CHAPTER 15

TREMPEALEAU COUNTY LIVESTOCK FACILITIES PERFORMANCE STANDARDS

15.01 Title. This section shall be known, cited and referred to as the Trempealeau County Livestock Facilities Performance Standards.

15.02 Intent and purpose. This Ordinance is adopted for the purpose of:

Establishing a procedure for the permitting of livestock facilities.
Protecting livestock facilities from residential encroachment.
Protecting human and animal health.
Protecting human welfare.
Protecting the natural environment.
Protecting property values.
Regulating the location, development, and expansion of livestock facilities.
Protect agriculture’s ability to grow and change.
Reduce conflicts between municipalities, rural non farm dwellings and livestock facilities.
Compliance with the requirements of ATCP50, ATCP51 and NR151 State Administrative Rules.

15.03 General provisions

(1) Jurisdiction. Subject to 59.69 (5)(e), Wis. Stat., the jurisdiction of this Ordinance shall include all areas of Trempealeau County outside the incorporated limits of municipalities.

(2) Scope. From and after the effective date of this Ordinance and subsequent amendments, all new livestock facilities, expanding livestock facilities and existing livestock facilities for which permits are required under this ordinance or are requested by a livestock facility operator shall be designed, built and operated in conformity with the provisions of this Ordinance.

(3) Application.

(a) In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements.

(b) Where requirements under other laws, regulations or Ordinances are more restrictive than those set forth in this Ordinance, those requirements shall apply unless otherwise forbidden by ATCP51.
15.04 Definitions

(1) Aids to interpretation.

(a) For the purpose of this Ordinance, words used in the present tense shall include the future. Words in the singular shall include the plural, and the plural the singular.

(b) The word “person” shall include a firm, association, organization, partnership, trust, company or corporation as well as an individual.

(c) The word “shall” is mandatory and not discretionary.

(d) The word “may” is permissive.

(e) The word “lot” shall include the word “plot”, “piece” and “parcel”.

(f) The masculine gender includes the feminine and neuter genders.

(g) All distances, unless otherwise specified, shall be measured horizontally.

(2) Specific Words and Purposes Defined.

(a) “Agricultural use” means beekeeping; commercial livestock facilities; dairying; egg production; floriculture; fish or fur farming; licensed game farms; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; participating in milk production termination program under 7 USC 1446 (d); and vegetable raising.

(b) “Animal” means domesticated and other types of animals together with fish and birds.

(c) “Animal manure” means poultry, livestock or other animal excrement or a mixture of excrement with feed, bedding or other materials.

(d) “Animal unit” means a unit of measure used to determine the total number of single animal types or combination of animal types which are fed, confined, maintained or stabled in a livestock facility. For purposes of this Ordinance, animal unit equivalents are based on s. NR243(3) as it existed on April 27, 2003, or subsequent amendments. For animals not listed, the number of animal units shall be defined as the average weight of the animal divided by one thousand (1,000) pounds.
<table>
<thead>
<tr>
<th>Livestock Type</th>
<th>Animal Unit Factor</th>
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<tbody>
<tr>
<td><strong>Dairy Cattle</strong></td>
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<tr>
<td>Milking and Dry Cows</td>
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<tr>
<td>Heifers (800 lbs. to 1200 lbs.)</td>
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<td>Heifers (400 lbs. to 800 lbs.)</td>
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<tr>
<td>Calves (up to 400 lbs.)</td>
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<tr>
<td><strong>Beef</strong></td>
<td></td>
</tr>
<tr>
<td>Steers or Cows (600 lbs. to market)</td>
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</tr>
<tr>
<td>Calves (under 600 lbs.)</td>
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<tr>
<td>Bulls (each)</td>
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<tr>
<td><strong>Swine</strong></td>
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<tr>
<td>Pigs (55 lbs. to market)</td>
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<tr>
<td>Pigs (up to 55 lbs.)</td>
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<tr>
<td>Sows (each)</td>
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</tr>
<tr>
<td>Boars (each)</td>
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<tr>
<td><strong>Poultry</strong></td>
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</tr>
<tr>
<td>Layers (each)</td>
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<tr>
<td>Broilers (each)</td>
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<td>Ducks - dry lot (each)</td>
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<td><strong>Sheep (each)</strong></td>
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<tr>
<td><strong>Goats (each)</strong></td>
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</tbody>
</table>

*Number of units is based on an average weight per growing cycle.

