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**WAUPACA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD SESSION
April 20, 2021**

This meeting was conducted under the directive of Waupaca County Resolution #8 (2020-2021). As a result of this directive, the meeting was held with in-person and remote access.

Chair Koeppen called the meeting to order at 9:00 a.m. with 25 members present.

Present: Suprs. Boyer, M. Craig, P. Craig, Federwitz, Golding, Hardy, Jaeger, Johnson, Koeppen, Lehrer, McClone, Much, G. Murphy, Neumann, Nygaard, Poehlman, Ritchie, Rohan, Spierings, Wengelski, Will, and Zaug present in person and Suprs. Bosquez, Kussmann, and Morack present remotely. Suprs. Ellis and T. Murphy were absent.

Chair Koeppen made the open meeting statement that this meeting and all other meetings of this board are open to the public. Proper notice has been posted and given to the media, in accordance with Wisconsin Statutes so the citizenry may be aware of the time, place and agenda of this meeting.

A moment of silent meditation was observed followed by the Pledge of Allegiance.

Supr. McClone moved and Supr. Zaug seconded the motion to approve the agenda. Motion carried without a negative vote. Passed the 20th day of April, 2021.

Supr. Federwitz moved Supr. G. Murphy seconded the motion to approve the minutes of the March 16, 2021 meeting. Motion carried without a negative vote. Passed the 20th day of April, 2021.

**RESOLUTION NO. 1 (2021-2022)
TO AMEND WAUPACA COUNTY
ORDINANCE NO. 45 OF THE GENERAL CODE OF ORDINANCES
COMPREHENSIVE PLAN MAP**

The County Board of Supervisors of Waupaca County, Wisconsin, does ordain as follows:

WHEREAS; Wisconsin Statutes 66.1001 authorizes Waupaca County to adopt and amend a comprehensive plan map, and

WHEREAS; Waupaca County has adopted written procedures designed to foster public participation at every stage of the comprehensive plan amendment process as required by section 66.1001(4)(a), Wisconsin Statutes, and

WHEREAS, the Planning and Zoning Committee held a public hearing on March 9, 2021 for amendment to the Preferred Land Use Map:

PLUM-001-21: The Town of Farmington to amend the preferred land use category for part of a parcel located in part of the SE ¼ of the NE ¼ of Sec. 17, Town of Farmington, (part of parcel 05-17-14-1), lying along County Road Q, Weller Lane and State Road 10, from Agriculture to Commercial and to remove the property from Farmland Preservation on approximately eight (8) acres.

WHEREAS, the attached comprehensive plan amendment was approved and deemed to be consistent with the overall planning goals and objectives by the respective township of origin.

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors adopts an Ordinance amending the Comprehensive Plan Map as originally adopted in Ordinance #45 and has been from time to time amended as follows: See attached documents.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY PLANNING & ZONING AND LEGISLATIVE, JUDICIAL, ETHICS SAFETY & SECURITY COMMITTEES: /s/ DuWayne Federwitz, Lee Much, James Nygaard, Dennis Kussmann, Pete Bosquez, Terry Murphy, Mary Kay Poehlman, Fred Zaug.

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane L. Meulemans
Corporation Counsel

Supr. Nygaard moved and Supr. G. Murphy seconded the motion to adopt Resolution No. 1 (2021-2022). Motion carried without a negative vote. Passed the 20th day of April, 2021.

Resolution No. 2 (2021-2022)

Subject: Donation Acceptance – Waupaca County Nutrition Program

WHEREAS, Waupaca County's policy requires resolution to the County Board to accept donations over \$1,000; and

WHEREAS, Waupaca County has received a donation in the amount of \$20,000.00 from the Community Foundation for the Fox Valley Region for the purpose of supporting the Waupaca County Nutrition Program.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors accepts the Community Foundation for the Fox Valley Region Foundation – Waupaca County Nutrition Program donation in the amount of \$20,000.00.

Fiscal Note: The amount of \$20,000.00 will be placed in a donation restricted account until further budget action is taken to expend the funds.

**RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY
DEPARTMENT OF HEALTH AND HUMAN SERVICE BOARD AND FINANCE**

COMMITTEE: /s/ Gerald M. Murphy, Judi Olson, Patricia Craig, Sue Golding, Dennis Wengelski, Steven Goedderz MD, Jan L. Lehrer, David Johnson, Jody Muck, DuWayne Federwitz, Joe McClone, David Morack, Dave Neumann, Dick Koeppen

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. Johnson moved and Supr. Zaug seconded the motion to adopt Resolution No. 2 (2021-2022). Motion carried without a negative vote. Passed the 20th day of April, 2021.

Resolution No. 3 (2021-2022)

Subject: "Work Zone Safety Awareness Week" Dedication

WHEREAS, the Wisconsin County Highway Association is asking all seventy-two counties in the state to unite and kick off "Work Zone Safety Awareness Week" with a resolution and campaign to raise awareness for its workers, the traveling public, public safety workers, and those of various highway contractors performing work for the counties; and

WHEREAS, construction and maintenance activities on our streets and highways periodically require that work zones be established; and

WHEREAS, in Wisconsin there is an average of 2,677* work zone crashes each year and there have been over 13,000 crashes resulting in 5,200 injuries and 50 deaths over the past five years; and

WHEREAS, in 2019, Wisconsin suffered from nearly 2,500** crashes in road construction and maintenance zones, resulting in nearly 900 injuries and 17 fatalities; and

WHEREAS, between 2014 and 2018, there were 67 fatalities recorded as a result of crashes in Wisconsin work zones including three Wisconsin County Highway workers who were killed in work zones in 2015; and

WHEREAS, through their enforcement activities and other participation, the Waupaca County Sheriff's Office, Wisconsin State Patrol, and Waupaca County Highway Department are committed to working together in 2021 to make Work Zone Awareness Week a success; and

WHEREAS, the Federal Highway Administration has designated April 26 through April 30, 2021 as National Work Zone Awareness Week.

NOW, THEREFORE, BE IT RESOLVED, by the Waupaca County Board of Supervisors that the week of April 26 through April 30, 2021 be designated as Work Zone Awareness Week in Waupaca County.

*2019 Work Zone Facts – www.wisconsindot.gov

**2019 Final Year-End Crash Statistics – www.wisconsindot.gov

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HIGHWAY COMMITTEE: /s/ Joe McClone, Fred Zaug, Lee Much, Dick Rohan, James Nygaard

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. McClone moved and Supr. Nygaard seconded the motion to adopt Resolution No. 3 (2021-2022). Motion carried without a negative vote. Passed the 20th day of April, 2021.

Resolution No. 04 (2021-2022)

Subject: Acceptance of 2021 American Rescue Plan Fiscal Recovery Funds

WHEREAS, on March 11, 2021, President Biden signed the *American Rescue Plan Act of 2021* (H.R. 1319) into law; and

WHEREAS, as part of the \$362 billion in federal fiscal recovery aid for state and local governments, \$65.1 billion is provided in direct aid to counties; and

WHEREAS, funds will be distributed by the U.S. Department of Treasury in two equal tranches, with 50 percent required to be paid to counties not later than 60 days after enactment and the second payment no earlier than 12 months after the first payment was made; and

WHEREAS, Waupaca County's estimated allocation of the *American Rescue Plan Act of 2021* is \$9,889,197.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors authorizes the acceptance of the County's allocation; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that Waupaca County Board of Supervisors authorizes certification to the United States Secretary of Treasury that funds will be utilized in full compliance of the law.

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY FINANCE COMMITTEE: /s/ DuWayne Federwitz, Gerald M. Murphy, Patricia Craig, Joe McClone, David Morack, David Johnson, Dave Neumann, Dick Koeppen

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane Meulemans
Corporation Counsel

Supr. P. Craig moved and Supr. Wengelski seconded the motion to adopt Resolution No. 4 (2021-2022). Motion carried without a negative vote. Passed the 20th day of April, 2021.

**REPEAL THE WAUPACA COUNTY CODE OF ORDINANCES
CHAPTER 17 WAUPACA COUNTY PUBLIC ASSISTANCE FRAUD ORDINANCE**

The Waupaca County Board of Supervisors does hereby ordain that the current Waupaca County Public Assistance Fraud Ordinance, Chapter 17 of the Waupaca County Code of Ordinances be repealed in its entirety.

EFFECTIVE DATE

Upon enactment of the County Board of Supervisors, the ordinance amendment to repeal the Waupaca County Code of Ordinances as set forth above will be in full force and effect within Waupaca County and each Town as provided in Section 59.14(1), Wis. Stats.

ATTEST:
/s/ Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Diane L. Meulemans
Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY THE WAUPACA COUNTY HEALTH AND HUMAN SERVICES BOARD AND LEGISLATIVE, JUDICIAL, ETHICS, SAFETY & SECURITY COMMITTEE: /s/ Gerald M. Murphy, Judi Olson, Patricia Craig, Sue Golding, Dennis Wengelski, Steven Goedderz MD, Jan L. Lehrer, David Johnson, Jody Muck, Dennis Kussmann, Pete Bosquez, T. Murphy, Mary Kay Poehlman, Fred Zaug

Supr. P. Craig moved and Supr. Bosquez seconded the motion to repeal the Waupaca County Code of Ordinance Chapter 17 Waupaca County Public Assistance Fraud Ordinance. Motion carried without a negative vote. Passed the 20th day of April, 2021.

**AMENDMENT TO CHAPTER NO. 34
Town of Farmington, AWT to RC-G
2021-725, Z-006-21**

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-006-21, Town of Farmington

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 9th of March, 2021 by **BC Q Pit LLC** for a Petition for Zoning Map Amendment from the Agriculture Woodland Transition (AWT) District to the Rural Residential Overlay (RC-G) District on approximately eight (8) acres.

The following described: Located in part of SE ¼ of the NE ¼ of Sec 17, Town of Farmington, lying along County Road Q, Weller Lane, and State Road 10, Waupaca County, Wisconsin (Part of Parcel 05-17-14-1).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Farmington approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on March 9, 2021

By: /s/ James Nygaard, Chairman

This ordinance shall be in full force and effect in the Town of Farmington upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or forty (40) days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

I, Jill Lodewegen, Waupaca County Clerk

do hereby certify that the above Zoning Amendment was enacted by the County Board on April 20, 2021.

/s/ Jill Lodewegen, Waupaca County Clerk

Supr. G. Murphy moved and Supr. Nygaard seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried without a negative vote. Passed the 20th day of April, 2021.

**AMENDMENT TO CHAPTER NO. 34
Town of Helvetia, RR to AWT
2021-726, Z-007-21**

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-007-21, Town of Helvetia

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 6th of April, 2021 by **Carl R & Shelly Luedke** for a Petition for Zoning Map Amendment from the Rural Residential (RR) District to the Agriculture and Woodland Transition (AWT) District on approximately fourteen (14.38) acres.

The following described lands: Located in part of SW ¼ of the NE ¼ of Sec 24, Town of Helvetia, lying along Roland Road, Fire Number N8340, Waupaca County, Wisconsin, (Parcel 08-24-13-3).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Helvetia approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on April 6, 2021
By: /s/ James Nygaard, Chairman

This ordinance shall be in full force and effect in the Town of Helvetia upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or forty (40) days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

I, Jill Lodewegen, Waupaca County Clerk

do hereby certify that the above Zoning Amendment was enacted by the County Board on April 20, 2021.
/s/ Jill Lodewegen, Waupaca County Clerk

Supr. Johnson moved and Supr. Lehrer seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried without a negative vote. Passed the 20th day of April, 2021.

**AMENDMENT TO CHAPTER NO. 34
Town of Lebanon, AR to RR-O
2021-727, Z-008-21**

TO THE COUNTY BOARD OF WAUPACA COUNTY:
Petition #Z-008-21, Town of Lebanon

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 6th of April, 2021 by **Donald Wege** for a Petition for Zoning Map Amendment from the Agriculture Retention (AR) District to the Rural Residential Overlay (RR-O) District on approximately two and one half (2.5) acres.

The following described lands: Located in part of the SW ¼ of the SE ¼, Sec. 03, Town of Lebanon, lying along County Road N, Fire Number E8768, Waupaca County, Wisconsin (Prt of Parcel 11-03-42-1).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Lebanon approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on April 6, 2021
By: /s/ James Nygaard, Chairman

This ordinance shall be in full force and effect in the Town of Lebanon upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or forty (40) days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

I, Jill Lodewegen, Waupaca County Clerk

do hereby certify that the above Zoning Amendment was enacted by the County Board on April 20, 2021.
/s/ Jill Lodewegen, Waupaca County Clerk

Supr. Nygaard moved and Supr. Wengelski seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried without a negative vote. Passed the 20th day of April, 2021.

**AMENDMENT TO CHAPTER NO. 34
Town of Scandinavia, PVRF to RR-O
2021-728, Z-009-21**

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-009-21, Town of Scandinavia

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 6th of April, 2021 by **Charles R & Mary H Barden JT IR IN ONLY TR** for a Petition for Zoning Map Amendment from the Private Recreation and Forestry (PVRF) District to the Rural Residential Overlay (RR-O) District on approximately two (2.0) acres.

The following described lands: Located in part of the SW ¼ of the NE ¼, and in part of the NW ¼ of the SE ¼, Sec. 17, Town of Scandinavia, lying along County Road B, Fire Number E716, Waupaca County, Wisconsin (Prt of Parcel 17-17-13-1).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Scandinavia approved this request and it is consistent with the Town's Comprehensive Plan.

Waupaca County Planning & Zoning Committee on April 6, 2021
By: /s/ James Nygaard, Chairman

This ordinance shall be in full force and effect in the Town of Scandinavia upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or forty (40) days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

I, Jill Lodewegen, Waupaca County Clerk

do hereby certify that the above Zoning Amendment was enacted by the County Board on April 20, 2021.

/s/ Jill Lodewegen, Waupaca County Clerk

Supr. Federwitz moved and Supr. Much seconded the motion to approve the amendment to Chapter 34 of the Waupaca County Code of Ordinances. Motion carried without a negative vote. Passed the 20th day of April, 2021.

REPORTS

District Attorney's Office Report Veronica Isherwood, District Attorney

Veronica Isherwood gave an update on the operations of the District Attorney's Office.

**Extension Impact Report
Jessica Beckendorf, Community Development Educator**

Jessica Beckendorf reviewed “Extension Impact: Education Makes a Difference” newsletter.

Supr. Zaug left the meeting.

**2020 Highway Department Financial Review
Casey Beyersdorf, Highway Commissioner**

Casey Beyersdorf reviewed the components of the 2020 Highway Department financials.

COUNTY BOARD CHAIR REPORT

Chair Koeppen read a card from the family of Bob Flease.

Supr. Bosquez left the meeting.

APPOINTMENTS

Supr. G. Murphy moved and Supr. Spierings seconded the motion to re-appoint Judi Olson as a Citizen Member to the Health and Human Services Board for a 3-year term. Motion carried without a negative vote. Passed the 20th day of April, 2021.

Supr. Lehrer moved and Supr. P. Craig seconded the motion to re-appoint James Goeser to the Veterans Service Commission for a term ending in November 2023. Motion carried without a negative vote. Passed the 20th day of April, 2021.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for April on file in the County Clerk’s Office: City of Waupaca Ordinance No. 03-2021 – Amendment to the Year 2030 Comprehensive Plan and WCEDC Monthly Report.

Supr. Much moved to adjourn. Chair Koeppen declared the meeting adjourned at 11:01 a.m.

Jill Lodewegen
Waupaca County Clerk

Resolution No. 5 (2021-22)

**To Declare Waupaca County’s Affirmation of its Citizens’
Second Amendment Rights**

Whereas, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution and under the Constitution of the State of Wisconsin, Article 1, Section 25 which states, “The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose”; and

Whereas, the people of Waupaca County derive economic benefit from all forms of firearms use, including for recreation, hunting, and shooting conducted within Waupaca County, using firearms as allowed under the United States Constitution and the Constitution of the State of Wisconsin; and

Whereas, the Waupaca County Board is a body elected by the citizens of Waupaca County and have been duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin.

Now, therefore, be it resolved by the Waupaca County Board of Supervisors that it hereby affirms the rights guaranteed to its citizens by the Constitution of the United States under the Second Amendment and the rights set forth in Article 1, Section 25 of the Wisconsin Constitution to keep and bear arms; and

Be it further resolved that the Waupaca County Board of Supervisors opposes legislation that would infringe upon any constitutional right guaranteed to its citizens under the Constitution of the United States and the Constitution of the State of Wisconsin.

Passed this _____ day of _____,
2020

_____ Ayes _____ Nays

ATTEST:

Jill Lodewegen

Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY LEGISLATIVE,
JUDICIAL, ETHICS, SAFETY & SECURITY
COMMITTEE

Resolution No. 6 (2021-22)

**Advisory Resolution Supporting Legislation to
Provide an Increase in Criminal and Ordinance Violation Surcharge**

WHEREAS, County government implements a broad range of essential services, most of which are required by state law; and

WHEREAS, underfunded and unfunded state mandates are continually placing an increasing financial hardship on local property taxpayers; and

WHEREAS, as the portion of collected fees payed by counties to the state and retained by the county continues to be insufficient to keep pace with inflation and ever growing costs associated with the many mandated programs within the county court system; and

WHEREAS, the County’s portion of the statutory clerk fees have not increased since at least 1991, traffic/forfeiture cases are set at \$20.00 and criminal court cases are set at \$163 while the clerk only retains \$9.99 of the total amount.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors hereby supports legislation that would increase court costs in the amount of \$20 to be retained by the Clerk of Court for criminal and ordinance violations to align with a portion of the actual cost for courts to operate. This will ensure services implemented on behalf of the state at the circuit court level will more adequately provide resources and protect public safety.

BE IT FURTHER RESOLVED that this Board hereby directs the Waupaca County Clerk to forward a copy of this Resolution to all Wisconsin Counties, the Wisconsin Counties Association, and all state senators and assembly members representing Waupaca County constituents.

Passed this _____ day of _____, 2020

_____ Ayes _____ Nays

ATTEST:

Jill Lodewegen

Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY LEGISLATIVE,
JUDICIAL, ETHICS, SAFETY & SECURITY
COMMITTEE

Resolution No. 7 (2021-22)

Advisory Resolution Supporting Legislation to Remove Requirement for Duplicate Copies of a Transcript for Application of a Search Warrant

WHEREAS, County Government is continually looking at improving efficiency in managing county operations; and

WHEREAS, legislation is being offered to remove a duplicate requirement in Wisconsin Statute § 968.12(3)(d) governing the recording, certification and retention of telephone search warrant records between the Sheriff’s Office and the Clerk of Courts; and

WHEREAS, telephone-sworn search warrant requests must be recorded then transcribed by a certified court reporter and the original voice recording kept on file with the clerk of courts for a duration of 20 to 50 years, depending on the violation, further resulting in storage issues for the clerk of courts; and

WHEREAS, a court reporter’s transcript is considered as an official record of the court and a certified transcript of the original recording would be filed with the Clerk of Courts;

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors hereby supports legislation that would allow for efficiency in court proceedings by removing the requirement that the original recording be filed along with a certified transcript of the testimony that forms the basis of an application for a search warrant.

BE IT FURTHER RESOLVED that this Board hereby directs the Waupaca County Clerk to forward a copy of this Resolution to all Wisconsin Counties, the Wisconsin Counties Association, and all state senators and assembly members representing Waupaca County constituents.

Passed this _____ day of _____, 2021

_____ Ayes _____ Nays

ATTEST:

Jill Lodewegen

Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY LEGISLATIVE,
JUDICIAL, ETHICS, SAFETY & SECURITY
COMMITTEE

Resolution No. 8 (2021-22)

Subject: Donation Acceptance – Waupaca County Drug Court

WHEREAS, Waupaca County’s policy requires resolution to the County Board to accept donations over \$1,000; and

WHEREAS, Waupaca County has received a donation in the amount of \$1,500 from Waupaca Community Chest Inc. for the purpose of supporting the Waupaca County Drug Court.

NOW, THEREFORE, BE IT RESOLVED that the Waupaca County Board of Supervisors accepts the Community Chest Inc. – Waupaca County Drug Court donation in the amount of \$1,500.

Fiscal Note: The amount of \$1,500 will be placed in a donation un-restricted account.

Passed this _____ day of _____, 2021

_____ Ayes _____ Nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans, Corporation Counsel

RECOMMENDED FOR INTRODUCTION BY
THE LEGISLATIVE, JUDICIAL, ETHICS,
SAFETY & SECURITY COMMITTEE

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY FINANCE
COMMITTEE

RESOLUTION NO. 10 (2021-2022)

SUBJECT: Sale of County Right-of-Way; Retention of Permanent Limited Easement

WHEREAS, Kim A. Schroeder, property owner at address N1866 Sanders Road located in the Town of Dayton, Waupaca County desires to separate the existing parcel and to build a new structure on the newly created parcel that is compliant with Waupaca County zoning regulations; and

WHEREAS, in order for the building site plan to meet roadway setbacks as set by Waupaca County Zoning Ordinance Chapter 34, Section 2.8, additional land area was required and there is existing Waupaca County Highway Right-of-Way on County Highway K adjacent to the parcel;

WHEREAS, the holding and sale of County land is governed by Wis. Stat. §§ 59.06 and 59.52(6); and

WHEREAS, the Highway Committee agreed to the sale of .426 acres of land to Kim A. Schroeder upon the direction of the Highway Commissioner as the reduced Right of Way on Highway K will maintain safety for the travelling public and will not interfere with Highway Department operations on that segment of Highway K with the County retaining a permanent limited easement on the parcel County for Highway Right-of-Way as recorded on CSM 8014 recorded as Document 893808 in Volume 34 Page 56 in Waupaca County Register of Deeds and the purchase price reflects fair market value; and

WHEREAS, Kim A. Schoeder shall be responsible for all costs associated with the creation of the new parcel, including the survey work, recording fees and engaging with their private attorney to draft documents to facilitate and complete the sale of the property.

NOW, THEREFORE, BE IT RESOLVED that the County Board agrees to the sale of .426 acres of County Highway Right of Way with the retention of a permanent limited easement to the County for Highway Right of Way and authorizes and directs County Board Chair Dick Koeppen to sign documents related to the sale of the property, including the Quit Claim Deed and Agreement memorializing the property transfer.

Passed this _____ day of _____, 2021

_____ Ayes _____ Nays

RECOMMENDED FOR INTRODUCTION BY
THE WAUPACA COUNTY HIGHWAY
COMMITTEE

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans, Corporation Counsel

2021-729 Amendment to Chapter 34

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-010-21, Town of Lind

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4th of May, 2021 by Vicky E. Hebel for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Residential (RR) District on approximately one (1.155) acre.

The following described lands: Located in part of the SW ¼ of the SW ¼, Sec. 19, Town of Lind, lying off of County Road E, Waupaca County, Wisconsin (Prt of Parcels 12-19-33-5 and 12-19-33-6).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Lind approved this request and it is consistent with the Town’s Comprehensive Plan.

