

## TOWN OF MUKWA

### REVISED ORDINANCE # 4-09

#### AN ORDINANCE TO REGULATE THE CONSTRUCTION OF PONDS

The Town Board of the Town of Mukwa, Waupaca County, Wisconsin, does ordain as follows:

Anyone creating a pond, wildlife scrape or any other type of impoundment shall first obtain a permit from the Town of Mukwa. **Exception:** Any pond or impoundment, less than 100 square feet in size, measured around the perimeter (of the water) shall be exempt from these provisions.

Setbacks for ponds, wildlife scrapes or other impoundments shall meet the required building setbacks for the zoning district in which they are constructed.

A minimum of 20% of the perimeter of any pond or impoundment shall have a side slope of 5:1 (5 horizontal to 1 vertical). The perimeter of the pond or impoundment and all associated disturbed areas shall be planted to vegetation within 5 days of completion or as soon as the soil is suitable for planting.

For ponds larger than one-acre in size or multiple ponds on a parcel that cumulatively affect more than one acre, spoil material may not be exported (whether for profit or not) from the property unless a conditional use permit for non-metallic mining has been issued by Waupaca County, and a permit for non-metallic mining has been issued by the Town of Mukwa. A Reclamation Permit (NR135) from East Central Wisconsin Regional Planning Commission (ECWRPC) will also be required.

For ponds smaller than one acre in size, spoils may be exported for profit or not. A conditional use permit through the county will not be required. However, a one-acre exemption under (NR135) may be required. Please notify ECWRPC.

All construction and excavation shall be done in such a manner and sequence to minimize soil erosion and water pollution. Wisconsin Department of Commerce-Administrative Code 21.125 provides the standards for Erosion Control per NR 151.12 and has been adopted by the Town of Mukwa by reference.

In the interpretation and application of this Ordinance, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town of Mukwa and shall not be construed to be a limitation or repeal of any other power granted by the Wisconsin Statutes, as may be amended from time to time, or now possessed by the Town of Mukwa.

This ordinance shall take effect immediately upon its passage and publication or posting as provided by law.

The Town Board of Supervisors of the Town of Mukwa, Waupaca County, Wisconsin, adopted the above and foregoing amended ordinance at a meeting held on the 21<sup>st</sup> day of September, 2009.

Aye: 3

No: 0

/s/James Curns, Town Chairman

/s/Michael G. Wundrock, Supervisor #1

/s/Neil Freeman, Supervisor #2

/s/Jeannette Zielinski, Mukwa Town Clerk

Code of Ordinance Published: 9/10/09

Posted at:

Northport Convenience Center: 9/21/09

Bean City Bar & Grill: 9/22/09

Mukwa Town Hall: 9/21/09

Adoption of Ordinance Published: 9/24/09