

TOWN OF SCOTT PUBLIC NUISANCE CONTROL
PERMIT AND LICENSING ORDINANCES

I. Intent and Purpose

The Town Board of the Town of Scott, being duly assembled, does, pursuant to its villages powers and authority, pursuant to its specific statutory authority cited herein and pursuant to its authority to control, negate and limit potential public nuisances and to protect the public health and safety of persons in the Town of Scott, adopts this ordinance with the intent to license or permit certain businesses, uses, activities and operations in order to protect public health and safety, to limit, negate or control certain potential public nuisances and to inform the Town Board and other persons of specific real or potential construction, reconstruction, installation and repair occurring for certain buildings and structures in the Town of Scott and to inform the Town Board and others certain of other real or potential uses, activities and operations that have or may occur in the Town of Scott that have the potential to cause public health and safety damages to people to cause damage to public and private property and to cause public nuisances in the Town of Scott.

II. Permit or License Ordinance Requirements

A. Permit Required

Prior to any of the following noted businesses, activities, uses or operations occurring in the Town of Scott, the owner or occupant shall seek and obtain a permit or license from the Town Clerk of the Town of Scott. Failure to obtain permit or license under this ordinance or failure to comply with any conditions of the permit or license granted and issued under the ordinance shall be considered a violation of this ordinance. The Town Board shall grant the permit or license, deny the permit or license grant the permit or license upon written conditions, but it may request a public hearing prior to any such action on the application. The Town Board or its designee, upon determination of completeness of the application by the Town Board or its designee and after the public hearing, if a public hearing is determined necessary by the Town Board, shall make its findings and order to grant, deny or grant upon conditions the requested permit or license. The Town Board may delegate the granting and issuance of such permits or licenses to the Town Clerk or to the Town Building Inspector.

B. Payment of Fees

All permit or license fees shall be paid to the Town Clerk. No permit or license shall be granted by the Town Board or granted and issued by the Town Clerk or Town Building Inspector without full payment of the permit or license fee. The permit or license fee for the following permits or licenses shall be as noted below, plus costs of any hearing notice and other administrative costs deemed necessary by the Town Board. This permit or license fee shall, unless otherwise approved by

the Town Board be an annual fee with renewal approval by the Town Board necessary on the anniversary date of the issuance of the permit or license. The Town Board may require, prior to granting the permit or license upon application receipt, the full costs of any hearing and other administrative costs deemed necessary by the Town Board. The fee costs are:

1. Public Gathering Permit--\$50.00
2. Unlicensed Automobiles and Junked Automobile Permit--\$50.00
3. Waste Disposal, Storage or Treatment Permit--\$500.00
4. Camper, Mobile Home and Trailer Installation--\$25.00
5. Mobile Homes and trailer Parks and Campgrounds--\$250.00

C. Permit or License Application

Any permit or license to the Town of Scott shall be made in writing to the Town Clerk upon a form approved by the Town Board and provided by the Town Clerk or Town Building Inspector. The Town Board shall determine if the application is complete unless delegated to the Town Clerk or Town Building Inspector, and if the Town Board or its designee determines the application is incomplete, it may request applicant to provide additional information. The Town Board or its designee may request that statements provided in the application be made or subscribed under oath or affirmation by the applicant. False statements by the applicant provided under oath or affirmation may be subject to penalty under this ordinance. At minimum, the application for license or permit shall require:

1. Name, address and telephone number of applicant with requested date for issuance of permit or license.
2. Names, addresses and telephone numbers of landowner, if different, than noted in (1).
3. The legal description and tax parcel description of the premises where the building or structures are to be constructed, renovated, reconstructed, installed, demolished, razed or repaired.
4. Any other permits, licenses and approvals necessary to be obtained by applicant for construction, reconstruction, operation, renovation, demolition, razing, installation, repair or other use arbitrary by the applicant from federal, state or local units of government with the current status noted by the applicant as to the issuance or non-issuance of these licenses, permits or approvals. A copy of any required County of Monroe sanitary permit, and water well permit, the zoning or other land use permits, shall be specifically be provided by the applicant and proof, satisfactory to the Town Clerk as to its receipt, is to be attached to the permit application.

5. Written plan(s) and specifications for such businesses, uses, activities or operations demonstrating, at minimum, the following:

a) The proposed plot location of such uses, activities, operations, buildings and structures with respect to lot lines, roads, streets, alleys, sewer lines, sewage systems, water lines, water wells, gas lines, electric lines, telephone, cable lines, fence lines, road right-of-way and other private, public and quasi-public buildings or structures located with the land described in the legal description noted in three (3) or within fifty (50) feet of such land.

b) The specifications of any building or structure to be constructed, renovated, operated, reconstructed, repaired, demolished, razed or installed with the estimated cost for the supplies, materials and labor associated with such building or structure.

c) The estimated date for commencement of the use, activity or operation under the permit.

d) The estimated date for termination of the use, activity, or operation under the permit.

e) The proposed specific uses for any buildings or structures.