Waupaca County Planning & Zoning Committee

By:

Chairman *[Signature]*

May 4, 2021
Date

.....
This ordinance shall be in full force and effect in the Town of Lind upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Certification of County Board Approval:

_____ayes _____nays

I, Jill Lodewegen, Waupaca County Clerk
do hereby certify that the above Zoning Amendment
was enacted by the County Board on _____.

Jill Lodewegen, Waupaca County Clerk

2021-729 Amendment to Chapter 34

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-010-21, Town of Lind

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4th of May, 2021 by Vicky E. Hebel for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Residential (RR) District on approximately one (1.155) acre.

The following described lands: Located in part of the SW ¼ of the SW ¼, Sec. 19, Town of Lind, lying off of County Road E, Waupaca County, Wisconsin (Prt of Parcels 12-19-33-5 and 12-19-33-6).

Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Lind approved this request and it is consistent with the Town’s Comprehensive Plan.

Waupaca County Planning & Zoning Committee

By:

Chairman *James A. Appenzell*

May 4, 2021
Date

.....
This ordinance shall be in full force and effect in the Town of Lind upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Certification of County Board Approval:

_____ ayes _____ nays

I, **Jill Lodewegen, Waupaca County Clerk**
do hereby certify that the above Zoning Amendment
was enacted by the County Board on _____.

Jill Lodewegen, Waupaca County Clerk

2021-730 Amendment to Chapter 34

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-011-21, Town of Lind

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4th of May, 2021 by Gregory B. Sr & Cathy R. Gill for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Residential (RR) District on approximately one-tenth (.09) of an acre.

The following described lands: Located in part of the SW ¼ of the SW ¼, Sec. 19, Town of Lind, lying off of Christmas Tree Lane, Waupaca County, Wisconsin (Prt of Parcel 12-19-34-3).

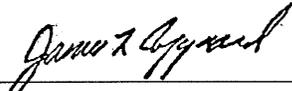
Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Lind approved this request and it is consistent with the Town’s Comprehensive Plan.

Waupaca County Planning & Zoning Committee

By:



 Chairman

May 4, 2021

 Date

.....

This ordinance shall be in full force and effect in the Town of Lind upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Certification of County Board Approval:

_____ ayes _____ nays

I, Jill Lodewegen, Waupaca County Clerk
 do hereby certify that the above Zoning Amendment
 was enacted by the County Board on _____.

 Jill Lodewegen, Waupaca County Clerk

2021-730 Amendment to Chapter 34

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-011-21, Town of Lind

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4th of May, 2021 by Gregory B. Sr & Cathy R. Gill for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Residential (RR) District on approximately one-tenth (.09) of an acre.

The following described lands: Located in part of the SW ¼ of the SW ¼, Sec. 19, Town of Lind, lying off of Christmas Tree Lane, Waupaca County, Wisconsin (Prt of Parcel 12-19-34-3).

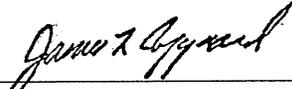
Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Lind approved this request and it is consistent with the Town’s Comprehensive Plan.

Waupaca County Planning & Zoning Committee

By:



 Chairman

May 4, 2021

 Date

.....

This ordinance shall be in full force and effect in the Town of Lind upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

Certification of County Board Approval:

_____ ayes _____ nays

I, Jill Lodewegen, Waupaca County Clerk
do hereby certify that the above Zoning Amendment
was enacted by the County Board on _____.

Jill Lodewegen, Waupaca County Clerk

2021-731 Amendment to Chapter 34

TO THE COUNTY BOARD OF WAUPACA COUNTY:

Petition #Z-012-21, Town of Dayton

The Waupaca County Planning & Zoning Committee, having considered the above petition on the 4th of May, 2021 by Richard Gohlke for a Petition for Zoning Map Amendment from the Agriculture and Woodland Transition (AWT) District to the Rural Residential (RR) District on approximately thirteen (12.79) acres.

The following described lands: Located in part of the SE ¼ of the NE ¼ and the NE ¼ of the SE ¼, Sec. 24, Town of Dayton, lying off of Akron Road, Waupaca County, Wisconsin (Parcels 03-24-14-4 and 03-24-14-5).

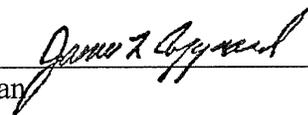
Having held a public hearing thereon, pursuant to the Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected, hereby recommends as follows:

Based on the testimony presented at the public hearing, the Committee decided to **GRANT** the Petition for Zoning Map Amendment due to the following:

- The Town of Dayton approved this request and it is consistent with the Town’s Comprehensive Plan.

Waupaca County Planning & Zoning Committee

By:



 Chairman

May 4, 2021

 Date

.....

This ordinance shall be in full force and effect in the Town of Dayton upon filing with the County Clerk of Waupaca County a certified copy of a resolution of the Town Board of Supervisors of said town approving said ordinance or 40 days after the adoption of the ordinance by County Board, unless a certified copy of a resolution disapproving the amendment is filed within ten (10) days with the County Clerk within that time.

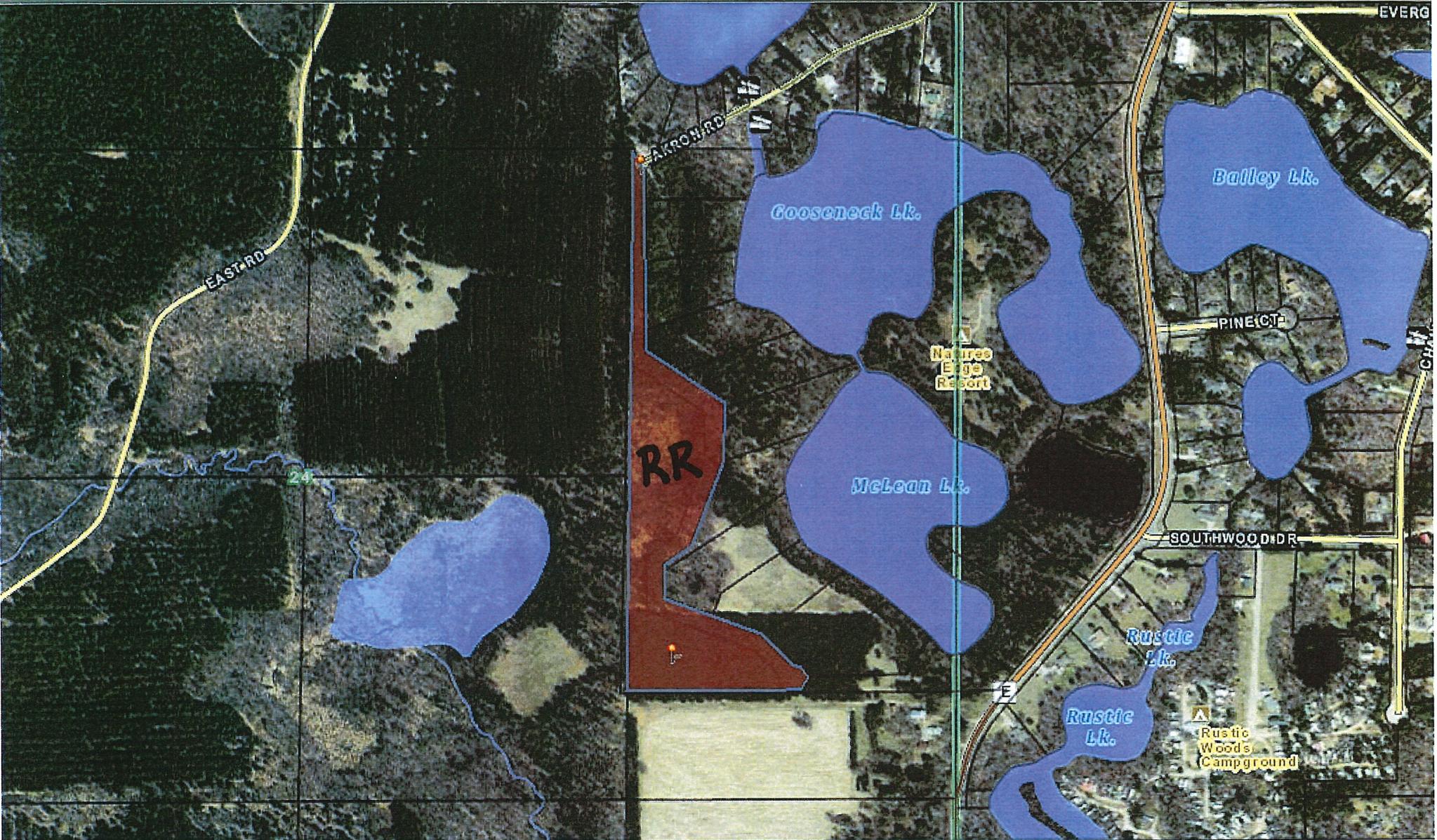
Certification of County Board Approval:

_____ ayes _____ nays

I, Jill Lodewegen, Waupaca County Clerk
 do hereby certify that the above Zoning Amendment
 was enacted by the County Board on _____.

 Jill Lodewegen, Waupaca County Clerk

Gohlke, Richard; Sec. 24; Town of Dayton



2/17/2021, 8:37:23 AM

Map Data Sources --> Waupaca County Land Information

To Order Maps Or To Report A Problem Visit...
www.co.waupaca.wi.us/departments/land_information/index.php

Map Key

- Zoning Collector GPS
- Farmland Preservation Area
- Parcel - Local Zoning



ATTENTION!

GIS TAX PARCEL MAPS ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT INTENDED TO REPRESENT EVIDENCE IN TITLE. THE REPRESENTATIONS ON THESE MAPS COULD IN FACT BE IN ERROR AND SHOULD NOT BE RELIED UPON AS THE SOLE DETERMINING FACT OR IN THE LOCATION OF ANY GIVEN PARCEL. WAUPACA COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN. INDIVIDUALS SHOULD CONSULT LEGAL REPRESENTATION OR PROFESSIONAL SURVEY ADVICE TO CONFIRM

CHAPTER 19
WAUPACA COUNTY PARKS AND RECREATION ORDINANCE

- 19.01 General, Administrative, and Terms
- 19.02 Public Meetings and Sales
- 19.03 Personal Conduct and Nuisances
- 19.04 Entry, Cleaning, and Refuse
- 19.05 Motor Vehicles, Snowmobiles, and All-Terrain Vehicles / Utility Terrain Vehicles
- 19.06 Fire; Fireworks; Firearms, Bows and Crossbows
- 19.07 Animals
- 19.08 Athletics
- 19.09 Camping
- 19.10 Enforcement

19.01 GENERAL, ADMINISTRATIVE, AND TERMS

A. Definitions:

1. All-Terrain Vehicle (ATV): A vehicle as defined in Wis. Stat. §340.01(2g), as is from time to time amended.
2. Camping and/or Camp: The use of a shelter such as a tent, motor vehicle, recreational vehicle, tarp, bedroll or sleeping bag for temporary residence or sleeping purposes.
3. Motor Vehicle: The term “Motor Vehicle” means any mechanical device routinely used for surface travel powered by an internal combustion engine or battery, and operating upon two or more wheels, to include but not to be limited to trail bikes, all-terrain cushioned vehicles or golf carts. Motor Vehicle does not include power wheel chairs or scooters designed to provide mobility to a disabled individual, when being used by said individual.
4. Park: The terms “Park”, “County Park”, “Waupaca County Park System” and “Fairgrounds” are defined to mean all lands and water acquired by Waupaca County for park or recreational purposes or placed under the jurisdiction of the Park Committee. The following areas are designated as Waupaca County Parks:

County Dams:

Keller Lake Dam
White Lake Dam

County Parks:

Big Falls Pond Access	Marion Park
Chief Waupaca Historical Site	Miner Lake Landing
Columbia Lake Access	Nelson Park
Dake Lake Landing	North Lake Access
Fisherman's Park	Northland Park
George & Louis Wood Memorial Park	Oakwood Park
Gills Landing	Pigeon River Park
Graham Lake Access	Rollofson Lake Access
Grandview Small Boat Access	Royalton Park
Grass Lake Access	Shaw's Landing
Indian Crossing Park	Symco Park
Keller Park	Taylor Lake Access
Kinney Lake Access	Tomorrow River State Trail
Lembke-Long Lake Access	Wau-King Trail
Little Wolf Canoe Access	Waupaca County Dog Park
Little Wolf Park	White Lake Access
Lowney-Rohan Wetlands	Wolf River Sturgeon Trail
Manawa Park	

Special Use Sites:

Camp Vic-To-Rae
HWY 54 By-pass Trail
Pauer's Environmental Education Center
Waupaca County Fairgrounds
Waupaca County Forest
Waupaca County Poor Farm Cemetery
Waupaca County Winter Recreation Trail

5. Parks and Recreation Committee: The terms "Committee" and "Parks and Recreation Committee" shall mean the Waupaca County Parks and Recreation Committee as established by the Waupaca County Board of Supervisors.
6. Person: The term "person" shall include any individual, firm, partnership, corporation and association of person, and the singular number shall include the plural.
7. Snowmobile Trail: The term snowmobile trail shall mean a marked corridor on County property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the County, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.
8. Trail: The term "trail" throughout this chapter shall mean any area within any Waupaca County Park designated for other than motor vehicle travel, whether it be dirt, gravel, paved or boardwalk, except that it shall also include areas designated for snowmobile travel. The type of travel permitted on particular trails may be

regulated or restricted within this chapter by the Waupaca County Parks and Recreation Committee.

9. Utility Terrain Vehicle (UTV): A vehicle as defined in Wis. Stat. §23.33(1)(ng), as is from time to time amended.
10. Winter ATV/UTV Trail: The term winter ATV/UTV trail shall mean a marked corridor on public lands or private property subject to public easement or lease, designated for winter ATV/UTV use by the County, excluding highways, and opened under winter conditions such as snow pack as determined by the Parks Director.

B. Scope:

Except when the context provides otherwise, the provisions of this Ordinance shall apply to all lands, structures and property owned or leased by Waupaca County, Wisconsin, and under the management, supervision, and control of the Waupaca County Parks and Recreation Committee as operated by the Waupaca County Parks and Recreation Department.

C. Parks Director:

The Parks Director shall be the authorized agent of the Committee.

D. Closing Hours and Dates:

1. Closing Hours:

- a. No person or motor vehicle shall enter or be in any park between the hours of 10:00 p.m. and the following 6:00 a.m.
- b. Persons transporting watercraft to and from designated boat landings are permitted at any hour, provided the most direct means of ingress or egress is used.
- c. The Waupaca County Fairgrounds, Camp Vic-To-Rae, and Pauer's Environmental Education Center shall be available for extended hours for approved events.
- d. The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks and Recreation Department.
- e. Designated Campground Hours shall be open to registered campers with valid permits 24 hours per day. Visitors' hours for designated campgrounds are from 6:00 am to 11:00 pm.

2. Dates: No motor vehicle shall enter or be in any county park between November 1st and April 30th except as follows:

- a. All County operated boat launches shall be open to motor vehicle traffic on designated roads and parking areas all year.
- b. The Waupaca County Fairgrounds may be open for motor vehicles on an approved basis.
- c. Designated road and open parking areas at trail heads or other winter recreation areas shall be open all year.

- d. The Waupaca County snowmobile trails are open when the trails are declared open by the Parks and Recreation Department.
3. Closing of Parks: Any county park, trail or any portion of any county park or trail as they are defined under in this Ordinance may be closed to motor vehicles and/or persons for any length of time deemed necessary, when in the opinion of the Waupaca County Parks Director or Parks Supervisor such closing is necessary to protect the public safety, or to protect the facilities and resources of the county parks and trails from injury or damage by persons or other forces. In the event the Director or Parks Supervisor is not available, then the Waupaca County Sheriff or Patrol Captain on duty may act under this section.

E. Fees, Charges and Deposits:

1. Fee Schedule: It shall be unlawful for any person to use any facility, shelter, land or area for which a fee or charge has been established by the Committee without payment of such fee or charge in advance.
2. Special Fees: Any park structure, facility, or area not set pursuant to the fee schedule may be reserved or rented for special purposes subject to the approval of the Committee. The Special Fee for special use of a facility will be set at the discretion of the Committee.
3. Deposits may be required for reservation of facility and use of County property, such as tables and chairs, as established by the Committee.

F. Additional Rules:

1. Rules and regulations may be made from time to time by the Committee governing the further use and enjoyment of parks, boat landings, fairgrounds, campgrounds, and parks facilities. Any person who shall knowingly violate such rules or regulations or who refuses to comply with park rules or regulations may be excluded from the use of a park facility and be subject to penalties provided for in this ordinance.
2. Permits: Any person to whom a permit shall have been issued by the Parks Director, or other authorized person, shall be bound by the provisions of all ordinances of Waupaca County as fully as though the same were inserted in each permit.

19.02 PUBLIC MEETINGS AND SALES

A. Public Meetings:

1. Special Use Permits: Any person desiring to hold a public meeting of any kind whatsoever in any park shall first obtain a permit from the Committee or its duly authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.
2. A permit holder issued under this section shall be bound by State law and all Waupaca County ordinances as if fully set forth in the each permit.

B. Peddling and Soliciting:

It shall be unlawful for any person to peddle or solicit business of any nature, or to distribute handbills or other advertising matters either of a commercial or political nature, to post unauthorized signs or decorative materials on any lands, structure, or property for soliciting or conducting business, peddling or providing services within or outside of such lands, structures or property unless first authorized in writing by the Committee or its duly authorized agent.

19.03 PERSONAL CONDUCT AND NUISANCES

A. Personal conduct: All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced as to conduct on county property, including, without limitation, disorderly conduct, criminal damage to property, and public intoxication.

B. Unnecessary Noises: It shall be unlawful for any person to operate sound trucks, loudspeakers, motors, motor vehicles, or any other device that produces undue or unnecessary noises.

19.04 ENTRY, CLEANING, AND REFUSE

A. Entry: It shall be unlawful for any person to enter any building, installation, or area that may be under construction or locked or closed to public use; or to molest or manipulate any water control structure, dam or culvert; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notice, in any park.

B. Cleaning:

1. Washing: The washing of motorized vehicles, persons, pets, cooking utensils, or clothing is prohibited in any of the lakes or streams or on any picnic grounds, recreation areas, boat landings, parking lots, or fairgrounds except in designated areas.

2. Fish and Game Cleaning: It shall be unlawful for any person to clean, butcher, scale or skin any fish or game in any county park.

C. Refuse:

1. State laws and County ordinances against littering shall be strictly enforced on county property.

2. Charcoal residue must be left in a grate or fireplace until cool, or placed in receptacles provided for such purposes.

3. It shall be unlawful for any person to dispose of any personal or private garbage in a county park receptacle when the refuse is not the result of the use of the park.

4. Refuse and recyclable material shall be separated and shall be placed in receptacles provided for refuse or recycling purposes. If no receptacles are provided, park users shall pack-out what was brought in to the park.

19.05 MOTOR VEHICLES, SNOWMOBILES, AND ALL-TERRAIN VEHICLES/UTILITY TERRAIN VEHICLES

A. Vehicular Traffic:

1. No person shall operate any motor vehicle at a speed in excess of 15 mph or contrary to official traffic signs in any county park.
2. No person shall operate any motor vehicle upon county park property except in designated areas.
3. No person shall operate any motor vehicle in any part of any park in a reckless or while under the use of intoxicant or other drug manner contrary to the provisions of Wis. Stat. §§ 346.61 to 346.64 and/or Wis. Stat. § 941.01, as are from time to time amended.
4. No person shall operate any motor vehicle on a designated snowmobile trail subject to the exception in (a), (b) and (c) below.
 - a. If the snowmobile is on private land, the landowner or any person with permission of the private landowner may operate a motor vehicle on the snowmobile trail that traverses the private land owned by said owner.
 - b. A motor vehicle may be operated by county staff upon a snowmobile trail at the discretion of the park staff in the performance of parks duties or at the discretion of the Snowmobile Coordinator for segments of trail under his/her oversight.
 - c. A motor vehicle may be operated on a snowmobile trail by the club members responsible for maintenance of that section of trail.

B. Unlawful Parking and Stopping:

1. No person shall park a motor vehicle upon county park property except upon designated areas.
2. It shall be unlawful for the owner or operator of any vehicle or watercraft to leave or have left the vehicle parked, stopped or standing, whether attended or unattended, so as to block, obstruct, or limit the use of any road, trail, parking lot, or boat landing or contrary to posted notice.

C. Snowmobiles:

In areas where snowmobiles are permitted, no person shall operate a snowmobile contrary to official signs, or in an unsafe or reckless manner in a county park.

D. All-Terrain Vehicles/Utility Terrain Vehicles:

1. In county parks located in a town, city or village that has posted All-Terrain Vehicle/Utility Terrain Vehicle (ATV/UTV) routes within its jurisdiction, ATV/UTV travel on dedicated park roads is permitted.
2. No person shall operate an ATV/UTV in excess of 15 mph or contrary to any official traffic sign in a county park.

3. No person shall operate an ATV/UTV in any part of the park in an unsafe or reckless manner.
4. ATV/UTV travel is permitted on dedicated winter ATV/UTV trails only when trails are designed as open for travel.

19.05 FIRE; FIREWORKS; FIREARMS, BOWS AND CROSSBOWS

A. Fires:

1. It shall be unlawful for any person to start, tend, or maintain any fire, except at designed fireplaces, fire rings, or grills within any county park, except that fires for cooking or heating may be made in portable stoves, heaters or grills at designated picnic areas. All stationary grills are designated for charcoal burning only.
2. It shall be unlawful for person to leave any fire unattended, or to throw away matches, cigarettes, cigars, or pipe ashes or any embers without first extinguishing them, or to abandon any fire.
3. It shall be unlawful for any person to burn refuse or place garbage or debris within fire rings or fireplaces within any County park.

B. Fireworks:

It shall be unlawful for any person to possess, fire, discharge, explode or set off any squib, cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material within the limits of any county park.

C. Firearms, Bows and Crossbows:

1. No person except any authorized law enforcement officers shall possess, carry or have under her or his control any firearm, bow, and/or crossbow in any county park in violation of Wisconsin State Statutes regulating the same except as set forth in (2) below.
2. Firearms may be possessed and carried in accordance with Wisconsin State Statutes and Department of Natural Resources regulations during dedicated hunting seasons in the County Forest pursuant to Section 19.06(C).

19.06 ANIMALS

A. Pets:

1. It shall be unlawful for any person to allow pets to enter any public building or picnic grounds or to run at large at any time on county park grounds, except as provided in (3) and (4) below. Pets shall be effectively restrained at all times in those areas where pets are permitted. Leashes used to restrain pets shall be no longer than eight feet long.
2. The owner or person having immediate control of a pet shall promptly remove and dispose of any excreta left or deposited by the animal upon any park property.
3. Animals, including pets, are permitted at the Fairgrounds under an authorized 4-H or Waupaca County Fair Board function.

4. Owners of dogs using the Waupaca County Dog Park are required to follow all posted rules specific to the Dog Park in the supervision and handling of their dogs.

