town and the potential desire of the Town Board to unify an approach to maintaining the values of properties in close proximity to nonmetallic mining operations sites.
- [3] Concerns pertaining to potential adverse environmental impacts of expanded nonmetallic mining operations in the Town, including, but not limited to, an analysis of the types of regulations that the Town is empowered to adopt and, to that extent, what, if any, regulations beyond those currently in effect or which might modify existing regulations should be considered for adoption by the Town Board.

[4] Compatibility of nonmetallic mining operations with the existing Town Comprehensive Plan and/or consideration of modifications to the existing Town Comprehensive Plan.

[5] A study and potential adoption of police power or zoning regulations, in addition to those already in effect in the Town to render non metallic mining operations to be compatible with surrounding land uses and land uses generally within the several zoning districts established under the Town Zoning Code.

Section Three: Effective Date and Sunset Provision.

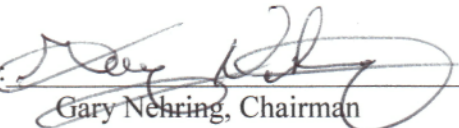
This ordinance shall take effect upon its adoption and publication or posting as required by law and shall continue for a period of not to exceed one (1) year next following its date of adoption, subject to the following: If the Town Board adopts legislation prior to the end of one (1) year that implements the objectives of the Moratorium declared herein, this Ordinance shall terminate much as it would in the event that the Town Board determines at a point in time prior to the end of one (1) year that it does not desire to engage in any further or different regulation of non metallic mining operations in the Town. That the Town Clerk is instructed to both post and publish this Ordinance as a Class 1 legal notice under Ch. 985, Wis. Stats. and a certified copy of this Ordinance shall be mailed to the Chippewa County Clerk..

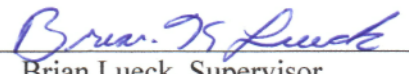
Section Four: Express Exception from Operation of Ordinance.

This Ordinance shall not apply to any existing non metallic mining operations, actually in operation as of the date of this Ordinance in the Town of Bloomer, nor shall it be deemed to modify or repeal any prior permit that may have been granted for non metallic mining, subject only to the reservation of rights by the Town, acting within its legal rights, to modify or add to existing regulations and apply them to pre existing operations, to the extent it is permitted to do so by Wisconsin law.

Dated this 8th day of December, 2014.

TOWN OF BLOOMER

By: 
Gary Nehring, Chairman

By: 
Brian Lueck, Supervisor

By: Roger D.M. Farlane
Roger McFarlane, Supervisor

Attest:

Roxanne Geurkink
Roxanne Geurkink, Town Clerk