

**TOWN OF WAUPUN
FOND DU LAC COUNTY, WISCONSIN**

**ORDINANCE REGULATING LIVESTOCK OPERATIONS
AND NUTRIENT MANAGEMENT**

The Town Board of the Town of Waupun does hereby ordain as follows:

Section 1.0 Authority. The Town adopts this Ordinance under the authority set forth in Wis. Stat. § 92.15(2), Wis. Stat. § 281.16(3), the following provisions of the Wisconsin Administrative Code: ATCP § 50.60, ATCP § 50.04 and NR § 151.096.

Section 2.0 Purpose. The purpose of this Ordinance is to implement local regulation of livestock operations and nutrient management consistent with regulations promulgated by the Wisconsin Department of Agriculture, Trade and Consumer Protection and Wisconsin Department of Natural Resources.

Section 3.0 Severability. In the event that any portion of this Ordinance is determined to be invalid or unenforceable in whole or in part, the same shall be enforced to the extent that it is found to be valid and enforceable. In addition, other provisions of this Ordinance shall also remain in full force and effect notwithstanding the invalidity or unenforceability of any other section or part thereof.

Section 4.0 Adoption of State Regulations. The following, including any amendments or renumberings thereof, are hereby adopted and incorporated with full force and effect in this Ordinance: ATCP §§ 50.04, 50.61 and 50.62; NR §§ 151.02, 151.05, 151.06, 151.07 and 151.08, together with all other statutory and Administrative Code provisions referenced therein and all appropriate statutory and Administrative Code definitions of terms used therein.

Section 5.0 Enforcement. Upon a finding that any person is in violation of any of the provisions adopted herein, the Town shall cause written notice of such violation to be issued to such person by regular mail. The notice shall inform the person briefly of the nature of the violation and the penalties which may be imposed for the violation. The notice shall also inform the person of the Town's intention to take appropriate enforcement actions unless the violation is cured within 30 days.

Section 6.0 Forfeitures. In the event that any person fails to cure a violation which is the subject of a notice given under Section 5.0 above, each day of the continuation of the violation, beginning on the first date on which the violation is known to have occurred, shall constitute a separate violation which shall be subject to a separate forfeiture. Such person shall forfeit \$10 for each day of the continuation of the violation during the first 30 days and \$25 for each day of the continuation of the violation thereafter. In the event that any forfeiture prescribed hereunder exceeds the amount permitted under any governing state statute or regulation, the forfeiture shall be the maximum amount permitted under such statute or regulation.

Section 7.0 Effective Date. This Ordinance shall take effect and be in force on and after the date of its publication as provided by law.

Adopted this _____ day of _____, 2007.

TOWN OF WAUPUN

By: _____
Town Chairman

Attest:

Town Clerk

Published: _____

Posted: _____