(e) “ATCP51” means the DATCP Administrative Rule that Counties are required to comply with in the implementation of Wisconsin’s Livestock Facility Siting Law, s.93.90 Stats., created by 2003 Wis. Act 235.

(f) “Drylot” means an enclosure usually bare of vegetation and used for the holding of livestock.

(g) “Expansion” means an increase in the largest number of animal units kept at an existing livestock facility on at least 90 days in any 12-month period. Ordinance requirements associated with the expansion of livestock facilities is dependant on the size of the facility and are specified in 15.06(1) of this Ordinance.

(h) “Existing Livestock Facility” has the meaning as defined in s. NR151.095(5)(b).
(i) “Hobby farm” means a use of the land that is primarily residential in nature but may include the raising of livestock primarily for recreational purposes. A hobby farm shall consist of less than ten (10) animal units.

(j) “Lagoon” means a biological treatment system designed and operated for biodegradation, converting organic matter in animal wastes to more stable end products. This system is differentiated from a storage facility by design in that it is a system that reduces the amount of material that needs to be removed. A lagoon is also characterized as a long term facility versus the short term nature of a storage facility.

(k) “Livestock” means animals kept for use on a farm, range or lot and/or raised for sale and profit. For purposes of this Ordinance, livestock types to be subject to regulation are limited to cattle, swine, poultry, sheep and goats.

(l) “Livestock facility” means an operation or facility, including a dairy facility, feedlot, drylot other than a pasture, where animals have been, are or will be fed, confined, maintained or stabled for a total of forty-five (45) consecutive days or more, or such other period of time which is equivalent to the shortest growth cycle for the type of animal so fed, confined, maintained or stabled, in any twelve (12) month period.

Two or more Livestock facilities that are under common ownership, farmed or managed by a common operator and are separated by no greater than 750 feet are considered to be a single facility for the purposes of this Ordinance.

For the purpose of developing the 590 Nutrient Management Plan two or more livestock facilities whether under common ownership or not, are deemed to be a single livestock facility if they utilize a common area or system for the disposal of wastes and are separated by no greater than 750 feet.

(m) “Manure storage area” means an area used for the temporary storage of animal manure or run-off containing animal manure until it can be utilized as domestic fertilizer or removed to a permitted animal manure disposal site.

(n) “Manure storage facility” means a permanent site used in conjunction with a livestock facility on which animal manure or run-off containing animal manure is stored until it is utilized as domestic fertilizer or removed to a permitted animal manure disposal site.

(o) “Navigable waters” means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state.
Under s.281.31(2m), Wis. stats, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under s. 59.69, Wis. Stats, and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to farm drainage ditches if:

1. Such lands are not adjacent to a natural navigable stream or river.
2. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
3. Such lands are maintained in nonstructural agricultural use.

(p) “New livestock facility” has the meaning as defined in s. NR151.095(4)(d).

(q) “Non-conforming structure and use” means any structure, land or water lawfully used, occupied, or erected at the time of the effective date of this Ordinance or amendments thereto which use or structure does not conform to the regulations of this Ordinance or amendments thereto. Any such structure conforming as to use but not as to locations or dimensional limitations shall be considered non-conforming.

(r) “NR151 Agriculture Performance Standards and Prohibitions” means those Agriculture Performance Standards and Prohibitions specified in Subchapter II of s. NR151.

(s) “Pasture” means land with a permanent, uniform cover of grasses or legumes used for providing forage to livestock. For this ordinance, pastures also include areas where cattle are wintered or carried on crop residue (corn stover, bean stover, hay, etc.), along with some supplemental feeding during the winter, drought or flooding. Pastures are not bare of vegetation or crop residue. What is a pasture shall be further limited by and be subject to the grazing rates established in accord with University of Wisconsin Extension “Grazing Reference Material Manual”.

(t) “Permit” means the granting of authority by the County to conduct certain activities subject to this Ordinance which may also include a certificate of compliance.

