



# MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

Date & Time of Meeting: **Friday, January 5, 2024 at 1:00 p.m.**

Meeting Location: **WebEx/Courthouse Assembly Room, B-105, 500 Forest Street, Wausau WI 54403**

**Committee Members:** Jacob Langenhahn (Chair); Allen Drabek (Vice-Chair); Rick Seefeldt; David Oberbeck; Mike Ritter; Andrew Venzke; Tony Sherfinski; Kim Ungerer; Marilyn Bhend (Towns & Villages Association Rep)

**Marathon County Mission Statement:** *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated 12-20-05).*

**Environmental Resources Committee Mission Statement:** *Provide leadership for the implementation of the County Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to environmental resource initiatives of Marathon County. (Revised: 04/17/12)*

*Strategic Plan Goals 2018 - 2022 Objective 5.2 - Promote sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth.*

*Objective 6.3 - Protect and enhance the quantity and quality of potable groundwater and potable surface water supplies.*

Persons wishing to attend the meeting by phone may call into the **telephone conference ten (10) minutes prior to the start time indicated above using the following number:**

**Phone Number: +1-408-418-9388**

**Access Code/Meeting Number: 2482 290 3069**

**Please Note: If you are prompted to provide an “Attendee Identification Number” enter the # sign. No other number is required to participate in the telephone conference.**

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

The meeting will also be broadcast on Public Access or at <https://tinyurl.com/MarathonCountyBoard>


- 1. Call meeting to order.**
- 2. Pledge of Allegiance to the Flag**
- 3. Public Comment (15-minute limit)** *(Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of meetings, must provide his or her name, address in writing, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting. The topic must be relevant to the committee's area of jurisdiction.)*
- 4. Approval of December 5, 2023 Committee minutes**
- 5. Operational Functions required by Statute, Ordinance, or Resolution:**
  - A. Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)
    1. Tim Vreeland on behalf of Steve Banks-L-D-R Low Density Residential and G-A-General Agriculture to R-R Rural Residential and G-A General Agriculture-Town of Spencer
    2. Keith Baxter on behalf of Clara Miller - G-A General Agriculture to R-R Rural Residential - Town of Green Valley
  - B. Review and Possible Recommendations to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.) - None
  - C. Review and Possible Recommendations to County Board for its Consideration
    1. Tim Vreeland on behalf of Paul and Carrie Simonis – G-A General Agriculture and R-R Rural Residential – Town of Guenther
    2. Amendments to Chapter 19 of Marathon County General Code (Parks)
  - D. Review and Possible Action –
    1. Animal Waste Ordinance Update: Possible Agreement with the Village of Maine (CPZ)
- 6. Educational Presentations/Outcome Monitoring Reports and Committee Discussion**
  - A. Department Updates: Conservation Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF), Solid Waste –
    1. Farmland Preservation Plan: Update on Draft Plan and Outreach (CPZ)
    2. Groundwater Plan Update (CPZ)

**MARATHON COUNTY  
ENVIRONMENTAL RESOURCES COMMITTEE  
AGENDA**

- 3. Forthcoming petition from the Town of Plover: Text amendment to the Marathon County Code of Ordinance Chapter 17.401.B(1) (CPZ)
- 4. Private Onsite Wastewater Treatment System (POWTS) Maintenance Program and POWTS Funding Updates (CPZ)
- 7. Policy Issues Discussion and Potential Committee Determination**
- 8. Next meeting January 30, 2024, 3:00 pm Assembly Room and future agenda items:**
  - A. Committee members are asked to bring ideas for future discussion.
  - B. Announcements/Requests/Correspondence
- 9. Adjournment**

*Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 at least one business day before the meeting.*

EMAILED AND/OR FAXED TO:  
News Dept. at Daily Herald (715-848-9361), City Pages (715-848-5887),  
Midwest Radio Group (715-848-3158), Marshfield News (877-943-0443),  
TPP Printing (715 223-3505)  
Date: 12/29/2023  
Time: 11:15am  
By: \_\_\_\_\_  
Date/Time/By: N D \_\_\_\_\_

  
SIGNED \_\_\_\_\_  
Presiding Officer or Designee  
NOTICE POSTED AT COURTHOUSE:  
Date: \_\_\_\_\_  
Time: \_\_\_\_\_ a.m. / p.m.  
County Clerk \_\_\_\_\_



**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, December 5, 2023  
500 Forest Street, Wausau WI**

<b>Attendance:</b>	<b><u>Member</u></b>	<b><u>Present</u></b>	<b><u>Not present</u></b>	
<i>Chair</i>	Jacob Langenhahn.....	X		} Via in person, Webex Or phone
<i>Vice-Chair</i>	Allen Drabek.....	X		
	Rick Seefeldt.....		X (Excused)	
	Dave Oberbeck.....	X		
	Andrew Venzke.....	X		
	Tony Sherfinski.....	X		
	Kim Ungerer.....	X		
	Mike Ritter.....	X		
	Marilyn Bhend.....	X		

MEETING RECORDING

Also present via Webex, phone or in person: Laurie Miskimins, Shad Harvey, Kirstie Heidenreich, Nicole Deloney, Garrett Pagel, Diane Hanson, Matt Repking, & Jeff Prichard - Conservation Planning and Zoning; Jamie Polley & Tom Lovlien – Parks and Department; Ann Lemmer – County Board Supervisor, Lance Leonard – County Administrator, Rich Grefe, Betty Hoenisch – Village of Maine, Adam Freihoefer, Mark Kaczorowski, Bernard Michaud – Wisconsin Department of Natural Resources, Tim Vreeland, Mitch Gumz, Carrie Simonis

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m.
2. **Pledge of Allegiance to the Flag**
3. **Public Comment** – None.
4. **Approval of October 31, 2023, Committee minutes**  
**Motion /** second by Ritter/ Sherfinski to approve of the October 31, 2023, Environmental Resources Committee minutes. (0:01)  
 Motion **carried** by voice vote, no dissent.
5. **Special Education**
  - A. DNR Information Related to Digestors in Marathon County (0:01)
6. **Operational Functions required by Statute, Ordinance, or Resolution**
  - A. **Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**
    1. Tim Vreeland on behalf of Paul and Carrie Simonis – G-A General Agriculture and R-R Rural Residential – Town of Guenther (1:03)

**Discussion:** Pagel was sworn in and noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town Guenther has reviewed the application and recommends approval



**Marathon County**  
**Environmental Resources Committee Minutes**  
**Tuesday, December 5, 2023**  
**500 Forest Street, Wausau WI**

without any concerns or additional comments.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. The testimony portion of the hearing was closed at 4:14 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ritter/Sherfinski to recommend approval to County Board, of the Paul & Carrie Simonis rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

2. Tim Vreeland on behalf of Mitch Gumz -- from G-A General Agriculture and F-P Farmland Preservation to R-R Rural Residential, F-P Farmland Preservation to G-A General Agriculture, and G-A General Agriculture to R-R Rural Residential – Town of Hull (1:09)

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town Hull has reviewed the application and recommends approval without any concerns or additional comments.

Tim Vreeland was sworn in and stated he is the surveyor for this property and gave the reasoning for the rezone.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. The testimony portion of the hearing was closed at 4:20 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ungerer/ Venzke to recommend approval to County Board, of the Mitch Gumz rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval





**Marathon County**  
**Environmental Resources Committee Minutes**  
**Tuesday, December 5, 2023**  
**500 Forest Street, Wausau WI**

based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

3. Tim Vreeland on behalf of Gladys Martin - F-P Farmland Preservation to R-R Rural Residential - Town of Brighton (1:18)

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town Brighton has reviewed the application and recommends approval without any concerns or additional comments.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. The testimony portion of the hearing was closed at 4:26 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Drabek/Ritter to recommend approval to County Board, of the Gladys Martin rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

- ~~4. Chris Fieri on behalf of Seehafer Farms LLC-Tyler Seehafer - F-P Farmland Preservation to R-R Rural Residential - Town of Marathon (1:22)~~
5. Keith Baxter on behalf of Clara Miller - G-A General Agriculture to R-R Rural Residential - Town of Green Valley (1:22)

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are refraining from a recommendation until the town of Green Valley gets the opportunity to discuss this rezone request. The Town Green Valley has reviewed the application and recommends an extension at this time.



**Marathon County**  
**Environmental Resources Committee Minutes**  
**Tuesday, December 5, 2023**  
**500 Forest Street, Wausau WI**

The testimony portion of the hearing was closed at 4:30 p.m.

Follow through: Will discuss when more information is received from the town.

B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)

1. Texas – Town Zoning Ordinance (1:25)

Action: **Motion** / Second by Sherfinski/Drabek to approve the Town of Ringle Zoning update.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

Motion **carried** by voice vote, no dissent.

2. Ringle – Town Zoning Ordinance Update on Kennels (1:26)

Action: **Motion** / Second by Ritter/Sherfinski to approve the Town of Ringle Zoning Ordinance update.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

Motion **carried** by voice vote, no dissent.

C. Review and Possible Recommendations to County Board for its Consideration

1. Approval of Annual County Forest Work Plan (1:28)

Action: **Motion**/Second by Drabek/Venzke to forward to the County Board of Supervisors for approval.

2. Application for County Forest Acreage Share Loan Payment (1:30)

Action: **Motion**/Second by Venzke/ Ritter to forward to the County Board of Supervisors for approval.

3. County Fish and Game Projects (1:33)

Action: **Motion**/ Second by Sherfinski/Venzke to forward to the County Board of Supervisors for approval.

4. Amending the Marathon County Forest Comprehensive Land Use Plan (1:35)

Action: **Motion**/ Second by Venzke/Ungerer to forward to the County Board of Supervisors for approval.

~~5. Amendments to Chapter 19 of Marathon County General Code (Parks)~~

6. Consideration of Initial Resolutions for Proposed Digester Projects (1:44)

Action: **Motion**/ Second by Sherfinski/Venzke to forward the initial resolution to the County Board of Supervisors for their consideration.

D. Review and Possible Action

1. Stormwater Cooperative Agreement 2024-2028(CPZ) (2:10)

Action: **Motion**/ Second by Ritter/Sherfinski

2. Agreement with DNR on the Lakes States Forest Management Bat Habitat Conservation Plan (Parks) (1:40)

Action: **Motion**/ Second by Ritter/ Venzke to approve the agreement with the DNR on the Lakes States Forest Management Bat Habitat Conservation Plan.



**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, December 5, 2023  
500 Forest Street, Wausau WI**

**7. Educational Presentations/ Outcome Monitoring Reports and Committee Discussion**

- A. Department Updates: Conservation Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF), Solid Waste –
  - 1. Chapter 15, 21 & 22 Updates (CPZ) (2:14)

**8. Policy Issues Discussion and Committee Determination to the County Board for its Consideration -None**

**9. Next meeting date, time & location, and future agenda items:**

**Friday, January 5, 2023, 1:00 p.m. Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI**

- A. Committee members are asked to bring ideas for future discussion.
- B. Announcements/Requests/Correspondence (2:21)

**10. Adjourn – Motion/ second by Venzke/Sherfinski to **adjourn** at 5:27 p.m.**

Laurie Miskimins, CPZ Director  
For Jacob Langenhahn, Chair

cc: (via email/web site) ERC members; County Administrator; Corporation Counsel; County Clerk

LM/nd

## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Friday, January 5<sup>th</sup>, 2024, at 1:00 p.m., Marathon County Courthouse Assembly Room B-105 500 Forest Street Wausau 54403, at which time the Committee will consider the following:

1. The petition of Tim Vreeland on behalf of Steve Banks to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from L-D-R Low Density Residential and G-A General Agriculture to R-R Rural Residential and G-A General Agriculture located in part of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 19, Township 26 North, Range 2 East, Town of Spencer. The area proposed to be rezoned to G-A General Agriculture is described as part of Lot 1 and the area to be rezoned to R-R Rural Residential is described as Lot 2 of the preliminary CSM. Parcel Pin #074-2602-194-0998 and 074-2602-194-0983.
2. The petition of Keith Baxter on behalf of Clara Miller to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential located in part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10, Township 26 North, Range 5 East, Town of Green Valley. The area to be rezoned to R-R Rural Residential is described as Lot 1 of the preliminary CSM. Parent Parcel #030-2605-103-0995.

All interested persons will be provided the opportunity to be heard at the public hearing. Those planning to attend this meeting who need some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500. Please call at least one business day in advance of the meeting.

In the event you are unable to attend the public hearing and wish to provide written testimony prior to the hearing please forward to: Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449 Jacob Langenhahn – Environmental Resource Committee Chair.

**We are encouraging people to attend the meeting by phone. Please call into the telephone conference ten minutes prior to the start time indicated above using the following number:**

**Phone Number: 1-408-418-9388**

**Access Code/ Meeting Number: 2482 290 3069**

**PLEASE NOTE: If you are prompted to provide an "Attendee Identification Number" enter the # sign. No other number is required to participate in the telephone conference.**

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):  
Tim Vreeland Vreeland Associates  
6103 Dawn St. Weston

hereby petition to rezone property owned by (Name & Address): Steve Banks  
203970 Co. Rd V Spencer  
LDR Low Density Res  
from the classification GA, General Ag to RR, Rural Res  
GA General Ag

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): See attached CSM

Parcel Identification Number (PIN): 074-2602-194-0998 + 074-2602-194-0983

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
Selling home with ± 2.5 Acres. Adding 1 acre  
to GA lands

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Existing home on a public road with  
general utilities.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.  
No Burden

C. What have you done to determine that the land is suitable for the development proposed?  
No development

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.  
No adverse effects

E. Explain any potential for conflict with existing land uses in the area.  
No conflict. Several like zoned  
properties in the area.

(OVER)

F. Demonstrate the need of the proposed development at this location. No development

G. What is the availability of alternative locations? Be specific. No Alternatives

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No cropland consumed.

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. NA

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. (If larger sheets are required to adequately portray the site, include ten (10) copies).

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. No exceptions to this policy will be granted.

7. Petitioner's Signature [Signature] Phone 715-241-0947 Date 10-26-2023

8. Owner's Signature [Signature] Phone 715-316-2789 Date Oct 19, 2023  
(If different)

Date Fee Received: \_\_\_\_\_

**Fee \$600.00 PAYABLE TO MARATHON COUNTY**

**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.

**RECEIVED**

**NOV 08 2023**

Zoning Division - Marathon County CPZ Dept. - 210 River Drive - Wausau, WI 54403-5449  
www.co.marathon.wi.us Telephone: (715) 261-6020 or 6021

Fax: (715) 261-6016  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT

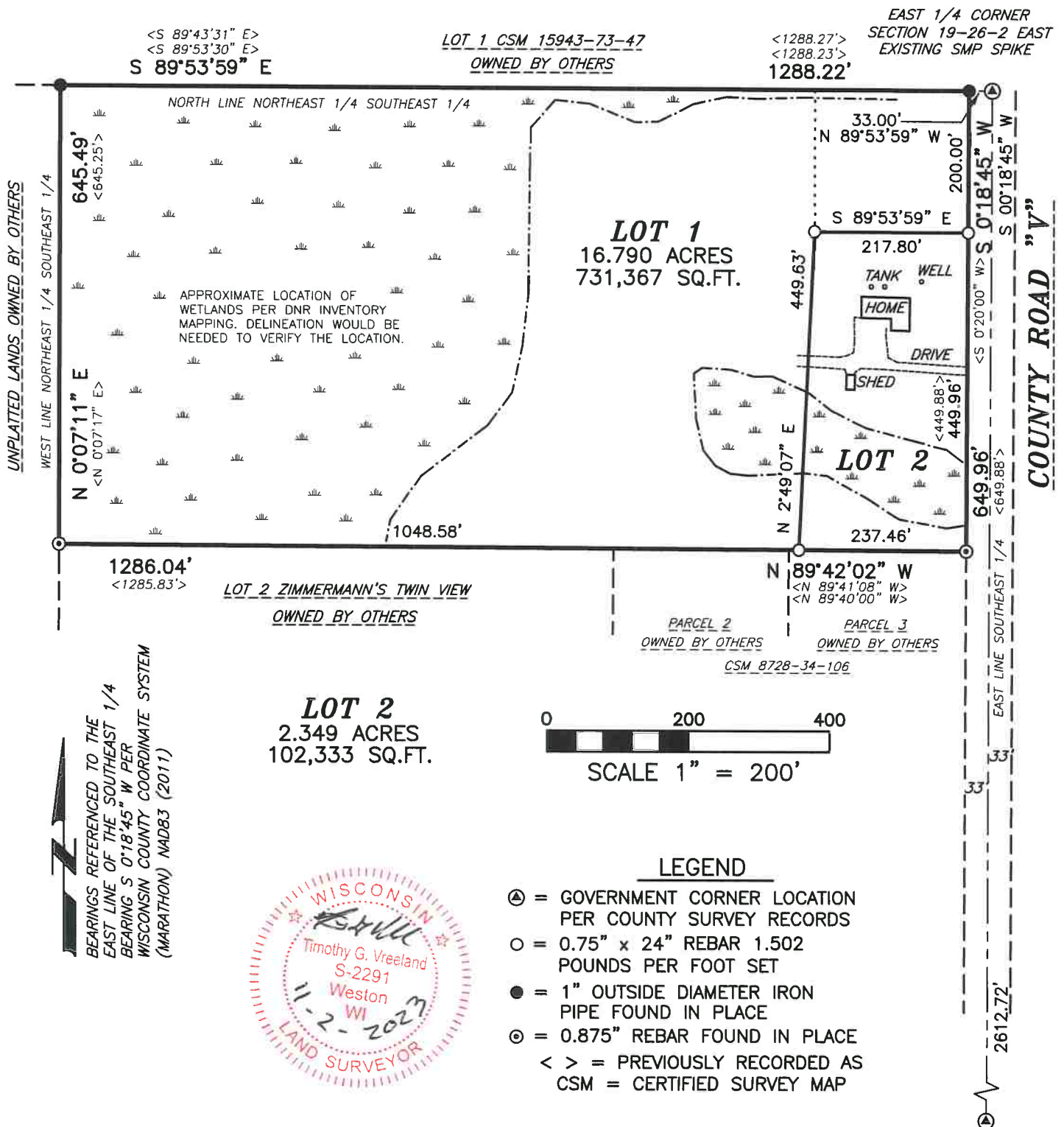


# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_

PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4  
OF SECTION 19, TOWNSHIP 26 NORTH, RANGE 2 EAST,  
TOWN OF SPENCER, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b>	
<b>LAND SURVEYORS &amp; ENGINEERS</b>	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947	tim@vreelandassociates.us
PREPARED FOR:	<b>STEVE BANKS</b>
FILE #:	23-0484 BANKS
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	



THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPTING PUBLIC DEDICATION.