6) Requested dates for public hearing, by the applicant, if necessary.

7) Other information requested by the Town Board.

D. Permit or License Lapses/Denial

A permit or license shall lapse and be void unless the initial operations, use or activities authorized under the permit or license are commenced within ninety (90) days after the date of issuance of the permit or license by the Town Clerk or Town Building Inspector. A permit or license lapses when in violation of the permit or license continuance ordinance. The Town Board may deny granting a permit or license for failure of applicant to provide complete or truthful information, failure to agree to comply with conditions established under the permit or license or failure of the applicant of the proposed project to demonstrate to the Town Board, after public hearing, that the proposed project will not likely cause substantial public health damage(s), substantial safety damage(s) or substantial financial or physical injury to persons or property in the Town of Scott or will not likely cause a public nuisance in the Town of Scott.

E. Revocation

If the Town Board, after review and public hearing, finds that the permit or license and conditions attached thereto are NOT being complied with by the permit or license holder or, that the permit or license holder refused to comply with the permit or license and any conditions after a written notice of such violations(s), the Town Board may revoke or suspend to a date certain the permit. There shall be no refund of any portion of any license or permit fee paid by the license or penalties. If the Town Board revokes or suspends the permit or license, during the period of revocation or suspension, the holder of the permit or license or any employees or agents of the permit or license holder may NOT commence any further businesses, activities, uses or operations at the premises except for any operation as the Town Board may find and order as a condition precedent to the reissuance of the permit or license or as the Town Board may find and order that are necessary to protect public health and safety or to prevent a public nuisance.

F. Records

The Town Clerk shall keep a record of all permits, fees and reports regarding this ordinance.

G. Reports

The Town Board members, the Town Clerk, the Town Treasurer, the Town Assessor and the Town Building Inspector shall report to the Town Board, as soon as possible, any operations, uses or activities which are being carried on without a required license or permit as required by this ordinance or in violation of this ordinance.

H. Public Hearing

Any costs for publication of a notice of any application or other public hearing and other administrative costs deemed necessary by the Town Board under the ordinance may be charged to the applicant. Failure of the applicant for an application permit to pay the full amount to the Town Clerk for the costs of the application publication, as established by the Town Board or its designee, shall be a basis for a determination of incompleteness or denial of the permit. The Town of Scott may require payment to the Town Clerk of any fees and costs paid in advance of any hearing. Prior to any application or discipline hearing, the Town Board may subpoena witnesses and documents. The Town Board can also request that witnesses at the application or other public hearing be sworn and placed under oath prior to their testimony. The hearing shall operate as a quasi-judicial hearing with the testimony of witnesses statements recorded, and with witnesses subject to cross-examination.

III. Penalties

A. General Provisions

Any building or structure hereafter construction, renovated, installed, reconstructed, demolished, razed or repaired or any use, activity or operation occurring in the Town of Scott for which an approval permit or license, pursuant to this ordinance is required to be granted and issued under this ordinance and for which an approval no permit or license was granted by the Town Board or granted and issued by the Town Clerk or the Town Building Inspector shall be deemed by the Town Board an unlawful use, activity, or operation in violation of this ordinance. Any person who fails to obtain appropriate other permits or licenses or approvals noted herein shall be deemed by the Town Board to have violated the ordinance. The Town Board shall immediately report such violation to the Town Attorney who shall commence action to enjoin the construction, renovation, demolition, razing, installation, reconstruction, or repair or any other activity, use or operation NOT allowable under this ordinance, including causing the building or structure to be removed or razed from the premises or any other activity, use or operation enjoined. In addition, these violations shall be subject to prosecution by the Town Attorney to apply the penalties noted below. Failure of an owner or occupant to comply with any conditions established in any approved permit or license issued by the Town of Scott shall be deemed a violation of the ordinance and shall be treated for purposes of this ordinance as if no approved permit or license had been granted or issued by the Town of Scott.

B. Specific Public Nuisance Provisions

No person shall cause, allow or permit any person to create any public nuisance areas on premises owned, leased or controlled by that person in the Town of Scott. The following are specifically declared by the Town Board of the Town of Scott to be public nuisances. This declaration should not be construed to exclude other public nuisances affecting public health and safety in the Town of Scott.

- (1) a rat harborage area where rats or other vermin are allowed to live and breed after written order received from the Town Board for removal
- (2) a waste accumulation area where waste amounts, including solid waste, hazardous waste and tonic waste allowed to be accumulated, stored, treated or disposed without a proper waste permit issued by the Town Board of the Town of Scott
- (3) an unburied animal carcass area where a dead animal or dead animals are not buried in a sanitary manner within twentyfour (24) hours of death of the animal.
- (4) a noxious odor area where emissions of any noxious odors, foul odors, offensive odors, noisome odors,, gases or any stench repulsive to the senses of ordinary persons are allowed to continue to the substantial annoyance or substantial discomfort of persons or are allowed to cause injury to persons or property in the Town of Scott.