(u) “Permitted use” means a use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards of such district.
(v) “Water Quality Management Areas” means those areas in the County in which each livestock facility is required to comply with certain prohibitions through use of a variety of Best Management Practices (BMP) if his/her/its operation is:

- Within 300 feet of a stream; or
- Within 1000 feet of a lake; or
- Specific sites based on susceptibility and the possibility of direct conduits to groundwater

(w) “Wetland” means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions. The Wisconsin Wetlands Inventory Maps produced by the Wisconsin Department of Natural Resources Bureau of Planning will be used as references in determining the size and location of wetlands. Discrepancies between the wetland inventory maps and actual field conditions will be determined at the discretion of the Zoning Administrator.

(x) “WPDES” means a State of Wisconsin Pollutant Discharge Elimination Permit issued pursuant to Chapter 283, Wis. Stats.

(y) “590 Nutrient Management Plan” means a nutrient management plan developed following all the criteria within the USDA Natural Resources Conservation Service (NRCS) conservation practice standard Nutrient Management Code 590, dated 09/2005, or subsequent amendments.

15.05 Administration. The Trempealeau County Livestock Facilities Performance Standards Ordinance shall be administered by the Trempealeau County Zoning Department with technical assistance and support to be provided by the Trempealeau County Land Conservation Department and the University of Wisconsin Extension Agricultural Agent if and when available.

15.06 General regulations

(1) Livestock Facilities Restricted to Agricultural Zone. Livestock facilities shall only be located on land parcels of Trempealeau County that are zoned to allow for livestock facilities as a permitted or conditional use. Livestock facilities will be designated as either permitted or conditional uses dependent on the size classification of the proposed operation:

(a) A new livestock facility with 10 to 299 animal units shall be considered a permitted use subject, however, only to the requirement that the livestock facility immediately comply with the Agriculture Performance Standards and Prohibitions as specified in Subchapter II of s. NR151. None of the setback limitations imposed under Section 15.08 (2) shall apply to livestock facilities with less than 299 animal units.
(b) An expansion of an existing livestock facility of 10 to 299 animal units shall be considered a permitted use subject, however, only to the requirement that the expanded portion of the livestock facility immediately comply with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151.

(c) A new livestock facility of 300 - 999 animal units shall be considered a conditional use and shall require a conditional use permit. The livestock facility shall immediately comply with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151 and the permit application and compliance requirements of s. ATCP51.30. A public hearing shall be required.

(d) An expansion of an existing livestock facility of less than 300 animal units that shall be at least 300 animal units as a result of the expansion. This expansion shall be considered a conditional use and shall require a conditional use permit. A public hearing may be required. The livestock facility shall immediately comply with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151 and the permit application and compliance requirements of s. ATCP51.30.

(e) An expansion of less than twenty (20) percent of an existing livestock facility of 300 to 999 animal units shall be considered a permitted use subject, however, only to the requirement that the expanded portion of the livestock facility immediately comply with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151.

(f) An expansion of at least twenty (20) percent of an existing livestock facility of at least 300 animal units but less than 1000 animal units following expansion. This expansion shall be considered a conditional use and shall require a conditional use permit. A public hearing may be required. The livestock facility shall immediately comply with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151 and the permit application and compliance requirements of s. ATCP51.30.

(g) A livestock facility containing 1,000 or more animal units shall be considered a conditional use and shall require a conditional use permit. A Wisconsin Pollution Discharge Elimination System (WPDES) Permit shall be obtained from the Wisconsin Department of Natural Resources and shall be attached to the permit application. A public hearing shall be required.

A livestock facility existing and operational at the time of this Ordinance that is not in compliance with regulations of this Ordinance shall be considered to be existing non-conforming. An existing non-conforming livestock facility that is
abandoned or not operational for a period of sixty (60) consecutive months shall no longer retain its non-conforming status and must comply with all of the regulations set forth in this Ordinance prior to the reintroduction of livestock.

(2) Livestock Facilities Permits Required. Under the following conditions a livestock facilities permit is required:

(a) A new livestock facility of at least ten (10) animal units is proposed for a lot or a site on a lot where a livestock facility does not exist at the time of application for a permit nor at which site a livestock facility existed on October 1, 2002;

(b) Expansion of an existing livestock facility is proposed;

(c) An existing livestock facility voluntarily seeks to be permitted;

(d) An existing permitted livestock facility is to be restocked after being abandoned, or unused for sixty (60) or more consecutive months.

(e) A livestock facility permitted prior to the effective date of this ordinance expands or seeks to expand beyond the number of animal units allowed by the pre-existing permit.