SOUTHEAST CORNER SECTION 19-26-2 EAST EXISTING SMP SPIKE



# CERTIFIED SURVEY MAP

PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 26 NORTH, RANGE 2 EAST, TOWN OF SPENCER, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

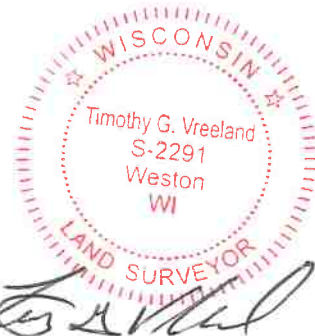
## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF STEVE BANKS, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 26 NORTH, RANGE 2 EAST, TOWN OF SPENCER, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 19; THENCE N 89°53'59" W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 33.00 FEET TO THE WEST LINE OF COUNTY ROAD "V" AND TO THE POINT OF BEGINNING; THENCE S 0°18'45" W ALONG THE WEST LINE OF COUNTY ROAD "V" 649.96 FEET; THENCE N 89°42'02" W ALONG THE NORTH LINE OF PARCELS 2 AND 3 OF CERTIFIED SURVEY MAP NUMBER 8728 AND LOT 2 OF ZIMMERMANN'S TWIN VIEW 1286.04 FEET; THENCE N 0°07'11" E ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 645.49 FEET; THENCE S 89°53'59" E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 1288.22 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF SPENCER, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 2ND DAY OF NOVEMBER, 2023  
SURVEY PERFORMED NOVEMBER 1ST, 2023

TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

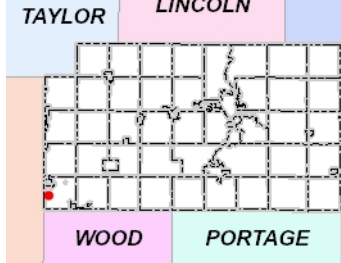
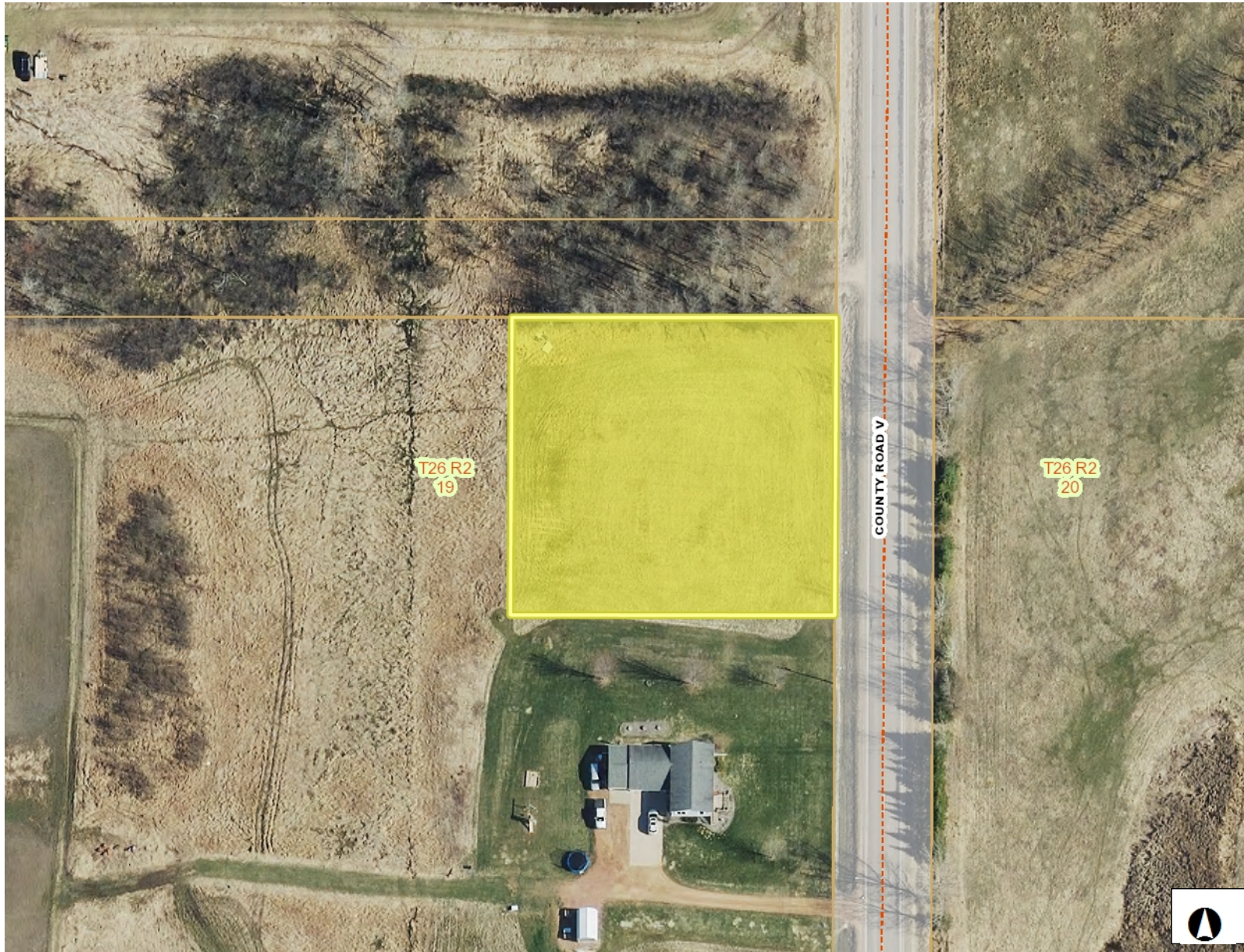
BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO. \_\_\_\_\_





# Land Information Mapping System



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

50.13 0 50.13 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes

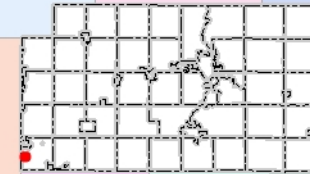




# Land Information Mapping System

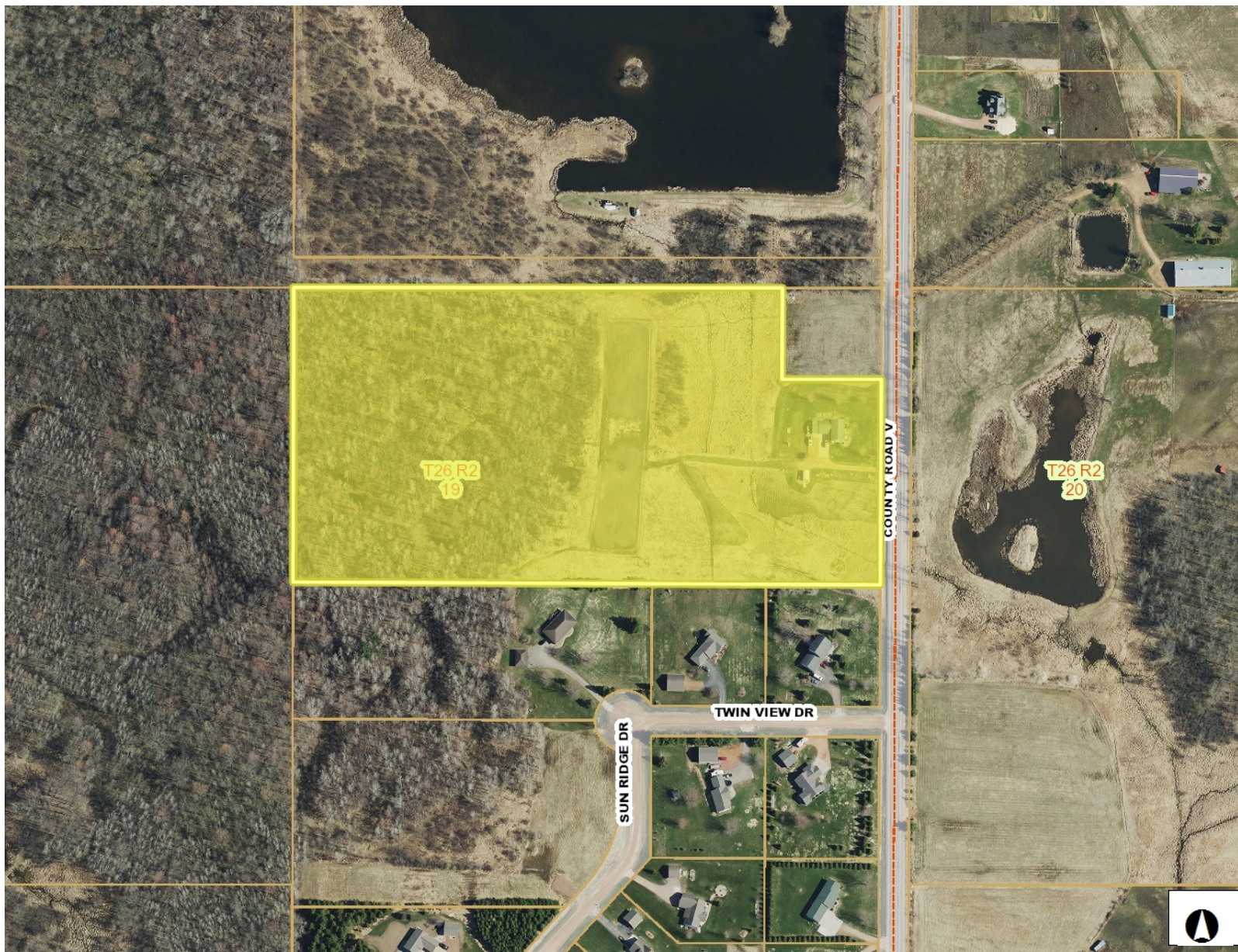
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

163.08 0 163.08 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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## Notes

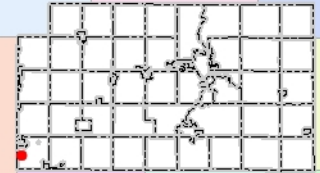




# Land Information Mapping System

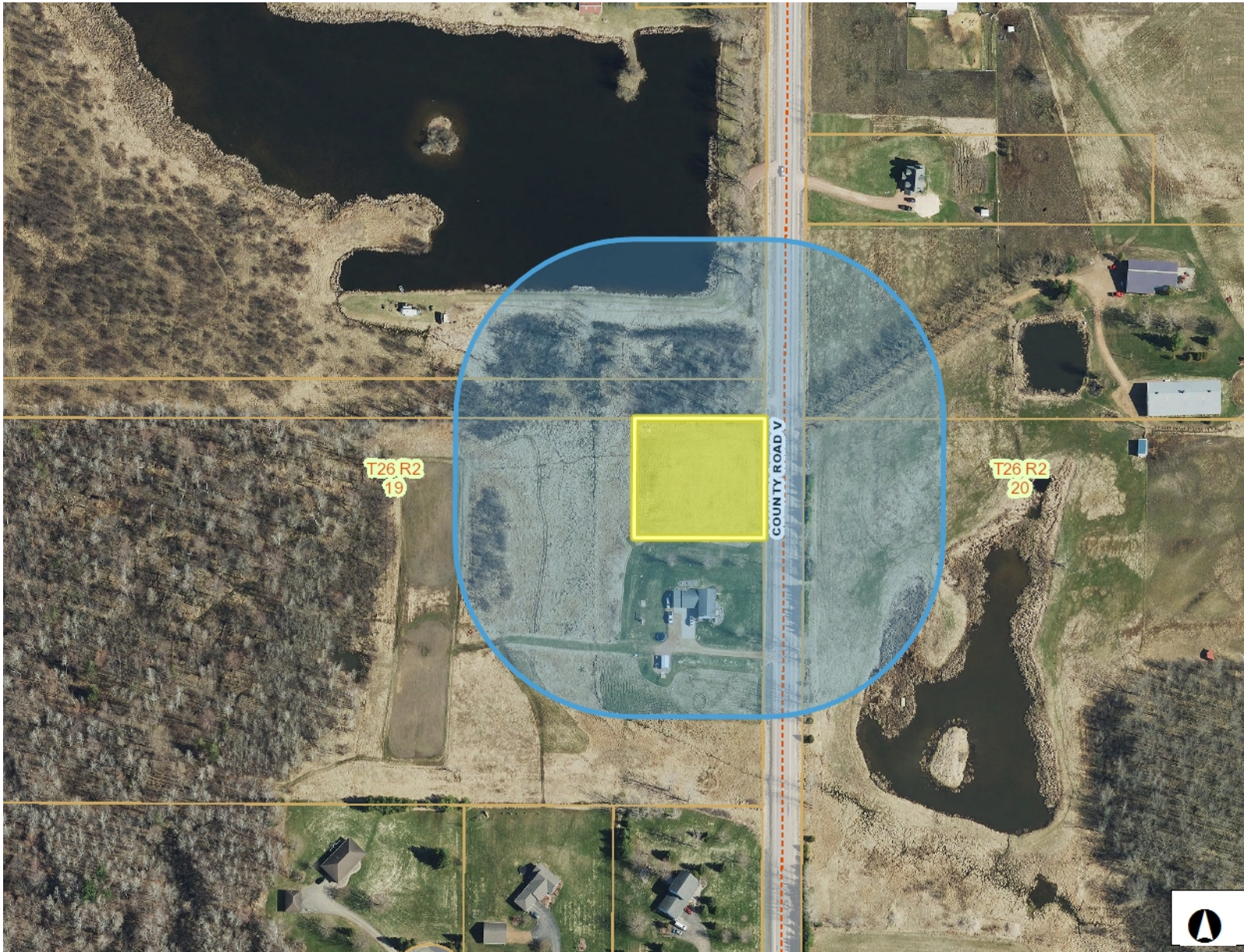
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

125.21 0 125.21 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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## Notes

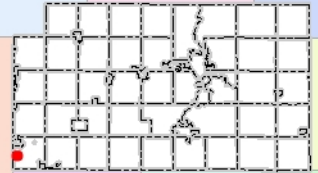




# Land Information Mapping System

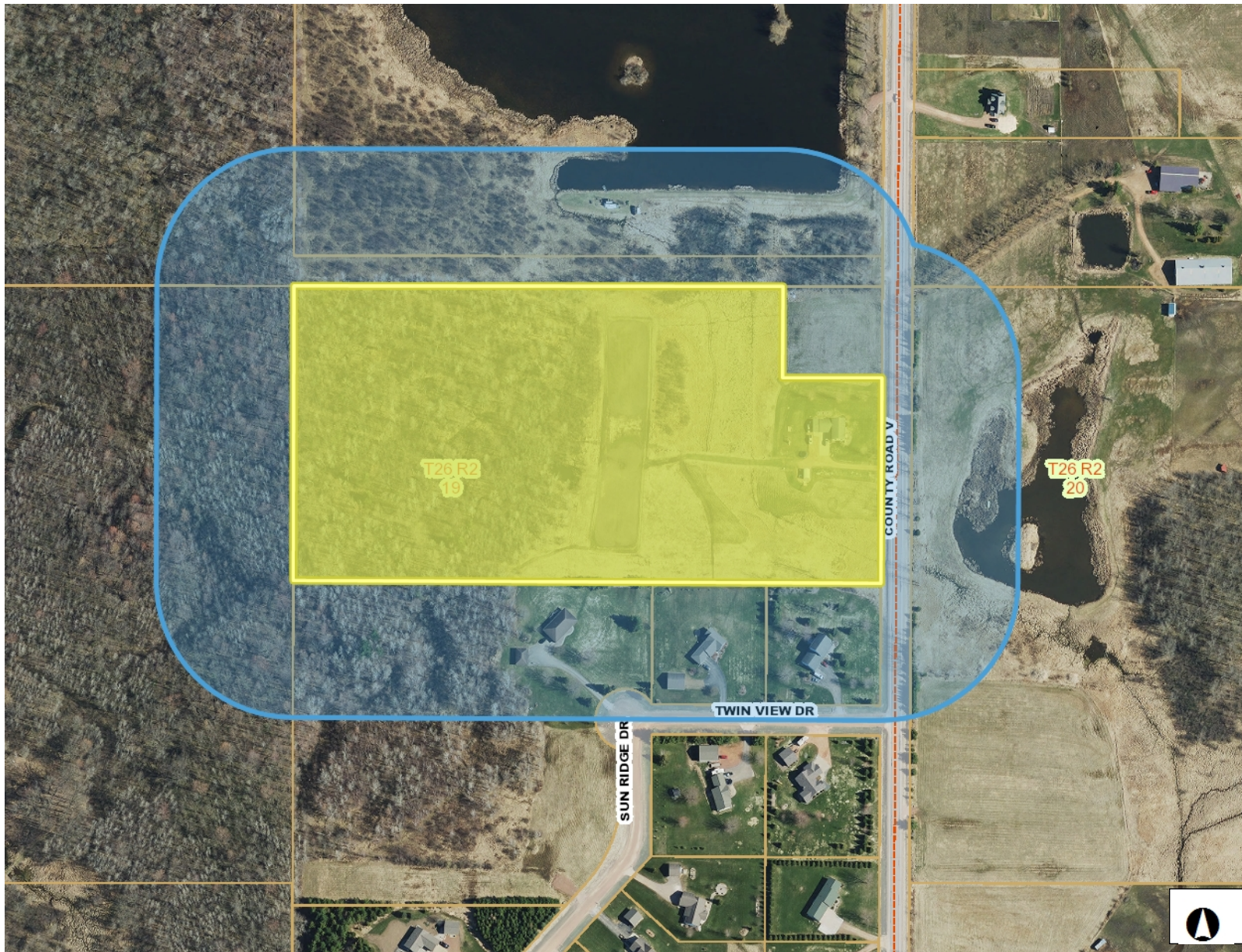
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
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163.08 0 163.08 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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## Notes



STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF SPENCER )

**RESOLUTION ON ZONING ORDINANCE AMENDMENT**

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Dennis Gonnering, Clerk of the Town of Spencer, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Spencer Town Board at a meeting held on the 14th day of November, 2023.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Spencer Town Board considered on the 14th day of November, 2023, the petition of Tim Vreeland on behalf of Steve Banks to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from L-D-R Low Density Residential and G-A General Agriculture to R-R Rural Residential and G-A General Agriculture located in part of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 2 East, Town of Spencer. The area proposed to be rezoned to L-D-R Low Density Residential is described as Lot 1 and the area to be rezoned to G-A General Agriculture is described as Lot 2 of the preliminary CSM. Parcel Pin #074-2602-194-0998 and 074-2602-194-0983.

The Town of Spencer hereby has considered the following standards for rezoning above property (*use additional sheets if necessary*);

- 1) **Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?**  
 No  Yes Explain: Current utilities will serve
- 2) **Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?**  
 No  Yes Explain: No Burden
- 3) **Has the applicant determined that the land is suitable for the development proposed? Explain.**  
 No  Yes Explain: \_\_\_\_\_
- 4) **Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.**  
 No  Yes Explain: No adverse effects
- 5) **Is there any potential for conflict with existing land uses in the area?**  
 No  Yes Explain: \_\_\_\_\_
- 6) **Has The applicant demonstrated the need for the proposed development at this location? Explain.**  
 No  Yes Explain: No development

(OVER)

- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: No Alternative
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: No Cropland
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: \_\_\_\_\_
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of Spencer recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Dan Donnelly  
 Town Board Dennis R. Fath  
Carl P. Hoff  
Jerry P. Liberty

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 24, 2023 to:

Marathon County Conservation, Planning and Zoning Department  
 210 River Drive  
 Wausau, WI 54403



Outlook

Search

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Home View Help

New mail Ignore Report Block Delete Archive Reply Sweep Move to Rules Read / Unread Categorize Flag / Unflag Pin / Unpin Snooze

New Delete Respond Move Move Tags

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Badge...

J... 359

D... 122

Tim Sc...

Archive

D... 267

Sent I...

Jo... 20

Add fa...

Folders

I. 10833

J... 359

D... 267

Arc...

Sent I...

Snoo...

D... 122

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**From:** Garrett Pagel  
**Sent:** Tuesday, December 19, 2023 11:58 AM  
**To:** dgonnering@hotmail.com  
**Subject:** Banks Rezone Resolution

Good Morning Dennis,

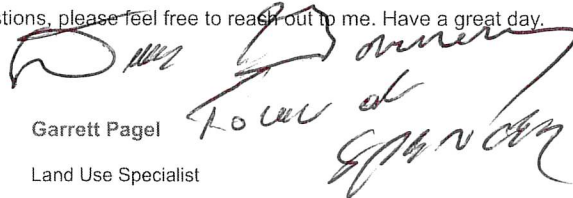
I just wanted to reach out to you regarding the resolution that was submitted regarding the Steve Banks rezone petition on County Rd V that is going to ERC on 1/5. Looking over Spencer's resolution, I noticed a couple of boxes were not checked. One rezone was sent back to committee because a supervisor believed the resolution was not sufficient because a box was not checked, making it incomplete. I wanted to reach out to you prior to it going to ERC and County Board so there won't be any undue delays for the applicant. Below I have listed the two questions that do not have a box checked. Please answer yes or no.