- (5) a noxious weed or illegal vegetation area where these noxious vegetation are allowed to remain by owner of the land after written order. Received from the Town Board for removal.
- (6) a well pollution area where pollution from the premises entering the groundwater has caused a private or public drinking water well on another property to become contaminated as determined by written order of the Town Board.
- (7) a surface water pollution area where pollution from the premises entering the surface water has caused a private or public drinking water well on another property or river, stream, lake, ditch, canal or other body of water to become contaminated as determined by written order of the Town Board
- (8) an air pollution area where emissions of smoke, soot, fumes, gases, ash, dust or other pollution's into the atmosphere repulsive to the senses of ordinary persons are allowed to continue to the substantial annoyance or substantial discomfort of persona or are allowed to cause injury to persons or property in the Town of Scott
- (9) a human burial area where a human body or bodies are buried in the Town of Scott outside of an established cemetery approved by written order of the Town Board of the Town of Scott
- (10) an unwholesome food area where unwholesome, contaminated or polluted food or drink is sold or served on the premises as determined by written order of the Town Board
- (11) a dangerous building area where the building, structure,, place or the electrical, heat or water supply is in condition and location to cause a substantial menace or substantial danger to the public health or safety of persons in the Town of Scott
- (12) an improper sewage area where the effluent from the sewer, septic tank, holding tank or cesspool on the premises is in a condition and location to cause a substantial menace or substantial danger to public health or safety of persons of the Town of Scott
- (13) a hazardous waste area where the discharge, disposal, storage or treatment of hazardous, nuclear or toxic waste are allowed to accumulate to the substantial annoyance or substantial discomfort of persons or are allowed to cause injury to persons or property in the Town or Scott
- (14) a noxious material discharge area where the discharge, disposal, storage or treatment of noxious, filthy, decaying or nauseous materials repulsive to the senses of ordinary persons are allowed to continue to the substantial annoyance or substantial discomfort of persons or are allowed to cause injury to persons or property in the Town of Scott
- (15) an abandoned, wrecked motor vehicle, implement, machinery or machine area where abandoned, junked or wrecked motor vehicles, tractors, house trailers, railroad cars, other motorized vehicles, implements, machinery or machines are allowed to accumulate on public or private

property without a proper permit issued by the Town Board of the Town of Scott

(16) a dilapidated building area where illegal, old or dilapidated buildings, structures and equipment are allowed to stand while they are dangerous, unsafe, unsanitary, inhabitable or otherwise unfit for human use and occupancy as determined by the Town Board

(17) a dangerous tree area where trees and limbs are in a condition and location to cause a substantial menace or substantial danger to public safety to persons in the Town of Scott

(18) an illegal building area where buildings were constructed, installed, reconstructed, repaired, expanded or altered illegally in violation of any Town of Scott or County of Monroe ordinances or state and federal laws and regulations in the Town of Scott

(19) an improper structure area where signs, billboards, awnings and other structures are improperly, illegally or unsafely installed or maintained near public highways, roads, streets, sidewalks, parks, public buildings, public premises or other public places in a condition and location to cause a substantial menace or substantial danger to public safety to persons in the Town of Scott

(20) a loud noise area where loud, discordant and unnecessary sounds of motor vehicles, animals or music repulsive to the senses of ordinary person are allowed to continue to the substantial annoyance or substantial discomfort of persons or injury to person or property in the Town of Scott

(21) a low wire area where wires over public highways, roads, streets, alleys, parks, public building, public premises or other public places are installed or maintained within eighteen (18) feet above the ground in a condition or location to cause a substantial menace or substantial danger to public safety of persons in the Town of Scott

(22) an unauthorized traffic sign area where unauthorized signs, signals, marking or other sign devices are installed or maintained on or near a public highway, road, street, official sign or other traffic control device or which because of their location, color, manner of operation or structure they will interfere with any official traffic control device in the Town of Scott

(23) an obstruction area where structures, hedges, trees, weeds, signs, billboards, culverts, buildings, vehicles, machinery or equipment are constructed, reconstructed, installed, parked or maintained on or near a public highway, including the right-of-way, road, sidewalk, street, alley or railroad crossing and due to the condition and location obstruct motor vehicle traffic or block a clean view of motor vehicle traffic that causes a substantial menace or substantial danger to public safety of persons in the Town of Scott

(24) a highly combustible annoyance where highly flammable materials to be improperly secured and/or improperly stored in any building on the premises

(25) an unrestrained animal area where domestic animals (dangerous or otherwise) are allowed to run at large on the premises wherein they can and do access property of another to the substantial annoyance or substantial discomfort of persons or are allowed to cause injury to persons or property in the Town of Scott

(26) an abandoned well, pit, basement or excavation area where an abandoned water well, pit, basement or excavation is not properly covered or secured from public use or access as determined by written order of the Town Board

