

**TOWN OF TRADE LAKE  
BURNETT COUNTY, WISCONSIN**

**ORDINANCE NO. 03-2020**

**AN ORDINANCE AMENDING THE TOWN OF TRADE LAKE ORDINANCE NO. 02-2020 CONCENTRATED ANIMAL FEEDING OPERATIONS ORDINANCE MORATORIUM**

The Town Board of the Town of Trade Lake, Burnett County, Wisconsin, does ordain as follows:

**WHEREAS**, on January 9, 2020, the Town of Trade Lake ("Town") in Burnett County, Wisconsin, adopted Ordinance No. 01-2020 Concentrated Animal Feeding Operations Ordinance ("CAFO Permitting Ordinance"). A copy of the adopting ordinance is attached as Exhibit A and incorporated by reference;

**WHEREAS**, on January 9, 2020, the Town of Trade Lake ("Town") in Burnett County, Wisconsin, adopted Ordinance No. 02-2020 Concentrated Animal Feeding Operations Ordinance Moratorium ("CAFO Permitting Ordinance Moratorium"). A copy of the adopting ordinance is attached as Exhibit A and incorporated by reference; and

**WHEREAS**, the purpose of this Ordinance is to extend to the CAFO Permitting Ordinance Moratorium.

**NOW, THEREFORE**, in consideration of the above Recitals, which are incorporated herein by reference, the Town Board of the Town of Trade Lake ordains as follows:

Section 1 -- TITLE AND PURPOSE:

1.1 Title. The title of this Ordinance is the Town of Trade Lake Ordinance To Extend The Moratorium On Issuance Of Concentrated Feeding Operation Permits ("CAFO Permitting Ordinance Moratorium Extension").

1.2 Purpose. The purpose of the CAFO Permitting Ordinance Moratorium Extension is to allow additional time for review and study of the possible impacts that the issuance of permits under the CAFO Permitting Ordinance may have on the health, safety, and general welfare of the residents of the Town, including impacts on air quality, water quality, public infrastructure, property values, and the local economy as set forth in the Recitals and Appendix A of the CAFO Permitting Ordinance consistent with the findings made by the Town Board in the Recitals, each and all of which are incorporated herein by reference.

Section 2 -AUTHORITY:

The Town Board relies on Wis. Stat. § 61.34, the general police powers of a village board, which have been conferred on the Town Board pursuant to Wis. Stat. §§ 60.10 (2)(c) and 60.22(3), and Wis. Stat. §§ 60.23.

Section 3-- MORATORIUM EXTENSION IMPOSED:

3.1 For the duration of the CAFO Permitting Ordinance Moratorium Extension, the Town Board shall not consider or process any new applications or requests for the issuance of permits under the CAFO Permitting Ordinance.

3.2 The Town Board prohibits Town officials, employees, and/or consultants, from accepting, reviewing or acting upon applications or other similar requests for approval of activities that are or are likely to result in violation(s) of this CAFO Permitting Ordinance Moratorium Extension.

3.3 The Town Board withdraws the authority of any official or independent contractor to accept, review and/or act upon applications, other similar requests for approval of activities that are or are likely to result in violation(s) of this CAFO Permitting Ordinance Moratorium Extension.

Section 4--DURATION OF MORATORIUM:

The CAFO Permitting Ordinance Moratorium Extension shall be effective for twelve (12) months from the CAFO Permitting Ordinance Moratorium expiration date of January 8, 2021, unless otherwise extended by the Town Board.

Section 5--ACTION ANTICIPATED DURING MORATORIUM:

5.1 The Town Board shall complete a comprehensive review of the possible impacts of the issuance of permits under the CAFO Permitting Ordinance.

5.2 The Town Board may, at its discretion, retain experts, including but not limited experts in the fields of geology, hydrogeology, soils, immunology, public health, engineering, law, real estate, environmental protection and air quality.

5.3 The Town Board shall provide opportunities for public participation throughout the process, and consider the public health, safety, and general welfare of Town residents during its review process.

5.4 The Town Board shall report its findings and recommendations to the public prior to the expiration of the CAFO Permitting Ordinance Moratorium Extension.

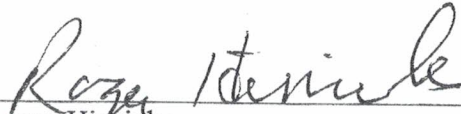
5.5 In accordance with applicable statutes and ordinances, the Town Board shall act upon its findings and the recommendations from Town residents and the Town's consultants.

Section 6-- EFFECTIVE DATE AND PUBLICATION:

6.1 This Ordinance shall be effective upon adoption and publication as required by law.

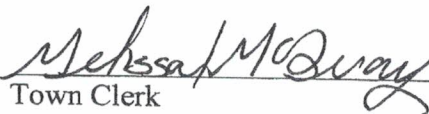
6.2 The Town Clerk shall properly publish this Ordinance as a Class 1 Notice or post this Ordinance in three locations as required under Wis. Stat. §60.80(1).

PASSED AND ADOPTED by the Town Board of the Town of Trade Lake, Wisconsin,  
this 12<sup>th</sup> day of November, 2020.

  
\_\_\_\_\_  
Roger Hinrichs

  
\_\_\_\_\_  
Jeff Lade

ATTEST:

  
\_\_\_\_\_  
Town Clerk

Posted on 11/19/2020