B. Horses:

Unless expressly permitted by the Parks Director, horses are prohibited on foot paths, picnic grounds, athletic fields or other similar special public use areas in any county park. Riding a horse in a careless, negligent, or reckless manner so as to endanger the life, property or person of others on any county park roads or designated trails is prohibited.

C. Hunting and Trapping:

1. No person shall take, catch, kill, hunt, trap or otherwise disturb any wild animals or birds in any county park except in the County Forest and in accordance with state law and Wisconsin Department of Natural Resources regulations.
2. Hunting and trapping are expressly prohibited in all other county parks.

19.08 ATHLETICS

No person shall play ball, golf, tennis, archery, other games or sports upon or within any county park except on designated areas.

19.09 CAMPING

- A. Camping Permitted: Camping is permitted only in designated campgrounds and by obtaining a permit from the Parks Department. Camping is prohibited in all other any parks.
- B. Designated Campgrounds: Keller Lake and the Fairgrounds are designated campgrounds. The Parks and Recreation Committee may add or remove dedicated campgrounds to the County Park System at any time.
- C. Camping Violations: Violation of any state law or this ordinance by a member of a camping party is cause for revocation of the camping permit and/or other penalties as set forth in Section 19.10.
- D. Camping hours are as set forth in sec. 19.01(D)(1)(e).

19.10 ENFORCEMENT

A. Notice Fee:

In lieu of arrest or commencing a civil action for any violation set forth herein, the Waupaca County Parks Director, or his or her designee, shall have the authority to issue a "Notice of Violation" and may impose a notice fee for such violation. The amount of this notice fee is to be determined by the Waupaca County Parks and Recreation

Committee. If a violator receives a Notice of Violation, she/he may pay the notice fee within five (5) days of issuance or the matter shall be referred to the Corporation Counsel for prosecution in accordance with (B) below.

B. Civil Action:

The provision of this chapter shall be enforced pursuant to section 25.04 of the Waupaca County Code of Ordinances. Prosecution under this chapter shall be handled by the Office of Corporation Counsel.

- C. Powers of County Park Police: Any park personnel duly appointed and authorized by the Waupaca County Parks Committee and the Parks Director to function as park police shall have the authority to enforce provisions of this ordinance. The Director, designated park police, and any deputy sheriff shall have authority to issue a citation and/or notice fee to any individual whom she or he believes has committed a violation of this ordinance.

EFFECTIVE DATE:

This ordinance shall take effect and be in force from and after its passage and publication.

WAUPACA COUNTY CODE OF ORDINANCES
Chapter 19
Waupaca County Park Ordinance

19.01	General Administrative and Terms	19.25	Fire, Fireworks, Firearms
19.02	Motor Vehicle Trespass to County Snowmobile Trails	19.30	Animals
19.05	Public Meetings and Sales	19.35	Athletics
19.10	Personal Conduct and Nuisances	19.40	Beaches
19.15	Destruction, Entry, Cleaning and Refuse	19.45	Camping
19.20	Motor Vehicles and Boats	19.75	Enforcement

19.01 GENERAL ADMINISTRATIVE AND TERMS:

A. Definitions:

1. Park Committee: The terms "Committee", "Park Committee" and "Parks and Recreation Committee" shall mean the Waupaca County Park and Recreation Committee as determined by the Waupaca County Board of Supervisors.
2. Park: The terms "Park", "County Park", "Parkways", "Waupaca County Park System" and "Fairgrounds" are defined to mean all lands and water heretofore and hereafter acquired by the County for park or recreational purposes or placed under the jurisdiction of the Park Committee, and include, without limitation, parks beaches, trails, boat landings, waysides and privately owned lands, the use of which has been granted to the County for park, recreational or like public purposes. The following areas are designated as Waupaca County Parks:

County Parks

Gills Landing
Keller Park
Little Wolf Park
Nelson Park
Northland Park
Oakwood Park
Royalton Park
Tomorrow River State Trail
Wau-King Trail
Wolf River Sturgeon Trail
Waupaca County Dog Park
Fisherman's Park
Chief Waupaca Historical Site
Indian Crossing Park
Lowney-Rohan Wetlands
Manawa Park

Marion Park
Pigeon River Park
Symco Park

Access Sites

Big Falls Pond Access
Graham Lake Access
Grass Lake Access
Kinney Lake Access
Lembke-Long Lake Access
Little Wolf Canoe Access
North Lake Access
Dake Lake Landing
Miner Lake Landing
Rollofson Lake Access
Taylor Lake Landing
White Lake Access

County Dams

Keller Lake Dam
Nelson Park Dam
Northland Dam
White Lake Dam

Other County Facilities

Waupaca County Fairgrounds
Waupaca County Forest
Waupaca County Farm Cemetery
Camp Vic-to-Rae
Pauer's Environmental Ed. Center

3. Person: The term "person" shall include any individual, firm, partnership, corporation and association of person, and the singular number shall include the plural.
4. Motor Vehicle: The term "Motor Vehicle" means any mechanical device routinely used for surface travel powered by an internal combustion engine or battery, and operating upon two or more wheels, to include but not to be limited to trail bikes, all-terrain cushioned vehicles or golf carts. Motor Vehicle does not include power wheel chairs or scooters designed to provide mobility to a disabled individual, when being used by said individual.
5. Trail: The term "trail" throughout this chapter shall mean any area within any Waupaca County Park designated for other than motor vehicle travel, whether it be dirt, gravel, paved or boardwalk, except that it shall also include areas designated for snowmobile travel. The type of travel permitted on particular trails may be regulated or restricted within this chapter by the Waupaca County Park Committee.

B. Scope:

Except when the context provides otherwise, the provisions of this Ordinance shall apply to all lands, structures and property owned, leased, or administered by Waupaca County, Wisconsin, and under the management, supervision, and control of the Waupaca County Park Committee and the Waupaca County Parks and Recreation Department.

C. Parks and Recreation Director:

The Parks and Recreation Director shall be the authorized agent of the Committee as referred to herein.

D. Closing Hours and Dates:

1. Closing Hours:

- a. No person or motor vehicle shall enter or be in any park between the hours of 10:00 p.m. and the following 6:00 a.m.

- b. Persons transporting watercraft to and from designated boat landings are permitted at any hour, provided the most direct means of ingress or egress is used.
- c. The Waupaca County Fairgrounds, Camp Vic-To-Rae, and Pauer's Environmental Education Center, shall be available for extended hours for approved events.
- d. The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks & Recreation Department.

2. Dates:

No motor vehicle shall enter or be in any county park between November 1st and April 30th except as follows:

- a. All County operated boat launches shall be open to motor vehicle traffic on designated roads and parking areas all year.
- b. The Waupaca County Fairgrounds may be open for motor vehicles on an approved basis.
- c. Designated road and open parking areas at trail heads or other winter recreation areas.
- d. The Waupaca County snowmobile trails are open twenty-four hours per day when the trails are declared open by the Parks & Recreation Department.

3. Closing of Parks:

Any county park, trail or any portion of any county park or trail as they are defined under this section of the Waupaca County Park Ordinance, may be closed to motor vehicles and/or persons for any length of time deemed necessary, when in the opinion of the Waupaca County Parks and Recreation Director such closing is necessary to protect the public safety, or the facilities and resources of the county parks and trails from injury or damage by persons or other forces. In the event the Director or Parks Supervisor is not available, then the Waupaca County Sheriff or the senior Waupaca County Deputy on duty shall act under this section.

E. Fees, Charges and Deposits:

No person shall use any facility, shelter, land or area for which a fee or charge has been established by the committee without payment of such fee or charge as posted or otherwise established by the Park Committee. Such fees may be established for but not restricted to fairgrounds rental, shelter rentals and storage. Such fees may be periodically reviewed and changed by the Committee to reflect current economic conditions.

1. **The Purpose of Fees:** The fees collected by Waupaca County for the use of Waupaca County park property and fairgrounds are intended solely to defray part of the cost of the operation of the Waupaca County parks and fairgrounds which are maintained solely in the governmental capacity of Waupaca County and the payment of a fee by a person or persons is not intended to imply a business invitee relationship.
2. **Special Fees:** Any park structure, facility, or area other than the above, may be reserved or rented for special purposes subject to the approval of the Committee. The Committee, at its discretion may set the charge for this facility.
3. **Notice Fees:** An individual violating any provision of this ordinance may be assessed a notice fee for said violation.

F. Additional Rules, Permits, Exceptions:

1. **Additional Rules:** Rules and regulations may be made from time to time by the Committee, governing the further use and enjoyment of parks, parkways, playgrounds, beaches, boat landings, fairgrounds, campgrounds, lakes, streams and the facilities thereof. Any person who shall knowingly violate such rules or regulations or who refuses to subject himself hereto, may be required to leave the park premises and may be subject to penalties as set forth in Section 19.75 of this ordinance. Persons required to leave the park premises for violation of this ordinance shall not return to the park for a 24 hour period from the date and time of such order to leave the park.
2. **Permits:** Any person to whom a permit shall have been issued by the Director of the parks, or other authorized person, shall be bound by the provisions of all ordinances of Waupaca County as fully as though the same were inserted in each permit.
3. **Exceptions:** Nothing in this code shall prohibit or hinder the Waupaca County Park Committee of Waupaca County, Wisconsin,

its Park Director, Supervisors, Caretakers or other duly authorized agents, or any peace officers from performing their official duties.

G. Compliance With Orders of Park Police:

No person shall fail or refuse to comply with any reasonable order relating to the regulation, direction, or control of traffic or to any other order lawfully given by any park police or deputy sheriff acting under the park police or deputy sheriff or any other official in the execution of his office.

19.02 MOTOR VEHICLE TRESPASS TO COUNTY SNOWMOBILE TRAILS

(Adopted March 18, 1986, Published April 3, 1986)

A. Is hereby created to read as follows:

B. MOTOR VEHICLE TRESPASS TO COUNTY SNOWMOBILE TRAILS:

1. It is unlawful for any person to operate a motor vehicle upon any snowmobile trail.
2. Definitions:
 - a. "Motor Vehicle" means any mechanical device routinely used for surface travel powered by an internal combustion engine and operating upon two or more wheels, to include but not be limited to trail bikes, all terrain vehicles, motorcycles, mini-bikes, and air cushioned vehicles or golf carts.
 - b. "Snowmobile Trails" include all snowmobile trails or routes that have been designated by the Waupaca County Snowmobile Coordinator or the Waupaca County Parks and Recreation Committee.
3. Exception.
 - a. This ordinance shall not apply to landowners operating a motor vehicle on snowmobile routes laid out on his or her land nor to any person so operating with the permission of such landowner.
 - b. At the discretion of the Snowmobile Coordinator or the Waupaca County Parks and Recreation Committee.
4. This section shall be enforced by any law enforcement officer within the County, including the police of any municipality or any fish and game warden.

5. Severability. Should any section of this ordinance be declared unconstitutional or invalid, the constitutionality or validity of the remainder shall not be affected thereby.

19.05 PUBLIC MEETINGS AND SALES:

A. Public Meetings:

1. Any person desiring to hold a public meeting of any kind whatsoever in any park shall first obtain a permit from the Committee or its duly authorized agent. The permit must be applied for not less than 48 hours prior to the scheduled event.
2. Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.

B. Peddling and Soliciting:

No person shall peddle or solicit business of any nature whatever, or to distribute handbills or other advertising matters either of a commercial or political nature, to post unauthorized signs, bill or commercial or political nature, to post unauthorized signs, bill or decorative matter on any lands, structure, or property as a base of commercial operations for soliciting or conducting business, peddling or providing services within or outside of such lands, structures or property unless first authorized in writing by the Waupaca County Park Committee or its duly authorized agent.

19.10 PERSONAL CONDUCT AND NUISANCES:

A. Personal conduct:

All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced as to conduct on county property, including, without limitation, disorderly conduct and criminal damage to property.

B. Unnecessary Noises:

No person shall operate any sound truck, loudspeaker, motor, motor vehicle, or other device that produces undue or unnecessary noises without first obtaining a written permit from the Committee or its authorized agent.

19.15 DESTRUCTION, ENTRY, CLEANING AND REFUSE:

A. Destruction and Entry:

1. **Destruction, Defacement or Removal:** No person shall enter any building, installation, or area that may be under construction or locked or closed to public use; or to molest or manipulate any water control structure, dam or culvert; or to enter or be upon any building, installation or area after the posted closing time or before the posted opening time, or contrary to posted notice, in any park.

B. Cleaning and Refuse:

1. **Washing:** The washing of cars, persons, pets, cooking utensils, or clothing is prohibited in any of the lakes or streams or on any picnic grounds, playgrounds, recreation areas, boat landings, parking lots, roadways or fairgrounds except in designated areas.
2. **Fish and Game Cleaning:** No person shall clean, butcher, scale or skin any fish, game, livestock or poultry in any county park except at designated fish-cleaning tables if provided for such purposes. Refuse from such cleaning operations must be suitably wrapped or packaged and deposited in the refuse containers provided for that purpose.
3. **Refuse:**
 - a. State laws and County ordinances against littering shall be strictly enforced on county property.
 - b. Charcoal residue must be left in a grate or fireplace until cool, or placed in receptacles provided for such purposes.
 - c. No person shall dispose of any refuse in a county park receptacle if such contents are not as a result of the use of the park.
 - d. All recyclable refuse shall be removed from the park and recycled in accordance to applicable law and ordinance, by the park patron.

19.20 MOTOR VEHICLES AND BOATS:

A. Vehicular Traffic:

1. No person shall operate any motor vehicle at a speed in excess of 15 m.p.h. or contrary to official traffic signs in any county park.

2. No person shall operate any motor vehicle in any part of any park in a reckless manner contrary to the provisions of Sections 356.62 and 941. 01 of the Wisconsin State Statutes.
3. No person shall operate or park a motor vehicle upon county park property except upon designated areas.
4. No person shall operate, within any park, any motor vehicle which is not customarily registered with the Department of Motor Vehicles of the State of Wisconsin and designated for highway travel.

B. Watercraft Speed and Aquatic Activity Regulation:

1. No person shall operate a motor driven watercraft at a speed greater than “slow-no-wake’ speed and no person shall operate or cause to be operated any watercraft towing a person on water skies, aquaplane or similar device upon the following lakes as specified:
 - a. Keller Lake
 - b. Other areas as designated by the Committee
2. No person shall operate a boat towing persons engaged in water skiing, aquaplaning or similar activity or operated a watercraft in excess of “slow-no-wake” speed within 100 feet of any buoyed restricted area, marked swimming area, marina development, boat landing, dock or pier on any lake, river or other waters having a county owned or operated public boat marina. The authority vested in this section applies to those sections of any lake, river or pond located within Waupaca County, Wisconsin.

C. Definition:

For the purpose of this ordinance, the definition of “slow-no-wake: speed is defined as the slowest possible speed so as to maintain steerage.

D. Snowmobiles:

In areas where snowmobiles are permitted, no person shall operate a snowmobile contrary to official signs, or in a reckless manner in a county park.

19.25 FIRE, FIREWORKS, FIREARMS:

A. Fires:

1. No person shall start, tend, or maintain any fire, or to burn any refuse, except at designed fireplaces, fire rings, or grills within any county park, except that fires for cooking or heating may be made in portable stoves, heaters or grills at designated picnic areas. All grills are designated for charcoal burning only.
2. No person shall leave any fire unattended, throw away matches, cigarettes, cigars, or pipe ashes or any embers without first extinguishing them, or abandon any fire.

B. Fireworks:

No person shall possess, fire, discharge, explode or set off any squib, cracker or other explosive or pyrotechnic device containing powder or other combustible or explosive material within the limits of any county park.

C. Firearms:

No person except any authorized law enforcement officers shall have in his possession or under his control any firearm or air gun as defined by the Wisconsin Statutes, unless the same is unloaded and enclosed in carrying case, or any bow unless the same is unstrung or enclosed in a carrying case, in any county park except if such bow or gun is within the confines of any designated gun or archery range or in those parks where hunting is authorized.

19.30 ANIMALS:

A. Pets:

1. Pets shall be prohibited from entering in or on any public building, bathing beach, picnic grounds or playgrounds or to run at large at any time on county park grounds. Pets shall be effectively restrained at all times in those areas where pets are permitted. Leashes or ties used to restrain pets shall be no longer than eight feet long.
2. The owner or person having immediate control of a pet shall promptly remove and dispose of, any excreta left or deposited by the animal upon any parks and recreation property.
3. The owner of any pet found to be in violation of this section shall be liable and be subject to the penalty provisions of this ordinance.

- B. Horses:**
Unless expressly permitted, horses are prohibited on beaches, foot paths, picnic grounds, athletic fields or other similar special public use areas in any county park. Riding a horse in a careless, negligent, or reckless manner so as to endanger the life, property or person of others, on any county park roads or designated trails is prohibited.
- C. Hunting and Trapping:**
No person shall take, catch, kill, hunt, trap or otherwise disturb any wild animals or birds in any county park except where hunting is authorized.

19.35 ATHLETICS:

- A.** No person shall play ball, golf, tennis, archery, other games or sports, upon or within any county park or parkway except upon designated areas established by the Committee.

19.40 BEACHES:

- A. Food and Beverages:**
No person shall carry or consume any food or beverage of any kind on any bathing beach or in the water adjacent to any bathing beach in any county park.
- B. Regulatory Marker Buoys - Molestation:**
No person shall disturb or molest any regulatory buoy or marker in any swimming beach in any county park and no person shall swim or float beyond any bathing beach boundary buoy or swimming area marker.
- C. Swimming and Bathing During Storms:**
No person shall swim, bathe, or float on a floating device in the water fronting any bathing beach during electrical storms or in dangerous weather.
- D. Beach Athletics:**
Except in locations designated for such purposes, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water, when injury or inconvenience to others might result therefrom.
- E. Bathing Dress:**
No person shall swim, bathe or enter the water or onto any bathing beach unless clothed in a suitable dress or suit for bathing.
- F. Changing Clothing:**
No person shall change clothes, except in beach houses or other enclosed places.

- G.** Water Safety:
No person shall falsely call for help or assistance; or act in any manner that would jeopardize the safety of others.
- H.** Designated Swimming Areas and Hours:
No person shall swim in any waters in county parks except in those areas designated as public swimming areas and only during such hours as specified.
- I.** Infectious Diseases:
Any person having any infectious disease shall be prohibited from entering onto any bathing beach or into any bathing house or waters adjacent thereto.
- J.** No Watercraft Within Swimming Areas:
Operation of any boat, other than inflatable devices, motor driven or otherwise, within a designated swimming area as marked by buoys or other means, is strictly forbidden.

19.45 CAMPING:

- A.** Definitions:
For the purpose of this ordinance the following definitions apply:
 - 1. Camping or Camp: The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bed roll, or sleeping bag for temporary residence or sleeping purposes.
 - 2. Designated Campground: Any tract of land designated exclusively for camping by groups.
- B.** Camping Regulations:
 - 1. Camping Prohibited: Camping is prohibited in any park, except at designated campgrounds and it is further prohibited unless a permit is first obtained from the Committee.
 - 2. Designated Campgrounds: Designated campgrounds are those areas defined by the Committee and include Keller Lake, Vic-To-Rae, and the Waupaca County Fairgrounds.
 - 3. Camping Violations: Violation of any state law or any rules of the Waupaca County Park Committee by a member of a camping party is cause for revocation of the camping permit and may be subject to penalties as set forth in Section 19.75 of this ordinance.

19.75 ENFORCEMENT:

A. Notice Fee:

In lieu of arrest or commencing a civil action for any violation set forth herein, the Waupaca County Parks Director, or their designee, may impose a notice fee for such violation. The amount of this notice fee is to be determined by the Waupaca County Parks and Recreation Committee and kept on file in the Waupaca County Parks Department. If this notice fee is not paid within five (5) days of issuance, the matter shall be referred to the Corporation Counsel for prosecution in accordance with (B) below. Instructions for paying notice fees are provided at the time the notice fee is issued.

B. Civil Action:

The provision of this chapter shall be enforced pursuant to section 25.04 of the General Code. Prosecution under this chapter shall be handled by the Corporation Counsel's office. All Wisconsin Statutes and Waupaca County ordinances will be strictly enforced.

C. Powers of County Park Police:

1. Any park personnel duly appointed and authorized by the Waupaca County Park Committee and its Director to function as park police shall have the authority to enforce provisions of this ordinance and any other park rules and regulations established by the Park Committee. The Director, designated park police, and any deputy sheriff, shall have authority to issue a citation and/or notice fee to any individual whom he believes has committed a violation of this ordinance. Such citation shall inform the individual of the offense charges, the date of appearance in court and forfeiture required. The copies of any citation issued shall be immediately forwarded to the Waupaca County Parks and Recreation Director who shall then consult with the Waupaca County Corporation Counsel.
2. Any county park police or deputy sheriff shall have at all times the right to enter the premises of any building, structure, or enclosure in any park or parkway, including such grounds, buildings, structures or enclosures which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of enforcing this ordinance.

EFFECTIVE DATE AND REPEALS:

A. Effective Date:

This ordinance shall take effect and be in force from and after its passage and publication.

B. Repeals:

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**REPEAL THE WAUPACA COUNTY CODE OF ORDINANCE
CHAPTER 19 WAUPACA COUNTY PARK ORDINANCE
RECREATE CHAPTER 19 WAUPACA COUNTY PARKS AND RECREATION
ORDINANCE**

The Waupaca County Board of Supervisors does hereby ordain that the current Waupaca County Park Ordinance, Chapter 19 of the Waupaca County Code of Ordinances be repealed in its entirety and recreated with the attached Waupaca County Parks and Recreation Ordinance, Chapter 19 of the Waupaca County Code of Ordinances.

EFFECTIVE DATE

Upon enactment of the County Board of Supervisors, the ordinance amendment to repeal and recreate sections of the Waupaca County Code of Ordinances as set forth above will be in full force and effect within Waupaca County and each Town as provided in Section 59.14(1), Wis. Stats.

Approved on the ____ day of _____, 2021

____ ayes ____ nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane L. Meulemans
Corporation Counsel

RECOMMENDED FOR
INTRODUCTION BY PARKS & REC.
COMMITTEE

RECOMMENDED FOR
INTRODUCTION BY LEGISLATIVE,
JUDICIAL, ETHICS, SAFETY &
SECURITY COMMITTEE



**Waupaca County
Planning & Zoning Office**

811 Harding St
Waupaca WI 54981-2087
Phone (715)258-6255 Fax: 715-258-6212

SHORELAND PROTECTION ORDINANCE, CHAPTER 32

LEGEND:

Highlighted Term = Additional language proposed

Red Font Strikethrough = Language proposed to be stricken

*All formatting changes including subsets and internal references are not shown and will be updated accordingly. *

Section 6.1

6.1 SHORELAND SETBACKS.

Unless exempt under Section 6.1(1), reduced under Section 6.2, or increased under Section 6.3, a setback of seventy-five (75) feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure, excluding any roof overhang extending ~~less than~~ three (3) feet **or less** from the vertical wall of the structure, shall be required for all buildings and structures.

