

Code of Ordinances – Administrative changes

1. Create section 10.0521 and add this ordinance text to that section
2. Add Campgrounds as a Conditional Use in zoning districts A-1, A-2, C-1, C-2, B-1, B-2, P-1
3. Delete “5. Campgrounds” from 10.0515(B)
- 4.

**Ordinance No. \_\_\_\_\_**  
**Town of Ahnapee, Kewaunee County, Wisconsin**  
**Campgrounds and Campground Licenses**

**PURPOSE**

The provisions of this Ordinance are enacted for the purpose of protecting the public health, safety and general welfare of residents and guests 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 Ahnapee. 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.

**AUTHORITY**

This Ordinance is adopted in accordance 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 Chapter ATCP 79, Wis. Adm. Code and all other applicable codes shall be minimum standards and are supplemented with this Ordinance.

**SEVERABILITY CLAUSE**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**ADOPTION OF ORDINANCE AND SCOPE**

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, applies to all lands in the Town of Ahnapee, Kewaunee County, Wisconsin. The Town Board shall be responsible to administer this Ordinance. No new or expanded campgrounds may be constructed unless all required approvals have been given. This ordinance is effective on publication or posting. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

## 10.0521 – Campgrounds and Campground Licenses

### A. Definitions

In this ordinance the following definitions shall apply:

1. Auxiliary Structure. A structure or structures on a campsite, including, but not limited to, a shed, deck, garage, or picnic shelter.
2. Camp or Camping. The use of a camping unit, shelter, such as a camper vehicle or tent, as a form of temporary residence or for sleeping purposes.
3. Campground. Means a parcel or tract of land owned by a person, state, or local government that is designed, maintained, intended, or used for the purpose of providing three (3) or more campsites offered with or without charge, for temporary overnight sleeping accommodations.
4. Camping Party. Any individual, family, or non-family group occupying a campsite.
5. Campsite. Means an area of a campground that is designated by the operator as capable of accommodating an independent or dependent camping unit. A campsite may be one or a combination of the following as referenced and defined in Chapter ATCP 79 of the Wis. Adm. Code: (a) Individual campsite. (b) Group campsite. (c) Seasonal campsite. (d) Rustic campsite.
6. Camping Unit. Means a structure, including a tent, camping cabin (as defined in Chapter ATCP 79 of the Wis. Adm. Code), yurt, recreational vehicle, mobile home, or manufactured home, bus, van, or pickup truck.
7. Camper Vehicle. Means a vehicle, whether factory or home built, whether on or off wheels, whether towed or carried on a motor vehicle or self-propelled, including, but not limited to, recreational vehicles, hitch mount pull behind trailers, pop up tent trailers, campers meant to be affixed to the bed of trucks and converted vehicles such as buses, trucks, or trailers. Such vehicles may be with or without complete kitchen and toilet facilities, self-contained water and sewage systems and designed to be used as a temporary dwelling for travel, recreation, or vacation use and having a maximum main floor area of four hundred (400) square feet.
8. “Camper Vehicle” does not include mobile homes, manufactured homes, and “Park Models”.
9. Condominium Campground. A campground in which sites are owned individually and the building common areas and facilities are owned by all owners on a proportional undivided basis. A condominium campground is a legal form of ownership and not a specific campground type or style.
10. County. Kewaunee County, Wisconsin
11. County Highway. A highway, inclusive of all public ways and thoroughfares and all bridges on the same, operated by the County for public travel purposes.
12. Inspector. The Town Building Inspector for the Town of Ahnapee or other person designated by the Town Board.
13. Licensee. Any person licensed by the Town to operate and maintain a campground.

14. Non-permanent structure. A physical shelter having form and substance, including, but not limited to floor, walls, windows, doors, and a roof, which is not permanently affixed to a foundation and whose supplies of potable water, sewage disposal and electrical current, among other utility services, are not permanently attached or incorporated into the design of the structure in accordance with applicable state or local codes. This includes, but is not limited to, what are commonly referred to as tents and tent platforms.
15. Parcel or Lot. A unit or parcel of land legally described and of record with the county Register of Deeds
16. Person. Any natural person, partnership, limited liability company, corporation, or other form of association.
17. 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.
18. Pre-existing Campground. Any licensed campground in operation previous to date of the passing of this ordinance.
19. Town Board. The Town Board of the Town of Ahnapee.
20. Town. The Town of Ahnapee, Kewaunee County, Wisconsin.
21. Town Road. A highway, inclusive of all public ways and thoroughfares and all bridges on the same, operated by the Town for public travel purposes.