Has the applicant demonstrated the need for the proposed development at this location? (Yes or No) *Yes*

If cropland being consumed by this zone change? What is the productivity of the agricultural lands involved? (Yes or No)

*No*

If you have any questions, please feel free to reach out to me. Have a great day.



*Garrett Pagel*



Garrett Pagel  
 Land Use Specialist  
 Department of Conservation, Planning & Zoning

Phone 715-261-6039

Email [garrett.pagel@co.marathon.wi.us](mailto:garrett.pagel@co.marathon.wi.us)

210 River Drive, Wausau WI 54403

Statement of Confidentiality

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.



**Steve Banks  
Petition to Rezone Land  
Staff Report, October 31<sup>st</sup>, 2023  
Environmental Resources Committee**

**PETITIONER:**

Tim Vreeland-6103 Dawn St, Weston, WI 54476

**PROPERTY OWNERS:**

Steve Banks-203970 County Rd V, Spencer, WI 54479

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located on County Rd V just north of the intersection of County Rd V and Twin View Dr.

**REQUEST:**

The petition of Tim Vreeland on behalf of Steve Banks to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from L-D-R Low Density Residential and G-A General Agriculture to R-R Rural Residential and G-A General Agriculture located in part of the Northeast ¼ of the Southeast ¼ of Section 19, Township 26 North, Range 2 East, Town of Spencer. The area proposed to be rezoned to G-A General Agriculture is described as part of Lot 1 and the area to be rezoned to R-R Rural Residential is described as Lot 2 of the preliminary CSM. Parcel Pin #074-2602-194-0998 and 074-2602-194-0983.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Spencer Town Board Meeting (November 14<sup>th</sup>, 2023)
- Marathon County Environmental Resources Committee Meeting (January 5<sup>th</sup>, 2024, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five-year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**L-D-R Low Density Residential District.** The purpose of the L-D-R district is to accommodate single-family residential use along existing streets and to promote single-family residential development (involving the extension of new streets) where sanitary sewer and municipal water may be available. The densities are intended to provide for areas of suburban character in the community and to prevent excessive demands on sewerage and water systems, streets, schools, and other community facilities. The districts are intended to avoid overcrowding by requiring certain minimum yards, open spaces, and site area while making available a variety of dwelling types and densities to serve a wide range of individual requirements and thereby providing a more orderly and efficient extension of public facilities.

**Existing Generalized Land Use Map – Town of Spencer (Comprehensive Plan 2005)** The area proposed to be rezoned is shown as Crop Lands in the Town’s Comprehensive Plan Existing Land Use Map (2000). Adjacent land uses are comprised of Woodlands, Crop Land, Other Agriculture, and Single Family Residential.

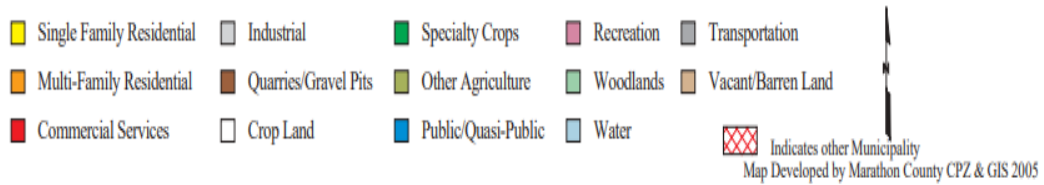
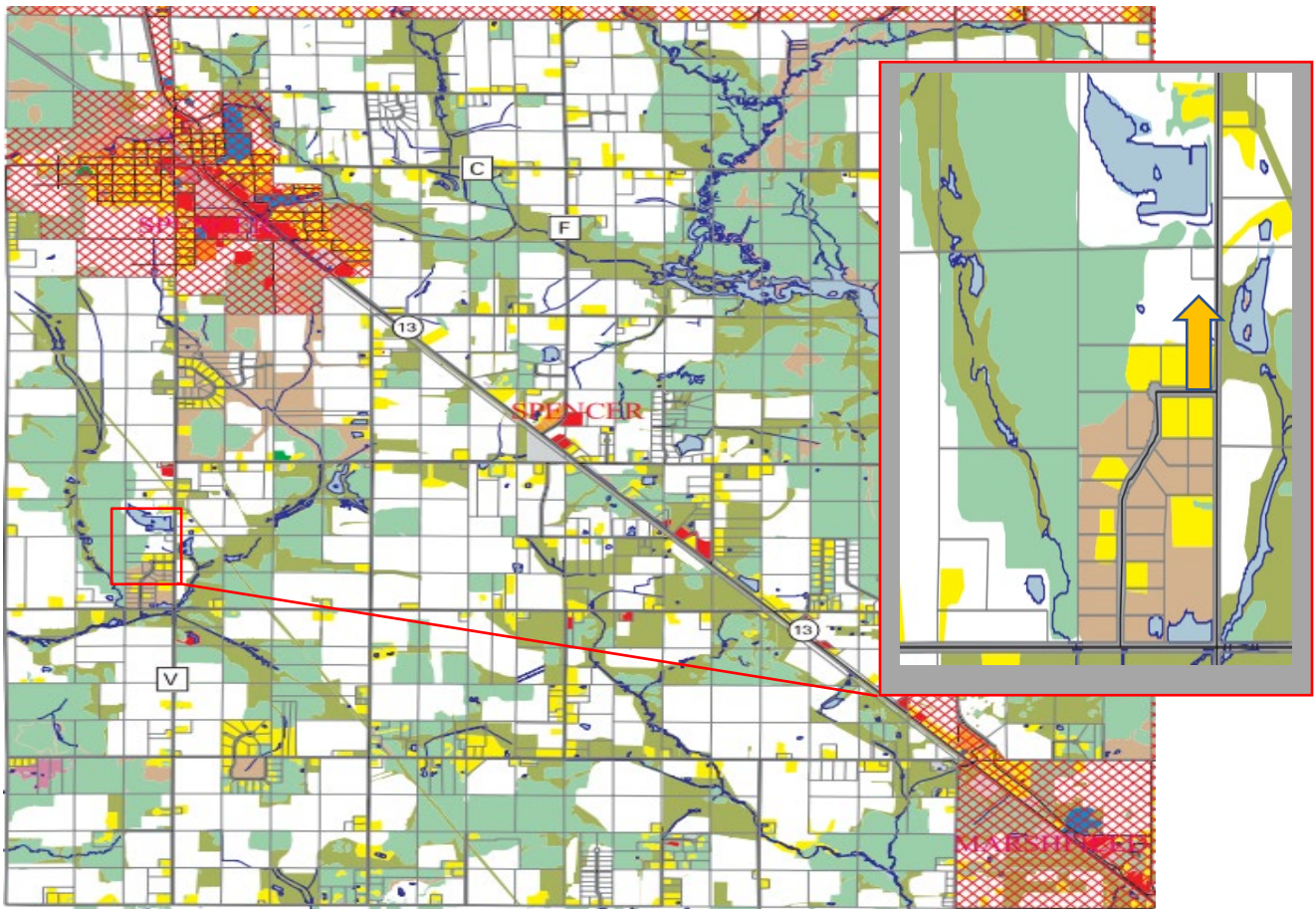


Figure 4-1  
2000 Landuse/Landcover  
T-SPENCER

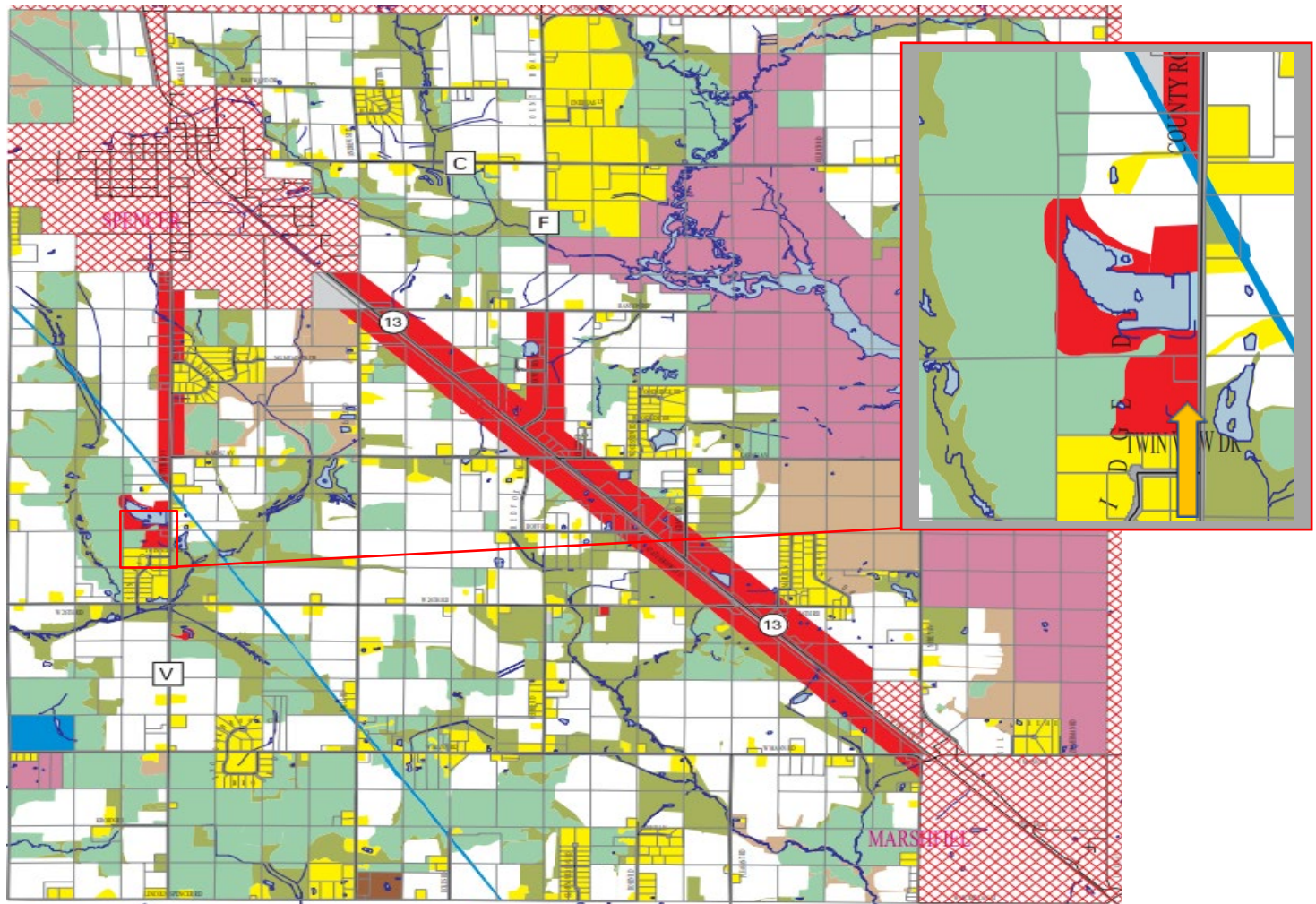


**PROPOSED ZONING DISTRICT:**

**Lot 1: G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five-year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**Lot 2: R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2005 Plan):** The area proposed to be rezoned is shown as Commercial in the Town's Comprehensive Plan Future Land Use Map (2005). Adjacent land uses are comprised of Woodlands, Crop Land, Single Family Residential, Commercial, and Other Agriculture.



- |                           |                   |                     |
|---------------------------|-------------------|---------------------|
| Single Family Residential | Barren            | Public/Quasi-Public |
| Commercial                | Crop Land         | Recreational        |
| Industrial                | Other Agriculture | Transportation      |
| Quarry                    | Forest Land       | Water               |

Indicates other Municipality  
 Map Developed by Marathon County CPZ & GIS 2005

Figure 3-1  
 Future Land Use  
 T-SPENCER





## **TOWN RECOMMENDATION:**

On November 14<sup>th</sup>, 2023, the **Town of Spencer** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Commercial in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The Town of Spencer does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division and home sale.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Spencer Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

## **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors. Should the rezone be approved by Marathon County Board of Supervisors, CPZ staff recommend that the town update its comprehensive plan to reflect the zoning change if applicable.



**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

Agree       disagree       insufficient information

---

---



**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

---

---

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Signature:

Chairman: \_\_\_\_\_

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):  
Keith Baxter 206686 Cr. Rd S Mosinee WI

hereby petition to rezone property owned by (Name & Address): Clara Miller 141360  
moon Rd Mosinee WI

from the classification GA, General Ag to RR, Rural Residential

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description):  
See attached CSM

Parcel Identification Number (PIN): 030-2605-103-0995

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
To remove home from farm lands

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Existing home on public road with standard services.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.  
No burden

C. What have you done to determine that the land is suitable for the development proposed?  
No Development

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.  
No adverse effects

E. Explain any potential for conflict with existing land uses in the area.  
No conflict

(OVER)

F. Demonstrate the need of the proposed development at this location. \_\_\_\_\_

No Development

G. What is the availability of alternative locations? Be specific. \_\_\_\_\_

No Alternative

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved?

Any cropland within this rezoned area will continue to be cropped.

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted.

The south and west lines are the area being mowed. Extended west line to north property line

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. (If larger sheets are required to adequately portray the site, include ten (10) copies).

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. No exceptions to this policy will be granted.

7. Petitioner's Signature Karl Baxter Phone 715-581-9939 Date 10/3/23

8. Owner's Signature \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_  
(If different)

Date Fee Received: 10/3/23 ✓

Fee \$600.00 PAYABLE TO MARATHON COUNTY

**Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.**

# CERTIFIED SURVEY MAP

## MARATHON COUNTY NO. \_\_\_\_\_

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4  
OF SECTION 10. TOWNSHIP 26 NORTH, RANGE 5 EAST,  
TOWN OF GREEN VALLEY, MARATHON COUNTY, WISCONSIN.

**VREELAND ASSOCIATES, INC.**  
**LAND SURVEYORS & ENGINEERS**  
6103 DAWN STREET WESTON, WI. 54476  
PH (715) 241-0947 tim@vreelandassociates.us

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PREPARED FOR: **KEITH BAXTER**

---

FILE #: 22-0614 BAXTER

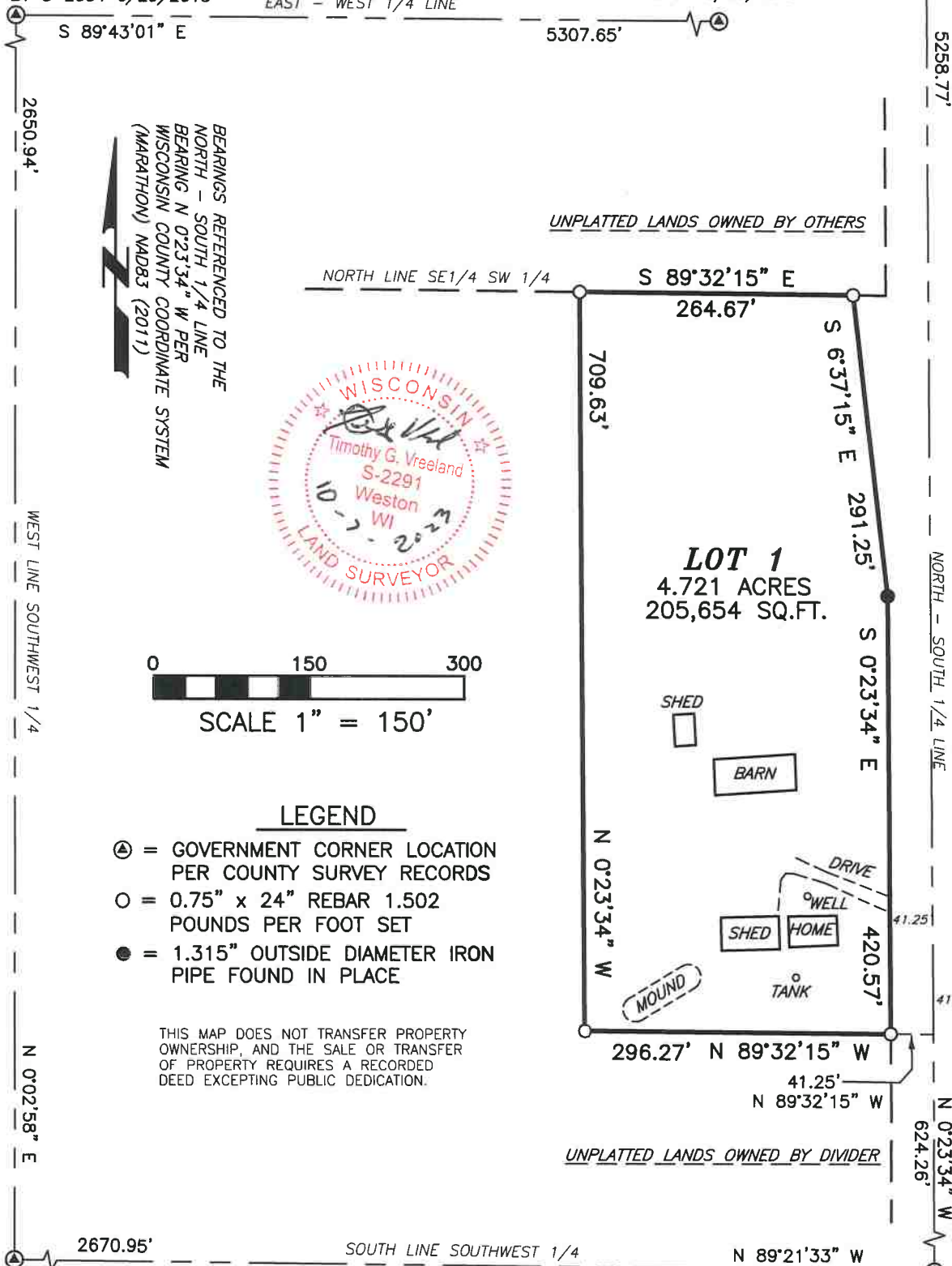
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DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

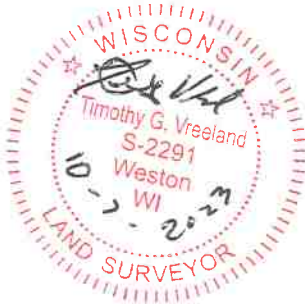
WEST 1/4 CORNER  
SECTION 10-26-5 EAST  
LOCATION CALCULATED FROM  
SUMMARY BY S-2954 6/29/2018

EAST 1/4 CORNER  
SECTION 10-26-5 EAST  
LOCATION CALCULATED FROM  
SUMMARY BY S-2954 6/29/2018

NORTH 1/4 CORNER  
SECTION 10-26-5 EAST  
EXISTING SMP SPIKE



BEARINGS REFERENCED TO THE  
NORTH - SOUTH 1/4 LINE  
BEARING N 0°23'34\" W PER  
WISCONSIN COUNTY COORDINATE SYSTEM  
(MARATHON) MAD83 (2011)



0 150 300  
SCALE 1" = 150'

**LEGEND**

- ⊕ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 0.75" x 24" REBAR 1.502 POUNDS PER FOOT SET
- = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE

THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPTING PUBLIC DEDICATION.