Section 6.1.2.b

- (2) Existing exempt structures. Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.
 - a. The expansion of a structure beyond the existing footprint is allowed if the expansion is necessary to comply with applicable state or federal regulations.
 - b. **Conflict and interpretation. Section 6.1 of this ordinance does not eliminate the obligation to obtain any other permit, aside from a permit required under Section 11, which may be required to complete maintenance, repair, replacement, restoration, rebuilding, or remodeling of an existing exempt structure under this ordinance or any other applicable local, State or Federal regulation, including, for instance, permits under Section 8.4 of this ordinance. It is the responsibility of the property owner to ensure**

that all other required permits are obtained and that all other ordinance standards are complied with prior to the start of construction.

- c. The issuance of a land use permit is still required under Chapter 34 Waupaca County Zoning Ordinance and other applicable and lawfully adopted ordinances.

Section 6.2.1

- (1) Measurement. For the application of Section 6.2 the measurement for determining the average shoreland setback shall be taken from the nearest part of the existing adjoining principal structures, identified in Section 6.2, to the ordinary high water mark of the water body excluding any decks, patios, or overhang that extends ~~less than~~ three (3) feet **or less** from the principal structure.

Section 6.3.1

- (1) Measurement: For the application of Section 6.3 the measurement for determining the average shoreland setback shall be taken from the existing principal structures identified in Section 6.3, excluding any decks, patios, or overhang that extends ~~less than~~ three (3) feet **or less** from the principal structure.

EFFECTIVE DATE

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Approved on 18th day of May, 2021

___ ayes ___ nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane Meulemans
Corporation Counsel



Waupaca County Planning & Zoning Office

811 Harding St
Waupaca WI 54981-2087
Phone (715)258-6255 Fax: 715-258-6212

ZONING ORDINANCE, CHAPTER 34

LEGEND:

Highlighted Term = Additional language proposed

~~Red Font Strikethrough~~ = Language proposed to be stricken

*All formatting changes including subsets and internal references are not shown and will be updated accordingly. *

Section 1.7.31

31. Farm: ~~For the purposes of the Farmland Preservation Overlay, farm shall mean:~~ Land that is primarily devoted to agricultural use, having produced at least six thousand dollars (\$6,000) in gross farm revenues in the previous year, or at least eighteen thousand dollars (\$18,000) in the preceding three (3) years.

Section 1.7.50

50. Outlot: A parcel of land not to be used for building purposes, so designated on a Plat or Certified Survey Map.

Section 2.2.5

1. **Expiration:** Within two (2) years from issuance of a Land Use Permit for construction, the project shall have progressed at least to the point of the exterior shell being completed. ~~Unless extended as provided herein,~~ The original permit shall lapse if this state of completion is not accomplished within the two (2)-year period. A new permit shall be required to recommence work on the project.

Section 2.8.5.h

2. **Setback Exemptions.** The following shall be exempt from all highway, railroad, and lot line setbacks except where necessary to provide visual clearance at highway intersections as described in Section 2.7:
 - a. Marquees and awnings adjoining the principal building's overhang roof eaves, driveways, ornamental light standards, flag poles, arbors, trellises, shrubs, retaining walls, permitted signs, outdoor fuel dispensing equipment, air conditioning units, and open accessory off-street parking spaces.
 - b. Walkways and sidewalks that are five (5) feet or less in width.

- c. Fences; however, those located within a highway setback must be less than four (4) feet in height.
- d. Trails, pathways, walkways, and sidewalks that are designed and intended for public use.
- e. A four (4) foot by six (6) foot open platform for safe access to an existing egress/ingress on a principal structure.
- f. Structures utilized for the loading and unloading of rail cars are exempted from railroad setbacks.
- g. Window wells extending three (3) feet or less from the foundation of the structure.
- h. Recreational vehicles, except that any accessory decking or accessory structures shall be required to meet applicable setbacks and obtain necessary permits.

Section 2.12.2

- 2. **Expansion:** A structure that is nonconforming as to structural or dimensional standards may not be expanded or enlarged ~~if doing so would increase dimensional nonconformity and~~ unless the expansion must meet the required setback(s).
 - ~~a. Expansions to nonconforming accessory structures shall only be allowed if the structure is one-half (1/2) or more of any required setback and complies with all additional provisions of this section and ordinance.~~

Section 2.13.1

2.13 Nonconforming Use of Structures or Premises

- 1. **Limitations:** A nonconforming use may be expanded or enlarged provided the existing use isn't changed from the original nonconforming use or expanded beyond the original parcel of record.

Section 2.14.3

2.14 Substandard Lots

- 1. No new lot shall be created and no existing lot shall be reduced in dimensions in a manner that does not meet the dimensional requirements of the zoning district in which it is located or as specified by the Waupaca County Subdivision Ordinance, whichever is larger.
- 2. Any lot or parcel legally created and indicated on a recorded subdivision plat, Certified Survey Map, assessor's plat, or conveyance and recorded in the office of the Register of Deeds for Waupaca County prior to June 3, 2010 may be used as a building site even though such lot or parcel does not conform to one or more minimum dimensional requirements of the district in which it is located, subject to the following conditions:
 - a. The use is permitted in the zoning district in which the lot is located.
 - b. The substandard lot is developed to comply with all other Ordinance requirements.

- c. The substandard lot has never been developed with one or more of its structures placed partly upon an adjacent lot.
 - d. A Land Use Permit is first obtained per Section 2.2.2.
 - e. Any variation to the above standards may only be obtained through a variance granted by the Board of Adjustment.
 - f. For nonfarm residences built within the Farmland Preservation Overlay, a rezone into RR-O or RC-O will be required.
3. Any parcel of land designated as an outlot on a Plat or Certified Survey Map may not be used for building purposes.

Section 2.15.1

2.15 Accessory Uses and Structures

1. Accessory buildings, structures and uses are permitted in all zoning districts, except the Conservancy District, which may require a Conditional Use Permit, and they shall be compatible with the principal uses on a parcel. Accessory structures and buildings shall meet the following standards:
 - a. No accessory structure or part thereof shall be used for living, sleeping, or eating quarters, unless it is attached to and part of the principal building and complies with all applicable sanitary regulations. For the purpose of this subsection, an accessory structure is considered attached to the principal building if it is connected by a common wall or aboveground-enclosed breezeway, with the connection being at least five (5) feet in width. An enclosed breezeway must have a solid roof, floor, and walls; however, openings are allowed for windows, doors, skylights and similar features.
 - b. No commercial use shall be allowed in an accessory structure unless the property is appropriately zoned for the proposed use or a Land Use Permit for home occupation (see Section 6.05. 8 & 9) has been obtained.
 - c. In residential uses, no sanitary system or plumbing shall be allowed in an accessory structure if it is built prior to the dwelling.
 - d. The structure must be according to the site plan and meet all the required setbacks.
 - e. All other Sections of this Ordinance must be met.

Section 2.15.3

3. **Accessory Structure:** Any detached private garage, carport, or utility shed on a lot that primarily accommodates the sheltered parking of a vehicle, the storage of maintenance equipment to serve the same lot or a contiguous lot, or a detached shelter such as a gazebo. It also includes swimming pools, greenhouses, wind and solar energy systems for on-site residential use, and private kennels. Attached garages, attached carports, and decks shall be considered part of the principal building, not an accessory structure for the purpose of determining the required setbacks and the applicable fee for a Land Use Permit.

Table 5.0

Add "P" for On-site Agriculture Retail and Agriculture Accessory Use under PVRF.

Table 5.1

Add "C" for Personal Storage Facility under PVRF, AE and AR. Include footnote 4.

Section 6.1

6.1 Land Use Interpretation

Section 5.0 broadly categorizes potential land uses in Waupaca County as Permitted (P), or Conditional Use (C) within the Zoning Districts. Definitions and additional requirements for these land uses are included in Sections 6.05 through 6.10. Any use not identified as Permitted (P) or Conditional (C) within a Zoning District is prohibited.

Section 6.2

6.2 Conditional Uses

Certain uses are of such special nature and their effects are dependent upon specific circumstances as to make it impractical to determine in advance of where and when and under what conditions they should be permitted. These Conditional Uses may be appropriate within a specific zone provided conditions can be met as set forth in Section. 14.05. These uses may be authorized upon application to the Planning and Zoning Committee and are subject to the Committee's authorization of a Conditional Use Permit pursuant to Section. 14.05.

Section 6.5.9

9. **Home Occupation, Minor:** A small home-based family or professional business that is accessory to a principal residential use. This business includes economic activities performed within any dwelling that comply with the specified requirements listed below. Examples include, but are not limited to, personal and professional services, home offices, small beauty salons, handicrafts, and small machine repair. ~~and where four (4) or less animals six (6) months of age or older are received for care, training, grooming, and boarding for compensation, excluding personal pets.~~

Section 6.6.5

Long-Term Outdoor Display and Sale: Land uses which conduct sales or display merchandise or equipment on a long-term basis outside of an enclosed building as a principal accessory use of the lot. Examples of such land uses would include vehicle and equipment sales and rental, used cars sales, manufactured housing sales, monument sales, flea markets, and farmer's markets and garden centers when not meeting the standards for an Agriculture Related Use as described in Section 6.10.3, ~~and garden centers.~~ Such land uses do not include the storage or display of inoperative vehicles or equipment, or other materials typically associated with a junk or salvage yard or other permanent outdoor land uses specifically defined by the Zoning Ordinance.

Required parking includes one (1) space per three hundred (300) square feet of gross floor area in the principal building(s), plus one (1) space per two thousand (2,000) square feet of outdoor sales or display area.

Section 6.7.7.b

~~a. "Junk" shall include, but is not limited to, old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; wastepaper and other waste or discarded material which might be prepared to be used again in some form; and inoperable appliances and machinery; and three (3) or more motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste, or scraps from the operation of his own on-going business or materials or objects held and used by a manufacturer as an integral part of his own manufacturing process.~~

b. "Junk" means any of the following:

- (1) Scrap metal, glass, paper products, metal alloy, wood, perishables, refuse, aluminum, steel, tires, concrete, synthetic material, including but not limited to tanks, barrels, cages, pallets, wire/cable, furniture, culverts, bricks, appliances, electronics, plastics, batteries, hot tubs, bathroom fixtures, plumbing products, or bottles.
- (2) Three (3) or more junked, ruined, dismantled, wrecked, unlicensed, unregistered or inoperative motor vehicles, including but not limited to buses, vans, trucks, cars, and recreational vehicles and parts thereof.
- (3) Any junked, ruined, dismantled, or wrecked machinery or lawn and garden equipment, including but not limited to farm equipment, construction equipment, campers, snowmobiles, boats, bicycles, trailers, motorcycles and parts thereof.
- (4) Construction/building materials or all or parts of dismantled buildings or structures, including but not limited to abandoned mobile homes and manufactured homes.

Section 6.9.5.a

5. Campgrounds and Camping Resorts:

a. Land uses designed, maintained, intended or used for the purpose of providing camping sites for nonpermanent overnight use to accommodate not more than one (1) camping unit per site **and one (1) host site per campground**. This use also includes facilities for use by campers including restrooms/showers, active and passive recreation areas, office/convenience store buildings, and necessary accessory uses. Any public or private parcel of land containing four (4) or more ~~recreational vehicles~~ **camping units** used for habitation and occupied thirty (30) days or longer shall be deemed a campground or camping resort.

- (1) Required parking is one and one-half (1 1/2) parking spaces per camping site plus one (1) space per employee on the largest work shift. Each ~~recreational vehicle~~ **camping unit** camping area shall provide sufficient parking and maneuvering space so that the parking, loading or maneuvering of recreational vehicles, incidental to parking shall not necessitate the use of any public street, sidewalk or right-of-way or any private grounds not part of the recreational vehicle parking area.

- (2) Wisconsin Administrative Code DHS 178 entitled "Campgrounds" shall apply until amended and then shall apply as amended; except the provisions of this Code of Ordinances shall control where more restrictive.
- (3) Minimum campground/camping resort size: five (5) acres.
- (4) Minimum camping site space: one thousand two hundred (1,200) square feet per camping site. All allotted individual lot area shall be in one (1) contiguous parcel exclusive of roadways. Each space shall be suitably landscaped, and all areas fronting a park and any buildings or recreational areas shall be suitably landscaped.
- (5) The density shall not exceed twenty (20) camping sites per acre of gross camp area.
- (6) Exposed ground surfaces in all parts of every parking area shall be paved, covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.
- (7) Each walkway shall have a minimum width of thirty-six (36) inches. No recreational vehicle lot or space shall ingress or egress directly upon a State, Federal, County, or Town road.
- (8) Except for the interior road system, all ~~recreational vehicles~~ camping units shall be set back from any park area boundary line abutting upon a public street or highway according to set back requirements in Section 2.8.
- (9) Every camp shall be located in a well-drained area not subject to intermittent flooding and properly graded so as to prevent the accumulation of storm or other waters that may create hazards to the property or the health and safety of the occupants.
- (10) There shall be one (1) or more recreational areas which shall be easily accessible to all camp residents. The aggregate size of such recreational areas shall be in an amount equal to, but not less than, two hundred (200) square feet multiplied by the number of camping sites, or two thousand five hundred (2,500) square feet, whichever is greater. The design and placement of such recreation area(s) shall be approved by the Planning and Zoning Committee.
- (11) Proof of ability to install a satisfactory private sewage disposal system, if public sewer and water facilities are not available, shall be presented to the Planning and Zoning Committee at the time of application.
- (12) Convenience establishments of a commercial nature may be permitted in a campgrounds providing that such establishments and their related parking areas shall not occupy more than ten percent (10%) of the total camp area, shall be subordinate to the recreational character of the camp, shall be located, designed and intended to serve the specific needs of the camp occupants, and shall present no visual evidence of commercial character from any portion of any residential district outside the camp. Such convenience establishment building shall adhere to any service building requirements.
 - (a) Recreational vehicle sales and service offices, display areas, or buildings may be permitted on the campground premises by special permission of the Planning and Zoning Committee. In granting such permission, the

Committee shall take into consideration the location and appearance of such activities, shall require that display areas not detract from the aesthetic value of the camp, and shall require that all display stock and materials be kept under cover. No repair of service facilities shall be permitted in any case where by reason of excessive noise, odor, unsightliness, etc., would detract from the recreational character of the camping area.

- (13) The camp management shall adopt and include into its leases or camp rules, by reference, such rules and regulations as shall be reasonably required by the Planning and Zoning Committee for the general health, safety and welfare of such campgrounds and of the County of Waupaca, and shall cause the eviction of any tenants of said campgrounds who violate the same.
- (14) The person or organization to whom a permit for a campground is issued shall operate the camp in compliance with this Ordinance and shall provide adequate supervision to maintain the camp, its facilities and equipment in good repair and in a clean and sanitary condition. The camp management shall notify camp occupants of all applicable provisions of this Ordinance and inform them of their duties and responsibilities under this Ordinance.
- 15) Each campground shall be allowed one host site, which may include facilities exceeding the required allotment for a camping unit. The host site may include a single family residence occupied by an employee of the campground. A dwelling less than twenty-two (22) feet in width may be utilized for a host site without separate conditional use permit approval.

Section 6.10.2

2. **Agriculture – Animal Husbandry:** Land uses that include keeping livestock, beekeeping, aquaculture, fur farming, and any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.
 - a. In nonfarm/hobby farm ~~residential~~ lots within AE, AR, AWT, and PVRF zoning districts, one (1) animal unit per acre of suitable area shall be permitted. Animal units are defined in the Wisconsin Administrative Code Section 243.05(4). A listing of animal units is provided in Appendix B. Any animal units above this limit shall be considered through the Conditional Use Permit process and requires approval by the Waupaca County Land and Water Conservation Department.
 - b. Animal husbandry in nonfarm/hobby farm lots in the Rural Residential ~~District~~ and the Rural Residential Overlay Districts is permitted through the Conditional Use Permit process and requires approval by the Waupaca County Land and Water Conservation Department.
 - (1) The raising of chickens in the Rural Residential ~~District~~ and the Rural Residential Overlay Districts is permitted without a Conditional Use Permit but with the issuance of a Land Use Permit provided the following standards are met:
 - (a) No more than six (6) chickens are allowed.
 - (b) No roosters are allowed.

- (c) The chickens must be provided with a fully enclosed shelter which meets the required setback distances for principal structures.
- (d) Chicken runs are allowed provided they meet the required setbacks for principal structures and are fully enclosed so as not to allow the chickens to escape.
- (e) Any butchering or slaughtering of chickens shall take place inside an enclosed structure.
- (f) Onsite commercial sale of eggs is prohibited.

Section 6.10.3

1. **Agriculture-Related Use:** An agricultural equipment dealership, facility providing agricultural supplies, facility for storing, handling, marketing or processing agricultural products, slaughtering livestock, facility for processing agricultural by-products or wastes, and any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agriculture-related use.
 - a. Examples of such uses include, but are not limited to, agricultural implement sales, storage, and/or repair operations; feed and seed stores; agricultural chemical dealers and/or storage facilities; animal feed storage facilities, except those accessory to an “agricultural use”; commercial dairies; food processing facilities; micro and nano breweries and micro and nano wineries where the farm is the primary source of ingredients, licensed farm auction operations; **garden centers and orchard stores; farmer’s markets;** canning and other food packaging facilities; agricultural waste and by-product disposal facilities, except those accessory to an “agricultural use”; sawmills; de-barking operations; and chipping facilities. Not included within this land use category are plants intended to convert agricultural products to energy on a large-scale basis.
 - b. **Agriculture- Related Uses may include incidental long term outdoor display of items offered for sale as part of the approved use.**

Section 6.10.5

5. **Agricultural Accessory Use:** Any of the following land uses on a farm:
 - a. A building, structure or improvement that is an integral part of, or incidental to, an agricultural use. This may include, for example:
 - (1) A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
 - (2) A facility used to keep livestock on the farm.
 - (3) A facility used to store or process inputs primarily for agricultural uses on the farm.
 - (4) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
 - (5) A facility used for manure storage or bunker silo. Setbacks for manure storage facilities are measured from the inside liner.

- (6) A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses it to provide energy primarily for use on the farm.
 - (7) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.
 - (8) A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.
 - (9) Farms regularly open for tours, demonstrations, hayrides, corn mazes, farm breakfasts, and other similar events.
- b. Any activity or business operation that is an integral part of, or incidental to, an agricultural use. **An example of this land use is a greenhouse.** ~~This may include, for example:~~
- ~~(1) Greenhouses~~
 - ~~(2) Garden Centers~~
 - ~~(3) Orchard Stores~~
- c. A farm residence, including normal residential appurtenances.
- d. A business, activity, or enterprise, associated with an agricultural use, which meets all of the following requirements:
- (1) It is conducted on a farm by an owner or operator of that farm.
 - (2) It requires no buildings, structures, or improvements other than those described in 6.10.5.a.
 - (3) It employs the equivalent of no more than four (4) full-time employees annually.
 - (4) It does not impair or limit the current or future agricultural use of the farm or other protected farmland.
- e. Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an accessory use.

Section 7.2 (Density Management)

7.2 Applicability:

This section applies only to the following zoning districts; Private Recreation and Forestry (PVRF), Agriculture Enterprise (AE), Agriculture Retention (AR), Agriculture and Woodland Transition (AWT), and Rural Residential (RR).

1. The size and zoning of a parcel limits the maximum number of residential dwellings **units** or equivalent principal use within these zoning districts.
2. Development rights are required for **a** dwelling **unit** or one (1) principal commercial, institutional, recreational, utility, transportation, or industrial land use.
3. Each multi-family dwelling **unit** permitted or legally established on the lands following the effective date of this chapter shall be counted as one (1) development right for the purpose of this chapter.

4. All dwellings count towards this density limit, including the original farm dwelling and secondary farm residences.
5. No building, structure or premises shall be erected, occupied or used so as to provide a greater density of population than is allowed by the terms of this ordinance for the district in which such building, structure or premises is located.
6. The availability of a development right does not guarantee that a dwelling or equivalent principal use can be built on a parcel. All evaluation criteria must be met.
7. Accessory structures do not require a development right; however an accessory structure prior to the principal structure would require a development right. Agricultural Accessory Use does not require a development right.
8. Recreational vehicles that have obtained a Conditional Use Permit to park on property exceeding the thirty (30) days during the calendar year and that have permanent facilities established, such as sheds, septic system, privies, etc., require a development right. If no permanent facilities are established on the property for the recreational vehicle and a porta-potty is utilized, no development right will be required.
9. Campgrounds, camping resorts, resort establishments, mobile home parks, and dormitories and staff housing dedicated to an institutional use do not require the use of a development right.

Appendix B (footnote reference update)

Waupaca County Zoning Ordinance, Chapter 34

ANIMAL UNIT DENSITY WORKSHEET

Parcel Number:

Animal Type		Animal Units			
		b. Equiv. factor	c. Current Animal Units	d. Proposed Animal Units	e. Total Units
<i>Example - Broilers:</i>		0.005 x	150,000		= 750
Dairy/Beef Calves (under 400 lbs)		0.20 x			= 0
Dairy Cattle	Milking & Dry Cows	1.40 x			= 0
	Heifers (800 lbs to 1200 lbs)	1.10 x			= 0
	Heifers (400 lbs to 800 lbs)	0.60 x			= 0
Beef Cattle	Steers or Cows (400 lbs to market)	1.00 x			= 0
	Bulls (each)	1.40 x			= 0
Veal Calves		0.50 x			= 0
Swine	Pigs (up to 55 lbs)	0.10 x			= 0
	Pigs (55 lbs to market)	0.40 x			= 0
	Sows (each)	0.40 x			= 0
	Boars (each)	0.50 x			= 0
Chickens	Layers (each)	0.01 x			= 0
	Broilers/Pullets (each)	0.01 x			= 0
Buffalo (each)		1.40 x			= 0
Camelids (Camels etc) (each)		1.00 x			= 0
Camelids (Llamas/Alpacas, etc.) (each)		0.20 x			= 0
Deer, Farm Raised (each)		0.20 x			= 0
Donkeys (each)		1.00 x			= 0
Ducks (each)		0.01 x			= 0
Elk (each)		0.70 x			= 0
Ratites/Emu (each)		0.10 x			= 0
Game Birds, Farm Raised (each)		0.01 x			= 0
Goats/Sheep (each)		0.10 x			= 0
Horses (each)		2.00 x			= 0
Ponies/Miniature Horse (each)		0.50 x			= 0
Rabbits (each)		0.01 x			= 0
Turkeys (each)		0.018 x			= 0
Total Animal Units:		Total Animal Units = 0			
		(add all rows above)			
Total Acreage Needed:					

*The above provisions apply ONLY to non-farm use as defined in Section ~~1.07(38)~~ 1.7(48) of the Waupaca County Zoning Ordinance.