#### B. Licenses, Applications, and Renewals

1. No person shall own, operate, or maintain a campground on real estate in the Town of Ahnapee without first having obtained a license for such campground from the Town Board in accordance with this Ordinance. Campground licenses shall be valid for two (2) years, except 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 (if required by the County) plus a copy of the most recent application and permit issued to the applicant by the State of Wisconsin pursuant to Chapter ATCP 79 of the Wis. Adm. Code must be submitted at the time of license application or renewal.
3. At the time of filing of a license application the applicant shall pay the Town the application fee in an amount established by a resolution of the Town Board from time to time and on file in the office of the Town Clerk.
4. All reasonable costs incurred by the Town Board or its agents to properly review the Campground license application, and any proposed variance, including the employment of the necessary services of engineers, attorneys, planners, and other professional consultants for said review, shall be the responsibility of the applicant who shall timely and fully reimburse the Town of Ahnapee for these costs. The Town Board may require that all or a portion of the known costs of application approval and variance review be paid in advance. The Town Board may also establish a deposit schedule for review fees.
5. Should the license application not be timely (within fifteen (15) days of its being due), there shall be a penalty fee as stipulated in Appendix A 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 issued under this Ordinance are not transferable without the express, written approval of the Town Board.
8. Multiple licenses shall not be issued for a single parcel.
9. No person shall apply for and no campground license shall be issued for a campground which occupies all or portions of adjoining parcels or lots. Each applicant shall be required to prove to the Town Board that all of the land upon which the campground is proposed to be situated, is owned or controlled by the applicant under a lease from the owner and the Town Board reserves the right to require of the applicant, where the campground site extends over lot lines onto two or more parcels owned or controlled by the applicant, that the applicant combine those legal descriptions through the creation of a certified survey map. Nor may any person apply for or receive multiple campground licenses with which to operate separate campgrounds on the same or adjoining parcels or lots.
10. **Building Permit Required**  
No construction of any type of structure is permitted without first obtaining a building permit issued pursuant to the Town of Ahnapee Zoning Ordinance, the county zoning ordinance, or any other town or county ordinance and all applicable statutes and provisions of the Wisconsin Administrative Code.

C. **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 accordance 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 Ahnapee, the Town Board will, at a minimum, weigh its compatibility with the State and County regulations, with the conservation of natural resources, and with this Ordinance.
3. Persons wishing to establish a new campground or an addition to an existing campground in the Town of Ahnapee shall:
  - (a) 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.
  - (b) 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.
  - (c) The application for the license for the operation of a campground or campground addition must include the following items. The application shall not be considered complete and no license to operate will be issued until all items are submitted to the satisfaction of the Town:
    - 1) The number, placement of, and dimensions of each campsite.

- 2) 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 accordance 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.
  - 3) 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.
  - 4) Proof of compliance with all applicable sections of Wisconsin Commercial Building Code for electric and plumbing as found in Chapter SPS 362 of the Wis. Adm. 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. This proof shall be submitted whenever available at a date later than the application.
  - 5) 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) Such other and further information or plans as are deemed by the Town Board to be necessary for it to fully consider and where appropriate to grant a campground license under this Ordinance.
4. The campground operator shall provide to the Town, prior to the issuance of its campground license, a performance bond in the amount, not to be less than Five Thousand Dollars (\$5,000) or such additional amounts as the Town Board deems to be appropriate based on the size and improvements of the campground, to guarantee to the Town that upon loss or surrender of its campground license, the operator shall remove all camping units from the licensed parcel or lot and properly dispose of all debris and solid waste remaining upon its cessation of operation. The Town Board shall approve of both the amount of the bond as well as its issuer and the Town shall be named as the beneficiary of the said bond.
  5. No campground license shall be issued for a proposed campground layout that is bisected by a County Highway or Town Road. All campground facilities and all campsites in a campground shall be located together on one side of the right-of-way of a highway or road that physically divides an applicant's parcel or lot.
- D. Pre-existing Campgrounds
1. Any campground in operation at the time of adoption of this Ordinance or any amendments hereto may continue to be operated even though the manner in which the business is conducted is not in full conformity with the provisions hereof. The only exception to this is that all campground operators shall conform their

operations with Section 10.0521(M) of this Ordinance entitled Operating Regulations.

2. In cases where a campground is expanded or added to, only the area expanded or added to must conform to this ordinance.
3. 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 Section 10.0521(D).
4. Any pre-existing campground licensed per D.3 above and subsequently allowing said license to lapse for a period of one (1) license cycle per shall not be re-established except in conformity with all provisions pertaining to new campgrounds contained in this Ordinance.