SOUTHWEST CORNER  
SECTION 10-26-5 EAST  
EXISTING SMP SPIKE

SOUTH 1/4 CORNER  
SECTION 10-26-5 EAST  
EXISTING SMP SPIKE

# CERTIFIED SURVEY MAP

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10. TOWNSHIP 26 NORTH, RANGE 5 EAST, TOWN OF GREEN VALLEY, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF KEITH BAXTER, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10. TOWNSHIP 26 NORTH, RANGE 5 EAST, TOWN OF GREEN VALLEY, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 10; THENCE N 0°23'34" W ALONG THE NORTH – SOUTH 1/4 LINE 624.26 FEET; THENCE N 89°32'15" W 41.25 FEET TO THE WEST LINE OF COUNTY ROAD "S" AND TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°32'15" W 296.27 FEET; THENCE N 0°23'34" W 709.63 FEET TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE S 89°32'15" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 264.67 FEET TO THE WEST LINE OF COUNTY ROAD "S"; THENCE S 6°37'15" E ALONG THE WEST LINE OF COUNTY ROAD "S" 291.25 FEET; THENCE S 0°23'34" E ALONG THE WEST LINE OF COUNTY ROAD "S" 420.57 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A–E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF GREEN VALLEY, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 7TH DAY OF OCTOBER, 2023  
SURVEY PERFORMED OCTOBER 4TH, 2023

TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO \_\_\_\_\_

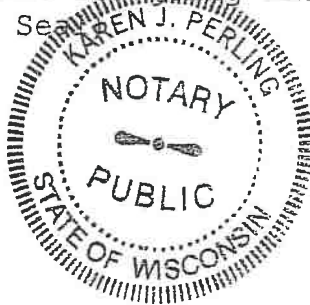


This Power of Attorney shall not be affected by my subsequent disability or incapacity. It is my intention that this shall be a "Durable Power of Attorney" as defined in Wisconsin Statutes Sec. 243.07.

Clara M. Miller  
Clara M. Miller

STATE OF WISCONSIN)  
MILWAUKEE COUNTY ) ss.

Personally came before me this 5<sup>th</sup> day of December, 2016, the above named Clara M. Miller known to be the person who executed the foregoing instrument and acknowledged the same.  
(Notarial Seal)



Karen J. Perling  
Notary Public, State  
Of Wisconsin  
My Commission 1-29-2017

This instrument was drafted by Attorney John E. Talsky

**DURABLE GENERAL POWER OF ATTORNEY**

**Clara M. Miller**

KNOW ALL MEN BY THESE PRESENTS, that I, Clara M. Miller, in the City of Mosinee, County of Marathon, State of Wisconsin, do hereby make, constitute and appoint my son, Keith A. Baxter, as my and lawful attorney for me and in my name, place and stead.

As my attorney, he shall be authorized:

1. **TO DEMAND AND SUE FOR MONEY, GOODS, ETC.** To demand and sue for money, goods, etc., and give effective receipts, releases and discharges therefor.

2. **TO PURCHASE, SELL AND MORTGAGE PERSONAL PROPERTY.** To purchase, sell, mortgage and otherwise encumber personal property.

3. **TO RENT AND LEASE REAL ESTATE.** To manage, rent and lease real estate.

4. **TO INVEST MONEY.** To invest and reinvest said money or securities in my name or the name of a nominee or otherwise.

5. **TO SIGN AND ENDORSE COMMERCIAL PAPER.** To sign and endorse checks, securities, commercial paper or other instruments.

6. **TO DEAL WITH BANK ACCOUNTS INCLUDING IRA.** To open, maintain, manage, change or close accounts in my name or



otherwise in any bank, brokerage firm, savings and loan or any other financial or other institution.

7. **TO DEAL WITH INSURANCE, ETC.** To purchase, carry, surrender, convert, borrow against or otherwise deal with insurance of any kind.

8. **TO LEND MONEY.** To lend and borrow money.

9. **TO DEAL WITH SAFE DEPOSIT BOXES.** To have access to, remove from or deposit items in, any safe deposit box or boxes wherever located and to open or close any such box or boxes.

10. **TO ADJUST CLAIMS AND SUITS.** To commence, prosecute, defend or adjust claims and suits.

11. **TO COMPOUND AND COMPROMISE CLAIMS, ETC.** To enter into compromises and settlements.

12. **TO EMPLOY AGENTS, SERVANTS, ETC.** To employ and dismiss attorneys, agents, custodians, assistants, servants, investment advisors or counsel, or other persons.

13. **TO VOTE STOCKS, PARTICIPATE IN CORPORATIONS, ETC.** To vote in person or by proxy any stock, bonds or other obligations or securities or waive notice of any meeting or action and consent to the same in writing or otherwise.

14. **TO MAKE TAX RETURNS, FILE CLAIMS FOR REFUND, TAKE APPEALS, ETC.** To prepare and sign income tax returns, claims for refund or other forms and represent me before any taxing authority.

15. **TO REPRESENT BEFORE SOCIAL SECURITY ADMINISTRATION.** To represent and act for me before the Social Security Administration and any similar agency of a state or local government and collect all benefits due me.

16. **TO SELL REAL ESTATE.** To authorize my said attorney to do all things necessary on my behalf to sell or transfer any real estate I own to whomever they desires including but not limited to signing listing contracts, accepting offers to purchase and make all warranties which I could make regarding the property.

17. **TO MAKE GIFTS.** To make gifts in my name and on my behalf if my said attorney believes the gifts will provide tax or other economic benefits for me or my estate; to make gifts to my natural heirs at law, or my heirs as set forth in my Last Will and Testament in order to preserve as much of my estate as is possible. In the event my said attorney, in his sole discretion has determined that I may need nursing home or other long-term care and that I will receive medical care of equal or similar quality if I am a recipient of Title XIX or other public benefits, then my said attorney can make or plan divestments in accordance with the law, while retaining enough assets to pay for my nursing home care prior to the time I can qualify for Title XIX.

18. **GENERAL POWERS.** In general, do anything and everything

18. **GENERAL POWERS.** In general, do anything and everything in respect to all of my affairs that I myself might or could do if personally present, and manage and conduct my property, business and affairs in such manner as may be approved by my said attorney; hereby intending to give my said attorney the fullest power and authority, not intending in any way to limit such full, wide and general powers, but giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or desirable to be done, and in my name and behalf, and under seal or otherwise; to make, execute and deliver any and all such instruments in writing as my said attorney may approve, all as fully and to all intents and purposes as I might or could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to be done by virtue thereof.

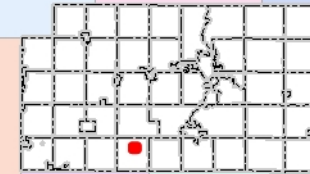




# Land Information Mapping System

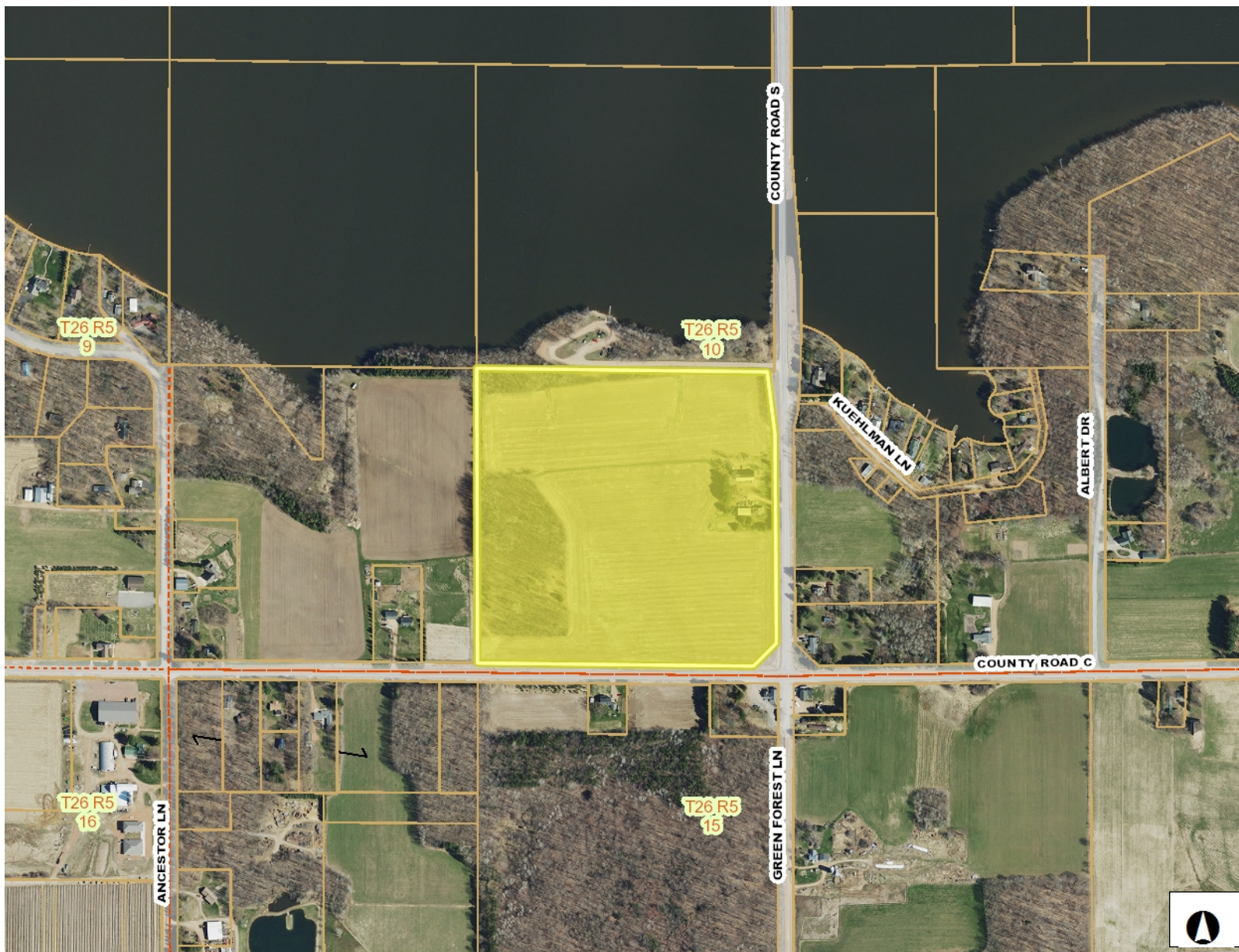
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

322.46 0 322.46 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes



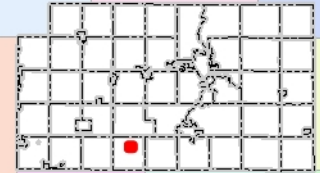




# Land Information Mapping System

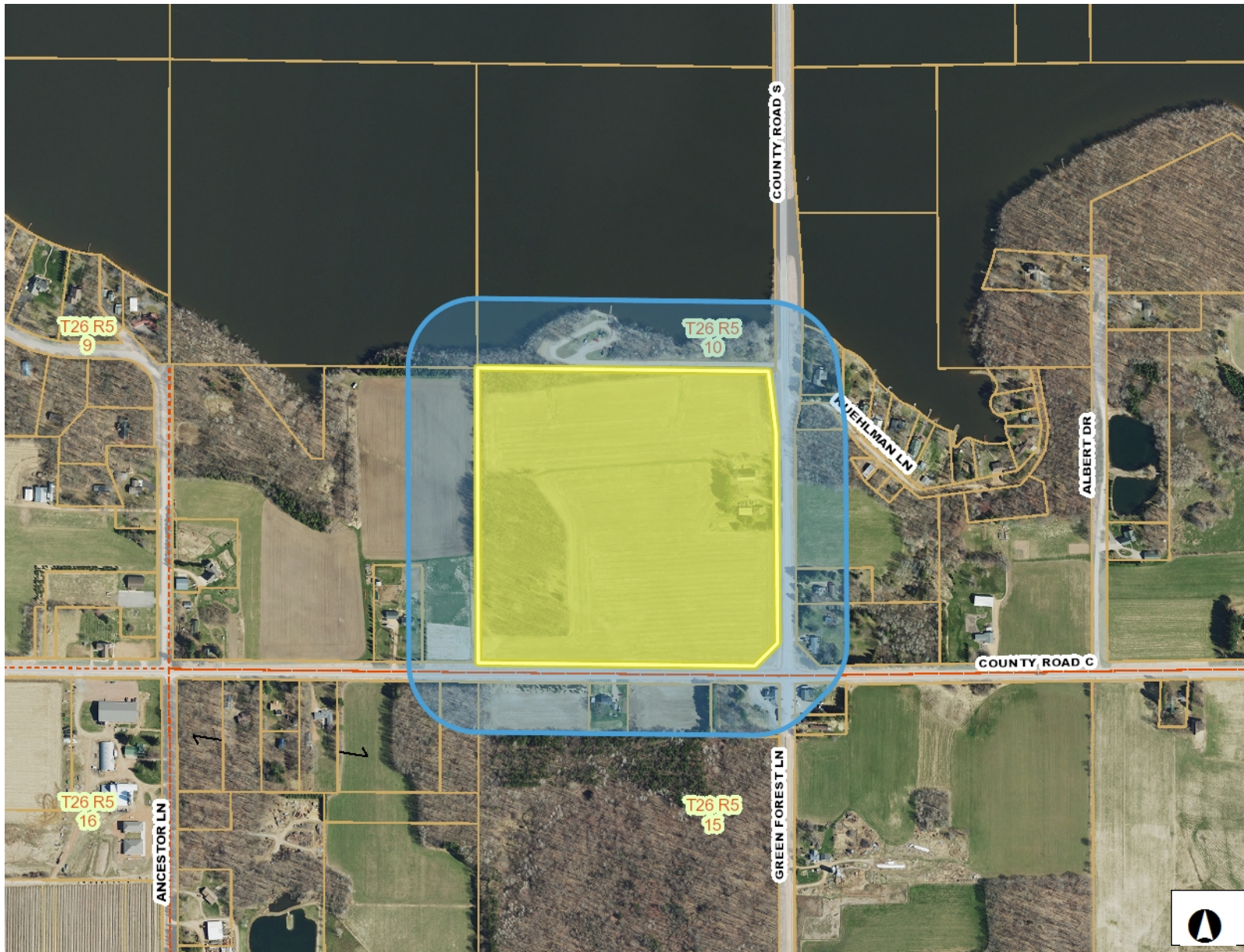
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
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322.46 0 322.46 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

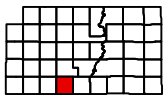
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## Notes





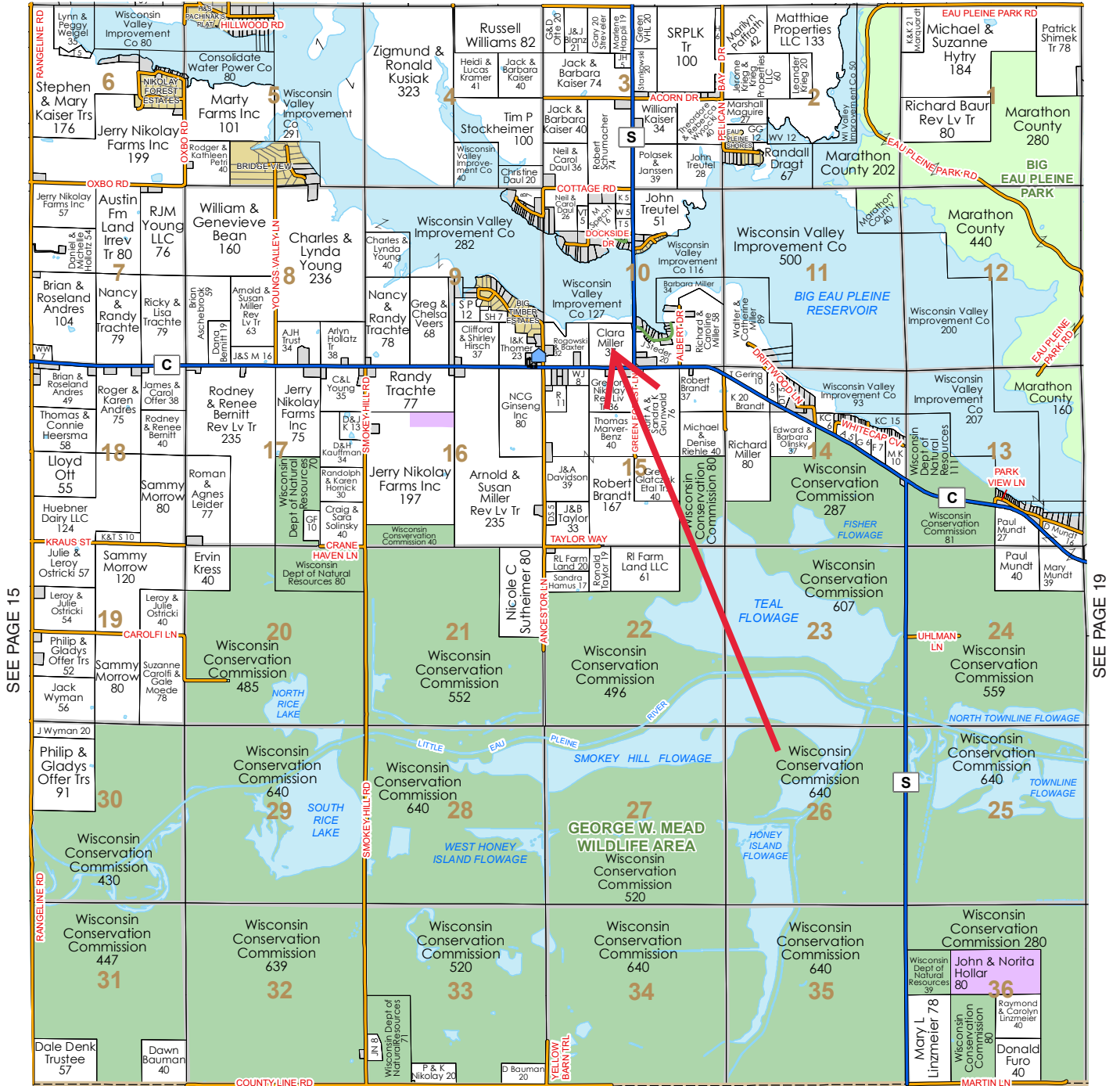


# Green Valley

# Township 26N - Range 5E

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SEE PAGE 35



WOOD COUNTY

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[swiderskiequipment.com](http://swiderskiequipment.com)

MASSEY FERGUSON



- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: \_\_\_\_\_
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: \_\_\_\_\_
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: \_\_\_\_\_
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of Green Valley recommends:  Approval  Disapproval of the amendment and/or zone change.

OR  Requests an Extension\* for the following reasons: How do they  
plan on accessing the farmlands

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Dora Solinsky  
Town Board Philip Offer  
Mitch Magnus  
James Mueller

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before November 24, 2023 to:

Marathon County Conservation, Planning and Zoning Department  
210 River Drive  
Wausau, WI 54403



**Keith Baxter**  
**Petition to Rezone Land**  
**Staff Report, December 5<sup>th</sup>, 2023**  
**Environmental Resources Committee**

**PETITIONER:**

Keith Baxter-206686 County Rd S, Mosinee, WI 54455

**PROPERTY OWNERS:**

Clara Miller-141560 Moon Rd, Mosinee, WI 54455

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located on County Rd S at the corner of County Rd S and County Rd C.

**REQUEST:**

The petition of Keith Baxter on behalf of Clara Miller to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential located in part of the Southeast ¼ of the Southwest ¼ of Section 10, Township 26 North, Range 5 East, Town of Green Valley. The area to be rezoned to R-R Rural Residential is described as Lot 1 of the preliminary CSM. Parent Parcel #030-2605-103-0995.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Green Valley Town Board Meeting *December 12th, 2023*.
- Marathon County Environmental Resources Committee Meeting (January 5<sup>th</sup>, 2023, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five-year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**Existing Generalized Land Use Map – Town of Green Valley (Comprehensive Plan 2006)** The area proposed to be rezoned is shown as Single-Family Residential in the Town’s Comprehensive Plan Existing Land Use Map (2000). Adjacent land uses are comprised of Woodlands, Crop Land, Other Agriculture, Specialty Crops, and Single Family Residential.

