

Draft Rock Elm Ordinance - Page 27 line 17

Section 2. Purpose

The purpose of this Ordinance is to effectively, efficiently and comprehensively regulate the operation of Large-Scale Concentrated Animal Feeding Operations of 1,000 animal units or greater (“CAFO”) in the Town of Rock Elm, **without respect to siting**, to protect public health (including human and animal health), safety, and general welfare, to prevent pollution and the creation of private nuisances and public nuisances, to preserve the quality of life, environment, and existing small-scale livestock and other agricultural operations of the Town of Rock Elm and to achieve water quality standards within the Town of Rock Elm. This Ordinance sets forth the procedures for obtaining a CAFO Operations Permit for the operation of new and expanded livestock facilities in the Town of Rock Elm (sometimes referred to as “the Town”).

This language clarifies that this not a siting ordinance. Here is the basic information on Wisconsin 93.90.

Department of Agriculture, Trade and Consumer Protection (DATCP)

- a. [Livestock Facility Siting and Expansion Wisconsin Statute 93.90](#) - Passed in 2006, local governments must adopt authority for siting using either licensing or zoning with conditional use permits. There is no authority in Rock Elm because Rock Elm has not adopted the 93.90 statute.
- b. [Livestock Facility Siting Rule ACTP 51](#) - This is the rule for 93.90. It defines the details such as setbacks, air pollution, nutrient and runoff management, and waste storage. An attempt to revise the rule was stopped in November 2019. This rule does not apply to Rock Elm.