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RESOLUTION # 39-2021
ORDINANCE AMENDMENT #1-2021
CHAPTER 13 OF THE ONEIDA COUNTY PRIVATE ONSITE WASTEWATER
TREATMENT SYSTEMS ORDINANCE, ARTICLE 3, SECTION 13.37

Resolution to add \$5.00 yearly POWTS Maintenance Program fee.

Ordinance Amendment offered by the Planning and Development Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #1-2021, which was filed February 9, 2021 (copy attached) to amend Section 13.37 of the Oneida County Private Onsite Wastewater Treatment Systems Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon March 3, 2021 (notice of public hearing attached) and pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, as part of the 2021 budget process, departments were instructed to look at expenditure reductions and revenue increases that would have a net impact of reducing levy-funded budgets by 5% from 2020 levels and;

WHEREAS, the Planning and Zoning Department is the "governmental unit" responsible for the administration of a Private Onsite Wastewater Treatment Systems (POWTS) ordinance pursuant to Wisconsin State Statute 145.20 and;

WHEREAS, the department is required to inventory all POWTS within Oneida County and adopt and enforce a POWTS maintenance program and;

WHEREAS, the Planning and Development committee reviewed information from 72 Wisconsin counties and observed that 26 counties are charging a POWTS maintenance fee to offset costs associated with administering and enforcing a POWTS maintenance program and;

WHEREAS, the Planning and Development Committee held a public hearing in which two (2) towns did not support imposing a POWTS maintenance fee and no other testimony was received in support or opposition to the proposed fee and;

WHEREAS, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this

52 ordinance shall not be affected thereby.

53 Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is
54 amended as follows [additions noted by underline, deletions noted by strikethrough]:
55

56
57 13.37 PERMIT FEES.

58
59 Article 3, Section 13.37 remains unchanged except for the following:

60
61 (5) Other fees.

62 (k) POWTS Maintenance Program Fee.

63 (1) As allowed by Wis. Stats. §145.20 (4), each owner of
64 a POWTS shall annually be charged a fee per POWTS for
65 the record keeping attributable to the inventory and tracking
66 of the pumping and maintenance of each POWTS. The
67 annual fee shall be included on the property owner's
68 property tax bill as a special charge.
69

70 The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment
71 #1-2021 by the Oneida County Board of Supervisors, cause a certified copy thereof to
72 be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin
73 Department of Safety and Professional Services.

74
75 Approved for presentation to the County Board by the Planning and Development
76 Committee this _____ day of _____, 2021.

77
78 Consent Agenda Item: YES NO

79
80 Vote Required: Majority = 2/3 Majority = _____ 3/4 Majority = _____

81
82 The County Board has the legal authority to adopt: Yes No _____ as
83 reviewed by the Corporation Counsel, _____, Date:

84 2.22.2021

85
86
87 Offered and passage moved by:

[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor

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99 21 Ayes

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Nays

Absent

Abstain

Enacted

by the County Board of Supervisors this 20 day of April, 2021.

Defeated



Tracy Hartman, Clerk



David Hintz, County Board Chair

Consent Agenda

Motion Holawinski / Cushing to accept

Supervisors	AYE	NAY	ABS	ABSTAIN
Almekinder	X			
Winkler	X			
Cushing	X			
VanRaalte	X			
Fisher	X			
Ives	X			
Krolczyk	X			
Kelly	X			
Schreier	X			
Thome	X			
Timmons	X			
Fried	X			
Holewinski	X			
Liebert	X			
Oettinger	X			
Mott	X			
Sorensen	X			
Paszak	X			
Pence	X			
Roach	X			
Hintz	X			
TOTALS	21			
TAGS				

CONSENT AGENDA

~~Resolution # 37 – 2021: Offered by the Supervisors of the Administration Committee to approve 2020 overdrawn budgets.~~
~~Resolution # 38 – 2021: Offered by the Supervisors of the Administration Committee to authorize 2020 budget transfers.~~
~~Resolution # 39 – 2021/Ordinance Amendment # 1 – 2021: Offered by the Supervisors of the Planning and Development Committee to amend chapter 13 of the Oneida County Private Onsite Wastewater Treatment Systems (POWTS) Ordinance to add \$5,000 yearly POWTS Maintenance Program Fee.~~
~~Resolution # 40 – 2021: Offered by the Supervisors of the Planning and Development Committee to amend the Fee Schedule of the Oneida County Planning and Zoning Department.~~
~~Resolution # 41 – 2021/Ordinance Amendment # 4 – 2021: Offered by the Supervisors of the Public Works Committee to amend the General Code of Oneida County – Section 7.095 All Terrain/Utility Vehicle Trails and Routes on County Highways and Bridge Crossings.~~
~~Resolution # 42 – 2021: Offered by the Supervisors of the Public Works Committee to designate the week of April 26 through April 30, 2021 as Work Zone Awareness Week in Oneida County.~~
~~Resolution # 43 – 2021: Offered by the Supervisors of the Forestry, Land & Recreation Committee to purchase and enter into County Forest the Clements Property, LR 38, Town of Little Rice.~~

Supervisor Liebert requested that resolution #43-2021 be removed from consent agenda.

Supervisor Winkler requested that resolution #37-2021 be removed from consent agenda.