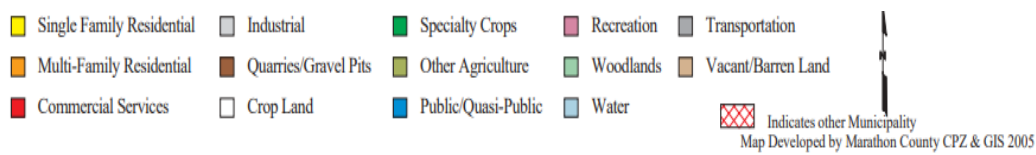
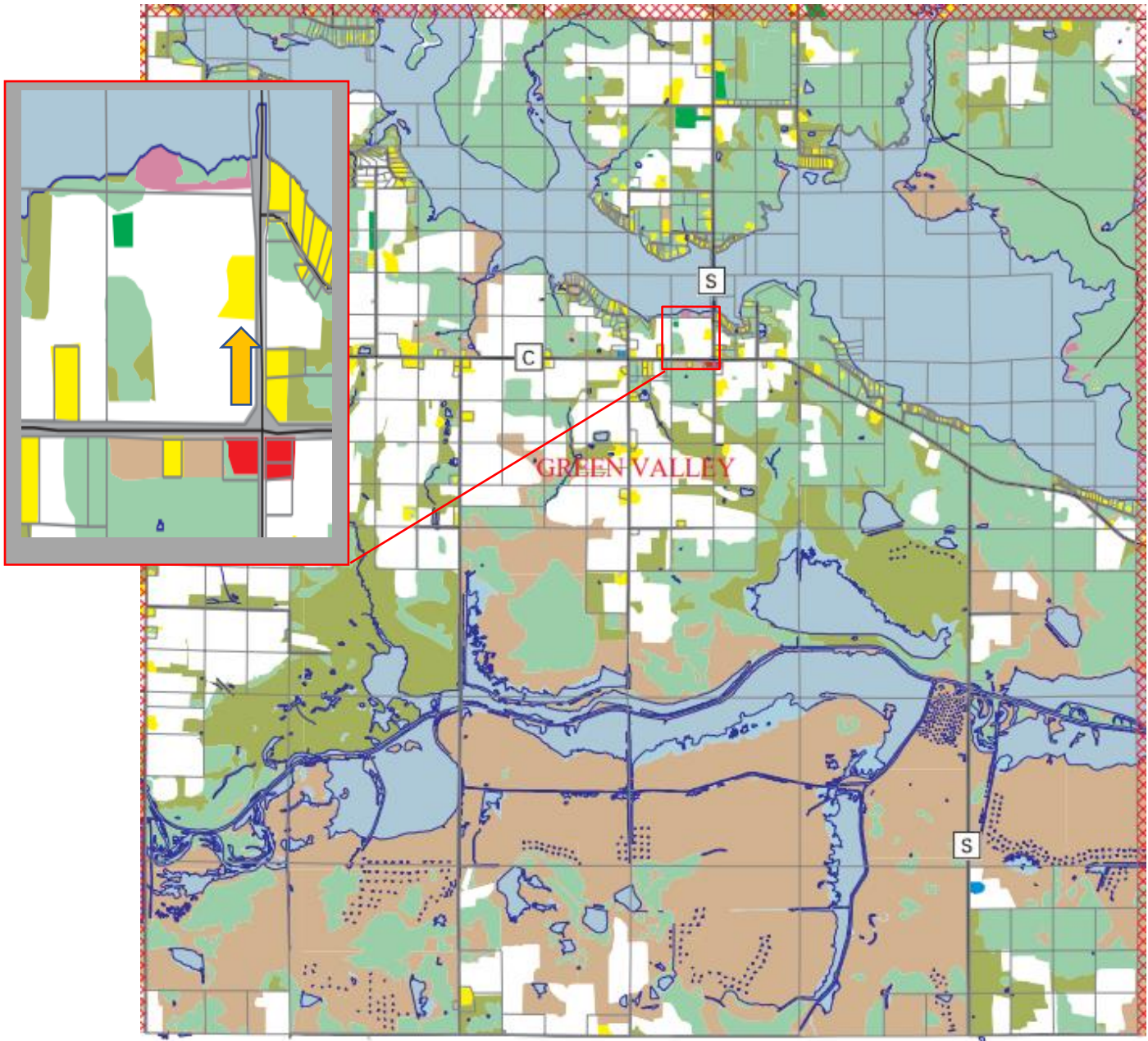


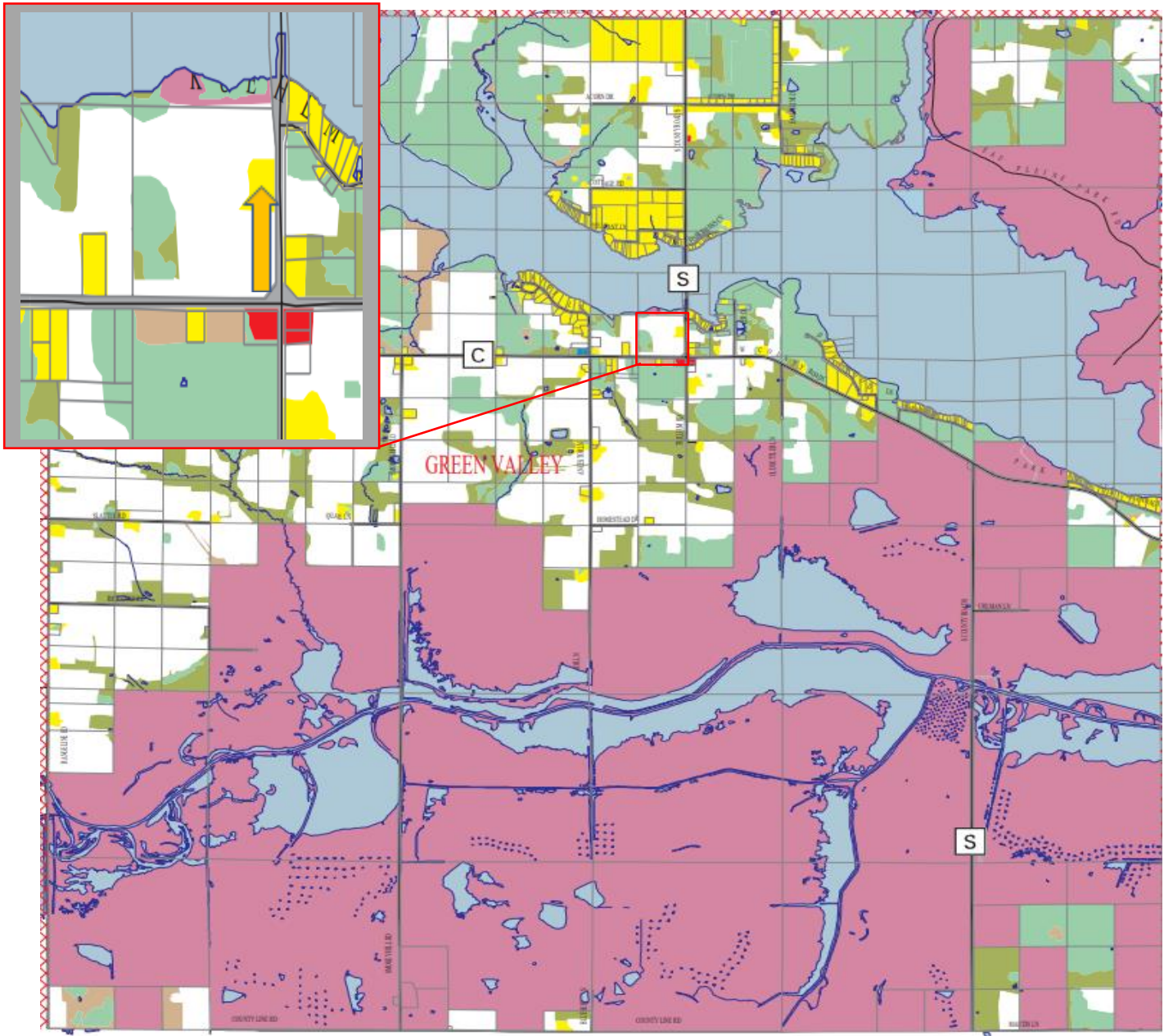
Figure 4-1  
2000 Landuse/Landcover  
GREENVALLEY



**PROPOSED ZONING DISTRICT:**

**R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006 Plan):** The area proposed to be rezoned is shown as Single Family Residential in the Town's Comprehensive Plan Future Land Use Map (2006). Adjacent land uses are comprised of Woodlands, Crop Land, and Single Family Residential.



- Single Family Residential
- Commercial
- Barren
- Crop Land
- Other Agriculture
- Forest Land
- Public/Quasi-Public
- Recreational
- Transportation
- Water

Indicates other Municipality  
Map Developed by Marathon County CPZ & GIS 2005

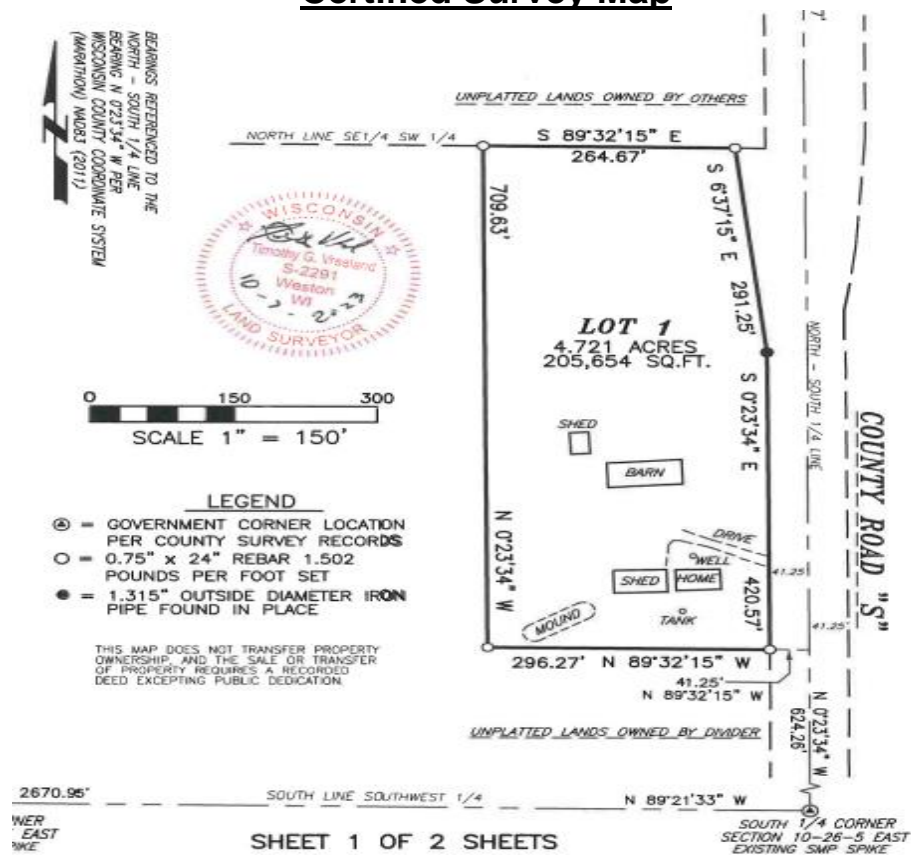
Figure 3-1  
Future Land Use  
GREENVALLEY

**FARMLAND PRESERVATION PLAN:** The Town of Green Valley does not participate in Farmland Preservation.

## Aerial Photo



## Certified Survey Map



## **TOWN RECOMMENDATION:**

On December 12th, 2023 the **Town of Green Valley** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)
  - a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Single Family Residential in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The Town of Green Valley does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

3. The applicant has demonstrated that...
  - a. There is a need for the proposed development,
  - b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
  - c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Green Valley Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors. Should the rezone be approved by Marathon County Board of Supervisors, CPZ staff recommend that the town update its comprehensive plan to reflect the zoning change if applicable.





**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

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---

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Signature:

Chairman: \_\_\_\_\_

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):

Tim Vreeland Vreeland Assoc.  
6103 Dawn St. Weston

hereby petition to rezone property owned by (Name & Address): Paul + Carrie Simonis  
158308 Sandy Creek Rd Mosinee

from the classification GA, General Ag to RR, Rural Res

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): See attached CSM

Parcel Identification Number (PIN): 032-2608-294-0994

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):

Create a 2.5 Ac lot for residential use

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided.

Lot will be created on a public road with standard public utilities.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.

No Burden

C. What have you done to determine that the land is suitable for the development proposed?

All uplands

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.

No adverse effects

E. Explain any potential for conflict with existing land uses in the area.

No conflict. Town has 2.5 Ac Min lot size

(OVER)

RECEIVED

SEP 20 2023



- F. Demonstrate the need of the proposed development at this location. Selling existing home to child. Building a new home.
- G. What is the availability of alternative locations? Be specific. No Alternative
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? Not productive crop land.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. Town requires 2.5 Ac so that is what we are creating for a lot size.

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. (If larger sheets are required to adequately portray the site, include ten (10) copies).

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature [Signature] Phone 715-241-0947 Date 9-18-23

8. Owner's Signature [Signature] Phone 715-693-5417 Date 09/14/23  
(If different)

Date Fee Received: \_\_\_\_\_ Fee \$600.00 PAYABLE TO MARATHON COUNTY

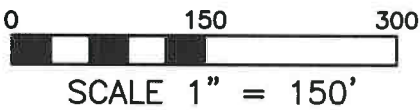
**Attendance at the Public Hearing** before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_

PART OF LOT 3 OF CSM 10167-41-190, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 8 EAST, TOWN OF GUENTHER, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b>	
<b>LAND SURVEYORS &amp; ENGINEERS</b>	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947	tim@vreelandassociates.us
PREPARED FOR: <b>CARRIE SIMONIS</b>	
FILE #: 23-0408 SIMONIS	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

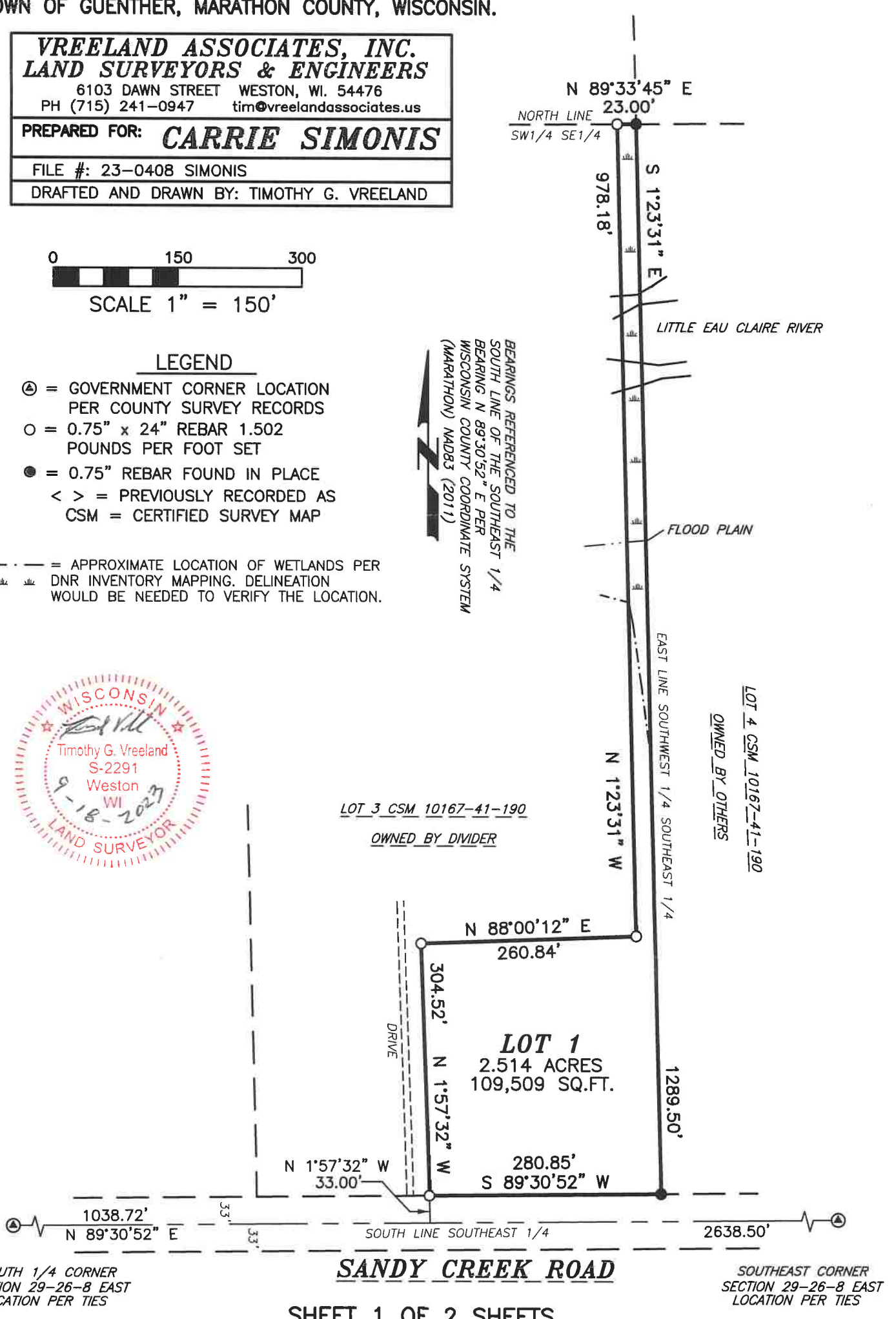


### LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 0.75" x 24" REBAR 1.502 POUNDS PER FOOT SET
- = 0.75" REBAR FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP

--- = APPROXIMATE LOCATION OF WETLANDS PER DNR INVENTORY MAPPING. DELINEATION WOULD BE NEEDED TO VERIFY THE LOCATION.

