

ORDINANCE NO.: 4922

AN ORDINANCE to amend Section 105-28(a) of the Code of Ordinances of the City of La Crosse relating to land disturbance permits.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 105-28(a) is hereby amended to read as follows:

(a) Land disturbance permit required. Unless specifically excluded by this article, no land occupier or land user may undertake a land disturbing activity subject to this article without receiving a permit from the ~~Department of Planning and Development~~ Fire Department – Division of Fire Prevention & Building Safety prior to commencing the proposed activity. Each land occupier or land user desiring to undertake a regulated activity subject to this article shall submit to the ~~Department of Planning and Development~~ Fire Department – Division of Fire Prevention & Building Safety an application for a permit together with a fee. Exceptions to this requirement are as follows:

(1) The owner and occupier of public lands are exempt from payment of any permit fees.

(2) In lieu of an individual permit for each land-disturbing activity, subject to this article, an annual permit may be issued to public or private utilities and governmental units for a fee as shall be as established by resolution. The utility or government unit shall agree to adopt and follow a procedure for each land disturbing activity which meets all applicable standards contained in this article. Further, the permit shall stipulate that in the event a utility or governmental unit activity fails to meet the standard, the permit shall terminate and the utility or governmental unit shall be subject to the penalties of this article.

(3) A permit fee shall be collected at the time the erosion control plan is submitted for review. The permit fee shall be as set forth in subsection (i) of this section. In addition, a surety bond as set forth in subsection (h) of this section is required.

(4) The La Crosse County Land Fill is exempt from the provision of the section for normal day to day operations of the Land Fill if the proper permits from the Wisconsin DNR are obtained and adhered to.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Timothy Kabat, Mayor
_____/s/_____
Teri Lehrke, City Clerk

Passed: 4/14/16
Approved: 4/20/16
Published: 4/23/16