(27) an abandoned refrigerator, ice box or freezer area where an abandoned refrigerator, ice box or freezer is not properly maintained and secured from public use or access as determined by written order of the Town Board

(28) an illegal discharge area where litter, solid waste, hazardous waste, toxic waste, junk or other unauthorized material, machinery, vehicles, implements or equipment are placed or discharged onto public land without written approval of the appropriate government owner in a condition or location to cause substantial menace or substantial danger to public health or safety of persons in the Town of Scott

C. Penalty Provisions

a) General Penalty. Except where a penalty is provided elsewhere in this ordinance, any person who shall violate any of the provisions of this ordinance shall upon conviction of such violations, be subject to a penalty, which shall be as follows:

(1) First Offense--Penalty. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$100.00 or more than \$500.00 together with the costs of the prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.

(2) Second Offense--Penalty. Any person found guilty of violating any ordinance or part of an ordinance who shall previously have been convicted of a violation of the same ordinance within one year shall upon conviction thereof, forfeit not less than \$500.00 nor more than \$2000.00 for each such offense, together with the costs of prosecution and in default payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

costs

b) Continued Violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Town of Scott from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance.

c) Other Remedies. The Town of Scott shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeitures and costs of prosecution above.

D. Authorization of Citations

a) Authority. Pursuant to the authority of Section 66.119, Wis. Stats., or its successor provision, the Town of Scott hereby elects to adopt and authorize the use of citation to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

b) Citation. The form of the citation is hereby subscribed, as found in Section 66.119(1)(b), Wis. Stats., or its successor provision, which is incorporated herein by reference.

c) Schedule of Cash Deposits. A schedule of cash deposits is established by this ordinance, which is incorporated herein by reference. (See attached "Schedule A" for violations of this ordinance.)

d) Service, Issuance and Prosecution of Citations. The Town Chair or his or her designee shall serve the appropriate citation. The Town Board or its designee shall issue the citations. The Town Attorney shall prosecute the citations.

IV. Specific Permits or Licenses

A. Public Gathering Permit

1) Public Gathering Permit

No person shall conduct, establish, manage or allow on land leased or owned by that person any public dance, amusement park, carnival, music festival, agricultural or other type of fair or any other similar temporary public gathering or event for which it can be reasonably estimated by the Town Board that more than 75 persons including the participants, operators of the activity and owners of the land and their employees and agents will be in attendance at any one time on any specific parcels of land in the Town of Scott, without the owner(s) of the land and the operator(s) of such business, use, or activity obtaining an appropriate permit from the Town Board. This provision does not include any business, use or activity that is a continual business, use or activity in the Town of Scott for at least

30 consecutive days in any calendar year. The following activities are exempt from this provision. Family reunions, weddings, auctions, or events that are part of the Warrens Cranfest.

2) Specific Requirements for Permit

The following are specific requirements for this permit:

a) The permit shall be applied by the owner or operator or both at least nine (9) weeks prior to the proposed gathering, unless waived by the Town Board. The permit application shall describe the specific legal description and the owners of the parcels where the operation, business, use or activity will occur. The permit shall specifically detail the date(s), location(s) and hours of the proposed business, use or activity along with the maximum total number of persons expected during the specific times of the proposed business, use or activity.

b) The application for permit shall describe in detail the security and safety plan and environment and health and sanitary facilities plan to be followed by the owner and operator, including what economic security shall be provided to the Town of Scott to ensure that adequate security, safety, environmental, health and sanitary personnel are and will be available and adequate and trained security and safety operations and adequate health and sanitary operations will be operated with by the owner and operator. NO permit or license shall be issued by the Town Board unless the Town Board determines that an adequate security and safety plan and an adequate environmental, health and sanitary facilities plan have been timely submitted to the Town of Scott and that the Town Board determines that the owner or operator or both are capable and willing to insure full compliance with these plans as submitted and approved and capable and willing to insure that adequate and trained security and safety personnel and adequate and trained environmental, health and sanitary personnel will be available to protect persons and property during the time of the operation.

c) The applicant shall deposit with in the Town Clerk of the Town of Scott adequate financial security to insure compliance with the permit and any conditions attached to the permit or license.

3) Additional Conditions on Permit

The Town Board may attach specific conditions to the permit in order to limit, negate or control potential public health and safety concerns and public nuisance concerns of the Town Board that may be associated with the uses, operation and activities as proposed. The applicant shall agree in writing to comply with these conditions prior to issuance of the permit or license.

B. Unlicensed Automobiles and Junked Automobile Permit

1) Junked Automobiles, Junked Vehicles, Junked Implements, Junked Machinery and other Junked Machines Permit.