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 BEARING N 89°30'52" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)



**SANDY CREEK ROAD**

SOUTH 1/4 CORNER SECTION 29-26-8 EAST LOCATION PER TIES

SOUTHEAST CORNER SECTION 29-26-8 EAST LOCATION PER TIES

# CERTIFIED SURVEY MAP

PART OF LOT 3 OF CSM 10167-41-190, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 8 EAST, TOWN OF GUENTHER, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

## SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF PAUL AND CARRIE SIMONIS, I SURVEYED, MAPPED AND DIVIDED PART OF LOT 3 OF CERTIFIED SURVEY MAP NUMBER 10167, RECORDED IN VOLUME 41 ON PAGE 190, LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 26 NORTH, RANGE 8 EAST, TOWN OF GUENTHER, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29; THENCE N 89°30'52" E ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 1038.72 FEET; THENCE N 1°57'32" W 33.00 FEET TO THE NORTH LINE OF SANDY CREEK ROAD AND TO THE POINT OF BEGINNING; THENCE CONTINUING N 1°57'32" W 304.52 FEET; THENCE N 88°00'12" E 260.84 FEET; THENCE N 1°23'31" W 978.18 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE N 89°33'45" E ALONG THE NORTH LINE OF LOT 3 23.00 FEET; THENCE S 1°23'31" E ALONG THE EAST LINE OF SAID LOT 3 1289.50 FEET TO THE NORTH LINE OF SANDY CREEK ROAD; THENCE S 89°30'52" W ALONG THE NORTH LINE OF SAID LOT 3 280.86 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF GUENTHER, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 15TH DAY OF SEPTEMBER, 2023  
SURVEY PERFORMED SEPTEMBER 14TH, 2023

\_\_\_\_\_  
TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO. \_\_\_\_\_

REVIEWED AND APPROVED FOR  
RECORDING BY THE TOWN OF  
GUENTHER

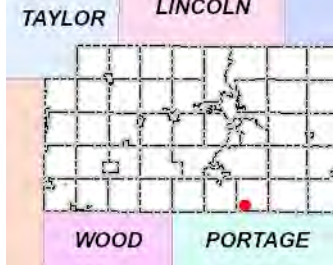
DATE: \_\_\_\_\_

\_\_\_\_\_  
TOWN OF GUENTHER





# Land Information Mapping System



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

161.89 0 161.89 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes

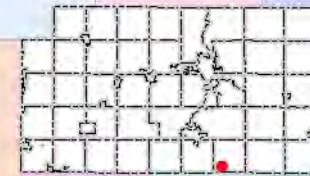




# Land Information Mapping System

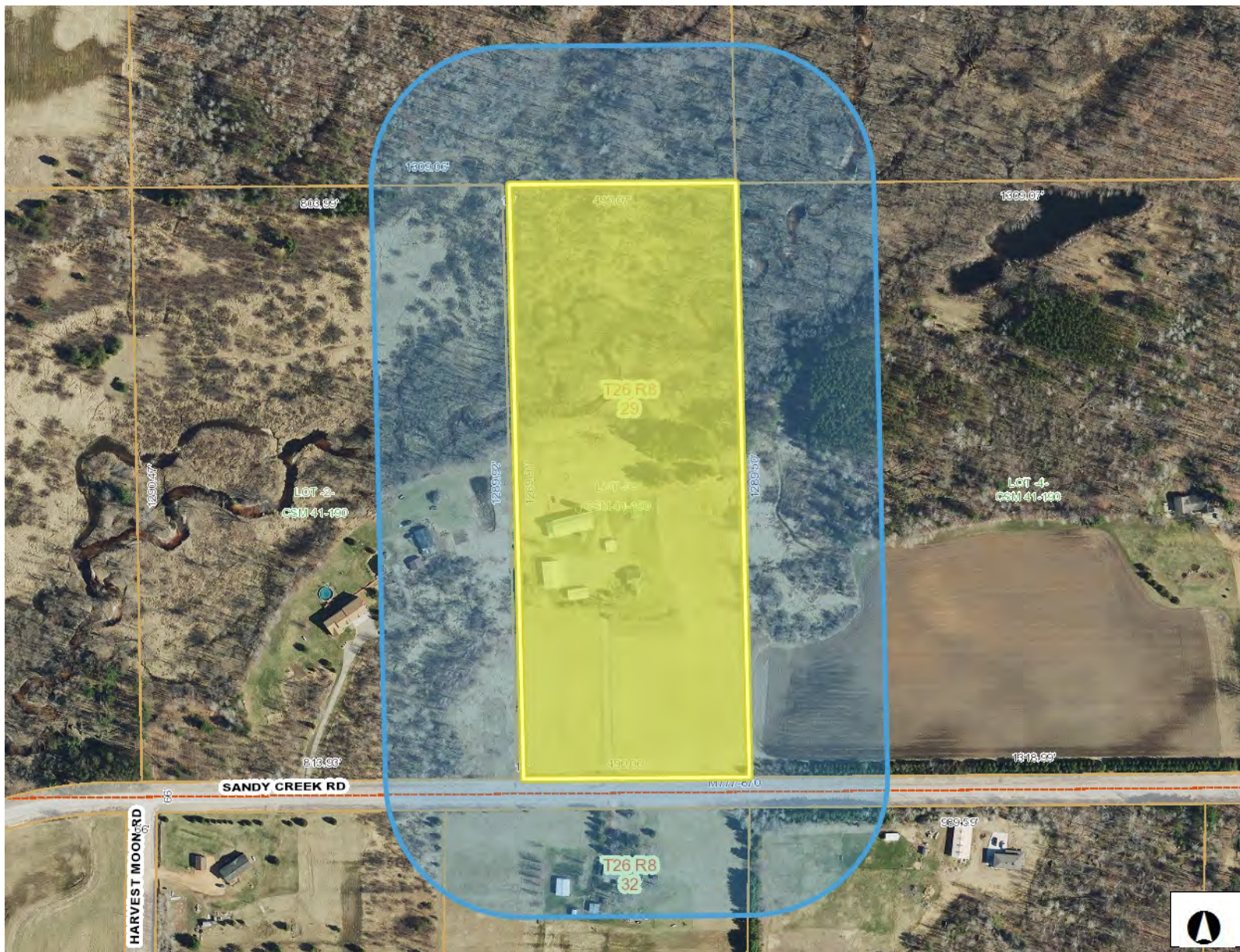
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

161.89 0 161.89 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

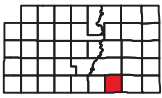
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

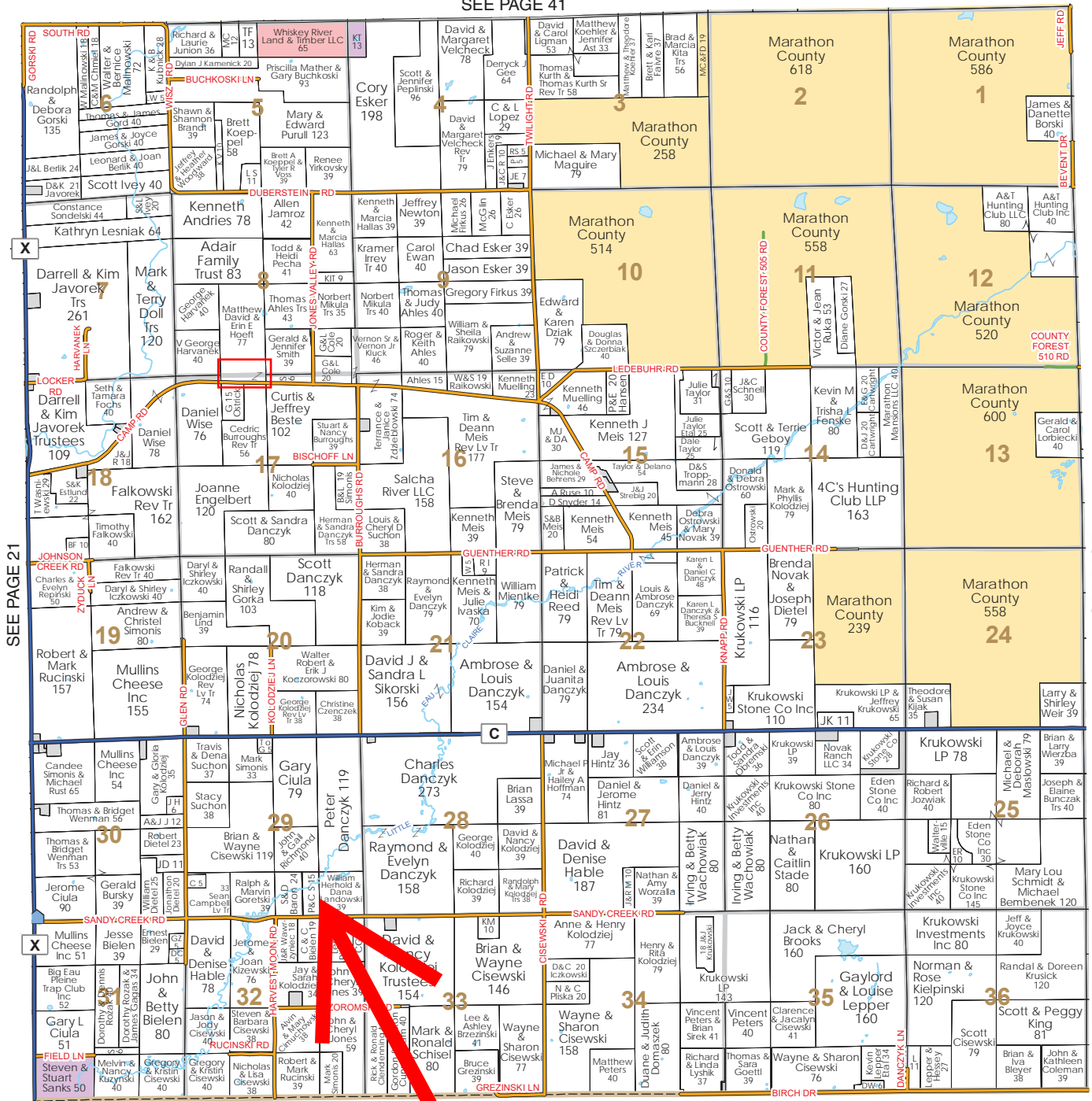
## Notes







SEE PAGE 41



SEE PAGE 21

SEE PAGE 25

PORTAGE COUNTY



4-H is America's largest youth development organization -- empowering nearly six million young people across the U.S. with the skills to lead for a lifetime.







**Paul and Carrie Simonis  
Petition to Rezone Land  
Staff Report, December 5<sup>th</sup>, 2023  
Environmental Resources Committee**

**PETITIONER:**

Tim Vreeland-6103 Dawn St, Weston, WI 54476

**PROPERTY OWNERS:**

Paul and Carrie Simonis-158308 Sandy Creek Rd, Mosinee, WI 54455

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located on Sandy Creek Rd just east of the intersection of Harvest Moon Rd and Sandy Creek Rd.

**REQUEST:**

The petition of Tim Vreeland on behalf of Paul and Carrie Simonis to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of Lot 3 of CSM 10167-41-190, located in the Southwest ¼ of the Southeast ¼ of Section 29, Township 26 North, Range 8 East, Town of Guenther. Parent Parcel #032-2608-294-0994.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Guenther Town Board Meeting (October 9<sup>th</sup>, 2023)
- Marathon County Environmental Resources Committee Meeting (December 5<sup>th</sup>, 2023, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five-year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**Existing Generalized Land Use Map – Town of Guenther (Comprehensive Plan 2018)** The area proposed to be rezoned is shown as Crop Land and Single Family Residential in the Town’s Comprehensive Plan Existing Land Use Map (2000). Adjacent land uses are comprised of Forest Land, Crop Land, Other Agriculture, and Single Family Residential.

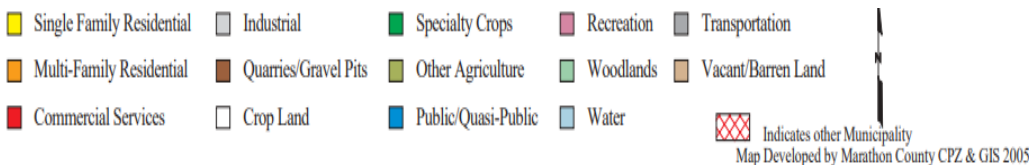
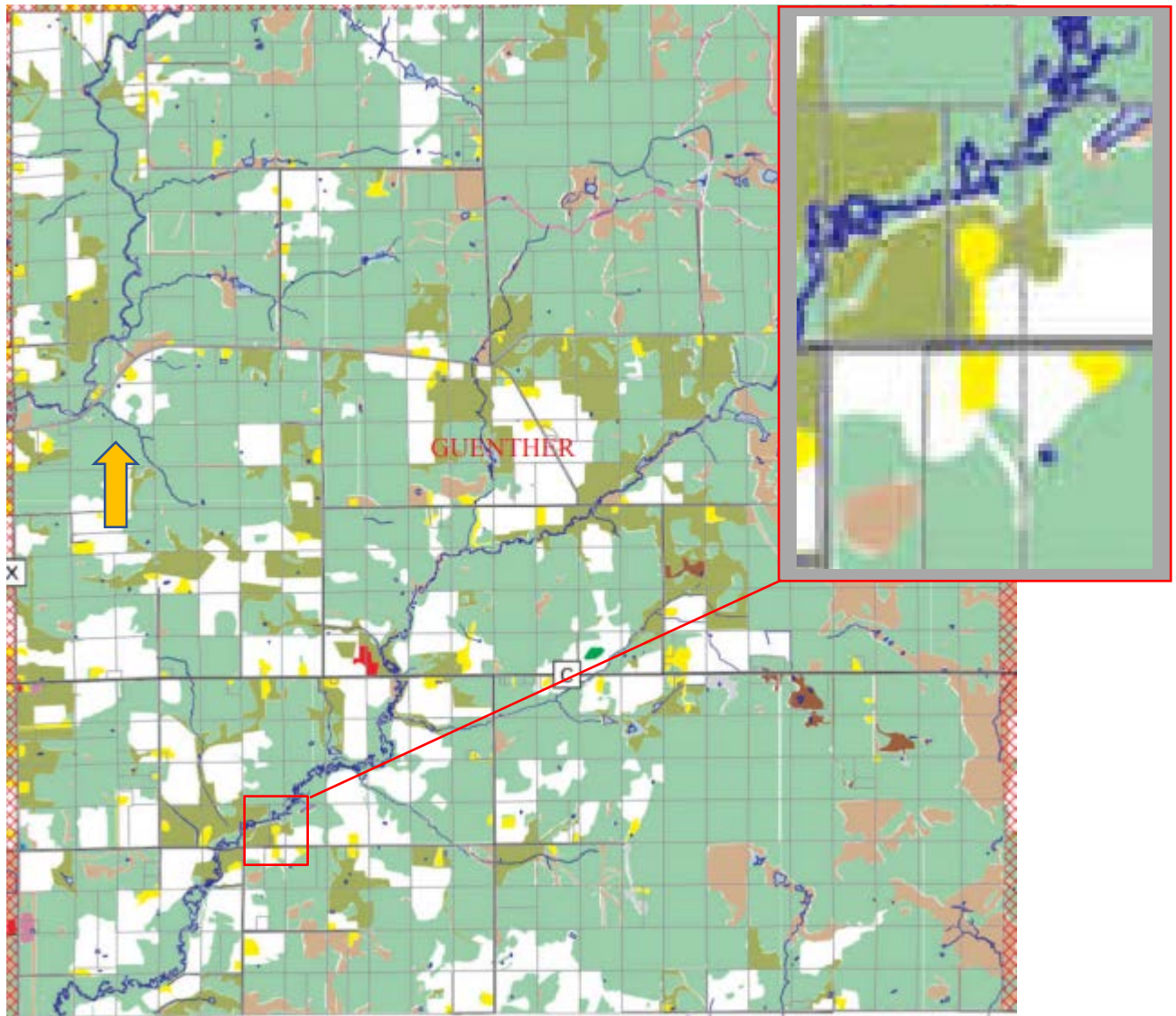


Figure 4-1  
2000 Landuse/Landcover  
PLOVER

**PROPOSED ZONING DISTRICT:**

**R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2018 Plan):** The area proposed to be rezoned is shown as Single Family Residential and Crop Land in the Town’s Comprehensive Plan Future Land Use Map (2018). Adjacent land uses are comprised of Forest Lands, Crop Land, Single Family Residential, and Other Agriculture.

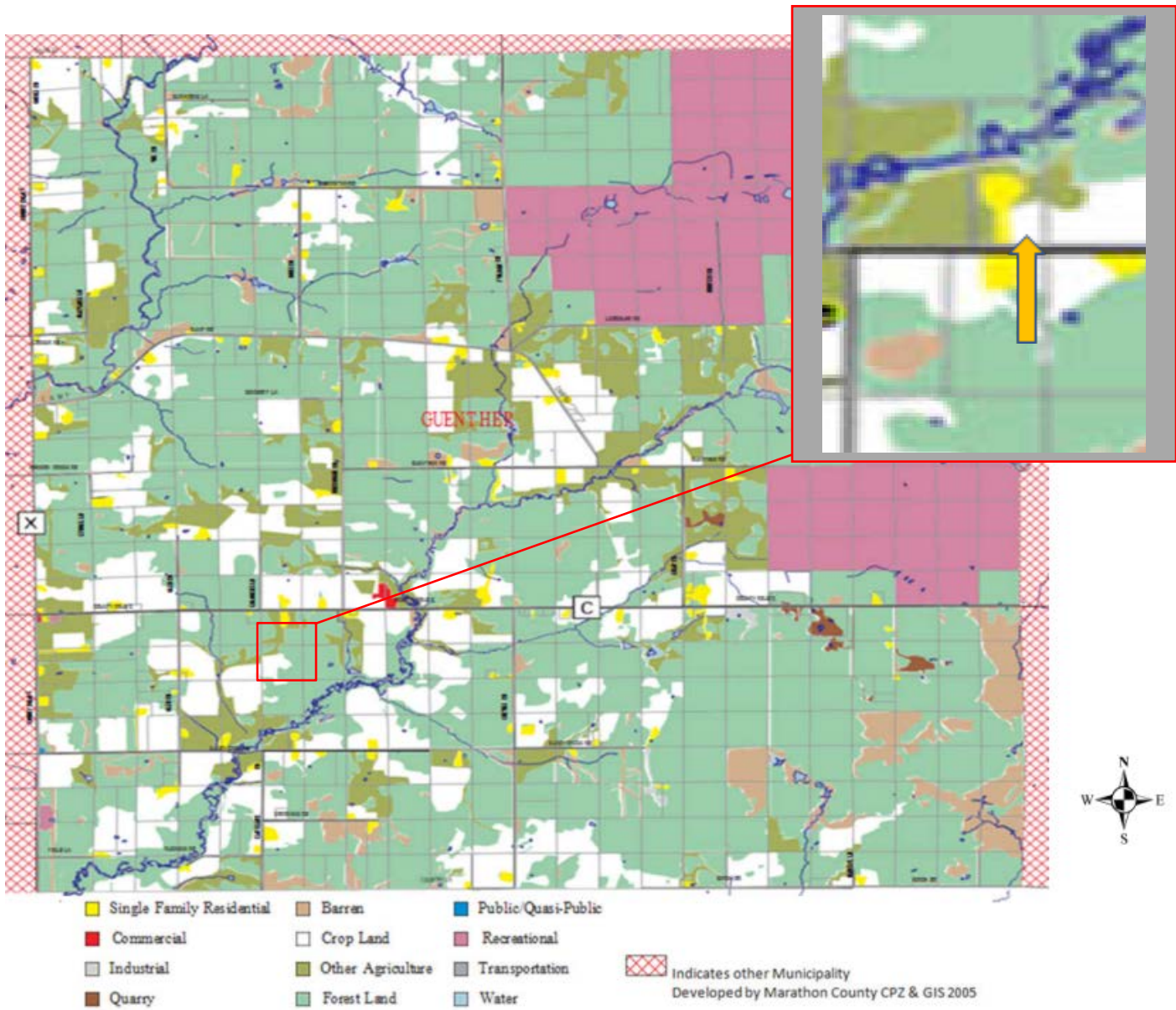


Figure 3-1  
Future Land Use  
GUENTHER



**FARMLAND PRESERVATION PLAN:** The Town of Guenther does not participate in Farmland Preservation.

## Aerial Photo



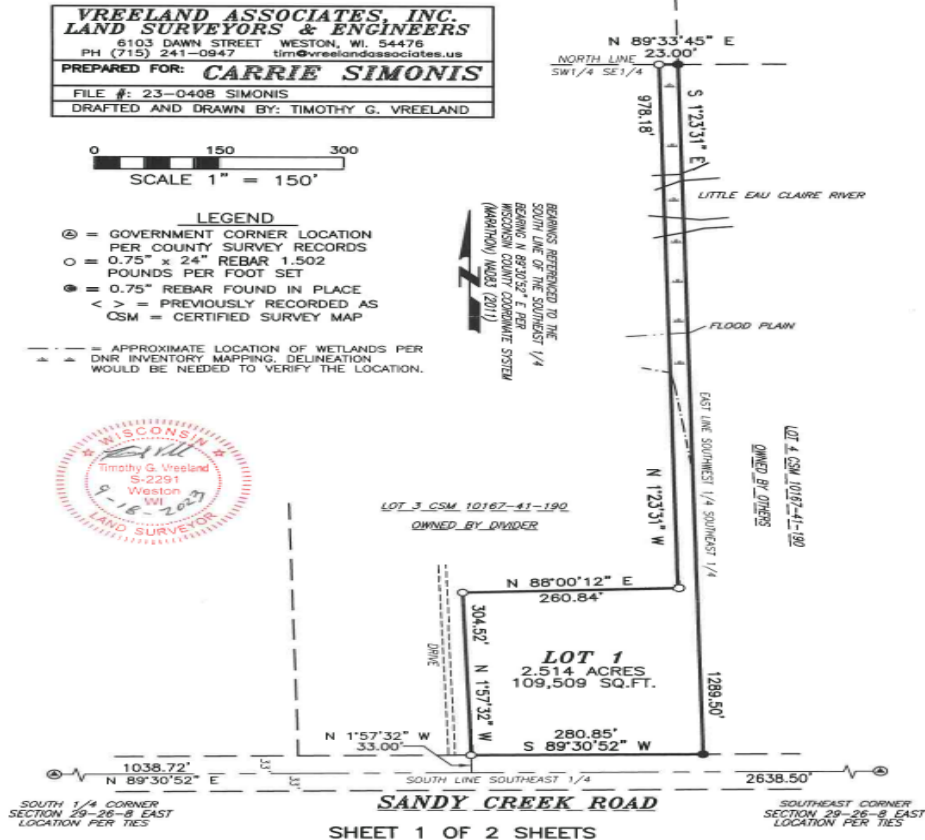
## Certified Survey Map

**VREELAND ASSOCIATES, INC.**  
**LAND SURVEYORS & ENGINEERS**  
 6103 DAWN STREET WESTON, WI, 54476  
 PH (715) 241-0947 tim@vreelandassociates.us  
 PREPARED FOR: **CARRIE SIMONIS**  
 FILE #: 23-0408 SIMONIS  
 DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

0 150 300  
 SCALE 1" = 150'

### LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 0.75" x 24" REBAR 1,502 POUNDS PER FOOT SET
- = 0.75" REBAR FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP
- - - = APPROXIMATE LOCATION OF WETLANDS PER DNR INVENTORY MAPPING. DELINEATION WOULD BE NEEDED TO VERIFY THE LOCATION.