EFFECTIVE DATE

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Approved on 18th day of May, 2021

___ ayes ___ nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane Meulemans
Corporation Counsel

PROPOSED SANITARY ORDINANCE REVISIONS

Section 2 (2) ~~This ordinance shall be subject to the provisions of Chapter 145 and 146, Wisconsin Statutes, and all subsequent rules and regulations promulgated there under regarding private sewage systems. These rules, regulations and laws shall apply until amended and then shall apply as amended.~~ *Redundant with rest of section*

Section 2 (4) Incorporation of Provisions by Reference. This chapter incorporates by reference the following applicable rules, regulations and laws as set forth in the Wisconsin Statutes, and the Wisconsin Administrative Code governing the location, construction, and use of private sewage systems: Chapters 145, ~~146~~, 281, 283, and 59.70(5) of Wisconsin State Statutes, and Chapters NR 112, NR 113 and SPS 381, ~~382, 383, 384~~, 385, 387, 391 of the Wisconsin Administrative Code. These rules, regulations, and laws shall apply until amended or renumbered and then shall apply as amended or renumbered. *Updated references*

Section 3.01 (1) ~~Alternative System means any sewage system other than a conventional, mound, in-ground pressure or at grade sewage system.~~ *no reference to in ordinance*

(3) Chemical Toilet means ~~refers to~~ chemical, organic (composting), electrical, gas, and other non-water using toilets ~~with the exception of privies~~. *Strike redundancy and a clarification*

County Sanitary Permit. A permit issued by the Waupaca County Planning & Zoning Office for the reconnection of a private sewage system or for the installation of a vault privy, or septic tank only when more than one dwelling is connected to a single private sewage system. *Added definition for clarification*

Modification in Wastewater Flow or Contaminant Load. A modification in wastewater flow or contaminant load shall be considered to occur:

(a) In public buildings, facilities or places of employment, when there is a proposed change in occupancy of the structure; or the proposed modification affects either the type or number of plumbing appliances, fixtures, or devices discharging to the system; and in dwellings, when there is an increase or decrease in the number of bedrooms, or a 25% increase in living space. Modified wastewater load in dwellings does not result from construction of garages, open air/enclosed decks, patios, or porches; re-roofing; painting; wiring; re-siding; or replacement of windows, floor coverings, equipment, appliances, or cabinets. *Added definition for clarification*

NOTE: Sections 145.01 (12), Stats., reads: “Private Ssewage Ssystem, also referred to as POWTS, means (according to State Statutes 145.01(12)) a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A private sewage system may be owned by the property owner or by a special purpose district. *Makes more sense as a definition rather than a note.*

Sanitary Permit means a county sanitary permit, a state sanitary permit, or both. ~~means a permit issued by the department or the issuing agent for the installation of a POWTS.~~

State Sanitary Permit means a permit issued by the office for installation or modification of a private on-site wastewater treatment system, pursuant to Wis. Stats. §§ 145.19 and 145.135. *(DSPS requested clarification between State permits and County permits.)*

Tank set means one or more tanks serving a separate residence or group of residences. Each “set” can be maintained on a different schedule, therefore must be tracked individually. *Added definition for clarification*

Section 4.02 Compliance: All Buildings in Waupaca County that are permanently or intermittently intended for human habitation or occupancy which are not serviced by public sanitary sewer, shall have ~~an approved POWTS~~ a system for holding or treatment and dispersal of sewage and wastewater which complies with the provisions of this Ordinance. *Clarification*

4.02(7) No well or water supply shall be connected to a building intended for human occupancy unless there is a sanitary sewer or an existing approved private sewage system serving the building, or unless the owner(s) possess a valid sanitary permit for the construction of an approved system.

4.02(8) The use of a camping unit transfer container as a POWTS holding tank component shall be restricted to a campground permitted by the Department of Health and Human Services under Wis. Admin. Code Ch. DHS 178.

4.02(9) When a failing private sewage system is identified, it shall be brought into compliance with current code requirements, replaced with a code compliant system authorized by a sanitary permit, or its use discontinued within 12 months or such other period of time required by order. *Clearly codifying policies*

Section 6.02(1)(b) Sealing all disconnected piping to the tanks and pits. ~~In accordance with SPS 382.21 (2)(h)~~—*changing reference, not needed.*

Section 7.01(1) No person may install or modify a private sewage system, or privy unless the owner of the property on which the private sewage system is to be installed holds a valid sanitary permit. ~~Any property owner, his agent or contractor who starts construction prior to obtaining a Sanitary Permit is in violation and shall be subject to the penalties provided for in this Ordinance.~~ *Clarifying owner & contractor have obligations to obtain permits*

~~7.01(7) If multiple dwellings are connected to one drainfield with individual septic tanks, a County permit will be issued for each tank set.~~ *Codifying policy*

~~NOTE: Pursuant to s.145.135(2)(b), Stats., the approval of a sanitary permit is based on the rules in effect on the date of the permit issuance or renewal.~~ *(moved to 7.03(2))*

~~7.02(1)(d) The original approved state plans/forms for systems requiring Department approval. A set of plans bearing the department's conditional approval and the approval letter issued by the department, if required to be reviewed by the department under s.SPS 383.22(1).~~ *(department now does electronic approvals. Generalizing so electronic copies will be acceptable.)*

~~7.02(1)(i) The following documents must be recorded with the Waupaca County Register of Deeds Office prior to the sanitary permit issuance:~~

- ~~1) Maintenance agreements or POWTS agreements, when recording is required by Wis. Admin. Code Ch. SPS 383 or this Ordinance.~~
- ~~2) When a private sewage system or parts thereof are located on a separate parcel of ownership than the structure served, an appropriate easement must be recorded.~~
- ~~3) When a private sewage system serves more than one structure under different ownership, a document identifying all parties that have ownership rights and are responsible for the operation and maintenance of the private sewage system must be recorded.~~
- ~~4) When the design wastewater flow of a private sewage system for a dwelling is not based upon the number of bedrooms within the dwelling, a deed restriction limiting occupancy to that used in the design must be recorded.~~

(Already In Wis Admin Code, added here for ease of enforcement.)

Section 7.03 Expiration and Renewal

- ~~(1) All installations or modifications to a septic system shall be completed within two (2) years from the date the Planning & Zoning Office issues the sanitary permit. The Planning & Zoning Office will renew a sanitary permit upon a property owner or his or her agent's submittal of a new sanitary permit~~

application, signed and completed by the plumber, together with the fee, to the Planning & Zoning Office prior to the expiration date.

- (2) The approval of a sanitary permit is based on the rules in effect on the date of the permit issuance or renewal
- (3) Changed regulations may impede or prevent the renewal.
- (4) A new sanitary permit shall be obtained by the owner or their agent prior to beginning construction if a sanitary permit has expired.

Already In Wis Admin Code & State Statutes, added here for ease of enforcement

7.05add:

Transfer of ownership or plumber shall not affect the expiration date or renewal requirements. *Already in State Statutes, adding for clarification.*

7.06 Revisions: Every installer of a private sewage system who modifies or changes the design of a system must submit a revised plan to DSPS or to the designated approval agency. A copy of the approved revision must be submitted to the issuing agent within 5 working days after approval is obtained. All changes or modifications must be approved by the issuing agent prior to installation (*correct grammatical error*)

Section 8 EMERGENCY REPAIRS AND INSTALLATIONS:

- (1) Emergency tank installations may be performed provided the owner obtains a sanitary permit within 30 days from the date of installation licensed plumber provides the sanitary permit application, site plan and permit fee to the Planning & Zoning Office prior to installation. If a soil boring is required per section 15.02, it shall be provided within 30 days of installation. If department plan review is required, this shall be provided within 30 days of tank installation. If this is not possible, it is the owner's responsibility to make acceptable and expeditious arrangements with the Waupaca County Planning & Zoning Office to have a permit issued. This may include a scheduled plan review date and number.
- (2) ~~The sanitary permit fee must be received by the Planning & Zoning Office prior to an emergency installation.~~
- (3) ~~Emergency repairs or removal of stoppages may be performed without a sanitary permit provided such work is reported to the Zoning Administrator as soon as possible to determination as to whether a sanitary permit is required.~~ Should the soil boring or system evaluation show the existing system is not in compliance, the sanitary must be revised accordingly and a code complying septic system installed within 30 days. (*DSPS wanted us to change wording – permits are required before the work is done.*)
- (4) The installer must notify the Planning & Zoning Office prior to performing any work.

Section 10 SOIL REPORTS AND SITE EVALUATIONS:

Section 10.01 Soil test reports: A sanitary permit shall not be issued until a soil and site evaluation report has been reviewed and approved by the issuing agent. At least one backhoe pit must be done for each system area set aside. The report and evaluation must be in accordance with SPS 385.

Section 10.02 Verification: The issuing agent will verify the report and soils for all sites with less than 24 inches of suitable soil and other sites at the proposed site if deemed necessary. Backhoe pits are required whenever the County verifies soil boring data. The soil test pits shall be left in such a manner that will permit access to them for the evaluation of the soil profile. All backhoe pits must be covered or fenced. Unattended backhoe pits are the liability of the Certified Soil Tester or property owner. (*DSPS wanted backhoe removed as soil tester could dig holes by hand.*)

11.01(1) add:

(b) If the Soil Evaluation Report determines a site is suitable for the installation of a private sewage system that provides onsite treatment and disposal of domestic wastewater only with the aid of a pre-treatment device or through soil interpretive review or individual site design, a holding tank may be installed to replace an existing failed septic system. *Codifying policy*

- (2) ~~For use with a non-residential building (as a system of choice).~~ The installation and use of holding tanks as a private sewage system for public (non-residential), commercial, or agricultural buildings are permitted regardless of whether there is a suitable site that allows for the installation of a private sewage system that provides onsite treatment and disposal of domestic wastewater. *Clarifying non-residential*

Section 12 PERFORMANCE STANDARDS

~~Section 12.01 General: The County shall implement procedures to ensure that discharges from private sewage systems are in compliance with groundwater law contamination limits. The implementation steps will follow parameters in this section.~~

~~Section 12.02. Application: Application for a sanitary permit for all POWTS systems must include information on the design and maintenance provisions that will achieve the quality standards, as well as the monitoring procedures that will assure the proper operation of the system. Permit applications with designs that do not include this information are subject to denial. This is in Wis Admin Code and is best enforced there.~~

12.02(2) Each POWTS design shall include a management plan for maintaining the designed performance and operational standards required by ~~this chapter~~ Wisconsin Administrative Code.

12.03(2) Add: **Tank condition**; *Codifying existing policy*

Section 13 Privies

13.01 Permitting:

- (a) A privy may be permitted only when the structure of premises served by the privy is not provided with an indoor plumbing system. If plumbing is installed in the structure or running water is supplied to the structure, an acceptable method of sewage disposal other than, or in addition to, a privy must be provided. Privies that remain must be evaluated per section 15.04(2). *Already on recorded Privy Agreement, adding here for easier enforcement*

13.02(1)(g) A water-tight vault shall be required for the privy. Privies without a water-tight vault (**including pit privies**) will not be permitted. *Clarification*

13.02(3) (b) ~~S~~structural setbacks from roads, ~~sideyards~~lot lines, wetlands, rivers, and lakes as established in the Waupaca County Ordinances. *Make consistent with zoning ordinance*

15.02 **Tank Collapse or Repair**: If a septic tank has failed or collapsed, or if an absorption area has failed, the complete disposal system must be evaluated for compliance with this ordinance and ~~State Uniform Plumbing Wisconsin Administrative Codes~~ prior to permit issuance and reconstruction. Evaluation of drainfields or seepage pits older than 1986, **or using a percolation test for original design**, will require a soil boring be done to verify compliance with setback to limiting factors. *Antiquated code reference and State no longer recognizes old perc tests*

15.04 Evaluation: Prior to issuing the approval for the reconnection to the existing structure, an evaluation of the existing private sewage system must be made. The following is the procedure that must be followed in evaluating the private sewage system:

- (1) Existing sanitary permits and soil test information on file shall be examined for reliability.
- (2) If there is not adequate or reliable soils information, for all POWTS systems installed prior to 1986, **or where a percolation test was used for original design**, and all pit privies, a soil boring(s) shall be completed by a Certified Soil Tester to determine if there are suitable soils for the system in use and to identify a replacement area if there is not one

available. This information shall be reported to the issuing agent, which shall review the report and verify the soils, when considered appropriate. *State no longer recognizes perc tests*

15.04(4)(d) Determine that all minimum setbacks of SPS 383 will be maintained. If setbacks cannot be met, variances must be obtained by appropriate agency **prior to approval of evaluation by the Planning & Zoning Office**. *Obtaining variances when still have some leverage to get them done*

Section 17.02 Maintenance Program: The Planning & Zoning Office shall place all septic tanks and holding tanks on a three-year maintenance program, unless the maintenance plan provided with sanitary permit stipulates more frequently.

~~(1) — Septic tanks: All private sewage systems shall be placed on a three-year inspection program per ch. SPS 383.54(4), Wisconsin Administrative Code. Notice of the maintenance due shall be sent by the Planning & Zoning Office to the system owner at least 30 days prior to every triennial anniversary of the date (a) of completion of the private sewage system, (b) the last pump date the Planning & Zoning Office has on record or (c) for systems in place prior to October, 1990, the randomly selected initial inspection date. All such owners, or their successors or assigns, shall demonstrate compliance with this chapter by returning report forms prepared by the Planning & Zoning Office, or certifications approved by the Zoning Office, prior to the due date identified in the notice, duly signed by a person authorized in s. 145.20(5)(b) Wis. Stats., or ch. SPS 305, Wis. Admin. Code.~~

~~(a) — Form: The owner of such septic tank shall furnish the Planning & Zoning Office with The certification form, which will state that:~~

- ~~1) — The septic tank is in proper operating condition, the tank is structurally sound and the baffles and/or filters are in place.~~
- ~~2) — A licensed septic tank pumper recently pumped the septic tank or it was inspected by a licensed pumper or plumber and is less than one third full of sludge and scum.~~
- ~~3) — The drainfield shall be visually inspected at least once every 3 years to determine whether wastewater or effluent from the POWTS is ponding on the surface of the ground or discharging to a hillside or ditch, per SPS 383.54(4)(d).~~
- ~~4) — Reports shall include all information required in SPS 383.55, Wisconsin Administrative Code, and be signed by the person(s) inspecting and pumping the private sewage system. Other maintenance or management reports required by SPS 383. Or 384, Wisconsin Administrative Code, should be included with this report.~~

~~(2) — Holding tanks: All holding tanks shall be placed on a three-year inspection program. Notice of the maintenance due shall be sent by the Planning & Zoning Office to the system owner at least 30 days prior to every triennial anniversary of the date (a) of completion of the private sewage system, (b) for systems in place prior to the date of this~~

~~ordinance, the randomly selected initial inspection date. All such owners, or their successors or assigns, shall demonstrate compliance with this chapter by returning report forms prepared by the Planning & Zoning Office, or certifications approved by the Planning & Zoning Office, prior to the due date identified in the notice, duly signed by a person authorized in s. 145.245(3), Wis. Stats., or ch. SPS 305 Wis. Admin. Code.~~

~~(a) Form: The certification form will state that:~~

~~1) The holding tank is structurally sound, and all components are operating according to Code.~~

~~2) The owner of such holding tank shall furnish the Planning & Zoning Office with a copy of the inspection report verifying the condition of the tank. Reports shall include all information requested, and be signed by the person(s) inspecting and pumping the holding tank.~~

- ~~(1) Private sewage systems shall be visually inspected within three (3) years of the date of installation and at least once every three (3) years thereafter. If the inspection reveals combined sludge and scum volume greater than or equal to one-third (1/3) of the volume of each tank, the tanks associated with the private sewage system shall be pumped.
 - a. Servicing of holding tanks shall occur at least when the wastewater in the tank reaches a level of one foot (1') below the inlet invert of the tank(s).~~
- ~~(2) The inspection, evaluation, or maintenance of private sewage systems that utilize pre-treatment components which require maintenance at intervals of 12 months or less shall be conducted in accordance with the requirements specified by the manufacturer or designer of the component.~~
- ~~(3) The owner of a private sewage system shall contract with a licensed individual to complete the maintenance of the septic system. Within thirty (30) days of completion of the maintenance, and prior to the deadline given by the Planning & Zoning Office, the licensed individual shall file the maintenance report with the Planning & Zoning Office through the Waupaca County online reporting system. It shall be the property owner's responsibility to verify the online report has been filed prior to the deadline established for maintenance of the septic system.~~
- ~~(4) Visual inspection of the private sewage system may be conducted by any licensed plumber, pumper or POWTS Inspector to verify the condition of the septic system components, determine if the pumping of the tank components is necessary, and whether wastewater or effluent from the private sewage system is discharging on the ground surface.~~
- ~~(5) Pumping of tanks associated with a private sewage system shall be done by a certified septage servicing operator in accordance with Wis. Admin. Code. Within thirty (30) days of completing said inspection or service event, the service provider, on behalf of the owner of the holding tank or septic tank, shall submit the completed inspection report online.~~

- (6) Any tank or drainfield which discharges sewage to the ground surface, including intentional discharges and discharges caused by neglect, shall be considered a failing private sewage system which will need to be remediated to remain in compliance with the requirement of the State Code and this Ordinance. This may include, by order, the installation of a water meter with remote reading device to monitor pumping compliance.

Reordered and clarified – combined holding tanks and septic tanks in one management section.

Section 18. FEES (including state fees and groundwater surcharge):

Section 18.01 For County-Owned Buildings: Only the state fees and groundwater surcharge fees will be collected for other Waupaca County offices obtaining sanitary permits – the County portion of the fee shall be waived.

(1) Fees may be changed by Resolution of the County Board or by action of the Planning and Zoning Committee. *Renumbered section for easier reading/interpretation*

- (4) In addition to the foregoing fees as allowed by Wis. Stat. 145.20(4) each owner of a private sewage system shall annually be charged a fee of five dollars (\$5) per septic tank set for the recordkeeping attributable to the inventory and tracking of the pumping and maintenance of each system, said fee to be recovered in the same manner as municipalities may make special charges pursuant to Wis. Stat 66.0703. *Moved annual maintenance fees to property tax bill.*

EFFECTIVE DATE

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Approved on 18th day of May, 2021

___ ayes ___ nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

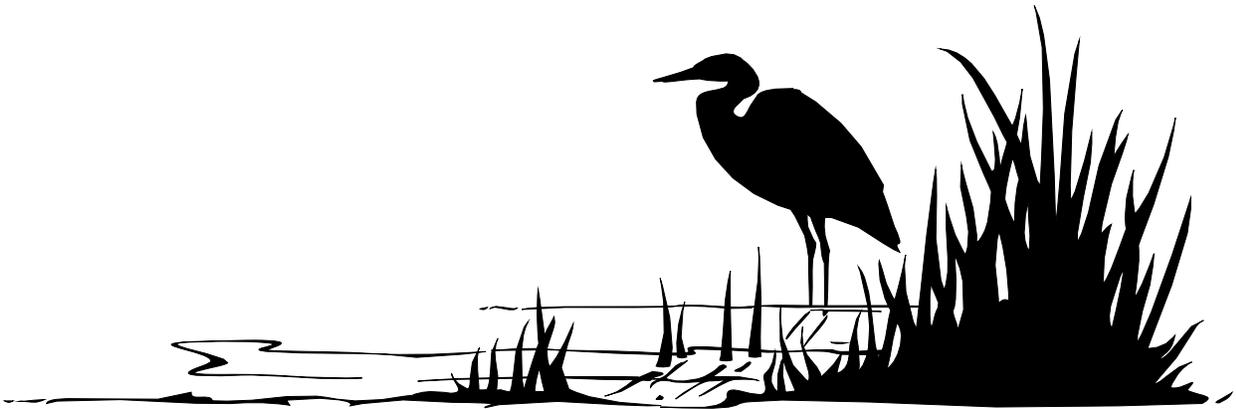
APPROVED AS TO FORM:

Diane Meulemans
Corporation Counsel

Waupaca County

Floodplain

Ordinance



Ordinance No. 18 Floodplain Ordinance was adopted by the Waupaca County Board on July 28, 1977.

Amend Ordinance #87-16-01 to repeal and re-enact the Waupaca County Floodplain Ordinance. Waupaca County Floodplain Ordinance No. 18 is repealed and a new Waupaca County Floodplain Ordinance re-enacted and entitled: Waupaca County Floodplain Ordinance, a part of the Waupaca County Code of Ordinances to be published in the Waupaca County Code of Ordinances, Chapter 16, Floodplain Ordinance. Adopted by the Waupaca County Board on May 19, 1987 and published on June 11, 1987.

Amend Chapter 36 for selected revisions to the Waupaca County Floodplain Ordinance to comply with the requirements of the Wisconsin Administrative Rule NR 116 and the FEMA requirements. Amended and enacted by the Waupaca County Board on February 17, 2004.

Amend Chapter 36 for selected revisions to the Waupaca County Floodplain Ordinance so that it will remain in compliance with federal requirements. Amended and enacted by the Waupaca County Board on September 27, 2005.

Amend Chapter 36 for selected revisions to the Waupaca County Floodplain Ordinance and maps that are required by federal and state law. Amended and enacted by the Waupaca County Board on December 15, 2009 and published on January 14, 2010.

Amend Chapter 36 for selected revisions to the Waupaca County Floodplain Ordinance and maps that are required by federal and state law. Amended and enacted by the Waupaca County Board on July 16, 2013 and published on July 25, 2013.

Amend Chapter 36 for selected revisions to Sec. 1.5(2)(c)(5) of the Waupaca County Floodplain Ordinance. Amended and enacted by the Waupaca County Board on July 15, 2014 and published on July 22, 2014.

Amend Chapter 36 for selected revisions to Sec. 4.3(1)(d)(2)(a) of the Waupaca County Floodplain Ordinance. Amended and enacted by the Waupaca County Board on May 19, 2015 and published on May 28, 2015.

Amend Chapter 36 for selected revisions of the Waupaca County Floodplain Ordinance. Amended and enacted by the Waupaca County Board on May 21, 2019 and published on May 28, 2019.

Published in the Waupaca County Code of Ordinances, Chapter 36.

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1. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS

1.1 STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in ss. 59.69, 59.692, and 59.694; and the requirements in s. 87.30, Stats.

1.2 FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

1.3 STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for Waupaca County, Wisconsin.

1.5 GENERAL PROVISIONS

(1) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from studies other than a Flood

Insurance Study (FIS). If more than one map or revision is referenced, the most restrictive information shall apply.

(2) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see s. 8.0 Amendments) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Waupaca County Planning and Zoning Office, Waupaca, Wisconsin. If more than one map or revision is referenced, the most restrictive information shall apply.