NO person shall buy, sell, accumulate, store or deal in junk automobiles, junked vehicles, junked implements, junked machinery or junked machines any parts thereof without the owner of the land and the operator (if different) of such use, activity or operation obtaining an appropriate permit from the Town Board. In addition, any person who buys, sells, stores, accumulates or deals in any calendar year more than three unlicensed automobiles or other unlicensed vehicles where licenses are required to be issued by the Wisconsin Department of Transportation for vehicle travel on the public roadways and on highways in the State of Wisconsin shall be subject to this ordinance and shall be required to obtain the appropriate permit for the location of the buying, selling, accumulating, storing or dealing of these unlicensed automobiles or vehicles in the Town of Scott.

2) Specific Requirements for Permit

a) The area for the actual operation, use or activity shall be established and described in the permit. This area shall be completely surrounded, prior to operation, use or activity by a fence at least eight feet in height, with appropriate gates for access to and from the area. The gates shall maintain locked except during business operations. The fence shall provide adequate screening of the contents in the area for the general public.

b) NO unlicensed automobiles, unlicensed vehicles, junked automobiles, junked vehicles, junked implements, junk machinery or junked machines shall be stored in the area unless all hazardous and toxic wastes, including petroleum based oils and materials have been removed from the potential area and properly stored, treated or disposed of in compliance with state and federal laws and regulations.

c) NO manufacturing operations, uses or activities, involving the unlicensed automobiles, unlicensed vehicles, junked automobiles, junked vehicles, junked implements, junked machinery or junked machines may occur within the area without Town Board written approval. NO unlicensed automobiles, unlicensed vehicles, junked automobiles, junked vehicles, junked implements, junked machines or junked machinery renovation or repair may occur within the permitted area without Town Board written approval.

d) NO automobiles, vehicles, implements or other machines and waste, materials (junked or otherwise), including any solid or hazardous waste, shall be disposed in the permit area without Town Board written approval.

e) The applicants shall describe in detail the security and safety plan and the environmental, health and sanitary facilities plan by the owner and operator, including what economic security shall be provided to the Town of Scott to insure

that the adequate security, safety, environmental, health and sanitary personnel are and will be available and adequate security and safety operations and adequate environmental, health and sanitation operations will be complied with by the owner and operator. NO permit shall be issued by the Town Board unless the Town Board determines that an adequate security and safety plan and an adequate environmental, health and sanitary facilities plan has been timely submitted to the Town of Scott and the Town Board determines that the owner and operator are capable and willing to insure full compliance with these plans, as submitted and approved, and capable and willing to insure that adequate and trained security and safety personnel and adequate trained environmental, health and sanitary personnel will be available to protect persons and property during the time of the operation.

f) The applicant shall deposit with and in the name of the Town of Scott adequate financial security to insure compliance with the permit and any conditions attached to the permit.

3) Additional Conditions on the Permit

The Town Board may attach specific conditions to the permit in order to limit, negate or control potential public health, and safety and public nuisance concerns of the Town board that may be associated with the use, activities or operations as proposed. The applicant shall agree in writing to comply with these conditions prior to issuance of the permit.

4) Specific Location and Other Criteria

NO person, outside a building, may buy, sell, accumulate, store or deal in any unlicensed automobiles, unlicensed vehicles, junk automobiles, junk vehicles, junk implements, junk machines or junk materials or parts thereof within five hundred (500) feet of the center line of any Town of Scott Town Road or seven hundred and fifty (750) feet of the center line of a county trunk state trunks or federal highway without a permit by the Town Board. Within this area, only a total of five number of unlicensed automobiles, unlicensed vehicles, junked automobiles, junked vehicles, junked implements, junked machinery or junked machines may be stored at one time. A person violating this Section may be in violation of Section 175.25 Wis. Stats. or its successor provision.

5) Exceptions to Permit Requirements

1) Any person who fully contains unlicensed automobiles, unlicensed vehicles, junked automobiles, junked vehicles, junked implements, junked machines and junked machinery, including parts thereof, within a building or buildings approved by the Town Board for such storage and use shall not be required to obtain and maintain a permit. The Town of Scott however requires that no unlicensed automobiles, unlicensed vehicles or any such junk items or materials be stored in the Town of Scott unless all hazardous and toxic wastes and materials, including petroleum based oils and materials, have been removed

from the building and properly stored or disposed of in compliance with state and federal regulations. In addition, the owner and operator shall be required to comply with all Town of Scott and State of Wisconsin Building Code requirements, including the State Fire Code.

2) Any person outside the permitted area noted in subsection four (4) who fully covers junked automobiles, junked vehicles, junked implements, junked machines and junked machinery, including parts thereof, by a canvas, canopy or other suitable screening device or devices in the number and types approved by the Town Board may have the permit requirement waived at request of the applicant for a specific time period and upon certain conditions. However, the Town Board may at any time later notice the owner or operator that a permit will be required by the Town of Scott.

3) Vehicles, implements, machinery, etc. used in agriculture, forestry, mowing etc., are exempt if maintained in useable condition. Any item not actively used for three consecutive years shall be considered in violation of this ordinance.