(3) Duration of Livestock Facility Permit. Permits issued prior to the effective date of this Ordinance shall expire seven (7) years following the date of issuance. Permits issued following the effective date of this ordinance are issued to the livestock facility and shall be transferable. The permit shall remain in effect until such time that the county terminates the permit in accordance with s. ATCP51.34(4) or the livestock facility has been unused or abandoned for sixty (60) consecutive months.

(4) Information Requirements for a Livestock Facilities Conditional Use Permit.

(a) A completed conditional use permit application that meets the requirements of ATCP51.30. The application forms and accompanying worksheets required by ATCP51.30 are available from the Trempealeau County Zoning Department. Each application for a conditional use permit shall be accompanied by the fee required.

(b) A list of all adjacent property owners and a separate listing of all property owners within a two (2) mile radius of the livestock facility.
Information Requirements for a Livestock Facilities Permit.

(a) A completed permit application listing all owners and operators, if not the owners, signed by at least one of the owners. Each application for a permit shall be accompanied by the fee required.

(b) A statement as to the number of animal units by livestock type that existed on the facility on the effective date of this Ordinance.

(c) A statement as to the maximum number of animals, by average weight range, that will be confined at the livestock facility at one time.

(d) A scaled map of the site showing the following information:
   1. The locations and dimensions of all animal confinement buildings including outside lots.
   2. The locations, dimensions, and design criteria of any manure storage facilities.
   3. The location of any well, active or abandoned, and its distance to the nearest confinement building or outside lot.
   4. The drainage patterns on the site.
   5. The location of all structures within the setback area of the proposed facility.
   6. Proof of ownership or control and timeline for construction.

(e) New livestock facilities of 10-299 animal units must provide evidence that the livestock facility complies with the Agricultural Performance Standards and Prohibitions contained within Subchapter II of s. NR151 as well as the setback requirements of this ordinance.

(f) Existing livestock facilities expanding to less than 300 animal units must provide evidence that the expanded portion of the livestock facility complies with the Agriculture Performance Standards and Prohibitions contained within Subchapter II of s. NR151 as well as the set back requirements of this ordinance.

Notification of Adjacent Property Owners Required. As is required by ATCP51.30(6) all adjacent property owners shall be individually provided by the Zoning Administrator a copy of the notice of application completeness that is provided by an applicant for a livestock facilities conditional use permit.

15.07 Permit criteria

(1) Standards Applicable to All Livestock Facilities. The following standards shall be met by all livestock facilities, whether permitted under this Ordinance or subject to a conditional use permit:
a) All new or expanding manure storage facilities shall conform with the Trempealeau County Animal Waste Management Ordinance. All plans for manure storage lagoons and manure storage structures shall be designed and the plans signed, by an agricultural or civil engineer registered in the State of Wisconsin, or by an agricultural engineer practitioner as defined by the Wis. Adm. Code DATCP 50.95.

(b) New or expanding livestock facilities and existing livestock facilities sought to be permitted shall conform with the County’s Livestock Facilities Performance Standards Ordinance.

(c) New or expanding livestock facilities and existing livestock facilities sought to be permitted must comply with Subchapter II of s. NR151.

(d) All livestock facilities designs must be reviewed and approved by the Land Conservation Department.

(e) The Land Conservation Department shall review all livestock facilities projects to ensure that runoff water from storm water and other sources does not create a pollution or sedimentation problem. Livestock facility construction projects must meet the requirements of the Wisconsin Department of Natural Resources “Wisconsin Construction Site Best Management Practice Handbook”.

(2) General Setbacks for Livestock Facilities

(a) New or expanding livestock facilities are prohibited in the one hundred (100) year floodplain.

(b) New or expanding livestock facilities shall comply with well separation requirements of s. NR812.08 as of 10-1-94.

(c) New or expanding livestock facilities shall be set back a minimum of seventy five (75) feet from the normal high water mark of navigable waters. An existing livestock facility already located at less than seventy five (75) feet from navigable waters may expand, but the addition shall not further encroach upon the shoreline setback.