- a. **OFFICIAL MAPS** : Based on Waupaca County Flood Insurance Study (FIS), dated (January 20, 2010), volume numbers (55135CV000A) with corresponding profiles. Flood Insurance Rate Map (FIRM), panel number 55135C0014D, 55135C0015D, 55135C0025D, 55135C0043D, 55135C0045D, 55135C0050D, 55135C0066D, 55135C0067D, 55135C0070D, 55135C0075D, 55135C0086D, 55135C0087D, 55135C0088D, 55135C0089D, 55135C0093D, 55135C0094D, 55135C0095D, 55135C0113D, 55135C0115D, 55135C0120D, 55135C0150D, 55135C0170D, 55135C0175D, 55135C0181D, 55135C0182D, 55135C0185D, 55135C0200D, 55135C0201D, 55135C0203D, 55135C0205D, 55135C0210D, 55135C0215D, 55135C0218D, 55135C0219D, 55135C0220D, 55135C0232D, 55135C0235D, 55135C0250D, 55135C0251D, 55135C0255D, 55135C0275D, 55135C0300D, 55135C0305D, 55135C0309D, 55135C0310D, 55135C0315D, 55135C0317D, 55135C0320D, 55135C0335D, 55135C0350D, 55135C0356D, 55135C0357D, 55135C0358D, 55135C0359D, 55135C0375D, 55135C0386D, 55135C0387D, 55135C0388D, 55135C0389D, 55135C0391D, 55135C0392D, 55135C0393D, 55135C0394D, 55135C0400D, 55135C0411D, 55135C0413D, 55135C0425D, 55135C0430D, 55135C0433D, 55135C0434D, 55135C0435D, 55135C0440D, 55135C0441D, 55135C0442D, 55135C0445D, 55135C0451D, 55135C0452D, 55135C0453D, 55135C0454D, 55135C0456D, 55135C0457D, 55135C0458D, 55135C0459D, 55135C0475D, 55135C0478D, 55135C0479D, 55135C0480D, 55135C0481D, 55135C0482D, 55135C0483D, 55135C0484D, 55135C0490D, 55135C0491D, 55135C0492D, 55135C0493D, 55135C0494D, 55135C0501D, 55135C0502D, 55135C0503D, 55135C0504D, 55135C0506D, 55135C0508D, 55135C0510D, 55135C0511D, 55135C0512D, 55135C0513D, 55135C0514D, 55135C0520D, 55135C0550D, 55135C0600D, 55135C0625D, 55135C0626D, 55135C0627D,
- b. **OFFICIAL MAPS**: Based on other studies, any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- 1) Flood Insurance Rate Map (FIRM), panel number 55135C0394D dated December 14, 2010 revised to reflect LOMR (Case Number 10-05-7128P-550492).
- 2) Waupaca County Flood Storage District Map Panels 1-4 dated January 20, 2010 and approved by Wisconsin DNR.
- 3) Hatch Lake Flood Storage District Map, Appendix D of Hatch Lake Study dated December 4, 2020 prepared by Robert E Lee & Associates, Inc. and approved by DNR on December 7, 2020.

c. DAM FAILURE ANALYSES:

- 1) Marion Dam Failure Analysis approved by the Department of Natural Resources on July 10, 1995, including:
 - (a) Map dated March 1993 and titled Water Surface Elevations Summary and Floodplain Map – Dam Failure and Inundation Limits.
 - (b) Floodway data table dated March 1993 and titled Table 1 Floodway Data Table.
 - (c) Flood profiles are not available.
- 2) Iola Dam, Dam Failure Analysis approved by the Department of Natural Resources on August 1, 2005, including:
 - (a) Map dated November 29, 2004 and titled Dam Failure Analysis Floodplain Map.
 - (b) Floodway data table dated November 29, 2004 and titled Table 1 High Water Level Comparison (Column – Dam Failure).
 - (c) Flood profiles dated November 29, 2004 and titled Iola Dam DFA – Flood Profile.
- 3) Hartman Creek Dams #1 and #5, Dam Failure Analysis; approved by the Department of Natural Resources on October 12, 2013, including:
 - (a) Map dated September 2013 and titled Combined Hydraulic Shadow Floodplain, Hartman Creek Dams No. 1 & 5.
 - (b) Floodway data table dated September 2013 and titled Hartman Creek Dams No. 1 & 5, Combined Hydraulic Shadow Floodway Data

(Column – 100 Year Consecutive Dam Failure Water Surface Elevation).

(c) Flood Profiles dated September 2013 and titled Combined Hydraulic Shadow Profile, Hartman Creek Dams No. 1 & 5.

4) Keller Dam, Dam Failure Analysis approved by the Department of Natural Resources on April 25, 2018, including:

(a) Map dated January 2018 and titled Floodplain Map, Sheet No. 1-4.

(b) Floodway data table dated January 2018 and titled Stream Profile and Data Table (Column – Dam Failure).

(c) Flood profiles dated January 2018 and titled Stream Profile, Sheet No. 5-7 (Profile – Dam Failure).

5) Felt Mill Dam, Dam Failure Analysis approved by the Department of Natural Resources on November 6, 2019, including:

(a) Map dated October 2019 and titled Felt Mill Dam, Dam Failure Flood Shadow Map.

(b) Floodway data table dated November 5, 2019 and titled Floodway Data Felt Mill Dam Hydraulic Shadow.

(c) Flood profiles dated November 5, 2019, titled Felt Mill Dam Hydraulic Shadow Profile.

Dam Failure Analysis Table

Dam #	Dam Official Name	Dam Failure Analysis	Zoning	Hazard Rating	Zone Authority
68.06	Marion	1995	1995	High	City Of Marion/Waupaca County
68.01	Big Falls				FERC*
68.23	Keller	2018	2019	Low	Waupaca County
68.02	Clintonville	1994	1995	Low	City Of Clintonville
68.04	Manawa	2006	2006	Low	
68.09	Ogdensburg	2014	2015	High	Village Of Ogdensburg
68.13	Felt Mill	Pending			City Of Waupaca
68.14	Lighting Plant	2002	2011	Low	City Of Waupaca
68.27	Hartman Creek Number Five	2013	2019	Low	Waupaca County
68.03	Iola	2005	2012	Significant	Village Of Iola/Waupaca County
68.10	Scandinavia	2017	2017	Low	Village Of Scandinavia
68.26	Hartman Creek Number One	2013	2019	Low	Waupaca County
68.19	Weyauwega				FERC*

*FERC- Federal Energy Regulatory Commission

d. FLOOD STUDIES:

- 1) Floodplain study for Hatch Lake completed by Robert E Lee and Associates, Inc. and approved by the Department of Natural Resources on December 7, 2020; FAD ID: 20537.
 - Map dated June 16, 2020 and titled Flood Storage District, Hatch Lake Flood Study (100 Year Floodplain Elevation Area, lake only).
 - Floodway data table dated December 4, 2020 and titled Table 1, Summary of 100-Year Flood Flow Cross Section Data (Hatch Lake 36+50).

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into four districts as follows:

- a. The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- b. The Flood fringe District (FF) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- c. The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.
- d. The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0 Amendments. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 Amendments.

- a. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

- b. Where flood profiles do not exist for projects, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 Amendments.

(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.

(8) ABROGATION AND GREATER RESTRICTIONS

- a. This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under ss. 59.69, 59.692 or 59.694 for counties; s. 62.23 for cities; s. 61.35 for villages; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- b. This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not

imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

2. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 7.1(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

2.1 HYDRAULIC AND HYDROLOGIC ANALYSES

(1) No floodplain development shall:

- a. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
- b. Cause any increase in the regional flood height due to floodplain storage area lost.

(2) The Planning And Zoning Director shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 Amendments are met.

2.2 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all

necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 Amendments, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 Amendments.

2.4 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Agriculture, Trade, and Consumer Protection;
- (2) A land use permit for the campground is issued by the Planning And Zoning Director;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;

- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 3.0, 4.0 or 5.0 for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

3. FLOODWAY DISTRICT (FW)

3.1 APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.3.

3.2 PERMITTED USES

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
 - they meet the standards in s. 3.3 and 3.4; and
 - all permits or certificates have been issued according to s. 7.1.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
 - (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities,

hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).

- (4) Uses or structures accessory to open space uses, or classified as historic structures that comply with ss. 3.3 and 3.4.
- (5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
- (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- (7) Public utilities, streets and bridges that comply with s. 3.3(3).

3.3 STANDARDS FOR DEVELOPMENTS IN THE FLOODWAY

(1) GENERAL

- a. Any development in the floodway shall comply with s. 2.0 and have a low flood damage potential.
- b. Applicants shall provide the following data to determine the effects of the proposal according to s. 2.1 and 7.1 (2)(c):
 - 1) A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 - 2) An analysis calculating the effects of this proposal on regional flood height.
- c. The Planning and Zoning Director shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for subd. (b) above.

(2) STRUCTURES

Structures accessory to permanent open space uses, including public utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- a. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- b. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - 1) Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;

- 2) Have structural components capable of meeting all provisions of Section 3.3(2)(g) and;
 - 3) Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 3.3(2)(g).
- c. Must be anchored to resist flotation, collapse, and lateral movement;
 - d. Mechanical and utility equipment must be elevated to or above the flood protection elevation; and
 - e. It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
 - f. For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets or exceeds the following standards:
 - 1) The lowest floor must be elevated to or above the flood protection elevation;
 - 2) a minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding; and
 - 3) the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - g. Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
 - 1) Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 - 2) Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
 - 3) Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 - 4) Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and

- 5) Placement of utilities above the flood protection elevation.

(3) PUBLIC UTILITIES, STREETS AND BRIDGES

Public utilities, sanitary facilities, streets and bridges may be allowed by permit, if:

- a. Adequate flood proofing measures are provided to the flood protection elevation; and
- b. Construction meets the development standards of s. 2.1.

(4) FILLS OR DEPOSITION OF MATERIALS

Fills or deposition of materials may be allowed by permit, if:

- a. The requirements of s. 2.1 are met;
- b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulk heading; and
- d. The fill is not classified as a solid or hazardous material.

3.4 PROHIBITED USES

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (6) Any solid or hazardous waste disposal sites;

- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

4. FLOODFRINGE DISTRICT (FF)

4.1 APPLICABILITY

This section applies to all flood fringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.3.

4.2 PERMITTED USES

Any structure, land use, or development is allowed in the Flood fringe District if the standards in s. 4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

S. 2.1 shall apply in addition to the following requirements according to the use requested. Any existing structure in the flood fringe must meet the requirements of s. 6.0 Nonconforming Uses;

(1) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed or moved into the flood fringe, shall meet or exceed the following standards. Any existing structure in the flood fringe must meet the requirements of s. 6.0 Nonconforming Uses;

- a. The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s 4.3 (1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.
- b. The basement or crawlway floor may be placed at the regional flood elevation if it is dry flood proofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- c. Contiguous dry land access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
- d. In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:

- 1) The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
- 2) The municipality has a DNR-approved emergency evacuation plan.

(a) Emergency Evacuation Plan: The Wolf River Emergency Action Plan, Dated October (2014), or approved successor document, prepared by Waupaca County Emergency Management has been approved by the WDNR for use on development that occurs on the Wolf River system. The Emergency Action Plan is on file at the Waupaca County Emergency Management Department and the Waupaca County Planning and Zoning Office.

(2) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(3) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the flood fringe shall meet the requirements of s. 4.3(1). Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

Any manufacturing or industrial structure which is erected, altered or moved into the flood fringe shall have the lowest floor elevated to or above the flood protection elevation or meet the flood proofing standards in s 7.5. Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or flood proofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- a. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5.

- b. Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in flood fringe areas.

(10) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(11) MANUFACTURED HOMES

- a. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
- b. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - 1) have the lowest floor elevated to the flood protection elevation; and
 - 2) be anchored so they do not float, collapse or move laterally during a flood
- c. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the flood fringe in s. 4.3(1).

(12) MOBILE RECREATIONAL VEHICLES

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 4.3 (11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

5. OTHER FLOODPLAIN DISTRICTS

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

5.1 GENERAL FLOODPLAIN DISTRICT (GFD)

(1) APPLICABILITY

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(2) PERMITTED USES

Pursuant to s. 5.3, it shall be determined whether the proposed use is located within the floodway or flood fringe.

Those uses permitted in the Floodway (s. 3.2) and Flood fringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.2, provided that all permits or certificates required under s. 7.1 have been issued.

5.2 STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

S. 3.0 applies to floodway areas, s. 4.0 applies to flood fringe areas. The rest of this ordinance applies to either district.

(1) In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:

- a. at or above the flood protection elevation; or
- b. two (2) feet above the highest adjacent grade around the structure; or
- c. the depth as shown on the FIRM
- d. In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

5.3 DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the Planning and Zoning Director shall:

(1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

(2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood

height and flood flows, regional flood elevation and to determine floodway boundaries.

- a. A Hydrologic and Hydraulic Study as specified in s. 7.1(2) (c).
- b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
- c. Specifications for building construction and materials, flood proofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

5.4 FLOOD STORAGE DISTRICT

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

(1) APPLICABILITY

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

(2) PERMITTED USES

Any use or development which occurs in a flood storage district must meet the applicable requirements in s. 4.3.

(3) STANDARDS FOR DEVELOPMENT IN FLOOD STORAGE DISTRICTS

- a. Development in a Flood Storage District shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.
- b. No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost, (compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.
- c. If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the flood fringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without flood plain storage, as per s. 8.1 of this ordinance.

- d. No area may be removed from the Flood Storage District unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

6. NONCONFORMING USES

6.1 GENERAL

(1) APPLICABILITY

If these standards conform with s. 87.30, Stats., and ch. NR 116.15, Wis Adm. Code and 44 CFR 59-72, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

(2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

- a. No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- b. If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- c. The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- d. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal

or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;

- e. No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- f. If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- g. Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- h. For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

1) Residential Structures

- (a) Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).

- (b) Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- (c) Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (d) In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
- (e) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.2(1).
- (f) In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

2) Nonresidential Structures

- (a) Shall meet the requirements of s. 6.1(2)(h)1a-b and e-g.
- (b) Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5(1) or (2).
- (c) In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.2(1).

- (3) A nonconforming historic structure may be altered if the alteration will not preclude the structures continued designation as a historic structure, the alteration will comply with s. 3.3(1), flood resistant materials are used, and construction practices and flood proofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

6.2 FLOODWAY DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition
 - a. Has been granted a permit or variance which meets all ordinance requirements;
 - b. Meets the requirements of s. 6.1;
 - c. Shall not increase the obstruction to flood flows or regional flood height;
 - d. Any addition to the existing structure shall be flood proofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and
 - e. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - 1) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - 2) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - 3) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
 - 4) The use must be limited to parking, building access or limited storage.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

6.3 FLOODFRINGE DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 4.3 except where s. 6.3(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
 - a. No floor is allowed below the regional flood elevation for residential or commercial structures;
 - b. Human lives are not endangered;
 - c. Public facilities, such as water or sewer, shall not be installed;
 - d. Flood depths shall not exceed two feet;
 - e. Flood velocities shall not exceed two feet per second; and
 - f. The structure shall not be used for storage of materials as described in s. 4.3(5).
- (3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (4) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

6.4 FLOOD STORAGE AREAS

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in 5.5(3) are met.

7. ADMINISTRATION

Where a Planning And Zoning Director, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

7.1 PLANNING AND ZONING DIRECTOR

(1) DUTIES AND POWERS

The Planning And Zoning Director is authorized to administer this ordinance and shall have the following duties and powers:

- a. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- b. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
- c. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- d. Keep records of all official actions such as:
 - 1) All permits issued, inspections made, and work approved;
 - 2) Documentation of certified lowest floor and regional flood elevations;
 - 3) Flood proofing certificates.
 - 4) Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 - 5) All substantial damage assessment reports for floodplain structures.
 - 6) List of nonconforming structures and uses. .
- e. Submit copies of the following items to the Department Regional office:
 - 1) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 - 2) Copies of case-by-case analyses and other required information including an annual summary of floodplain zoning actions taken.
 - 3) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- f. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- g. Submit copies of amendments and biennial reports to the FEMA Regional office.

(2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Planning And Zoning Director shall include:

a. GENERAL INFORMATION

- 1) Name and address of the applicant, property owner and contractor;
- 2) Legal description, proposed use, and whether it is new construction or a modification;

b. SITE DEVELOPMENT PLAN

- 1) A site plan drawn to scale shall be submitted with the permit application form and shall contain:
 - 2) Location, dimensions, area and elevation of the lot;
 - 3) Location of the ordinary high-water mark of any abutting navigable waterways;
 - 4) Location of any structures with distances measured from the lot lines and street center lines;
 - 5) Location of any existing or proposed on-site sewage systems or private water supply systems;
 - 6) Location and elevation of existing or future access roads;
 - 7) Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
 - 8) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
 - 9) Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
 - 10) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

c. HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study

contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1) Zone A floodplains:

(a) Hydrology

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

(b) Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. the most current version of HEC_RAS shall be used.
- vi. a survey of bridge and culvert openings and the top of road is required at each structure.
- vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If

no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

- ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

(c) Mapping

A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2) Zone AE Floodplains

(a) Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

(b) Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model.

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

(c) Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

- iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
- v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- vi. cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

d. EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the Planning and Zoning Director, except where no permit is required, subject to the following provisions:

- a. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- b. Application for such certificate shall be concurrent with the application for a permit;
- c. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- d. The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.

(4) OTHER PERMITS

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

7.2 ZONING AGENCY

(1)The Waupaca County Planning and Zoning Committee shall:

- a. oversee the functions of the office of the Planning And Zoning Director; and
- b. review and advise the governing body on all proposed amendments to this ordinance, maps and text.

(2)Waupaca County Planning and Zoning Committee shall not:

- a. grant variances to the terms of the ordinance in place of action by the Board of Adjustment/Appeals; or
- b. amend the text or zoning maps in place of official action by the governing body.

7.3 BOARD OF ADJUSTMENT

The Board of Adjustment, created under s. 59.694, Stats., is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Planning And Zoning Director shall not be the secretary of the Board.

(1) POWERS AND DUTIES

The Board of Adjustment shall:

- a. Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- b. Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- c. Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(2) APPEALS TO THE BOARD

- a. Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Planning and Zoning Director or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose

decision is in question shall transmit to the board all records regarding the matter appealed.

b. NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

1) Notice - The board shall:

- (a) Fix a reasonable time for the hearing;
- (b) Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
- (c) Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2) **Hearing** - Any party may appear in person or by agent. The board shall:

- (a) Resolve boundary disputes according to s. 7.3(3);
- (b) Decide variance applications according to s. 7.3(4); and
- (c) Decide appeals of permit denials according to s. 7.4.

c. DECISION: The final decision regarding the appeal or variance application shall:

- 1) Be made within a reasonable time;
- 2) Be sent to the Department Regional office within 10 days of the decision;
- 3) Be a written determination signed by the chairman or secretary of the Board;
- 4) State the specific facts which are the basis for the Board's decision;
- 5) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
- 6) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- a. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- b. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- c. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0 Amendments.

(4) VARIANCE

- a. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 - 1) Literal enforcement of the ordinance will cause unnecessary hardship;
 - 2) The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
 - 3) The variance is not contrary to the public interest; and
 - 4) The variance is consistent with the purpose of this ordinance in s. 1.3.
- b. In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:
 - 1) The variance shall not cause any increase in the regional flood elevation;
 - 2) Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
 - 3) Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.
- c. A variance shall not:
 - 1) Grant, extend or increase any use prohibited in the zoning district;
 - 2) Be granted for a hardship based solely on an economic gain or loss;
 - 3) Be granted for a hardship which is self-created.
 - 4) Damage the rights or property values of other persons in the area;

- 5) Allow actions without the amendments to this ordinance or map(s) required in s. 8.0 Amendments; and
- 6) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- d. When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

7.4 TO REVIEW APPEALS OF PERMIT DENIALS

(1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal. This may include:

- a. Permit application data listed in s. 7.1(2);
- b. Floodway/floodfringe determination data in s. 5.3;
- c. Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the Planning And Zoning Director; and
- d. Other data submitted with the application, or submitted to the Board with the appeal.

(2) For appeals of all denied permits the Board shall:

- a. Follow the procedures of s. 7.3;
- b. Consider zoning agency recommendations; and
- c. Either uphold the denial or grant the appeal.

(3) For appeals concerning increases in regional flood elevation the Board shall:

- a. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 Amendments; and
- b. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

7.5 FLOODPROOFING

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - a. certified by a registered professional engineer or architect; or
 - b. meets or exceeds the following standards:
 - 1) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2) the bottom of all openings shall be no higher than one foot above grade; and
 - 3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
 - a. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors
 - b. Protect structures to the flood protection elevation;
 - c. Anchor structures to foundations to resist flotation and lateral movement; and
 - d. Minimize or eliminate infiltration of flood waters.
 - e. Minimize or eliminate discharges into flood waters.

7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

8. AMENDMENTS

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.

In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.

In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 8.1.