#### E. 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 required Onsite Waste Treatment System (POWTS) maintenance as required by Kewaunee 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 Appendix A
2. No public hearing shall be required for renewal of a campground license.
3. Prior to the approval of the campground renewal the Town may require an inspection of the campground to assure ongoing compliance with this Ordinance.

#### F. Physical Layout: Maximum Number of Sites - For the purpose of preserving the rural character of the Town, there shall be a maximum of forty (150) campsites per licensed campground.

#### G. Density and Size of Campsites - Campsites shall be a maximum of 20 sites per acre with a minimum average of 2200 square feet per site. Roads, driveways, and vehicle parking areas adjacent to campsites may be included in the minimum average computation. Buffer screening areas as required in Section H.1, public areas and vehicle parking areas detached from campsites may not be included in the minimum average calculation.

#### H. Buffers, Screening, and Noise

1. All campgrounds shall be buffered and screened for all seasons. Where no vegetative screening exists, screening will be developed and maintained. 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.
2. 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.

3. Between the hours of 11pm and 8am each day, the decibel level of any activity related to camping and any ancillary activity offered by the owner of the campground to its guests, including but not limited to, that noise coming from recreational or off-road vehicles such as ATV's, UTVs, go-carts, or unlicensed motorized vehicles, shall NOT EXCEED  $L_{8.33} = 60$  dBA measured at the property line.
  4. Between the hours of 8am and 11pm each day, the decibel level of any activity related to camping and any ancillary activity offered by the owner of the campground to its guests, including but not limited to, that noise coming from recreational or off-road vehicles such as ATV's, UTVs, go-carts, or unlicensed motorized vehicles, shall NOT EXCEED 80 dBA measured at the property line.
- I. Roadways and Parking
1. 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.
  2. Where access drives or private roads are provided they shall not be less than twelve (12) feet in width and sixteen (16) feet overhead clearance to allow for adequate access to each campsite for emergency vehicles.
  3. Where crossing a County Highway or Town Road is necessary to access a river, stream, lake or pond, a County or Town approved pedestrian crosswalk shall be required.
  4. Whether attached to individual campsites or otherwise, each campground shall provide adequate space for the parking of at least two (2) motor vehicles 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. Motor vehicles shall not be substituted for or used as camping units.
- J. Condominium Campgrounds - The provisions of this ordinance shall be applicable to any proposed condominium campground.
- K. Municipal Permit Fee
1. The Town shall collect a monthly municipal permit fee from the owners of all improvements made to leased land in campgrounds.
  2. On January 1 the assessor shall determine the total fair market value of all improvements made on leased land in campgrounds and communicate these values to the clerk. The clerk shall multiply these values by the general property gross tax rate, less any credit rate for the property tax relief credit to determine the total annual permit fee for each owner of improvements made on leased land. This total annual permit fee shall be divided by 12 and shall represent the monthly municipal permit fee.
  3. The monthly municipal permit fee shall be paid by the owner to the clerk on or before the 10<sup>th</sup> of the month following the month for which the monthly municipal permit fee is due.
- L. Other Structures
1. No auxiliary or non-permanent structure shall be fixed, mounted or attached to a camper vehicle in any manner which would prevent the ready removal and transport of the camper vehicle.

2. No auxiliary or non-permanent structures larger than a combined two-hundred (200) square feet shall be allowed at any campsite.
3. A fish and game cleaning station if provided, shall be reasonably fly-tight and vermin proof and maintained in a sanitary manner.

#### M. Operating Regulations

##### 1. Postings and Inspections

- (a) The campground license and emergency contact numbers shall be posted conspicuously on a bulletin board on the campground premises for public review.
- (b) 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, inspectors, health officers, law enforcement officers, firefighters and ambulance and emergency rescue personnel for purposes of inspection of the premises for compliance with this Ordinance. The licensee, by applying for and holding a Town license, shall be deemed to have consented to said entry of the aforementioned officers, at reasonable hours of the day.

##### 2. Health and Safety

- (a) With the express exception of motor vehicles parked on campsites in accordance with Section I.4, above, only camper vehicles shall be allowed on campsites.
- (b) 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.
- (c) 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.
- (d) No person shall establish a special events campground pursuant to Chapter ATCP 79 of the Wis. Adm. Code without first obtaining the permission of the Town Board in consideration of the health, welfare, and safety of campers and residents of the Town.