(d) New or expanding livestock facilities shall be set back a minimum of seventy five (75) feet from a public or private drainage ditch, if the drainage ditch is connected to navigable waters. The expansion of an existing livestock facility already located at less than the required setback distance may expand, but the addition shall not further encroach upon the drainage ditch setback.
(e) New or expanding livestock facilities of less than 1000 animal units shall be set back 100 feet from the property lot line. An existing livestock facility already located at less than the one hundred (100) feet may expand, but the addition shall not further encroach upon the property lot line setback.

(f) New or expanding livestock facilities of 1000 animal units or greater shall be set back 200 feet from the property lot line. An existing livestock facility already located at less than the two hundred (200) feet may expand, but the addition shall not further encroach upon the property lot line setback.

(g) New or existing livestock facilities shall not construct manure storage structures within 350 feet of a property lot line or within 350 feet of the nearest point of any road right-of-way. A manure storage structure on an existing livestock facility already located at less than the three hundred fifty (350) feet may expand, but the addition shall not further encroach upon the property lot line or road right-of-way setbacks.

(3) General Standards and Setbacks for Manure Application.

(a) New or expanding livestock facilities need an approved 590 Nutrient Management Plan. If the livestock facility owner does not own land sufficient to implement a 590 Nutrient Management Plan, the applicant must provide signed land spreading contracts providing for spreading rights consistent with the 590 Nutrient Management Plan. Permits shall automatically terminate upon the expiration of such contract(s) unless extensions or alternative contracts consistent with the 590 Nutrient Management Plan has been secured.

(b) Animal manure shall not be stored for longer than one (1) year.

(c) Setbacks for manure application shall be in compliance with the NRCS conservation practice standard Nutrient Management Code 590, dated 09/2005. Spreading of manure is not allowed on the Public right-of-way.

(4) Livestock facilities Located in Water Quality Management Areas. In the event that it is proposed to place a livestock facility in one of the following described locations, before a permit shall be issued the owner or operator shall demonstrate its compliance with Sec. 15.07 (1) (c) of this Ordinance:

(a) Within three hundred (300) feet of a stream.

(b) Within one thousand (1000) feet of a lake.

(c) Specific sites identified by the Zoning Department as susceptible to groundwater contamination.
15.08 Conditional use permits for livestock facilities

(1) Circumstances Requiring Issuance of Conditional Use Permits. Conditional use permits shall be required for all livestock facilities described in Sec. 15.06(1)(c), (d), (f), and (g), and for the siting of single family dwellings (see (2), below).

(2) Siting of Single Family Dwellings Limited. A single family dwelling, other than that of the owner of the livestock facility or a family member, which is proposed to be located within twice the required setback area of a permitted livestock facility, shall require a conditional use permit. Conditional use permits granted for a single family dwelling to be located within the required setback area of a permitted livestock facility shall not preclude the permitted livestock facility from future expansion provided that all of the requirements of this Ordinance are satisfied. If granted, a conditional use permit for a single family dwelling in the setback area shall include as one condition that the applicant and his/her successors in interest shall be limited by Sec. 823.08, Wis. Stats., in their pursuit of nuisance actions against the owner or operator of the livestock facility.

(a) In addition to other information required under other applicable state and local regulations, an applicant for a conditional use permit must submit the following information to the Zoning Department:
   1. Standard Permit and/or Conditional Use Permit Application and fee.
   2. A topographical survey of the lot highlighting existing features, manmade and natural, and the structures and components of the proposed residence.
   3. Location of all livestock facilities within four hundred (400) feet.
   4. Well location for the proposed structure.
   5. Evidence of title to and/or right to use the property.
   6. Letter from the Town Board regarding the proposed single family dwelling.
   7. Names and addresses of all adjoining property owners.
   8. Any additional information the Zoning Committee may require in accordance with this Ordinance.