8.1 GENERAL

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in 1.5 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

8.2 PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities and villages, or 59.69, Stats., for counties. The petitions shall include all data required by ss. 5.1(4) and 7.1(2). The Land Use Permit

shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 59.69, Stats.,.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

9. ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$ 25.00 (twenty-five dollars) and not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

10. DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

- (1) **A ZONES** – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
- (2) **AH ZONE** – See “AREA OF SHALLOW FLOODING”.
- (3) **AO ZONE** – See “AREA OF SHALLOW FLOODING”.
- (4) **ACCESSORY STRUCTURE OR USE** – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

- (5) **ALTERATION** – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
- (6) **AREA OF SHALLOW FLOODING** – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
- (7) **BASE FLOOD** – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
- (8) **BASEMENT** – Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
- (9) **BUILDING** – See STRUCTURE.
- (10) **BULKHEAD LINE** – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
- (11) **CAMPGROUND** – Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
- (12) **CAMPING UNIT** – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.
- (13) **CERTIFICATE OF COMPLIANCE** – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
- (14) **CHANNEL** – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
- (15) **CRAWLWAYS OR "CRAWL SPACE"** – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

- (16) **DECK** – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.
- (17) **DEPARTMENT** – The Wisconsin Department of Natural Resources.
- (18) **DEVELOPMENT** – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
- (19) **DRYLAND ACCESS** – A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
- (20) **ENCROACHMENT** – Any fill, structure, equipment, use or development in the floodway.
- (21) **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** – The federal agency that administers the National Flood Insurance Program.
- (22) **FLOOD INSURANCE RATE MAP (FIRM)** – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
- (23) **FLOOD or FLOODING** – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
- The overflow or rise of inland waters;
 - The rapid accumulation or runoff of surface waters from any source;
 - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
 - The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
- (24) **FLOOD FREQUENCY** – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

- (25) **FLOODFRINGE** – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
- (26) **FLOOD HAZARD BOUNDARY MAP** – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
- (27) **FLOOD INSURANCE STUDY** – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
- (28) **FLOODPLAIN** – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.
- (29) **FLOODPLAIN ISLAND** – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
- (30) **FLOODPLAIN MANAGEMENT** – Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
- (31) **FLOOD PROFILE** – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
- (32) **FLOODPROOFING** – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
- (33) **FLOOD PROTECTION ELEVATION** – An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)
- (34) **FLOOD STORAGE** – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

- (35) **FLOODWAY** – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
- (36) **FREEBOARD** – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
- (37) **HABITABLE STRUCTURE** – Any structure or portion thereof used or designed for human habitation.
- (38) **HEARING NOTICE** – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
- (39) **HIGH FLOOD DAMAGE POTENTIAL** – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
- (40) **HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- (41) **HISTORIC STRUCTURE** – Any structure that is either:
- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
- (42) **INCREASE IN REGIONAL FLOOD HEIGHT** – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of

mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

- (43) **LAND USE** – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
- (44) **LOWEST ADJACENT GRADE** – Elevation of the lowest ground surface that touches any of the exterior walls of a building.
- (45) **LOWEST FLOOR** – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
- (46) **MAINTENANCE** – The act or process of restoring to original soundness, including redecorating, refinishing, non-structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.
- (47) **MANUFACTURED HOME** – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
- (48) **MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
- (49) **MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING** – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.
- (50) **MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING** – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
- (51) **MOBILE RECREATIONAL VEHICLE** – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is

designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

- (52) **MODEL, CORRECTED EFFECTIVE** – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
- (53) **MODEL, DUPLICATE EFFECTIVE** – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
- (54) **MODEL, EFFECTIVE** – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
- (55) **MODEL, EXISTING (PRE-PROJECT)** – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
- (56) **MODEL, REVISED (POST-PROJECT)** – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
- (57) **MUNICIPALITY" or "MUNICIPAL** – The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.
- (58) **NAVD" or "NORTH AMERICAN VERTICAL DATUM** – Elevations referenced to mean sea level datum, 1988 adjustment.
- (59) **NGVD or NATIONAL GEODETIC VERTICAL DATUM** – Elevations referenced to mean sea level datum, 1929 adjustment.
- (60) **NEW CONSTRUCTION** – For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

- (61) **NONCONFORMING STRUCTURE** – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
- (62) **NONCONFORMING USE** – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
- (63) **OBSTRUCTION TO FLOW** – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
- (64) **OFFICIAL FLOODPLAIN ZONING MAP** – That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
- (65) **OPEN SPACE USE** – Those uses having a relatively low flood damage potential and not involving structures.
- (66) **ORDINARY HIGHWATER MARK** – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
- (67) **PERSON** – An individual, or group of individuals, corporation, partnership, association, municipality or state agency.
- (68) **PRIVATE SEWAGE SYSTEM** – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
- (69) **PUBLIC UTILITIES** – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
- (70) **REASONABLY SAFE FROM FLOODING** – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

- (71) **REGIONAL FLOOD** – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
- (72) **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- (73) **STRUCTURE** – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
- (74) **SUBDIVISION** – Has the meaning given in s. 236.02(12), Wis. Stats.
- (75) **SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
- (76) **SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

- (77) **UNNECESSARY HARDSHIP** – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
- (78) **VARIANCE** – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
- (79) **VIOLATION** – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
- (80) **WATERSHED** – The entire region contributing runoff or surface water to a watercourse or body of water.
- (81) **WATER SURFACE PROFILE** – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.
- (82) **WELL** – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

**Repeal the Waupaca County Floodplain Ordinance,
Waupaca County Code of Ordinances, Chapter 34 and
Recreate Waupaca County Floodplain Protection Ordinance,
Waupaca County Code of Ordinances, Chapter 34**

The Waupaca County Board of Supervisors does hereby ordain that the current Waupaca County Floodplain Ordinance, Chapter 34 of the Waupaca County Code of Ordinances be repealed in its entirety and recreated with the attached Waupaca County Floodplain Ordinance, Chapter 34 of the Waupaca County Code of Ordinances.

EFFECTIVE DATE

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Approved on the 18th day of May, 2021

___ayes___ ___nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane Meulemans
Corporation Counsel



Waupaca County Planning & Zoning Office

811 Harding St
Waupaca WI 54981-2087
Phone (715)258-6255 Fax: 715-258-6212

SUBDIVISION ORDINANCE, CHAPTER 37

LEGEND:

Highlighted Term = Additional language proposed

~~Red Font Strikethrough~~ = Language proposed to be stricken

*All formatting changes including subsets and internal references are not shown and will be updated accordingly. *

Section 3.02.4.d

- (d) **Combinations** of parcels require a new Deed to be recorded with a new legal description defining the exterior boundary of the whole parcel. **In the case where the proposed combined parcel can be described as a quarter-quarter of a section the deed description can be the quarter-quarter description of the combined parcel.** Also included on the Deed shall be a statement that these parcels are intended to be combined to create one parcel. Said parcels shall not be conveyed separately in the future without complying with Waupaca County Zoning & Subdivision Ordinances.

Section 8.07.7

7. **Depth of Lots** should be designed with a suitable proportion between width and depth. The lot width to depth ratio shall be 1:3 (0.33); in other words no lot depth shall be greater than three (3) times the width, with the ~~exemption of creating a strip of land for access purposes only with a minimum width of thirty-three (33) feet and a maximum width of sixty-six (66) feet. This access is required to be an outlot and must be stated on the Certified Survey Map that it is to be used for access only.~~ following exceptions:
- a. **A strip of land for access purposes only with a minimum width of thirty-three (33) feet and a maximum width of sixty-six (66) feet. This access is required to be an outlot and must be stated on the Certified Survey Map that it is to be used for access only.**
 - b. **Any lot where the narrowest width exceeds three hundred (300) feet.**

EFFECTIVE DATE

Approval of the Planning & Zoning Committee and Upon enactment of the County Board of Supervisors, the amendment will be in full force and effect within Waupaca County and each Town as provided in Section 59.69(5)e, Wis. Stats.

Approved on 18th day of May, 2021

___ayes ___nays

ATTEST:

Jill Lodewegen
Waupaca County Clerk

APPROVED AS TO FORM:

Diane Meulemans
Corporation Counsel

**WAUPACA COUNTY
CLERK OF CIRCUIT COURT
2020
ANNUAL REPORT
TO THE
COUNTY BOARD**





CLERK OF CIRCUIT COURT
Waupaca County
Terrie J. Tews

811 Harding Street
Waupaca WI 54981
Phone: (715) 258-6460
Fax: (715) 258-6497

May 5, 2021

Honorable Chairman and
Board of Supervisors of Waupaca County:

The following is the Annual Report of the Clerk of Circuit Court for 2020.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terrie J. Tews". The signature is written in black ink and is positioned above the printed name and title.

Terrie J. Tews
Clerk of Circuit Court

Waupaca County Clerk of Circuit Court

Overview of 2020

I have been managing this office for 23 years, it has had its own challenges, and then in mid March 2020 we faced the challenge of a pandemic. In the 23 years that I have held the position of Clerk of Circuit Court and dealt with nothing but constant change in our work, that I would have thought in my career one of my toughest challenges was going to determine who is considered a critical worker and what our office critical services were during this pandemic. Many staff also had personal needs or issues in dealing with the pandemic.

At first, it was difficult to determine what the needs of the office were because in the training I had received in 2004 dealt with disaster relocation and what is required to relocate our operations. I reviewing the manuals the information was essential in determining what critical services is and we the Circuit Courts needed to do to maintain those services. I went through Coop Cog training in 2004 and had a few additional trainings since that time. I am very appreciative of those manuals as I look back today and reflect on 2020 and the pandemic. Between CCAP and the assistance of many County departments, I felt that our transition to our critical services was flawless.

The Supreme Court, Office of Court Operations and the Chief Judge came out with directives for the Circuit Courts in determining our critical services and continued operations within the restrictive limitations of a pandemic. Our local Judiciary also provided some essential directive for the operations of our local Circuit Courts. This was going to be a new normal for several months to come, along with continually making some updates and changes as each month moved into the next and still facing a pandemic.

Staff transitioned to remote access from CCAP to be able to work from home. Our office still has critical duties and we still needed some staff to work onsite. Two Court clerks, and myself along with two Deputy's had remained in the office. Three Deputy's work remotely and one Deputy took voluntarily lay off. As the length of the pandemic went into another month, I determined that due to lack of work, some of the staff used some accrued time off and while others took a week or two lay off.

Every year in late July to August, each Department Head works on the next year's budget. In 2019, I would have never been able to anticipate the 2020 pandemic and \$101,000 loss of revenues. However, with constant management of the staff paid work hours, vacation or accrued time off and layoffs I was able to offset of the loss of revenues with a \$53,128 of savings in wages/benefits and \$19,885 in other expenses, which resulted in the end, a net increase of tax levy of only \$28,634 for 2020 budget.

I am thankful for many things but one of the hardest and the most important change that took place in the Clerk of Courts office since 1999 was in 2014 when we started transitioning to paperless and the e-filing system. This transition played a huge benefit in dealing the pandemic and the ability for staff to work remote and even those of us that worked in the office. Around 90% of our work is on the computer and in 2014; we started scanning our documents/files anticipating the mandated e-filing system. Waupaca County Clerk of Courts was the fifth County in the State of Wisconsin to transition and comply with the mandated e-filing system.



Clerks of Circuit Court

Clerks of circuit court are public officials elected to four-year terms in countywide races. They are statutorily responsible for various record keeping functions of the courts. As custodians of the courts' records, clerks of circuit court play a significant role in Wisconsin's judicial system.

Custodian of the record

Record keeping for the courts is governed by state statute and Wisconsin Supreme Court rule. These require that clerks maintain records of all documents filed with the courts, keep a record of court proceedings and collect various fees, fines and forfeitures ordered by the court or specified by statute. Clerks of circuit court also must establish and promote procedures for reasonable access to court records as well as maintain the confidentiality of records as set forth by statute and court order.

Jury management

Jury management is also a responsibility of clerks of court. Automation in the courts has made the process of selecting and notifying potential jurors much more efficient and has improved record keeping for jury management. Clerks work with the director of state courts and the Legislature to continue to improve jury management. The most noticeable improvement has been the decrease in the time jurors are required to serve. Effective July 1, 1997, Wisconsin citizens are obligated for no more than one month of jury service in a four-year period.

Court finances

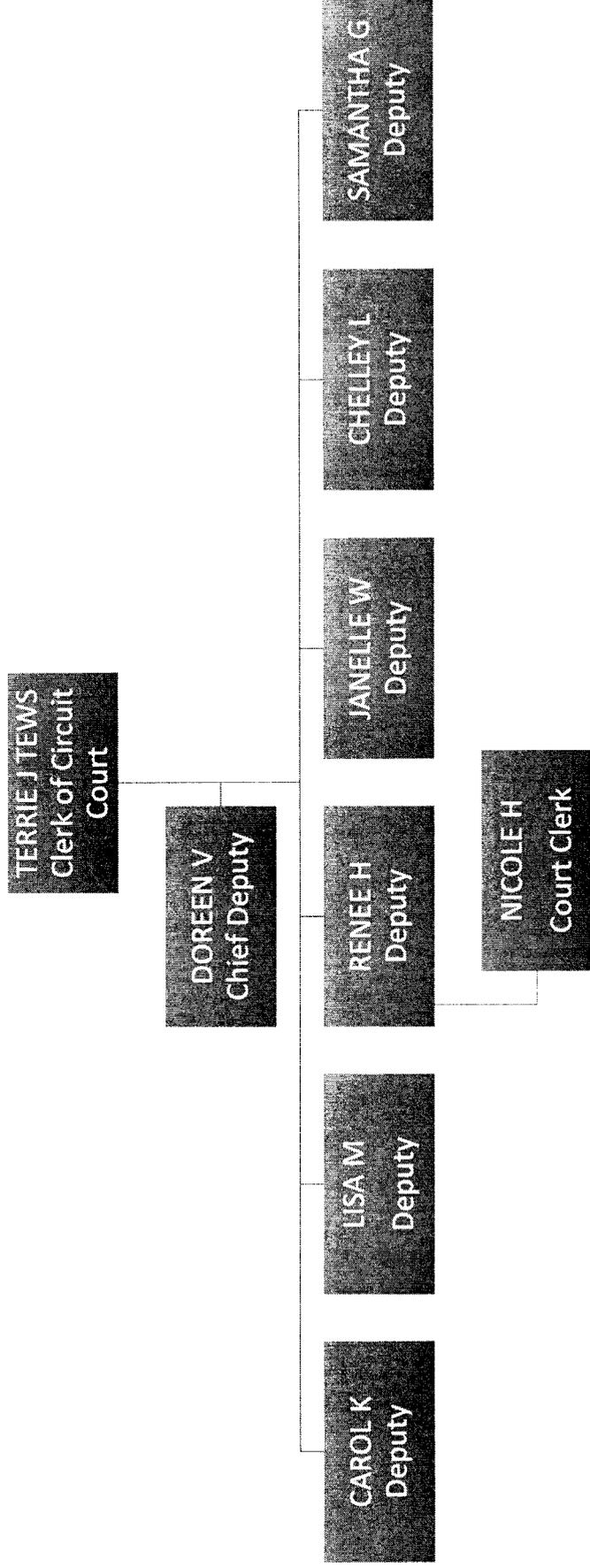
Millions of dollars in fees, fines and forfeitures are paid through clerks' offices annually. Clerks of circuit court work to meet this fiscal responsibility with accurate, efficient and effective accounting practices. Financial software, designed in accordance with generally accepted accounting principles, assists clerks in efficiently handling this money.

Court administration

As local court administrative personnel, clerks of court are at the center of an enormous variety of activities and work daily with many different people. Law enforcement, the legal community, local, state and federal agencies, businesses and the general public depend upon the office of the clerk of circuit court to solve a wide range of problems. Clerks of court provide an administrative link between the judiciary and the county boards and the public. Clerks also work closely with other court staff to ensure that the courts run smoothly and efficiently.

The administrative responsibilities at the circuit court level involve a variety of tasks. These include budgeting and administering trial court resources, developing effective policies and procedures and recruiting and maintaining competent staff.

Waupaca County Clerk of Circuit Court Office



CASE FILINGS 2020

Civil	279
Small Claims	667
Family	323
Paternity	31
Felony	407
Misdemeanor	301
Criminal Traffic	229
Non-Criminal Traffic	2799
Forfeitures	871
Juvenile Ordinance	114
Total	6021

* Average filings for the office are 9,300 *

- The Clerk of Courts office is also responsible for filing subpoena's, search warrants, group files, condemnation cases, appointments, Local Judicial Orders and 8th Judicial District Orders.

JURY TRIALS 2020

Total # of Jury Trials 7
Total # of Trial Days 11
Juror/Bailiff per Diem	\$ 9,266.50
Juror/Bailiff mileage	\$ 5,428.03
Meals & Misc. expenses	\$ 1,383.73
Total cost of 2020 Jury Trials	\$16,078.26

Average daily trial cost \$1,461.66

2020 COLLECTIONS

State Department of Revenue -

SDC restitution =	\$ 47,437.45
SDC fine & costs =	<u>\$434,314.95</u>
TOTAL SDC =	\$481,752.40

Department of Revenue Tax Intercept Program -

DOR (tax intercept) restitution =	\$ 4,050.10
DOR (tax intercept) fine& costs =	<u>\$36,413.97</u>
TOTAL DOR =	\$40,464.07

Total paid in Restitution for 2020 =	\$ 51,487.55
Total fine/fees/costs =	\$470,728.92

Date Range County Treasurer
01-01-2020 to 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
AF4D	120.00	90.00	80.00	20.00	80.00	70.00	120.00	70.00	100.00	80.00	50.00	70.00	950.00
ATTY	3061.72	4576.00	9055.20	6362.47	2677.86	1376.71	3164.35	3401.52	4526.98	7534.10	2789.00	3630.27	52156.18
CCC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COPY	452.50	340.70	162.75	117.50	95.00	372.00	202.50	328.75	185.00	230.00	140.00	370.00	2996.70
FAX	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FCS	510.00	370.00	490.00	210.00	315.00	485.00	475.00	600.00	380.00	370.00	210.00	405.00	4820.00
GAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INT	6.02	5.24	6.56	5.67	5.38	6.03	5.31	5.70	5.60	5.47	5.58	5.87	68.43
INTRP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JURY	252.00	72.00	180.00	108.00	288.00	144.00	144.00	72.00	216.00	144.00	108.00	72.00	1800.00
LODG	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MEAL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MED	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MUN	385.00	500.00	440.00	20.00	80.00	455.00	455.00	520.00	275.00	420.00	365.00	285.00	4200.00
OTH	1950.46	768.42	348.53	580.52	491.69	576.38	437.77	628.00	529.33	477.72	488.11	2150.00	9426.93
PASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RST10	59.87	169.73	1012.13	444.86	357.67	43.69	62.79	764.22	234.23	2014.86	1938.79	251.56	7354.40
RD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REST5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SERCH	5.00	0.00	5.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00
SHRF	11.12	302.83	257.62	369.13	52.46	43.56	30.75	154.40	50.46	88.30	552.69	285.91	2199.23
TRMST	0.00	0.00	30.00	0.00	0.00	45.00	15.00	15.00	0.00	30.00	0.00	0.00	135.00
TRNSP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WARR	20.00	1.00	9.00	0.00	10.00	10.00	0.00	10.00	0.00	0.00	0.00	0.00	60.00
WITN	0.60	0.59	107.60	0.59	0.60	0.59	0.60	0.59	0.60	11.89	5.30	0.59	130.14
PE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JREIM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JCER	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BAILF	0.00	0.00	500.00	4000.00	0.00	0.00	0.00	0.00	0.00	0.00	1250.00	0.00	5750.00
DARE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MLF	110.00	150.00	162.00	12.00	96.00	122.00	72.00	92.00	122.00	106.00	96.00	72.00	1212.00
CCPC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SBDA	0.00	150.74	91.01	65.20	0.00	132.52	0.00	22.14	0.00	0.00	68.35	65.65	595.61
CLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NSF	0.00	5.00	5.00	0.00	5.00	0.00	0.00	5.00	5.00	0.00	0.00	0.00	25.00
WFDA	0.31	44.58	12.05	73.15	0.63	28.56	0.63	19.36	7.70	9.53	94.88	0.63	292.01
BVSA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JLFC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Date Range County Treasurer
01-01-2020 to 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
XCS2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS4	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS17	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS6	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS8	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS11	642.15	3386.16	1530.83	2664.90	761.26	2385.54	1260.10	2688.27	1926.16	2933.21	699.19	2590.67	23468.44
XCS14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS7	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
HIVT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GNT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SGPVP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ODLC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JCC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTJ	2701.98	9237.58	7290.57	4829.92	3151.91	3626.27	2837.32	4657.85	2727.67	3671.48	6342.87	4354.18	55429.60
CSF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
PPF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CDCF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CSTEX	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BKLT	70.00	40.00	25.00	0.00	20.00	20.00	30.00	20.00	10.00	20.00	0.00	0.00	255.00
SSTAX	3.50	2.00	1.25	0.00	1.00	1.00	1.50	1.00	0.50	1.00	0.00	0.00	12.75
CSTAX	0.36	0.20	0.13	0.00	0.10	0.10	0.15	0.10	0.05	0.10	0.00	0.00	1.29
STTAX	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DRBM	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTCC	258.04	430.19	480.25	433.01	241.74	347.39	365.51	303.97	242.81	628.50	374.10	464.01	4569.52
XCS15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XCS12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	\$10620.63	\$20642.96	\$22282.48	\$20316.92	\$8731.30	\$10291.34	\$9680.28	\$14379.87	\$11545.09	\$18776.16	\$15577.86	\$15073.34	\$177918.23

Accounts	Name on Account	Budget Revenue
AF4D	Clerk/Child Support Fee	Clerk of Courts
ATTY	Attorney Fees due County	Judicial Branch
COPY	Copy Fee County	Clerk of Courts
FCS	Family Counseling Service Fee	Dept. DHHS
INT	Interest Income	County
JURY	Jury Fee County	Clerk of Courts
MUN	Municipal Fee County	Clerk of Courts
OTH	Other Clerk's Fees County	Clerk of Courts
RST10	Restitution Surcharge 10%	Clerk of Courts
SERCH	Search Fee County	Clerk of Courts
SHR	Sheriff Service Fee County	Sheriff's Dept.
TRMST	Transmittal Fee County	Clerk of Courts
WARR	Warrant Fee County	Clerk of Courts
WITN	Witness Fee County	Clerk of Courts
BAILF	Bail Forfeiture	Clerk of Courts
MLF	Mail Fees	Clerk of Courts
SBDA	Service by DA	District Attorney
NSF	Non Sufficient funds	Clerk of Courts
WFDA	Witness Fees due DA	District Attorney
XCS11	Civil/FA GAL Recoupment	Judicial Branch
INTJ	Interest of Judgments	Clerk of Courts
BKLT	Booklet	Clerk of Courts
SSTAX	State Sales Tax	State
CSTAX	County Sales Tax	County
BTCC	Blood Test County	Sheriff's Dept.