## **TOWN RECOMMENDATION:**

On October 9<sup>th</sup>, 2023, the **Town of Guenther** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Forest Lands, Crop Land, Single Family Residential, and Other Agriculture in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The Town of Guenther does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Guenther Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors. Should the rezone be approved by Marathon County Board of Supervisors, CPZ staff recommend that the town update its comprehensive plan to reflect the zoning change if applicable.



**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer ‘agree’ to each of these standards. If the ERC recommends approval, but answers ‘disagree’ to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
  - a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---



---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---



---

3. The applicant has demonstrated that...
  - a. There is a need for the proposed development,
  - b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
  - c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---



---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---



---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---



---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---



---



**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

---

---

---

Signature:

Chairman: \_\_\_\_\_

**From:** [Garrett Pagel](#)  
**To:** [Shad Harvey](#); [Laurie Miskimins](#); [Nicole Delonay](#)  
**Subject:** FW: [EXTERNAL] RE: Question Regarding Simonis Rezone Resolution  
**Date:** Friday, December 15, 2023 10:19:06 AM  
**Attachments:** [image001.png](#)  
[image006.jpg](#)  
[image002.jpg](#)

---

Hello,

I received this response from the Town of Guenther regarding question #5 of their town resolution for Simonis. I saved it in their folder.



**Garrett Pagel**

Land Use Specialist  
Department of Conservation, Planning &  
Zoning

**Phone** 715-261-6039

**Email** [garrett.pagel@co.marathon.wi.us](mailto:garrett.pagel@co.marathon.wi.us)

210 River Drive, Wausau WI 54403

---

**From:** Town of Guenther <togclerk@mtc.net>  
**Sent:** Friday, December 15, 2023 10:05 AM  
**To:** Garrett Pagel <Garrett.Pagel@co.marathon.wi.us>  
**Cc:** Shad Harvey <Shad.Harvey@co.marathon.wi.us>  
**Subject:** [EXTERNAL] RE: Question Regarding Simonis Rezone Resolution

Hello

In answer to the question

Is there any potential for conflict with existing land uses in the area?

No, there is not any known potential conflict. Child is buying the home and land, neighboring land is agriculture.

Patricia Suchon  
Town of Guenther, Clerk  
202797 Glen Road  
Mosinee, WI 54455

715-212-2782



---

**From:** Garrett Pagel <[Garrett.Pagel@co.marathon.wi.us](mailto:Garrett.Pagel@co.marathon.wi.us)>

**Sent:** Friday, December 15, 2023 9:19 AM

**To:** [togclerk@mtc.net](mailto:togclerk@mtc.net)

**Cc:** Shad Harvey <[Shad.Harvey@co.marathon.wi.us](mailto:Shad.Harvey@co.marathon.wi.us)>

**Subject:** Question Regarding Simonis Rezone Resolution

Good Morning,

At last night's County Board Meeting, the rezone petition for Paul and Cariie Simonis was removed from the consent agenda and sent back to the Environmental Resources Committee due to what they believed was an incomplete answer to question #5 of the Town Resolution. Please see the question below and provide your answer. Please let you know if there are any questions.

5) Is there any potential for conflict with existing land uses in the area?

Yes or No? Please explain.



**Garrett Pagel**

Land Use Specialist  
Department of Conservation, Planning &  
Zoning

**Phone** 715-261-6039

**Email** [garrett.pagel@co.marathon.wi.us](mailto:garrett.pagel@co.marathon.wi.us)

210 River Drive, Wausau WI 54403

=====

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## Chapter 19 PARKS AND RECREATION

### MARATHON COUNTY PARKS

#### Sec. 19.01. General administration and terms.

- (1) *Terms.*
  - (a) *Park Commission.* The term "Park Commission", composed of seven members, refers to the committee of jurisdiction for Marathon County parklands, hereafter referred to as the "Commission" under this subchapter.
  - (b) *County park.* The terms "County park" and "park" mean all lands and water previously and subsequently acquired by the County for park or recreational purposes or placed under the jurisdiction of the Commission and including without limitation, parks, beaches, and privately owned lands, the use of which has been granted or leased to the County for park, recreational or like public purposes under this subchapter.
- (2) *Scope.*
  - (a) The provisions of this subchapter shall apply to all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Commission, except that Marathon Park shall be subject to the right of the Marathon County Agricultural Society to hold an annual fair.
  - (b) The Commission is organized pursuant to §§ 27.02 through 27.05, 27.075 and 27.08, Wis. Stats., and any subsequent amendments thereto.
- (3) *Director.* The Wausau and Marathon County Parks, Recreation, and Forestry Department, whose head shall be the Director, shall be the administrative or executive agency of the Commission. The Director shall be the authorized agent of the Commission as referred to in this subchapter.
- (4) *Closing hours.* No person shall enter or be in any County park between 11:00 p.m. and 6:00 a.m., except registered campers in or en route to designated campgrounds; persons transporting watercraft to and from designated boat landings are permitted at any hour.
- (5) *Fees, charges and deposits.*
  - (a) *Fee schedule.* No person shall use any facility, shelter, land or area for which a fee or charge has been established by the Commission without payment of such a fee or charge.
  - (b) *Deposits.* Shelters or facilities will be reserved upon completion and approval of a use agreement; payment of the rental fee; and payment of the security deposit and/or key deposit if applicable. The key and security deposit will be subject to retention, in whole or part, by the Commission, if the key is not returned; the shelter or facility has been subjected to abuse; inadequately cleaned; or used in violation of current facility use regulations.
- (6) *Additional rules, permits, exceptions.*

- 
- (a) *Additional rules.* Rules and regulations may be made governing the use and enjoyment of all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Commission. Any person who shall violate such rules or regulations or who refuses to subject himself or herself thereto may be excluded from the use of such facilities. No person shall disregard posted rules and regulations or engage in any activity contrary to posted notice.
  - (b) *Permits.* Any person to whom a permit has been issued by the Director shall be bound by the provisions of all ordinances of Marathon County as fully as though the same were inserted in each permit. Any permit issued by the department must be displayed as directed by the Commission.
  - (c) *Exceptions.* Nothing in this chapter shall prohibit or hinder the Commission, its Director, Supervisors, Park Managers, Employees or other authorized agents or any law enforcement officers from performing their official duties.
- (7) *Public utilities and private construction.*
- (a) *Public utilities.* The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone and electric power posts and lines, manholes, conduit and pumps within any park or parkway shall be subject to the jurisdiction and control of the Commission; and their construction, erection, repair or relocation shall be undertaken only after written permission is received from the Commission.
  - (b) *Private construction.*
    1. No curb, whether stone, concrete or grass, shall be cut for the purpose of constructing a private driveway across any parkway border nor for any other purpose, without written permission of the Commission.
    2. The location, width, grade and construction of all paths, driveways and roadways across any sidewalk border along any parkway shall be subject to the approval of and constructed only after written permission is obtained from the Commission.
    3. Every person who receives a permit to open a trench, cut a curb or deposit materials in or upon any park or parkway shall at all times after such work has been commenced or materials deposited and until the same has been completed and all accumulations of materials resulting from such work have been removed so guard and protect the same that persons driving or passing along the roadway or sidewalk in the vicinity of the place where the work is being done shall not be likely to meet with any accident therefrom; and shall from sunset to sunrise while such work is in progress cause the same to be securely fenced and guarded by a warning light or lights placed in a conspicuous position and so secured that the same shall not be extinguished.

(O-7-01; O-8-03; O-16-13; O-4-19; O-05-21; O-29-23)

## **Sec. 19.02. Public meetings and sales.**

- (1) *Public meetings.*
  - (a) Any person desiring to hold a public meeting of any kind in any park shall first obtain a permit from the Commission or its authorized agent. The permit shall be applied for not less than 48 hours prior to the scheduled event.
  - (b) Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.
- (2) *Sales.* No person shall sell or offer for sale any goods, merchandise or service in any park, except as authorized by the Commission and when holding proper licenses.

- 
- (3) *Soliciting boat rides.* No person shall use in any manner the dock, pier, wharf, boat landing, mooring facilities in or the waters in or immediately adjacent to any County park for the purpose of soliciting rides of any kind unless authorized by the Commission.
  - (4) *Posting bills or advertising.* No person shall distribute or post bills or advertisements in any park without written consent of the Commission.

(O-7-01; O-4-19)

### **Sec. 19.03. Personal conduct and nuisances.**

- (1) *Personal conduct.* No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any County park.
- (2) *Property of others.* No person shall disturb, molest or remove the property or personal effects of others.
- (3) *Unreasonable noise.* No person shall make or cause to be made any unreasonably loud sounds or noises under circumstances which tend to annoy or disturb others. No person shall operate any sound truck, loudspeaker, generator, chainsaw, or other device that produces excessive, loud or unusual noises within any County park except upon written permit issued by the Commission or its authorized agent upon such terms and conditions as will ensure that the public peace and order will not be unreasonably disturbed.
- (4) *Jumping and diving.* No person shall jump, dive, or otherwise launch themselves from any bridge, approach, rope or other device similar to a rope swing thereto into any body of water within any County park.
- (5) *Swimming and wading.* No person shall swim or wade within 50 feet of boat launch ramps at any County park except for the express purpose of launching or landing watercraft.
- (6) *Docks and piers.* No person shall use docks or piers adjacent to any boat landing in any manner as to obstruct or hinder the launching, landing, loading or unloading of watercraft.
- (7) *Obstructing.* No person shall knowingly obstruct an employee or any law enforcement officer while the employee or law enforcement officer is doing any act in an official capacity and with lawful authority. Obstruct includes without limitation knowingly giving false information with intent to mislead the employee or law enforcement officer in the performance of duty including the issuance of any citation.
- (8) *Smoking.* No person may smoke in, or within 50 feet of, the following areas of a County park:
  - (a) Playgrounds.
  - (b) Sports fields and sports field seating areas.
  - (c) Swimming areas and all inside fenced areas surrounding swimming areas.
  - (d) Marathon County Sports Complex located at 602 E. Kent Street.
  - (e) Those park areas temporarily posted as no smoking by the Director or his or her designee during Parks Department sponsored events.
  - (f) Those park areas temporarily posted as no smoking by the Director or his or her designee during an approved event held within the park area and for which no smoking has been requested by the event organizer or sponsor.
- (9) *Alcohol Consumption.* No person shall possess or consume intoxicating liquor or fermented malt beverages in or upon DC Everest Park and Marathon Park except as follows:

(a) Between the hours of 4:00pm and 11:00pm.



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(b) During special events approved by the Commission

(c) At campsites, park shelters or facilities reserved through the Wausau and Marathon County Parks, Recreation & Forestry Department.

(10) Golf Carts. No person may operate any golf cart, defined as an unmodified manufacturer specification vehicle whose speed does not exceed 20 miles per hour and is designed to carry one or more person and equipment to play the game of golf, on any lands under the management, supervision and control of the department unless posted otherwise or given written permission from the department in conjunction with an approved event.

(O-7-01; O-8-03; O-16-13; O-05-21; O-29-23)

## **Sec. 19.04. Destruction, entry, cleaning and refuse.**

### **(1) Destruction and entry.**

(a) *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants, or other natural growth, or natural or archeological feature; disturb or remove shoreline rip-rap; carve on any rocks, archaeological or geological features, signs, walls or structures; drive nails in trees or move, deface or vandalize in any manner any structures including buildings, signs, fences, tables or other County property. Edible fruits, nuts, wild mushrooms and wild asparagus may be picked or gathered without a permit, except on State Natural Areas.

### **(b) Prospecting prohibited.**

1. In this subsection, the term "prospecting" means exploring for the presence of rocks, minerals or fossils by means of relocation, removal or displacement of soil or other organic or inorganic materials.
2. No person may collect, or engage in prospecting for, rocks, minerals, or fossil materials located on any Marathon County Park land or the bed of any body of water located thereon.

(c) *Entry and manipulation.* No person shall enter in any way any building, installation or area that may be under construction or locked or closed to public use or molest or manipulate any water control structure, dam or culvert or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to posted notice in any County park.

### **(2) Cleaning and refuse.**

(a) *Washing.* The washing of cars, persons, pets, cooking utensils or clothing is prohibited in any lakes, streams or on any picnic grounds, playgrounds, beaches, recreation areas, boat landings, parking lots or roadways or within 50 feet of any pump, fountain or drinking water outlet in any County park. The washing of persons, cooking utensils and clothing shall be permitted at designated campgrounds or at other authorized and posted locations.

(b) *Fish and game cleaning.* No person shall clean, butcher, scale or skin any fish, game, livestock or poultry in any County park except that fish may be cleaned at designated fish cleaning tables provided for such purposes. Refuse from such cleaning operations shall be suitably wrapped or packaged and deposited in the refuse containers provided for that purpose.

### **(c) Refuse.**

1. No person shall deposit or leave any garbage, sewage, or other waste material upon any body of water or other area in any County park except in an appropriate solid waste or recycling container.

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2. No person shall upset or turn over the contents of any solid waste or recycling container in any County park.
  3. Charcoal residue or wood ash shall be left in a grate or fireplace until cool or placed in receptacles provided for such purposes.
  4. No person shall deposit or leave any residential or commercial belongings or waste material in any waste receptacle or other area in any County park.
- (d) *Dispensing beverages.* No vendor shall dispense beverages in any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage at any outdoor fair, game, attraction, event, or public function. This prohibition does not apply to vendors at any of the above-listed activities serving sit-down meals where the beverage containers are washed and reused. All beverage vendors at any of the above-listed activities shall use recyclable beverage containers and provide adequate collection facilities for the recycling of all beverage containers so used.

(O-7-01; O-8-03; O-17-14; O-05-21; O-38-22)

### **Sec. 19.05. Vehicles.**

(1) *Vehicular traffic.*

- (a) No person shall operate any vehicle at a speed in excess of 15 mph or contrary to official traffic signs in any County park or County trail unless governed by § 7.125 of Marathon County Code of Ordinances.
- (b) No person shall operate a motor vehicle in an abusive, boisterous, unreasonably loud or otherwise disorderly manner under circumstances which tend to cause or provoke a disturbance. Such conduct shall include, but not be limited to, conduct which tends to disturb, annoy or endanger one or more persons because of unnecessary or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing engine to backfire or causing vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground or operate at an unreasonable or imprudent speed in any County park.
- (c) No person shall operate or park any motor vehicle except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, boat ramps and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.
- (d) No person shall operate a snowmobile as defined in § 340.01(58a), Wis. Stats., in any County park, except on snowmobile trails approved by or for events authorized by the Commission.
- (e) No person shall operate an ATV or UTV as defined in § 340.01(2g), Wis. Stats., in any County park, except on established roads.
- (f) No other motorized vehicles other than an ATV or UTV shall be operated on a designated ATV/UTV trail on park property or County trail with the exception of authorized personnel in the performance of their duties.
- (g) No person may operate a motorized vehicle on County property when rules pertaining to the operation of motorized vehicles are posted by the Commission or its authorized agent.

(2) *Parking.*

- (a) No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction or watercraft:

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1. In any manner as to block, obstruct or limit the use of any road, trail, sidewalk, parking lot, boat landing, waterway or winter sport facility.
  2. Outside of any area provided for such purposes when it is practical to use such areas.
  3. Contrary to posted notice.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporarily or otherwise, in areas reserved, by official traffic signs indicating the restriction, for vehicles displaying registration plates or identification cards which designates the vehicle as a vehicle used by a physically disabled person as defined in § 346.505, Wis. Stats.
- (c) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporary or otherwise, in areas designated as fire lanes with signs or marked curbs.
- (d) The forfeiture for a violation of paragraph (a) shall be \$10.00. The forfeiture for a violation of paragraph (b) or (c) shall be \$30.00. In the event that the violator fails to appear in court on the date and time indicated on the citation, or fails to enter a "not guilty" plea by mail by the court date, or fails to stipulate to the violation by posting the forfeiture required in the office of the Marathon County Clerk of Courts, at the address indicated on the citation by the court date, said forfeiture shall be ordered by the court in default and shall be increased by the amount of \$30.00 as a penalty for failure to pay in a timely fashion, for a total forfeiture of \$40.00 for a violation of paragraph (a) and \$60.00 for a violation of paragraph (b) or (c).
- (e) The provisions of § 345.28, Wis. Stats., and any subsequent amendments thereto, are specifically adopted and incorporated herein by reference. If the alleged violator fails to pay the amount of the forfeiture as provided herein, or to appear in court, the County may take any or all of the actions authorized under § 345.28, Wis. Stats.
- (f) The registered owner of a vehicle is deemed to have authorized the parking of a vehicle found parked in violation of this subsection.
- (3) *Abandoned vehicles.* No person shall leave any vehicle unattended without approval of the Commission or its authorized agent for more than 48 hours under such circumstance as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owner's expense. Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.

(O-7-01; O-8-03; O-05-21; O-38-22)

## **Sec. 19.06. Fires, fireworks, firearms, projectiles.**

- (1) *Fires.*
  - (a) Marathon Park.
    1. Except for cooking with charcoal, gas or liquid fuel on commercially manufactured portable metal grills or stoves, there shall be no open fires in Marathon Park, except as provided in paragraph 3.
    2. Portable metal grills and stoves acceptable in Marathon Park shall include only commercially manufactured devices intended for cooking. Homemade devices or manufactured portable fire places or other manufactured devices, which have been modified by the user, shall not be used.
    3. Fires other than those provided for in paragraph 1 may be made by permit only. Said permit must be obtained from the Wausau City Fire Department pursuant to the Wausau Municipal Code.
  - (b) Other County Parks.