15.09 Permit Modification. For permit holders who want to make minor modifications to their existing permit, they must seek approval from the Department of Land Management (DLM). Permit modifications may include increasing animal unit threshold by 30% or less up to 600 animal units, minor building projects (30% of existing square footage up to 20,000 square feet or less), additional animal lots, transfer of operation, etc. Projects not subject to Permit Modification include manure storage construction, major building projects (greater than 30% of existing square footage up to 20,000 square feet), major animal unit expansions (greater than 30% of previous threshold or over 600 animal units), and permitted facilities under 300 animal units requesting an expansion that will put the total animal unit count at 300 or above.
A public hearing may still be required for a permit modification if your operation is over 300 animal units. Operations under 300 animal units that have a Trempealeau County Livestock Permit that wish to expand beyond 300 animal units will need to complete the Department of Agriculture, Trade, and Consumer Protection (DATCP) Livestock Facility Siting Permit, and have a public hearing. For permitted facilities requesting a permit modification that will increase their threshold to 1000 animal units or above, the permittee must first apply for a Wisconsin Pollutant Elimination Discharge System Permit (WPDES Permit, also known as CAFO Permit) through the Department of Natural Resources before DLM will approve a permit modification. Permit transfers of 300+ animal unit operations will not require a public hearing unless there will be changes to the operational practices currently taking place such as increase in animal units, change of animal type/species, and/or construction of additional buildings, structures, or manure storage. The fee schedule for permit modifications are listed in Section 15.15. The permit modifications must comply with Subchapter II of NR151.

15.10 Livestock facilities declared to be agricultural use. In accord with Sec. 823.08(2)(b), Wis. Stats., all livestock facilities operated pursuant to a permit or conditional use permit under this Ordinance are considered to be an agricultural use of land.

15.11 Entry to be afforded to Zoning Department as a permit condition. Each permit for construction and operation of a livestock facility shall be subject to the requirement that the owner of the lot on which it is located together with the occupant, if operated by someone other than the owner, shall constitute a right of entry to Zoning Department officers and agents and to entry to all parts of the livestock facility and the lot on which it is located for inspection purposes relating to conformity of its construction and operation to the terms of this Ordinance. Such inspections shall, except for emergencies, take place between 8:00 a.m. and 5:00 p.m. Monday through Saturday. Before entering upon the land of a permit holder the inspector shall make a reasonable attempt to contact the owner or occupant by telephone or in person at least 24 hours in advance of the proposed inspection.

15.12 County intervention to prevent or limit pollution from leaking lagoon or manure storage system. If a livestock facility, whether operated pursuant to a permit issued under this Ordinance or not, contains a lagoon or other storage system for the retention of animal manure, which lagoon or other storage system is in a state of disrepair or is otherwise neglected or has been abandoned by its owner or operator and if upon inspection by the County it is determined that manure is leaking into the groundwater or onto the surface of the ground or into adjacent surface waters, the County may, with or without notice to the owner or operator, take such steps as are necessary to drain or contain said manure so as to prevent or limit pollution resulting from such a release. If the County, through its own resources and employees or through a contractor, is forced to take such steps,
it shall collect the costs thereof against the owner and/or operator of the leaking lagoon or manure storage system. If necessary, legal action shall be commenced to compel reimbursement to the County.

15.13 **Owner/operator responsibility for leaking lagoon or manure storage system not to be limited by county intervention under section 15.11.** The decision of whether or not to intervene under Section 15.11 to prevent or limit pollution from a leaking lagoon or manure storage system shall be vested in the sound discretion of the Land Conservation Department Administrator and the Zoning Administrator. Even in the event, however, that the County engages in such a process it shall not, as a result thereof, be held to assume any responsibility for the negligence or failure of the owner or operator to properly maintain and operate the lagoon or manure storage system in question.

15.14 **Violations subject to action.** Any person who, with or without a permit, under this Ordinance violates any of its standards or requirements shall be subject to imposition of an appropriate forfeiture in accordance with the Chapter 11 of this Ordinance or injunctive relief or both in the discretion of the County.

15.15 **Fees.** The fee schedule adopted by the joint Zoning Committee/Land Conservation Committee as amended from time to time shall be in effect in the administration of this Ordinance.

### Livestock Facilities Fee Schedule

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<th>Animal Units</th>
<th>Permit Fee</th>
<th>Public Hearing Fee</th>
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### Fee Schedule for Permit Modification

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**Transfer of operation to non-family member**

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<th>Public Hearing Fee</th>
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<td>$50</td>
<td>N/A</td>
</tr>
<tr>
<td>50-149</td>
<td>$100</td>
<td>N/A</td>
</tr>
<tr>
<td>150-299</td>
<td>$150</td>
<td>N/A</td>
</tr>
<tr>
<td>300+</td>
<td>$250</td>
<td>N/A (unless operational changes listed above take place, then $200)</td>
</tr>
</tbody>
</table>

Transfer of operation to family member - $25 for all size operations ($200 public hearing fee if required)

**Revised September 2018**