

ORDINANCE 2008-1

- To Regulate the Operation of Campgrounds in the Town of Prairie Lake-

THE TOWN BOARD OF THE TOWN OF PRAIRIE LAKE, BARRON COUNTY, WISCONSIN,
HEREBY ORDAINS AS FOLLOWS:

Section One: That the following Ordinance shall be adopted:

CAMPGROUND ORDINANCE

§ 1.0 Purpose

The provisions of this Ordinance are enacted for the purpose of protecting the public health, safety and general welfare of residents and transients in the Town, to prevent overcrowding and unsanitary conditions on real estate and to establish minimum requirements for the establishment and operation of campgrounds in the Town of Prairie Lake. The standards and requirements of this Ordinance are intended to provide a wholesome community environment, adequate public services, and the conservation of natural resources, resulting in a desirable recreational facility.

§ 2.0 Authority

This Ordinance is adopted in accord with §§60.10(2)(c), 60.22(3), & 61.34(1)&(5) Wis. Stats., pursuant to which the Town Board is authorized to adopt police power ordinances for and on behalf of the health, safety, welfare and convenience of the public by necessary and convenient means. The requirements of HFS 178, Wis. Adm. Code and all other applicable codes shall be minimum standards and are supplemented with this Ordinance. This Ordinance shall be applied in accordance with the Town of Prairie Lake Comprehensive Plan.

§ 3.0 Definitions

In this Ordinance, terms shall be defined as follows:

“Camp” or “Camping”: The use of a shelter, such as a tent, trailer, motor vehicle or recreational vehicle as a form of temporary residence or for sleeping purposes.

“Camping Unit”: Any single shelter, except sleeping bags and hammocks, used for a camp by a camping party.

“Campground”: Any parcel or tract of land owned by a person, the state or local government, which is designed, maintained, intended or used for the purpose of providing sites for non-permanent overnight use by 4 or more camping units, or by one to 3 camping units if the parcel or tract of land is represented as a campground.

“Camping Party”: Any individual, family or non-family group occupying a campsite.

“Individual Campsite”: A segment of a campground for overnight camping use by not more than 6 persons unless all are members of an individual family.

“Pre-existing Campground”: Any licensed campground in operation previous to date of the passing of this ordinance.

“Licensee”: Any person licensed by the Town to operate and maintain a campground.

“Person”: Any natural person, partnership, corporation or other form of association.

“Police Power Ordinances”: The government’s right to impose laws, statutes and ordinances, including zoning ordinances and building codes, to protect the public health, safety and welfare.

“County”: Barron County, Wisconsin

“Town”: The Town of Prairie Lake, Barron County, Wisconsin.

“Town Board”: The Town Board of the Town of Prairie Lake.

§ 4.0 Pre-existing Campgrounds

- 4.1 Any lawful campgrounds existing at the time of adoption of this Ordinance or amendments thereto may be continued although such campgrounds do not conform to the provisions of this Ordinance with the exception of those provisions contained in Section 7 of this Ordinance which must be complied with by all campgrounds within the Town.
- 4.2 Any pre-existing campground which has been unlicensed by the Town for a period of one license cycle per §6.0(a) shall not be re-established except in conformity with this Ordinance.
- 4.3 No pre-existing campground may be expanded or added to except in conformity with this Ordinance. In cases where a campground is expanded or added to, only the area expanded or added to must conform to this ordinance.
- 4.4 A lawful pre-existing campground shall be required to apply for a license within 60 days of the passage of this Ordinance, in compliance with §6.2.

§ 5.0 Physical Layout

- 5.1 Campsites shall be a maximum of 15 sites per acre with a minimum average of 2200 square feet per site, excluding roads, driveways adjacent to campsite, buffer zones and common areas.
- 5.2 For the purpose of preserving the rural character of the Town as set forth in the Town of Prairie Lake Comprehensive Plan, there shall be a maximum of 150 campsites per licensed campground.
- 5.3 All campgrounds shall be buffered and screened. Where no vegetative screening exists, screening will be developed. The buffer zone must be at least 15 feet wide and the screening will not be less than 8 feet high containing trees, shrubs, berms or any combination thereof to screen the boundaries visible from public roads, adjacent property or adjacent waterways. This screening shall be made of natural materials to enhance the surrounding landscape. An exception is made for visual or physical access ways to an adjacent waterway that are consistent with state and county shoreline codes.
- 5.4 Whether attached to individual campsites or otherwise, each campground shall provide adequate space for the parking of at least two (2) motor vehicle per campsite in addition to the site provided for the camping unit, which occupies each such site. Each such parking space shall be at least 20 feet in length by 10 feet in width and shall not block access by emergency vehicles.
- 5.5 Each campsite designed for vehicular camping units shall have frontage upon an access drive or private road maintained by the campground for the purpose of vehicular and pedestrian access to and from an adjoining public highway.
- 5.6 Where access drives or private roads are provided they shall not be less than 12 feet in width, to allow for adequate access to each campsite for emergency vehicles.