Date Range State Treasurer Report - Total

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
CCFP	14432.51	16177.35	22468.10	10511.72	12592.07	13810.58	14000.40	15557.50	12441.40	14765.10	15565.30	15771.54	178093.57
CFP	3187.14	2989.98	3298.96	1422.83	1693.71	2433.49	2157.19	2614.42	2424.17	2358.41	2083.65	2093.59	28757.54
CSP	0.00	10.00	0.00	20.00	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	50.00
SCCS	699.00	714.00	724.20	127.80	520.20	683.40	469.20	530.40	703.80	530.40	556.20	510.00	6768.60
SSP	17.20	0.00	0.00	17.20	0.00	0.00	0.00	0.00	0.00	0.00	17.20	0.00	51.60
NREST	1.03	9.04	51.03	9.68	10.90	1.49	36.28	25.00	39.14	10.00	28.00	35.27	256.86
NATR	142.12	1074.57	847.37	277.32	976.55	115.42	1187.99	808.98	984.01	527.81	533.27	1028.31	8503.72
DOMAB	22.79	220.00	675.00	112.60	248.44	343.72	475.00	141.04	170.73	747.00	184.72	687.74	4028.78
DRVIM ¹	7976.25	9475.76	12617.21	7847.51	5603.49	7050.99	5913.35	6391.41	5317.61	9787.76	6947.49	6133.99	90962.82
VW	3468.91	4985.04	7225.92	3821.76	2830.68	2512.59	2942.64	2806.86	2573.20	3924.06	3934.95	4214.94	45241.55
SF348	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50.00	0.00	0.00	0.00	0.00	50.00
EX348	18.13	25.18	13.31	13.30	10.08	0.00	0.00	5109.30	5161.51	0.00	75.05	1314.92	11740.78
SF341	9704.32	16371.46	16736.77	10184.50	8591.37	8957.12	6945.06	10341.89	10218.33	19266.99	10409.67	15579.56	143307.04
SFOTH	2541.73	5314.47	5776.04	2280.36	3796.20	2520.60	5190.12	4100.31	3584.90	2596.52	4109.91	4375.55	46186.71
PEN	9240.27	7800.74	11905.71	5766.65	4222.25	5147.01	5719.24	8265.63	7024.16	7502.52	6189.72	6441.65	85225.55
P069	10663.35	8068.89	12720.11	5647.65	5145.88	5624.92	6986.53	8567.25	6096.46	7609.54	7165.65	6687.64	90983.87
ODLF	0.00	0.00	0.00	0.00	0.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	40.00
JINFO	9635.80	8751.86	10535.74	4693.91	4695.69	6693.03	6537.04	8418.00	7242.43	7459.24	6598.45	6480.72	87741.91
JAIL	2817.55	2659.20	3799.20	2030.02	1536.89	1715.95	2082.89	2848.30	2184.77	2472.09	2123.54	2150.80	28421.20
CSS	31586.11	29537.94	33976.66	15836.00	14968.20	21628.49	20607.12	26261.21	22731.00	23488.77	21070.91	20407.70	282100.11
UNEMP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENV	6.79	32.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200.00	0.00	239.42
FSH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SNOW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WILDAN	21.33	21.33	21.33	25.60	25.59	66.24	0.00	0.00	0.00	0.00	0.00	0.00	181.42
DRG	179.73	291.59	178.32	140.63	207.65	511.64	243.13	405.71	274.05	115.47	520.94	418.80	3487.66
DNAAS	5404.92	5529.53	11268.41	5694.48	5587.37	4646.38	5034.29	4707.66	4128.59	7103.60	5060.31	6182.99	70348.53
JLF	0.00	240.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	240.00
CHLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WEAP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30.00
CLD	3702.64	3744.39	5493.97	2718.84	2262.87	2589.89	3014.10	3999.54	3149.72	3522.44	3297.58	3187.64	40683.62
FOOD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JDVW	22.04	20.00	321.81	247.38	40.00	0.00	0.00	14.86	0.00	0.00	100.00	20.00	786.09
RRCI	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TRUCK	8.00	3.84	0.00	0.00	2.05	0.00	0.00	8.00	16.00	8.00	0.28	25.40	71.57

Date Range State Treasurer Report - Total

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
DRGOD	23.00	83.21	60.00	40.00	40.00	30.00	40.00	20.00	50.00	20.00	180.00	50.00	636.21
WVCS	5.97	100.77	47.24	14.66	17.00	1.86	74.70	30.44	71.44	33.65	35.73	73.74	507.20
CHPRN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CFISH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GLRES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CECF	5040.00	4560.00	3900.00	1760.00	2400.00	3760.00	3380.00	3580.00	3900.00	3440.00	3020.00	3040.00	41780.00
BPAS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IIDS	599.92	670.37	848.92	507.74	287.77	529.88	542.73	324.72	483.63	910.99	492.91	514.16	6713.74
BTST	68.82	70.41	128.00	16.41	10.94	63.38	41.40	8.22	10.20	89.76	58.18	24.77	590.49
BTDNR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTUW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPFBS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SRPS	634.49	816.89	1012.09	708.86	381.39	536.72	657.16	509.53	354.15	1181.63	714.20	697.95	8205.06
ADJUST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	\$121871.86	\$130370.44	\$166651.42	\$82495.41	\$78705.23	\$92014.79	\$94277.56	\$116456.18	\$101345.40	\$119471.75	\$101173.81	\$108179.37	\$1313013.22

[1] DRVIM row includes Tribe accounts
Refer to CCAP-188 for detailed information

Date Range State Treasurer Report - State

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
CCFP	9874.94	11768.32	17470.26	7980.01	10159.01	10452.61	10615.77	11665.18	9311.81	11284.55	12436.12	12582.62	135601.20
CFP	3187.14	2989.98	3298.96	1422.83	1693.71	2433.49	2157.19	2614.42	2424.17	2358.41	2083.65	2093.59	28757.54
CSP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SCCS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SSP	17.20	0.00	0.00	17.20	0.00	0.00	0.00	0.00	0.00	0.00	17.20	0.00	51.60
NREST	1.03	9.04	51.03	9.68	10.90	1.49	36.28	25.00	39.14	10.00	28.00	35.27	256.86
NATR	142.12	1074.57	847.37	277.32	976.55	115.42	1187.99	808.98	984.01	527.81	533.27	1028.31	8503.72
DOMAB	22.79	220.00	675.00	112.60	248.44	343.72	475.00	141.04	170.73	747.00	184.72	687.74	4028.78
DRVIM ¹	3964.20	4709.45	6270.75	3900.21	2784.93	3504.34	2938.93	3176.53	2642.85	4864.52	3403.20	3048.59	45208.50
VW	3468.91	4985.04	7225.92	3821.76	2830.68	2512.59	2942.64	2806.86	2573.20	3924.06	3934.95	4214.94	45241.55
SF348	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.00	0.00	0.00	0.00	0.00	45.00
EX348	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4809.30	4861.51	0.00	69.84	1138.87	10879.52
SF341	4852.16	8185.73	8368.39	5092.25	4295.69	4478.56	3472.53	5170.95	5109.17	9633.50	5204.84	7789.78	71653.55
SFOTH	2287.56	4783.02	5198.44	2052.32	3416.58	2268.54	4671.11	3690.28	3226.41	2336.87	3698.92	3938.00	41568.05
PEN	9240.27	7800.74	11905.71	5766.65	4222.25	5147.01	5719.24	8265.63	7024.16	7502.52	6189.72	6441.65	85225.55
P069	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ODLF	0.00	0.00	0.00	0.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00
JINFO	9635.80	8751.86	10535.74	4693.91	4695.69	6693.03	6537.04	8418.00	7242.43	7459.24	6598.45	6480.72	87741.91
JAIL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CSS	31586.11	29537.94	33976.66	15836.00	14968.20	21628.49	20607.12	26261.21	22731.00	23488.77	21070.91	20407.70	282100.11
UNEMP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENV	6.79	32.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200.00	0.00	239.42
FSH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SNOW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WLDAN	21.33	21.33	21.33	25.60	25.59	66.24	0.00	0.00	0.00	0.00	0.00	0.00	181.42
DRG	179.73	291.59	178.32	140.63	207.65	511.64	243.13	405.71	274.05	115.47	520.94	418.80	3487.66
DNAAS	5404.92	5529.53	11268.41	5694.48	5587.37	4646.38	5034.29	4707.66	4128.59	7103.60	5060.31	6182.99	70348.53
JLF	0.00	180.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	180.00
CHLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WEAP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30.00	30.00
CLD	3702.64	3744.39	5493.97	2718.84	2262.87	2589.89	3014.10	3999.54	3149.72	3522.44	3297.58	3187.64	40683.62
FOOD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JDVW	22.04	20.00	321.81	247.38	40.00	0.00	0.00	14.86	0.00	0.00	100.00	20.00	786.09
RRCI	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TRUCK	8.00	3.84	0.00	0.00	2.05	0.00	0.00	8.00	16.00	8.00	0.28	25.40	71.57

Date Range State Treasurer Report - State

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
DRGOD	23.00	83.21	60.00	40.00	40.00	30.00	40.00	20.00	50.00	20.00	180.00	50.00	636.21
WVCS	5.97	100.77	47.24	14.66	17.00	1.86	74.70	30.44	71.44	33.65	35.73	73.74	507.20
CHPRN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CFISH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GLRES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CECF	5040.00	4560.00	3900.00	1760.00	2400.00	3760.00	3380.00	3580.00	3900.00	3440.00	3020.00	3040.00	41780.00
BPAS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTST	68.82	70.41	128.00	16.41	10.94	63.38	41.40	8.22	10.20	89.76	58.18	24.77	590.49
BTDNR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTUW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPFBS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SRPS	634.49	816.89	1012.09	708.86	381.39	536.72	657.16	509.53	354.15	1181.63	714.20	697.95	8205.06
ADJUST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	\$93397.96	\$100270.28	\$128255.40	\$62349.60	\$61277.49	\$71805.40	\$73845.62	\$91182.34	\$80294.74	\$89651.80	\$78641.01	\$83639.07	\$1014610.71

[1] DRVIM row includes Tribe accounts
Refer to CCAP-188 for detailed information

Date Range State Treasurer Report - County

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
CCFP	4557.57	4409.03	4997.84	2531.71	2433.06	3357.97	3384.63	3892.32	3129.59	3480.55	3129.18	3188.92	42492.37
CFP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CSP	0.00	10.00	0.00	20.00	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	50.00
SCCS	699.00	714.00	724.20	127.80	520.20	683.40	469.20	530.40	703.80	530.40	556.20	510.00	6768.60
SSP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NATR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DOMAB	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DRVIM ¹	4012.05	4766.31	6346.46	3947.30	2818.56	3546.65	2974.42	3214.88	2674.76	4923.24	3444.29	3085.40	45754.32
VW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SF348	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.00	0.00	0.00	0.00	0.00	5.00
EX348	18.13	25.18	13.31	13.30	10.08	0.00	0.00	300.00	300.00	0.00	5.21	176.05	861.26
SF341	4852.16	8185.73	8368.38	5092.25	4295.68	4478.56	3472.53	5170.94	5109.16	9633.49	5204.83	7789.78	71653.49
SF0TH	254.17	531.45	577.60	228.04	379.62	252.06	519.01	410.03	358.49	259.65	410.99	437.55	4618.66
PEN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
P069	10663.35	8068.89	12720.11	5647.65	5145.88	5624.92	6986.53	8567.25	6096.46	7609.54	7165.65	6687.64	90983.87
ODLF	0.00	0.00	0.00	0.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00
JINFO	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JAIL	2817.55	2659.20	3799.20	2030.02	1536.89	1715.95	2082.89	2848.30	2184.77	2472.09	2123.54	2150.80	28421.20
CSS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
UNEMP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENV	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FSH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SNOW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WLDAN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DRG	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DNAAS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JLF	0.00	60.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	60.00
CHLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WEAP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CLD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FOOD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
JDVW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RRCI	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TRUCK	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Date Range State Treasurer Report - County

01-01-2020 To 12-31-2020

Acct.	Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Total
DRGOD	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
WVCS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHPRN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CFISH	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GLRES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FNETS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPLF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CECF	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BPAS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IIDS	599.92	670.37	848.92	507.74	287.77	529.88	542.73	324.72	483.63	910.99	492.91	514.16	6713.74
BTST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTDNR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
BTUW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CPFBS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
SRPS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total:	\$28473.90	\$30100.16	\$38396.02	\$20145.81	\$17427.74	\$20209.39	\$20431.94	\$25273.84	\$21050.66	\$29819.95	\$22532.80	\$24540.30	\$298402.51

[1] DRVIM row includes Tribe accounts
Refer to CCAP-188 for detailed information

Accounts	Name on Account	Budget Revenue
CCFP	Circuit Court Fees Payable	State/County -Clerk of Courts
CFP	CCAP Fee Payable	State
CSP	County Share Payable CCC	County- Clerk of Courts
SCCS	Small Claims County Share	County - Clerk of Courts
SSP	State Share Payable – CCC	State
NREST	Natural Resources Restitution Schg	State
NATR	Natural Resources Surcharge	State
DOMAB	Domestic Abuse Surcharge	State
DRVIM	Driver Improvement Surcharge	State/County - DHHS
VW	Victim Witness Surcharge	State
SF348	State Fines/Fees Ch. 348	State/County -Clerk of Courts
EX348	Excess Municipal/County Ch. 348	County - Clerk of Courts
SF341	State Fines/Fees Ch. 341-47, 49 & 51	State/County - Clerk of Courts
SFOTH	State Fines/Fees Others	State/County -Clerk of Courts
PEN	Penalty Surcharge	State
P069	Waupaca County	County - Clerk of Courts
ODLF	Occupational DL Fee – St./County	State/County – Clerk of Courts
JINFO	Justice Information Surcharge	State
JAIL	Jail Surcharge	County- S.O. Jail-Clerk of Courts
CSS	Court Support Service Surcharge	State
ENV	Environmental Surcharge	State
WLDAN	Wild Animal Surcharge	State
DRG	Drug Abuse Surcharge	State
DNAAS	DNA Analysis Surcharge	State
JLF	Juvenile Legal Fees St. /County	State/County - Judicial Branch
WEAP	Weapons Surcharge	State

Accounts	Name on Account	Budget Revenue
CLD	Crime Lab and Drug Surcharge	State
JDVW	Juvenile Del. Victim Witness Schg	State
TRUCK	Truck Driver Education Surcharge	County – Clerk of Courts
DRGOD	Drug Offender Diversion Schg	State
WVCS	Wildlife Violator Compact Schg	State
CECF	CCAP eFiling Conv. Fee	State
IIDS	Ignition Interlock Device Schg	County – Clerk of Courts
BTST	Blood Test State Patrol	State
SRPS	State Ride Program Schg	State

ANNUAL REPORT OF ACTUAL REVENUES AND EXPENDITURES

Under s.758.19(5)(e), Wis. Stats.

Report is due **May 15, 2021** for period covering January 01, 2020 through December 31, 2020

Failure to submit report by due date will result in penalty per s. 758.19(5)(f)&(6)(b), Wis. Stats.

1. Summary of Court Revenue

Waupaca County

Revenue Source	Account Code	County Receipts Credited to Court Budgets	Court-Related Rcpts CR to Cty Non-Court Budgets	Total Revenue
Revenue from State				
Circuit Court Support Payments	4110	273,435.00	0.00	273,435.00
Guardian ad Litem (GAL) Payment	4120	0.00	0.00	0.00
Interpreter Reimbursements	4130	6,480.00	0.00	6,480.00
Child Support IV-D Revenue	4140	1,029.65	0.00	1,029.65
DOA/DOC Prisoner Revenue	4150	0.00	0.00	0.00
Other State Revenue -	4199	0.00	0.00	0.00
Other State Revenue - Dept of Children & Families Legal/Adoption	4199	1,800.58	0.00	1,800.58
Total Revenue from State		\$282,745.23	\$0.00	\$282,745.23
Statutory Fines, Forfeitures, and Surcharges				
State Fines & Forfeitures (County Share)	4210	4,618.66	0.00	4,618.66
County Ordinance Forfeitures	4220	90,983.87	0.00	90,983.87
Driver Improvement Surcharge	4230	0.00	45,754.32	45,754.32
Ignition Interlock Device Surcharge (IIDS)	4235	7,263.74	0.00	7,263.74
Jail Assessment Surcharge	4240	42,959.83	0.00	42,959.83
Occupational Driver's License Surcharge	4250	20.00	0.00	20.00
State Forfeitures under ch 348	4260	866.26	0.00	866.26
State Fines and Forf under ch 341-347, 349 and 351	4270	71,653.49	0.00	71,653.49
Other Fines, Forfeitures and Surcharges -	4299	0.00	0.00	0.00
Other Fines, Forfeitures and Surcharges -	4299	0.00	0.00	0.00
Total Statutory Fines, Forfeitures, and Surcharges		\$218,365.85	\$45,754.32	\$264,120.17
Statutory Fees For Services				
Criminal & Civil Action Fees	4310	49,310.97	0.00	49,310.97
Clerk of Court Child Support Fee	4320	950.00	0.00	950.00
Occupational Driver's License Fee	4325	0.00	0.00	0.00
Family Counseling Service Fee	4330	0.00	4,820.00	4,820.00
Custody Study Fee	4333	0.00	0.00	0.00
Marriage License Fees Allocated to Fund Family Counseling Services	4335	0.00	0.00	0.00
Mediation Fee (for Family Court Counseling Services)	4337	0.00	0.00	0.00
Other Clerk of Court Fees	4340	9,486.93	0.00	9,486.93
Credit/Debit Card Fee	4341	0.00	0.00	0.00
Copy Fees (Clerk of Court & Probate)	4342	2,996.70	0.00	2,996.70
Administrative Fees	4343	1,637.00	0.00	1,637.00
Interest on Judgements	4344	55,429.60	0.00	55,429.60
Jury Demand Fee	4345	1,800.00	0.00	1,800.00
Municipal Forfeiture Fee	4346	4,200.00	0.00	4,200.00
Payment Plan Fee	4347	0.00	0.00	0.00
Probate Fees	4350	16,859.21	0.00	16,859.21
Receipt Disbursement Fee	4360	0.00	0.00	0.00
Restitution Fee 10%	4370	7,354.40	0.00	7,354.40
Restitution Admin Fee 5%	4380	0.00	0.00	0.00
Community Service Work Offset Fee	4390	0.00	0.00	0.00
Other Fees for Service Revenue -	4399	0.00	0.00	0.00
Other Fees for Service Revenue - Sales Tax (County & State)	4399	0.00	14.04	14.04
Total Statutory Fees For Services		\$150,024.81	\$4,834.04	\$154,858.85
Recoupment of Expenses and Other Revenue				
Recoupment of Attorney Legal Services Paid by the County	4410	52,156.18	0.00	52,156.18
Recoupment of Guardian Ad Litem Legal Services Paid by the County	4411	23,468.44	0.00	23,468.44
Recoupment of Legal Fees (SPD): DLQ, CHIPS, & JIPS	4412	60.00	0.00	60.00
Recoupment of Juvenile Custody Costs Paid by the County	4413	0.00	0.00	0.00
Recoupment of Medical/Psychological Services Paid by the County	4415	0.00	4,569.52	4,569.52
Recoupment of Electronic Monitoring Pd by the Cty	4416	0.00	0.00	0.00
Recoupment of Extradition Costs per s. 973.06(1)(a) Paid by the County	4417	0.00	0.00	0.00
Recoupment of Interpreter Services Paid by the County	4418	0.00	0.00	0.00
Recoupment of Witness Fees and Costs Paid by the County	4419	130.14	292.01	422.15
Bond/Bail Forfeitures Recovered	4420	5,750.00	0.00	5,750.00
Jury Costs Recovered	4430	0.00	0.00	0.00
Interest Earned on Bank Accounts and Investments	4440	0.00	68.43	68.43
Service Fee	4460	0.00	2,794.84	2,794.84
Donations/DARE and Other CPO Contributions	4470	0.00	0.00	0.00
Grants	4480	0.00	0.00	0.00
Other County Revenue -	4499	0.00	0.00	0.00
Other County Revenue -	4499	0.00	0.00	0.00
Total Recoupment of Expenses and Other Revenue		\$81,564.76	\$7,724.80	\$89,289.56
Total Revenue		\$732,700.65	\$58,313.16	\$791,013.81

* Annual Report includes - Judicial branches & Probate office.

2. Summary of Court-Related Expenditures

Waupaca County

Expenditure Type	Account Code	Jurors/Jury Bailiffs	Court Interpreters	Law Library/Legal Resource Center	Legal Materials for Judges	Circuit and Family Court Commissioners	Commissioner Court Reporting	Commissioner Support Staff	Other Court-Related Expenditures	All County Budgets Court Related Total Exp.
Allowable Costs under s. 758.19(5)(a), Wis. Stats										
Salaries	7000	0.00	0.00	0.00	0.00	0.00	0.00	0.00	703,873.21	703,873.21
Fringe Benefits	7100	0.00	0.00	0.00	0.00	0.00	0.00	0.00	231,140.39	231,140.39
Professional or Contractual Services/Third Party Per Diems:										
Medical and Other Psychological Exams	7210	0.00	0.00	0.00	0.00	0.00	0.00	0.00	57,469.98	57,469.98
Court Subpoenaed Witnesses and Expert Witnesses	7220	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Attorneys	7230	0.00	0.00	0.00	0.00	0.00	0.00	0.00	137,378.54	137,378.54
Juror Per Diem	7240	7,900.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7,900.00
Other (includes court reporters per diem, interpreters, etc.)	7299	1,363.50	7,563.20	0.00	0.00	41,260.00	0.00	0.00	0.00	50,186.70
Capital Asset Acquisitions	7300	0.00	0.00	7,610.60	1,007.16	0.00	0.00	0.00	217.04	8,834.80
Minor Equipment-Lease/Rental	7360	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Minor Equipment Items Not Capitalized - Inventoried	7370	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Insurance	7410	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,402.32	4,402.32
Postage	7420	725.45	0.00	0.00	0.00	0.00	0.00	0.00	13,378.83	14,104.28
Printing	7430	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,595.55	3,595.55
Materials and Supplies - Other	7440	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34,786.03	34,786.03
Telecommunications	7500	0.00	0.00	0.00	0.00	3,869.13	0.00	0.00	3,919.18	7,788.31
Court Reporter Transcripts	7600	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,742.30	1,742.30
Travel and Training:										
Juror Mileage or Other Travel Reimbursed	7710	6,727.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,727.95
Employee/Contractor	7720	131.08	0.00	0.00	0.00	0.00	0.00	0.00	269.35	400.43
Other	7799	0.00	0.00	0.00	0.00	0.00	0.00	0.00	446.10	446.10
Other Admin and Operating Expenses NOT related to courtroom security, security personnel, rent, utilities, maintenance, and rehabilitation and/or construction of court facilities	7800	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,647.82	4,647.82
Department Chargebacks NOT related to courtroom security, security personnel, rent, utilities, maintenance, and rehabilitation and/or construction of court facilities	7900	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Allowable Costs under s. 758.19(5)(a), Wis. Stats		\$16,847.98	\$7,563.20	\$7,610.60	\$1,007.16	\$45,129.13	\$0.00	\$0.00	\$1,197,266.64	\$1,275,424.71
Unallowable Costs under s. 758.19(5)(a)										
Courtroom Security (including security personnel)	8100	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Rent/Lease	8200	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Utilities	8300	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Court Facility Maintenance	8400	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Capital Outlays for Rehabilitation and/or Construction of Court Facilities	8500	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Department Chargebacks related to courtroom security, security personnel, rent, utilities, maintenance, and rehabilitation and/or construction of court facilities	8600	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Other Admin and Operating Expenses related to courtroom security, security personnel, rent, utilities, maintenance, and rehabilitation and/or construction of court facilities	8700	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Unallowable Costs under s. 758.19(5)(a)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Indirect Costs										
Indirect Costs	9000	0.00	0.00	0.00	0.00	0.00	0.00	0.00	135,590.41	135,590.41
Total Indirect Costs		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$135,590.41	\$135,590.41
Total Expenditures		\$16,847.98	\$7,563.20	\$7,610.60	\$1,007.16	\$45,129.13	\$0.00	\$0.00	\$1,332,857.05	\$1,411,015.12

Waupaca County

3. Juror Costs Under s. 59.77(8)

County's Juror Daily rate	\$ 40.00
County's Juror Half-Day rate	\$ 20.00
Juror Mileage rate	\$ 0.510

Waupaca County

4. Attorney Costs

	Account Code	Expenditures	Recoupments
Guardians ad Litem			
Chaplers 48 & 938	9001	14,834.75	0.00
Chaplers 51, 54, & 55	9002	6,047.30	0.00
Chapler 767	9003	52,977.87	23,468.44
Other GAL (includes Chapter 813)	9004	189.00	0.00
Total Guardians ad Litem		\$74,048.92	\$23,468.44
County-Paid Counsel under State v. Dean			
Criminal Defense Counsel Paid under Dean	9008	0.00	52,156.18
Other County-Paid Counsel Paid under Dean	9009	56,238.11	0.00
Total County-Paid Counsel under State v. Dean		\$56,238.11	\$52,156.18
Other Attorney Fees			
Other Attorney Fees - Juvenile Legal Fees	9010	7,091.51	60.00
Other Attorney Fees	9011	0.00	0.00
Other Attorney Fees	9012	0.00	0.00
Other Attorney Fees	9013	0.00	0.00
Other Attorney Fees	9014	0.00	0.00
Total Other Attorney Fees		\$7,091.51	\$60.00
Total Attorney Costs		\$137,378.54	\$75,684.62