

Title 7, Chapter 7

**TOWN OF CLEVELAND
Ordinance to Impose a New Moratorium
on Construction Inconsistent With Existing Activities and Land Uses,
Changes in Existing Activities and Land Uses, and
Expansion of Existing Activities and Land Uses
Pending the Study of Possible Legislative Action**

RECITALS

WHEREAS, the Town of Cleveland (the “Town”) enacted Title 7, Chapter 4 Moratorium Ordinance on April 20, 2018, which was amended on May 9, 2018 to create a Moratorium (the “Moratorium”) on activities described therein (collectively, the “Moratorium Ordinance”); and

WHEREAS, Sections 4 and 5.4 of the Moratorium Ordinance authorized the Town to extend the Moratorium beyond April 20, 2019 by duly adopted ordinance; and

WHEREAS, on April 19, 2019, the Town extended the Moratorium to October 20, 2019, and

WHEREAS, the Town has updated and passed its Comprehensive Plan, has completed base-line water quality testing, but has not adopted proposed licensing ordinances or other regulations; and

WHEREAS, the Town has been informed that the State of Wisconsin is currently addressing setbacks from residences adjacent to large-scale agricultural developments under administrative regulation and has discovered groundwater contamination impacting wells, which causes the Town to continue with investigation of its legislative options to regulate activities impacting the health, safety, and welfare of the Town as discussed in the Moratorium Ordinance;

WHEREAS, the Town is unable to extend the original Moratorium beyond October 20, 2019 pursuant to Wis. Stat. § 66.1002(3)(b)2.

NOW, THEREFORE, the Town Board of the Town of Cleveland, Chippewa County, pursuant to its authority under Wis. Stat. § 61.34, the general police powers of a village board, which have been conferred on the Town Board pursuant to Wis. Stat. §§ 60.10(2)(c) and 60.22(3) and Wis. Stat. §§ 60.23, 60.61, and 60.62, does hereby create this Town of Cleveland Ordinance Imposing a new Moratorium on Construction Inconsistent With Existing Activities and Land Uses, Changes in Existing Activities and Land Uses, and Expansion of Existing Activities and Land Uses Pending the Study of Possible Legislative Action, and does ordain as follows:

1. The Town Board hereby adopts the Moratorium Ordinance by reference, ratifies the conditions and terms of the Moratorium Ordinance as a new ordinance in purpose and effect. Notwithstanding, Sections 4 and 5.4 of the Moratorium Ordinance are modified to provide a termination date of March 20, 2020.

2. The Town Clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 21 day of Oct, 2019.

Town of Cleveland Town Board

By: Michael Beighley
Mike Beighley, Chairperson

Pete Hetke, Supervisor

Ann Hansen
Ann Hansen, Supervisor

Attest: Linda Laird
Linda Laird, Town Clerk

Posted/Published: 10/21/19 10 AM