- 5.7 The provisions of this ordinance shall also be applicable to any proposed condominium campground.
- 5.8 All exterior lighting shall be fitted with opaque shields to prevent direct visibility of the lamp to persons on public waters or adjacent lands more than 50 feet beyond the campground.
- 5.9 A fish and game cleaning station shall be provided that is reasonably fly-tight and vermin-proof and maintained in a sanitary manner.

§ 6.0 Licenses, New Applications and Renewals

6.1 Licenses

- (1) No person shall own, operate or maintain a campground on real estate in the Town of Prairie Lake without first having obtained a license for such campground from the Town Board in accord with this Ordinance. Campground licenses shall be valid for two (2) years, except that the initial license shall expire on June 30 of the next or current even-numbered year (with the fee being pro-rated accordingly). All licenses will expire on June 30 of even-numbered years.
- (2) A copy of the current County license for the campground plus a copy of the most recent HFS 178 inspection report must be submitted at the time of application or renewal.
- (3) A campground operating without a valid license is subject to closure by the Town Board.
- (4) Beginning with the enactment of this Ordinance, the cost of a campground license will be as follows: 1 – 25 sites, \$50; 26 – 50 sites, \$75; 51 - 100 sites, \$85, 101 – 150 sites, \$100.
- (5) Should the license application not be timely (within 15 days of its being due), there shall be a penalty fee of \$50 imposed in addition to the regular license fee.
- (6) The license application shall include the name, address, telephone number, fax number and email address, if any, of each owner or operator of the campground and the legal description of the property on which the campground is located.
- (7) Licenses are not transferable without the approval of the Town Board.
- (8) Multiple licenses shall not be issued for a single property.
- (9) Multiple licenses shall not be issued for adjacent or abutting properties for the purpose of creating a campground larger than that allowed in Section 5.2.

6.2 New Applications to Operate a Campground

- (1) Applications for new campgrounds or additions to existing campgrounds shall be subject to approval or denial by the Town Board acting in accord with the requirements and restrictions of this Ordinance and all other applicable ordinances and laws.
- (2) In considering the **initial approval** for any person or persons seeking to operate a campground in the Town of Prairie Lake, the Town Board will, at a minimum, weigh its compatibility with the tenets of the Town's Comprehensive Plan, with the State and County regulations, with the conservation of natural resources, with predominant use in the surrounding neighborhood and with this Ordinance.
- (3) Persons wishing to establish a new campground or an addition to an existing campground in the Town of Prairie Lake shall:
 - (a) Appear before the Town Plan Commission and the Town Board for approval **before** seeking Land Use Permits from Barron County.

- (b) Provide the legal description of the property and photos showing pre-construction ground surface slope, roads, paths and other natural aspects of the land along with a scaled plan or map of the proposed campground.
- (4) Before approval for the use of land for a new campground or for modifications to or expansion of an existing campground, the Town Board shall hold a public hearing on a Class II Public Notice. In the event that approval is denied, the Town Board shall provide the reasons therefore to the owner or operator in writing.
- (5) The **application for the license** for the operation of a campground or campground addition must include:
 - (a) The number, placement of and dimensions of each campsite.
 - (b) The location and size of all washrooms, restrooms, solid waste disposal facilities and sanitary waste disposal facilities, the number and construction and maintenance of which shall be in accord with applicable state, county and local health and safety standards. In addition, the plan shall reflect the location of all private sanitary disposal systems, natural gas lines, oil or gas storage facilities, public telephones, storm shelters and other buildings which are located upon the campground, including those made available to camping parties and those whose use is restricted or personal to the owner or operator.
 - (c) Location, size and purpose or function of all other facilities made available to the use of camping parties and situated in and upon the grounds of the campground.
 - (d) Proof of compliance with all applicable sections of Comm. 16, the State Electrical Code, and Comm. 81 – 84, the State Plumbing Code. This proof shall be in the form of all inspection reports for rough-in and final inspections done by credentialed commercial plumbing and commercial electrical inspectors.
 - (e) For applicants who do not own the property on which the proposed campground is located, a copy of the lease or other contract by which permission or authority to make use of the real estate for purposes of operation of a campground have been granted to the applicant by the owner thereof.