C) Waste Disposal, Storage or Treatment Operation

1) Waste Disposal, Storage or Treatment Permit

NO person shall conduct, establish, manage or allow on land leased or owned by that person any waste storage, waste disposal or waste treatment operations without the owner of the land and operator obtaining the appropriate permit from the Town Board. This provision shall include the disposal, storage and treatment of any medical, toxic and hazardous wastes. This provision shall include any incinerators. This provision shall NOT include the storage, treatment or disposal of human or animal fecal waste. This provision does NOT include the land spreading of agricultural waste or the by products of agricultural production. This provision shall NOT include the proper disposal of residential solid waste at the residence of the owner or occupant and the open burning of residential solid waste in proper containers at the residence of owner or occupant unless such burning is not authorized by fire order of the Town Board.

2) Specific Requirements for Permits

The following are specific requirements for the permit:

a) The permitted area for the actual waste operations, use or activity shall be completely surrounded prior to operations, use or activity by a fence at least 8 feet in height with appropriate gates for access to and from the area. The gates shall remain locked except during business operations. The fence shall provide adequate screening of the controls of the area for the ground public.

b) NO solid waste at these waste operations shall be stored, treated or disposed in the waste operation area unless all medical, hazardous and toxic waste, including petroleum oils and materials, have been have been timely removed from the waste operations area and have been properly stored, treated or disposed of in

compliance with State and Federal laws and regulations. NO hazardous waste, medical waste or toxic waste shall be transported to or admitted for storage or disposal into a solid waste storage, disposal or treatment facility operation in the Town of Scott without specific written approval of the Town Board.

c) NO person, pursuant to Section 60.54 Wis. Stats. or its successor provisions on any Town Highway shall transport waste to and from a solid waste disposal facility or hazardous waste facility in the Town of Scott for the purpose of disposing of the waste in the Town of Scott unless the Town Highway has been designated in writing by the Town Board as appropriate for such transportation. The Town Board may prohibit by order the use of any other such Town Highways for that purpose.

d) NO person shall conduct, establish manage or allow on land owned or leased to that person any waste operation except on the following days and on the following hours: Monday, Tuesday, Wednesday, Thursday, and Friday, between the hours of 7:00 A.M. until 5:00 P.M.

(list)

e) No person shall conduct, establish manage or allow on land owned or leased by that person any waste operation where the operator or owner or both fails to timely provide by the request of the Town Board of the Town of Scott a current list of the names and addresses of persons who have the right to transport the waste to and from the waste operation in the Town of Scott.

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f) NO person shall conduct, establish, manage or allow on the land owned or leased by that person any waste operation where the operator or owner or both to timely provide to the Town of Scott a current list of names and addresses of persons for which waste will be or has been collected and for which the waste will be or has been later disposed, stored or treated at the waste operation in the Town of Scott.

g) No person shall conduct, establish, manage or allow on land owned or leased by that person any waste operation for which in the permitted area any waste building shall be allowed.

h) NO person shall conduct, establish, manage or allow on the land owned by that person any waste operation where any injury or damage to persons or property in the Town of Scott shall occur unless a timely written notice has been filed with the Town Clerk describing in detail the type, service and degree of injury or damage that occurred, to whom it occurred, when it occurred and where it

occurred. This shall include any pollution of groundwater or surface water at or beyond the permitted area.

3) Additional Conditions on Permit

The Town Board may attach specific conditions to the permit in order to limit, negate or control potential public health, safety and public nuisance concerns of the Town Board that may be associated with the use, activities or operations as proposed. The applicant shall agree in writing to comply with these conditions prior to issuance of the permit.

D. Camper, Mobile Home and Trailer Installation

1) Camper, Mobile Home and Trailer Installation Permits

NO person shall install, park, occupy, or store any camper, mobile home or trailer on any private or public land in the Town of Scott, outside of a mobile home park licensed by the Town of Scott, or outside a campground permitted by the Town of Scott, without the owner of the mobile home or trailer obtaining an appropriate permit from the Town Board. This requirement shall not apply for an emergency parking for two (2) hours or less in any one (1) week or to any other emergency parking or storage approved in writing by the Town Board or its designee. This provision shall not apply to manufactured homes subject to the Town of Scott building permit ordinance nor to any campers or trailers less than four hundred (400) square feet located in the Town of Scott that are used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes, that are temporarily located and parked on lands owned by the owner of the trailer and that where the land is the primary residence land of the owner of the trailer, but for which the trailer is not used by the owner or by any other person as the primary residence.

