

CHAPTER XIV.

ANIMAL WASTE

SECTION 14.00. Standards. The Town Board shall adopt standards for design and construction of earthen animal waste storage facilities.

SECTION 14.10. Permit Required. No person shall construct an earthen animal waste storage facility on lands under his ownership, lease, or control within the Town without first obtaining a permit to do so from the Town Board.

SECTION 14.20. Application. Application for a permit required under Section 14.10 shall be submitted in writing, in duplicate, to the Town Clerk. The application shall set forth the following:

- a. The name and address of the applicant.
- b. The name and address of the owner of the site upon which the animal waste storage facility is to be constructed.
- c. A sketch of the proposed facility and its location in relation to buildings, open water and lowlands.
- d. The structural details, including dimensions, cross-sections and concrete thickness.
- e. The number and kinds of animals for which waste storage is provided.
- f. The location of any wells within 300 feet of the facility.
- g. The soil test pit locations and descriptions or logs to a depth of at least 3 feet below the planned bottom of the facility.
- h. The elevation of ground water or bedrock if encountered in the soil profile and the date of such determinations.
- i. The provisions for adequate drainage and control of runoff to prevent pollution of surface water and ground water.

j. A time schedule for construction of the facility.

The application shall be accompanied by a fee of \$250 to defray the costs of investigation and granting of said permit.

SECTION 14.30. Review.

14.31. Upon receipt of an application submitted as provided above, the Town Board shall inspect the premises for which a permit is requested and shall submit the application to the Kenosha County Sanitarian and/or any other person or party for review.

14.32. Upon recommendation of the County Sanitarian and any other person or party to whom the said application was referred, the Town Board shall determine if the proposed facility meets all required standards and is in the best interest of the public or the Town of Brighton. Within thirty (30) days after receiving the completed application and fee, the Town Board shall inform the applicant in writing whether the permit application is approved or disapproved. If the application is incomplete or additional information required, the Town Board shall notify the applicant of the additional information required. The Town Board shall have thirty (30) days from the receipt of the additional information in which to approve or disapprove the application.

SECTION 14.40. Permit/Construction. Upon issuance of a permit hereunder, the permittee shall complete construction of the animal waste storage facility within ninety (90) days.

14.41. All permits issued under this chapter shall be issued subject to the following conditions and requirements:

- a. Animal waste storage facility standards adopted by the Town.
- b. The permittee shall give two (2) working days notice to the County Sanitarian and Town Board before starting any construction activity authorized by the permit.

SECTION 14.50. Animal Waste Spreading. Any spreading of animal waste in the Town shall be subject to the following requirements:

- a. Animal waste applied to land within the 10-year flood plain, or within 200 feet of rivers, lakes or streams if the flood plain is not known, must be incorporated into the soil within 72 hours of application.
- b. Animal waste shall not be applied to soils less than 10 inches thick over fractured bedrock. Waste applied to shallow soils (10 to 20 inches thick) over fractured bedrock must be incorporated into the land within 72 hours of application.
- c. Animal waste shall be incorporated into the soil within 72 hours of a application when more than 25 tons per acre per year of dairy manure or equivalent are applied.
- d. Animal waste shall not be spread in a waterway, terrace channel, or any area where there may be a concentration of runoff.
- e. Animal waste shall not be applied on frozen soil with a slope greater than 12 percent. Animal waste may be applied on slopes of 6 percent to 12 percent if the recommendation of the soil conservation service is first obtained.

SECTION 14.60. Barnyards and Cow Yards. The construction of new barns or other structures used to house animals, including cow yards, shall be no closer than 300 feet to a river, stream, lake, or other watercourse.

SECTION 14.70. Violation and Penalty. Any person violating any provision of this chapter shall, upon conviction thereof, forfeit not less than \$100, and not more than \$500, together with the costs of prosecution. Every day of noncompliance or violation shall be deemed a separate and distinct offense. Nothing set forth herein shall

affect the application for or the granting of a restraining order or injunction prohibiting any person from acting contrary to the provisions of this Ordinance.