6.3 Renewal of Campground License

- (1) Applications for renewal of campground licenses must include:
 - (a) The name, address, telephone number, fax number and email address, if any, of each owner or operator of the campground and the legal description of the property on which the campground is located.
 - (b) Proof of Private Onsite Waste Treatment Systems (POWTS) maintenance as required by Barron County and the State of Wisconsin.
 - (c) A copy of the current County license for the campground plus a copy of the most recent County inspection report.
 - (d) The appropriate fee according to the following schedule: 1 – 25 sites, \$50; 26 – 50 sites, \$75; 51 - 100 sites, \$85, 101 – 150 sites, \$100. (A penalty as in 6.1(5) shall apply.)
- (2) No public hearing shall be required for renewal of a campground license.

§ 7.0 Regulations

- 7.1 A copy of this Ordinance and the campground license plus emergency contact number shall be posted conspicuously on a bulletin board for public review.

- 7.2 It shall be the responsibility of each campground owner/operator to maintain the campground in a clean, orderly, safe and sanitary condition and comply with this Ordinance and all other applicable ordinances, administrative codes and laws.
- 7.3 No public nudity will be allowed in any licensed campground in the Town.
- 7.4 No camping unit which has been damaged by fire or other casualty or which is deemed uninhabitable due to structural damage, plumbing damage and/or disconnection, electrical damage or hazards, or heating appliance damage shall be allowed to be inhabited until repairs are made. Such damaged units shall be promptly repaired complying with all applicable Codes and Standards. Units that are not being worked on in a continuous manner shall be removed from the campground within thirty (30) days of the date of the notice to remove.
- 7.5 Camping units that are deemed uninhabitable will not be allowed to be placed, parked or stored on any campground in the town.
- 7.6 All portions of the real estate upon which a licensed campground is located and which are open to the public, including all open spaces and enclosures, buildings or other structures used or made available for use by the public in association with the operation of said campground and structures outside of the designated campground area that supply or house utilities shall be open to the Town, its officers, health officers, law enforcement officers, firefighters and ambulance and emergency rescue personnel for purposes of maintaining the property, health, safety and welfare of the public. The licensee, by applying for and holding a Town license, shall be deemed to have consented to said entry of the aforementioned officers.
- 7.7 All plumbing, sanitary and electrical facilities, gas distribution lines and other public facilities in each campground shall be constructed, operated and maintained in accord with all applicable state, county and local laws, ordinances and regulations at the time that such systems were installed.
- 7.8 In areas of the campgrounds where open fire is permitted, fire rings, no more than 4 feet in diameter, will be established and provided by the campground operator in a safe manner as determined by local officials.
- 7.9 The Town of Prairie Lake retains the right to inspect campgrounds if the Town Board has evidence that the County or the State is not acting to enforce the statutes for which the County or the State are responsible.
- 7.10 The Town of Prairie Lake retains the right to revoke, suspend, or place limitations on a campground license if the Town Board has evidence that the campground is in violation of this Ordinance or if there are habitual law enforcement issues at the campground.
- 7.11 This Ordinance is subject to the enforcement and appeals process as established by the Town of Prairie Lake. In lieu of an established appeals process any holder of a license which is revoked or suspended by the Town Board may, within twenty (20) days of the date of such revocation or suspension, appeal therefrom to the Circuit Court of Barron County by filing a written notice of appeal with the Town Clerk together with a bond executed to the Town in the sum of Five Hundred Dollars (\$500.00) with two sureties or a bonding company approved by the Town Clerk, conditioned for the faithful prosecution of such appeal and the payment of costs adjudged against him/her.
- 7.12 The Town Board is authorized to impose penalties, fees and/or fines in accordance with the established Schedule of Fees and Deposits for non-compliance with this Ordinance.
- 7.13 Maintained fire extinguishers, Type ABC, 5# minimum, shall be provided for all public buildings in the campground.

7.14 All Special Event camping as described in HFS 178 must come before the Town Board for approval.

§ 8.0 Severability

Should any section, paragraph or other subdivision of this Ordinance be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall be severed from the remainder of the Ordinance, which shall remain in full force and effect as if the offending portion was never adopted in the first place.

§ 9.0 Campground Ordinance Operation in Addition to Other Ordinances, Laws and Regulations

Except as to provisions of other ordinances of the Town which are expressly in conflict with the provisions of this Ordinance, which prior ordinances shall be deemed to be repealed or replaced by this Ordinance, it is not the intent of this Ordinance to repeal or amend any other ordinances and to the extent that other ordinances of the Town or of the County or laws or regulations of the State of Wisconsin may regulate the operation of campgrounds, they shall remain in full force and effect in the Town.

Section Two: That this Ordinance shall take effect upon its adoption and publication as required by law. That this section not be codified.

Dated this 11th day of March, 2008

TOWN OF PRAIRIE LAKE

By: */s/ Dale Lehner*
Dale Lehner, Chairman

Attest:
By: */s/ Karn Moe*
Karn Moe, Clerk

/s/ Janice Rustong
Janice Rustong, Supervisor

/s/ Wayne Brenholt
Wayne Brenholt, Supervisor

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