##### 3. Camper Vehicle Licensing and Equipment Requirements

- (a) All camper vehicles must be maintained in legal roadworthy condition and licensed as required by Wisconsin DOT.
- (b) The wheels or similar devices for transportation of any camper vehicle shall not be removed except for repairs lasting no more than ten (10) days.
- (c) No camper vehicle shall be fixed, mounted, or attached to the ground, another vehicle, auxiliary or non-permanent structure in any manner which would prevent the ready removal and transport of the camper vehicle.

#### N. Violations and Penalties



1. Any person, firm, or corporation who violates, disobeys, neglects, omits, tries willfully to circumvent the intent of the Ordinance, refuses to comply with this Ordinance, or resists enforcement of any of its provisions shall be subject to a written notice of violation.
2. The Building Inspector, a law enforcement officer, or any other authority authorized by the Town Board may require by written order any premises violating this Section to be put in compliance within thirty (30) days or other time as specified in such order.
3. If the premises are not brought into compliance within the time specified in the written violation, then The Town Board, a law enforcement officer or any other authority authorized by the Town Board may issue citations or bring civil actions before the circuit court to collect forfeitures as may from time to time be determined by the Town Board.
4. The Town of Ahnapee retains the right to revoke, suspend, or place limitations on a campground license if the Town Board has evidence that the campground is in habitual violation of this Ordinance or if there are habitual law enforcement issues at the campground.
5. This Ordinance is subject to the enforcement and appeals process as established by the Town of Ahnapee.
6. Penalties
  - (a) Each written notice shall be considered a new violation of this Ordinance. Forfeitures shall be assessed in the following manner:
    - (1) Failure to comply with first written notice: \$250.00
    - (2) Failure to comply with second written notice issued within 90 days of first notice: \$500.00
    - (3) Failure to comply with third written notice issued within 90 days of second notice: not less than \$500.00 nor more than \$1,000.00 for each day of continued non-compliance following the expiration of the notice period contained in the notice served.

O. 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.

P. Variances

1. Variances to the standards of this Ordinance may be considered by the Town Zoning Board of Appeals for the Town of Ahnapee. The Zoning Board of Appeals shall provide written findings to support their decision to either grant or deny the request for variance. Applications for a variance must be accompanied by the appropriate payment of fees set forth by the Town of Ahnapee and must, at a minimum, demonstrate that:

- (a) Failure to grant the variance would result in exceptional and unnecessary hardship to the applicant.
  - (b) The hardship described in paragraph (a) above, shall of necessity relate to special circumstances pertaining to the applicant and may not be based on mere inconvenience or financial hardship to the applicant, or be a self-created hardship of the applicant.
  - (c) Granting of the variance will not be materially detrimental to the public health, safety, welfare, use, or interest.
  - (d) The granting of the variance will not materially compromise the goals and policies of the Town of Ahnapee, be inconsistent with other applicable regulations, or be inconsistent with the purpose of this Ordinance.
2. Applications for a variance shall require a public hearing with a Class 1 notice of the hearing with a written notice by U.S. Mail to adjacent property owners for which the variance is requested and the Town of Ahnapee Zoning Administrator. The Town shall send the written notice by certified mail at least five (5) working days prior to the public hearing on the variance. All reasonable costs incurred by the Town of Ahnapee associated with the review of the variance shall be the responsibility of the applicant, including all legal and engineering fees.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

In Favor:    Opposed:

_____	_____
_____	_____
_____	_____

Attest:

\_\_\_\_\_ Town Clerk

## APPENDIX A - FEE SCHEDULE

The Town of Ahnapee has established the following fee schedule for campgrounds in the Town of Ahnapee to be paid by the applicant at time of initial application or renewal, or as otherwise stipulated by the Town Board.

### NEW CAMPGROUND LICENSE

1 TO 25 SITES	\$500
26 TO 50 SITES	\$750
51 TO 100 SITES	\$1000
101 TO 150 SITES	\$1500

### RENEWALS AND FIRST APPLICATION OF A PRE- EXISTING CAMPGROUND

1 TO 25 SITES	\$250
26 TO 50 SITES	\$500
51 TO 100 SITES	\$750
101 TO 150 SITES	\$1000

### VARIANCE REQUEST

VARIANCE REQUEST MADE AT TIME OF INITIAL APPLICATION	\$250
VARIANCE REQUEST MADE SUBSEQUENT TO INITIAL APPLICATION	\$500

### OTHER RELATED FEES

Late application penalty fee \$50 in addition to regular license fee.

Any required mailings to nearby landowners at cost.

Any additional studies, legal fees, or engineering analysis required by the Town at cost.