2) Specific Requirements for Permit

a) NO person in the Town of Scott shall install, park, store or occupy permanently or temporarily any camper, mobile home or trailer as a permanent dwelling or allow on lands owned or leased by that person for that purpose unless the camper, mobile home or trailer has been properly connected to and properly maintained for an adequate sanitary septic and an adequate potable water system as approved by the County of Monroe. This includes part-time or seasonal use of the permanent dwelling by the owner or occupant.

b) NO permit shall for installation and occupancy of a camper, mobile home or trailer be granted by the Town of Scott until the Town Board has received written assurance from the appropriate Monroe County official regarding the proper attachment and installation of the proposed septic and proposed water well system to the mobile home or trailer.

c) NO permit for temporary or permanent installation and occupancy of a camper, mobile home or trailer shall be granted until by the Town of Scott Town Board has received written assurance from the permit applicant regarding proper attachment and installation of an electrical system to the mobile home or trailer.

d) NO permit for temporary or permanent installation and occupancy of a camper, mobile home or trailer shall be issued until the Town Board has received written assurance from the permit applicant that the camper, mobile home or trailer is to be set upon a foundation that is approved by the Town Board, and is set upon land which is owned by the mobile home or trailer owner. The Town Board, may at its discretion, and upon conditions established by the Town Board, allow installation and temporary or permanent occupancy of a camper, mobile home or trailer on land not owned by the camper, mobile home or trailer owner with written approval of the landowner.

3) Additional Conditions on Permit

The Town Board may attach specific conditions to the permit in order to limit, negate or control potential public health and safety and public nuisance concerns of the Town Board that may be associated with the use, operations and activities as proposed. The applicant shall agree in writing to comply with these conditions prior to issuance of the permit.

E) Mobile Homes and Trailer Parks and Campgrounds

1) Mobile Home and Trailer Park License and Campground Permit

a) NO person shall construct, install or maintain a mobile home and trailer park nor a campground on any public or private land in the Town of Scott without the appropriate owner and operator or both of the mobile home and trailer park and the campground obtaining the appropriate license or permit. For purposes of this ordinance the park shall be defined as: any plot or plots of ground upon which 2 or more units, occupied for dwelling or sleeping purposes are located, regardless of whether or not a change is made for such accommodations. For purposes of this ordinance the campground shall be defined as: any plot or plots of ground on which two or more dependent or non dependent trailers, motor homes, tents, or other camping structures exist for recreational use on a non permanent bases.

2) Specific Requirements for a Mobile Home and Trailer Park Permit and Campground Permit

a) NO license for a mobile home and trailer park nor any permit for a campground shall be issued by the Town of Scott until the Town Board has received and approved complete written land use and engineering plans and specifications

from the owner of the proposed development demonstrating, at minimum, the following:

- (1) The area and dimensions of the proposed land.
- (2) The number, location and size of all proposed and current lots and proposed units for the park or campground
- (3) The location type and width of all proposed and current roadways
- (4) The location and details of any proposed or current water, sewer and other utility facilities
- (5) The location and details for any proposed or current water, refuse, and sewage disposal facilities
- (6) The location and details for any proposed or current service buildings or structures
- (7) The location and details of any proposed or current electrical, telephone and cable systems
- (8) The location and details of any proposed or current public facilities, including public toilets.
- (9) The location and details of any proposed or current public roads and accesses.
- (10) The drainage on the tract of land.
- (11) The location and details of any proposed or current walkways or sidewalks.
- (12) The location and details of any proposed or current fences and screening
- (13) The location and details of any proposed or current trees and shrubbery

b) NO person shall construct, install, park or occupy any other type of residential dwelling or any other type of commercial building, other than a camper, mobile home, a trailer or manufactured home, within the mobile home park licensed area or campground permitted area without written approval of the Town Board.

c) NO mobile home or trailer park or campground in the Town of Scott due to residential sewage removal and disposal concerns, shall have more than ten units.

d) The Town of Scott due to residential sewage removal and disposal concerns, limits the number of mobile home and trailer park licenses to one. The Town of Scott, due to residential sewage removal and disposal concerns, limits the number of campground permits to one.

e) The park operator or owner shall be responsible to collect the monthly parking permit fee from the mobile home or trailer owner. The park operator shall be entitled to 2% of the monthly fees collected.

f) The applicant shall deposit with and in the name of the Town of Scott adequate financial security to insure compliance with the permit and any conditions attached to the permit.

3) Additional Conditions on License or Permit

The Town Board may attach specific conditions to the mobile home and trailer park license and the campground permit in order to limit, negate or control potential public health and safety and public nuisance concerns of the Town Board that may be associated with the uses, operations and activities as proposed. The applicant shall agree in writing to comply with these conditions prior to such issuance of the permit.

V. Severability

The provisions of the ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance, irrespective of whether or not one or more provisions may be declared invalid. If any provisions of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions of other persons or circumstances shall NOT be affected.

VI. Effective Date

This ordinance shall become effective upon passage and the day after publication.

Town of Scott September 1999 Meeting Minutes

The monthly town board meeting was held on Tuesday Sept. 7, 1999 at 7:00 PM at the Town of Scott Town Hall. All board members were present. Tom Pedersen called the meeting to order and Jim Van Wychen read the minutes of last months meeting. Gene Pedersen moved and Jack Potter seconded a motion to accept the minutes as read. Motion passed. Mary Voltz gave the treasurers report. The town has the following balances in the checking account- 15,883.67, money market- 5245.86, cd- 25504.93.

Tom Pedersen moved and Gene Pedersen seconded a motion to approve an assessor's contract with Greg Gardiner for the period from Oct. 1, 1999 to September 30, 2002. Motion passed.

Tom Pedersen moved and Jack Potter seconded a motion to amend the Town of Scott building permit ordinance to add to section III-A. Mobile Homes manufactured before 1976 do not meet state code and can not be given a permit. Motion passed.

Jack Potter moved and Gene Pedersen seconded a motion to ammend Town of Scott building permit ordinance to add to section III-A. The Town of Scott has established a minimum dwelling size. No permit will be issued for and dwelling of less the 950 square feet. This shall be measured to include living space on the first floor and may not include basements, porches, entryways, etc. Multi family dwellings must have 950 square feet or more for each unit. Motion passed.

Gene Pedersen moved and Jack Potter seconded a motion to amend the Town of Scott building permit ordinance to add an amendment to section III-D. The Town of Scott will not approve holding tanks for sewerage. Holding tanks require heavy tanker trucks that are unacceptable during periods of road bans in the spring and during times of high water. Motion passed.

Gene Pedersen moved and Jack Potter seconded a motion to pay all current town bills. Motion passed.

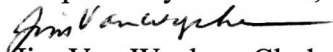
A discussion was held and it was agreed to pay election clerk workers \$70.00 for the special election because they have to work an additional hour.

A discussion was held on the town's land use plan. Tom Pedersen explained that more than 71% of land in the town is owned by government or in forest cropland programs. Another 21% of land in town are in cranberry and cranberry related lands. Less the 1800 acres is in private ownership and of that 800 acres is wetland.

The next town meeting will be held on Thursday Oct. 21, 1999 at 6:00 PM at the Town of Scott Town Hall.

Meeting adjourned at 8:15 PM

Respectively submitted,


Jim Van Wychen, Clerk

Town of Scott, Monroe Cty, May 1999 Meeting Minutes

The Town of Scott held its May, 99 Town Board Meeting on Tuesday May 11, 1999 at 7:00 p.m. at the Town of Scott Townhall. All board members were present along with Ed Gebhardt, Bob and Judy Meirs. Before the meeting started Cecil Hancock presented each of the board members with a poem he had written about the worth of a smile. Thank you Cecil. Minutes of the last month's annual town meeting were read. Gene Pedersen moved and Jack Potter seconded a motion to accept the minutes as read. Motion passed. Mary Voltz gave the treasurers report. We have \$32508.82 in checking and \$25085.69 in savings and \$25218.85 in CD.

The town is having a revaluation this year so the board of review will be held sometime in June, 99. Jack Potter moved and Gene Pedersen seconded a motion to adjourn the Board of Review, 1999 to a date in June. The exact date will be published when set. Motion passed.

Ed Gebhardt is retiring from being the Town of Scott patrolman. Ed has been patrolman for approximately 7 years. Thank you Ed for your service to the town. Tom Pedersen explained the potholes have been patched and work has started on the TRIP program on Copper Rd. Bids will be published for the seal coating for Copper Rd., Crescent Rd and Badger Rd. A discussion was held on whether we should purchase a new snowplow or fix the one we have. Ed Gebhardt suggested that we repair the one we have since we had most of the repairs done last winter. Town will check on getting the rest of the repairs done this summer.

The Town of Scott Public Nuisance Control Permit and Licensing Ordinances were discussed. Judy Meirs was concerned about the number of junked vehicles that a person could have before a permit would be required. Bob Meirs was concerned that his moss farming operation would not make him in violation of the ordinance. According to the ordinance as long as they are used in a farming operation they would be exempt. Gene Pedersen moved and Jack Potter seconded a motion to approve the Town of Scott Public Nuisance Control Permit and Licensing Ordinances. Motion Passed. Ordinance will be effective on posting date below.

Jack Potter moved and Gene Pedersen seconded a motion to approve the Town of Scott Building Permit Ordinance. Judy Meirs questioned the number of mobile homes that you can have before you need a mobile home park permit. If Judy shows the number is different than was is quoted in the proposed ordinance it can be changed a latter date. Motion passed. Ordinance will be effective on posting date below.

Jack Potter moved and Gene Pedersen seconded a motion to authorize town chairman to seek bids for seal coating town roads. Motion passed

Jack Potter moved and Gene Pedersen seconded a motion to post bids for hot mix repair to 750 feet of Augusta Road, 20 feet wide. Motion passed. Work can be done seven days after posting date below.

Gene Pedersen moved and Jack Potter seconded a motion to pay all current town bills. Motion passed.

Meeting adjourned at 8:40 p.m. Next meeting set for Tuesday June 8, 1999 at 7:00 p.m. at the Town of Scott town hall.

SEE ATTACHED ORDINANCES

Respectively submitted,

James Van Wyck, Clerk
POSTED MAY 16, 1999