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1. No person shall start, tend or maintain any fire or burn any refuse except at designated fireplaces, fire rings or permanent grills within any county park other than Marathon Park.
  2. Fires for cooking or heating may be made in portable metal stoves, heaters, grills or fireplaces at picnic areas or designated campgrounds.
- (c) No person shall abandon any fire or leave any fire unattended or throw away any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them. No person shall start, tend or use in any manner any fire contrary to posted notice in any county park.
- (2) *Fireworks.* No person shall possess or discharge any fireworks regulated by § 167.10(1), Wis. Stats. in any County park except that exhibitions of fireworks given under the direction or by the permission of the Commission or its authorized agent are permitted.
- (3) *Firearms.*
- (a) No person shall discharge any firearm as defined in § 167.31(1)(c), Wis. Stats., or airgun as defined in § 939.22, Wis. Stats., or any bow in any County park, except that portion of Shooting Range Park north of Four Mile Creek where the use of firearms, airguns or bows is permitted on designated ranges in accordance with posted regulations.
  - (b) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, a person is not in violation of, and may not be charged with a violation of, this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried.
  - (c) This section does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in § 939.45, Wis. Stats.
  - (d) No person, except a law enforcement officer, shall enter any building, facility, or location open to the public that is restricted by state law or posted as a no firearms or concealed weapons location while possessing, carrying, or concealing a firearm or weapon, whether with or without a state permit.
- (4) *Shooting range park.*
- (a) No person shall discharge any firearm, airgun or bow in any area within Shooting Range Park not specifically designated for such use or contrary to posted regulations or contrary to verbal orders given by the Rangemaster on duty. This paragraph shall apply to any person discharging any firearm at a rate of fire deemed unsafe in the judgment of the Rangemaster, including bump firing to simulate the discharge of automatic firearms.
  - (b) No person shall possess or discharge any fully automatic or machine gun or load or discharge any firearm deemed unsafe in the judgment of the Rangemaster or load any firearm with or discharge any armor piercing or incendiary ammunition at Shooting Range Park. This paragraph shall not apply to authorized military or law enforcement training exercises.
  - (c) No person shall engage in any sport or activity while in possession of an uncased firearm, airgun or bow which, in the judgment of any law enforcement officer or the Rangemaster, constitutes a safety hazard.
- (5) *Throwing or shooting projectiles.* No person shall throw or shoot an arrow, knife, stone, paintball or other projectile, by hand or any other means, in any County park. This subsection shall not apply to arrows used on archery ranges authorized by the Commission.

(O-17-98; O-7-01; O-8-03; O-10-11; O-16-13)

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## Sec. 19.07. Animals.

(1) *Animals in public facilities.*

(a) *Restricted.* No person having immediate custody, care or control of a dog or other animal, shall permit said animal to enter and/or remain in any public park building, bathing beach, the Marathon County Sports Complex, the Marathon Park Amphitheater or playground safety surface area in any County park, except assistance dogs or as authorized by the Commission or their designee.

(b) *Definitions.* The following terms shall have the meanings indicated:

*Assistance dog.* Any dog that has been or is being trained as a guide dog, hearing dog, or service dog. Such terms are further defined as follows:

*Guide dog.* Any dog that has been or is being specially trained to aid a particular blind or visually impaired person.

*Hearing dog.* Any dog that has been or is being specially trained to aid a particular deaf or hard of hearing person.

*Service dog.* Any dog that has been or is being specially trained to aid a person with a disability other than sight or hearing.

(2) *Animals running at large.* No person shall allow a dog or other animal to run at large in any County park. The animal shall be considered as running at large unless it is on a leash no more than 16 feet in length, is in or upon a vehicle, is in or on the property of its owner or another who does not object to the presence of such animal, or is part of a 4-H project, is on a display for judging purposes, is in an itinerant or transient carnival, circus or other like show, is in a dog or cat show or trial, or is part of the program of a public or private educational institution as authorized by the Commission or in designated areas as set by the Commission.

(3) *Howling animals.* No person shall own, keep, possess or harbor a dog or other animal in any County park which by frequent or habitual howling, yelping, barking or wailing disturbs other persons.

(4) *Animal feces.*

(a) The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal upon any County park.

(b) No person shall permit a dog or other animal to be in any County park unless such person has, in his immediate possession, an appropriate means of removing animal feces.

(5) *Horses.*

(a) No person shall ride or use a horse or other beast of burden in any manner in any County park, except on designated bridle trails or for events authorized by the Commission.

(b) No person shall ride or use a horse or other beast of burden in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or person of others.

(c) The use of a horse or other beast of burden to pull a buggy as a means of transportation shall not occur, operate, or park except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, boat ramps and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.

(6) *Hunting and trapping.*

(a) *Restricted.* No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds in any County park, except:

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1. Waterfowl, as that term is defined herein, may be hunted from a blind, as that term is defined herein, in accordance with applicable State statutes and applicable provisions of the Wisconsin Administrative Code setting forth regulations of the Department of Natural Resources, placed below the ordinary high watermark, as that term is defined herein, at Big Eau Pleine and Ashley Parks. A blind may be established not more than seven days prior to the opening of the waterfowl hunting season and must be removed by the owner within seven days after the close of the season. Any blind on park property used in hunting waterfowl must bear the name, address, and phone number of the owner affixed permanently to the blind in lettering one inch square or larger.
  2. Archery hunting is permitted in Big Eau Pleine Park only during the open season from November 15 through the Sunday nearest January 6. No special hunting access permit is needed to hunt with a bow or crossbow in Big Eau Pleine Park. All hunting license requirements apply. Archery hunters must:
    - a. Be 100 feet from a designated trail or the center of any established road.
    - b. Be 100 yards from designated use areas such as picnic areas, campgrounds, beaches, and buildings.
    - c. Hunting must take place from an elevated platform of no less than six feet off of the ground.
    - d. Access to the park for the purpose of hunting is allowed starting at 6:00 a.m. or one hour prior to shooting hours until one hour after shooting hours.
    - e. Tree stands. No person shall construct, cause to be constructed, use or occupy any elevated scaffold or other elevated device commonly referred to as a tree stand on any lands owned or under the control of the County, except that portable tree stands may be used, provided that they are completely removed from the tree each day at the close of hunting hours and provided that such portable tree stands are not in any manner bolted, nailed, screwed or fastened to the tree and provided that such portable tree stands cause no permanent or temporary damage to the trees in which they are placed. Portable tree stands may be left in the woods provided that they have the name, address, and phone number of the owner permanently affixed to the stand in the English language and shall be clearly visible and kept legible at all times. Portable tree stands without such identifying information shall be subject to immediate removal by County officials. Portable tree stands may not be brought in prior to the season starting and must be removed by the owner the last day of the archery deer hunting season established by the Wisconsin Department of Natural Resources.
    - f. Trail cameras. No person shall place or use any camera or other device commonly referred to as a trail camera on lands owned or under the control of the County that causes permanent or temporary damage to natural vegetation or other County property. The placement and use of trail cameras are permitted for hunting and wildlife scouting purposes and are prohibited in designated areas of the Big Eau Pleine Park where activity would interfere with other recreational activities and shall include picnic areas, campgrounds, beaches, parking areas and buildings. Trail cameras may be left in the woods provided they bear the name, address, and phone number in the English language of the owner permanently affixed in a manner that is clearly visible and kept legible at all times without moving the camera. Trail cameras without such identifying information shall be subject to immediate removal by County officials. Trail cameras may be chained or locked to natural vegetation and must be removed from Big Eau Pleine Park as stipulated for tree stands in paragraph (e).



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- g. **High Visibility Clothing.** High Visibility Clothing or Blaze Orange is required for archery only areas during any gun deer season established by the Wisconsin Department of Natural Resources.

- (b) **Definitions.** The following terms shall have the meanings indicated:

*Archery hunting.* The act of pursuing or taking wild game using a bow and arrow. Bows include crossbows.

*Blind.* Any permanent structure used in hunting waterfowl, which is not removed at the end of hunting hours each day.

*Designated trail.* All trails signed for hiking, biking, disc golf and equestrian use.

*Ordinary high watermark.* The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high watermark.

*Waterfowl.* Includes wild geese, brant, wild ducks, rails, coots, gallinules, jacksnipe, woodcock, plovers, sandpipers and wild swan.

- (c) **Penalty.** Violations of this subsection shall be punishable as provided in § 19.14 of this chapter relating to hunting and trapping violations.

(O-15-90; O-7-01; O-8-03; O-16-13; O-13-15; O-05-21; O-40-21; O-29-23)

## **Sec. 19.08. Athletics.**

- (1) **Golf and archery.** No person shall use golf or archery equipment within any County park or parkway except upon golf facilities or archery ranges established by the Commission.
- (2) **Roller skates, skateboards, and scooters.** No person shall ride, push or travel upon roller skates, in-line skates, skateboards, or scooters within any public buildings or on any facilities not specifically intended for such use including, but not limited to: tennis courts, benches, tables, bleachers or on docks and piers adjacent to any boat landing within any County park, except in designated areas and in accordance with posted regulations.
- (3) **Ice skating.** No person shall play or practice hockey, broomball or any other games or sports that may interfere with casual ice skaters, when casual skaters are present on outdoor ice skating rinks established by the Commission, except hockey and broomball may be played on designated hockey rinks.
- (4) **Hiking, walking or running on groomed ski, fat tire bike and snowshoe trails.** No person shall hike, walk or run on any designated cross-country ski, fat tire bike, or snowshoe trails during that period of the year when such trails are open, or being groomed for opening, for cross-country skiing, fat tire biking or snowshoeing unless in the case of an emergency or injury.

- (a) **Definitions:** The following terms shall have the meaning indicated:

- 1. **Fat tire bike.** Any bike that has tires that are 3.8 inches wide or larger.

- 2. **Snowshoe.** A flat device resembling a racket, which is attached to the sole of a boot and used for walking on snow.

(O-7-01; O-8-03; O-05-21; O-38-22; O-29-23)

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### **Sec. 19.09. Beaches.**

- (1) *Food and beverage.* No person shall carry or consume any food or beverages on any bathing beach or in the water adjacent to any bathing beach in any County park except in designated areas.
- (2) *Boundary buoys.* No person shall disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any County park or moor or cause to be within that area of water enclosed by boundary buoys any boat, raft or craft used to transport persons.
- (3) *Beach athletics.* Except in locations designated for such purpose, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water when injury or inconvenience to others might result therefrom.
- (4) *Bathing dress.* No swimmer or bather shall enter the water or onto any bathing beach unless clothed in a suitable bathing dress or suit.
- (5) *Changing clothing.* No person shall change clothes, except in beach houses or other enclosed places.
- (6) *Fishing.* No person may fish in any marked swimming beach area.
- (7) *Glass containers.* Container made of glass or other shatterable material are prohibited.

(O-7-01; O-05-21)

### **Sec. 19.10. Camping.**

- (1) *Definitions.* The following terms shall have the meanings indicated:

*Campground, designated.* Any tract of land designated exclusively for camping.

*Campground, general.* Any tract of land designated for camping by camping parties.

*Campground, group.* A campground which may be reserved for use by an assemblage of one or more families, nonfamily groups or juvenile groups.

*Camping or camp.* The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes.

*Camping party.* Any individual, family, or nonfamily group occupying a campsite.

*Camping unit.* Any single shelter except bedrolls and sleeping bags used for a camp by a camping party.

*Campsite.* A segment of a campground which is designated for camping use by a camping unit or camping party.

*Closed shelter.* Any building or structure capable of being closed to public access and reserved for public or private group activities.

*Family.* A camping party composed of a parent or parents with their unemancipated children.

*Individual group.* A camping party of not more than five unrelated persons occupying one camp site.

*Juvenile group.* A camping party composed of not more than ten juveniles under the leadership of an adult.

*Nonfamily group.* A camping party composed of five or less persons who do not meet the definition of family.

- (2) *Camping regulations.*

- (a) *Camping prohibited.* Camping is prohibited in all County parks, except at designated campgrounds, or other areas authorized by the Commission.

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- (b) *Designated campgrounds.* Designated campgrounds are those general and group campgrounds in Big Eau Pleine, Dells of the Eau Claire and Marathon Parks.
  - (c) *Camping permit.* No person shall set up camp prior to completing and displaying a camping permit. [Marathon Park camping permits are preregistration only and must be obtained through the online registration software prior to occupying the campsite.](#) All camping fees shall be prepaid for the permit period prior to occupying the campsite as provided in subsection 19.01(5)(a) of this chapter relating to a fee or charge established by the Commission.
  - (d) *Camping limited, designated campgrounds.* No person shall camp and no camping unit shall remain in a designated campground for a period greater than 14 consecutive days. The camping unit shall be removed from the property for at least seven days before being eligible to return.
  - (e) *Campsite occupancy.*
    - 1. No more than one camping party shall occupy a single campsite.
    - 2. No camping party consisting of a nonfamily group shall exceed five persons.
  - (f) *Campsite changes.* No camping party shall move from its assigned campsite to another campsite without prior approval.
  - (g) *Camping permit expiration.* All camping permits expire at 3:00 p.m. on the last day of the permit period.
  - (h) *Camping permit extensions.* Extensions within the 14-day limit may be granted on camping permits. Extensions shall be obtained prior to 10:00 a.m. on the expiration date of the permit.
  - (i) *Campsite entry hours.* No camping party shall start setting up or taking down its camping unit between the hours of 11:00 p.m. and 6:00 a.m.
  - (j) *Campsite parking.* No person shall park any motor vehicle outside the parking area designated at each campsite and not more than two motor vehicles are permitted to any campsite except that as many as five motorcycles are permitted for members of a camping party registered as a nonfamily group.
  - (k) *Campsite reservations.* Campsite reservations will be accepted only for group campgrounds and designated campsites within a general campground.
  - (l) *Camping party membership.* No person shall obtain a camping permit for use by a camping party of which he is not a member in a general campground.
  - (m) *Campsite capacity.* No more than two sleeping units may occupy a campsite. Two units may consist of one travel trailer, pickup truck camper or motor home and one tent or two tents with no camper. Pickup campers or motor homes towing a trailer shall be treated as a single unit.
  - (n) *Camping contrary to posted notice.* No person shall camp on any lands under the management, supervision or control of the Commission contrary to posted notice.
  - (o) *Camping violations.* Violation of any State law or any rules of the Commission by a member of a camping party is cause for revocation of the camping permit.
  - (p) *Campground quiet hours.* No person shall make or cause to be made any unreasonable sounds or noises in or adjacent to any designated campground as provided in subsection 19.03(3) of this chapter between the hours of 10:00 p.m. and 6:00 a.m. Beaches and shelters are closed after park hours except in cases of emergency.

(O-7-01; O-8-03; O-16-13; O-05-21; O-38-22)



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### **Sec. 19.11. Boating.**

- (1) *Mission Lake boating regulations.*
  - (a) *Speed limit.* No person shall operate any watercraft in excess of five mph on Mission Lake, Town of Reid.
  - (b) *Mooring.* No person shall moor any watercraft for more than 24 hours on the water adjacent to or on the shore of Mission Lake Park.
- (2) *Motorboats, Sunny Vale Lake.* No person shall operate a motorboat of any kind in any manner on Sunny Vale Lake within Sunny Vale Park.
- (3) *State boating and water safety laws adopted.* The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety found in § 30.68, Wis. Stats., Restricted Areas, are hereby adopted and by reference made a part of this section.

### **Sec. 19.12. Jurisdiction over minors and underage persons.**

Any and all County ordinances conferring jurisdiction on the Circuit Court for persons 12 years of age or older, including all subsequent amendments and/or revisions thereto, are hereby adopted and by reference made a part of this section.

(O-7-01)

### **Sec. 19.13. Legal action.**

- (1) *Civil action.* Whenever an arrest shall have been made or any violation shall occur, the District Attorney shall prosecute as provided by law.
- (2) *Arrest powers.* Any law enforcement officer of the County or any of its municipal subdivisions may without a warrant arrest any offender whom he may detect in the violation of any of the provisions of this chapter and take the person so arrested immediately before a magistrate having competent jurisdiction and he shall have at all times the right to enter the premises of any building, structure or enclosure in any park or parkway, including such grounds, buildings, structures or enclosures which may be leased or set aside for private or exclusive use of any individual or group of individuals for the purpose of arresting violators and may use all necessary means to attain that end.
- (3) *Citation.*
  - (a) *Authority to issue.* Citations for violations of this chapter may be issued by any law enforcement officer or by the Director and those administrative, supervisory or managerial Wausau and Marathon County Parks, Recreation, and Forestry Department personnel delegated by the Director and listed below:  
  
Assistant Parks and Recreation Directors;  
  
Facility Managers;  
  
Motorized Recreation Coordinator.
  - (b) *Format.* The citation issued for violations of this chapter shall be Parks, Recreation and Forestry Department Form P-451, "Uniform Citation" or equivalent, except for certain violations of §§ 19.12 and 19.23, where State Form GF-116, "Wisconsin Uniform Citation Underage Alcohol Offenses or Harassment" or current equivalent, shall be used.

(O-7-01; O-8-03; O-16-13; O-12-15; O-05-21; O-29-23)

**Sec. 19.14. Schedule of cash deposits, County parks.**

Section	Title	Deposit
19.01(4)	Closing Hours	\$30.00
19.01(5)	Fees, Charges and Deposits	20.00
19.01(6)(a)	Additional Rules	20.00
19.01(7)(b)	Private Construction	50.00
19.02(1)	Public Meetings	40.00
19.02(2)	Sales	40.00
19.02(3)	Soliciting Boat Rides	40.00
19.02(4)	Posting Bills or Advertising	40.00
19.03(1)	Personal Conduct	40.00
19.03(2)	Property of Others	50.00
19.03(3)	Unreasonable Noise	20.00
19.03(4)	Jumping and Diving	20.00
19.03(5)	Swimming and Wading	10.00
19.03(6)	Docks and Piers	10.00
19.03(7)	Obstructing	40.00
19.04(1)(a)	Deface, Remove or Destroy (Plus Restitution for Damages)	50.00
19.04(1)(b)	Prospecting Prohibited	50.00
19.04(1)(c)	Entry and Manipulation	30.00
19.04(2)(a)	Washing	20.00
19.04(2)(b)	Fish and Game Cleaning	20.00
19.04(2)(c)	Refuse	50.00
19.04(2)(d)	Dispensing Beverages	50.00
19.05(1)	Vehicular Traffic	40.00
19.05(3)	Abandoned Vehicles	40.00
19.06(1)	Fires	30.00
19.06(2)	Fireworks	30.00
19.06(3)	Firearms	50.00
19.06(4)	Shooting Range Park	50.00
19.06(5)	Throwing or Shooting Projectiles	30.00
19.07(1)	Animals in Public Facilities	10.00
19.07(2)	Animals Running at Large	10.00
19.07(3)	Howling Animals	10.00
19.07(4)	Animal Feces	10.00
19.07(5)	Horses	10.00
19.07(6)	Hunting and Trapping	50.00
19.08	Athletics	10.00
19.09(1)	Food and Beverage	10.00
19.09(2)	Boundary Buoys	50.00

19.09(3)	Beach Athletics	10.00
19.09(4)	Bathing Dress	10.00
19.09(5)	Changing Clothing	10.00
19.10(2)(a)	Camping Prohibited	20.00
19.10(2)(c)	Camping Limited, Camping Permit	20.00
19.10(2)(d)	Camping Limited, Designated Campgrounds	20.00
19.10(2)(e)	Campsite Occupancy	20.00
19.10(2)(f)	Campsite Changes	10.00
19.10(2)(g)	Camping Permit Expiration	10.00
19.10(2)(i)	Campsite Entry Hours	10.00
19.10(2)(j)	Campsite Parking	10.00
19.10(2)(l)	Camping Party Membership	10.00
19.10(2)(m)	Campsite Capacity	10.00
19.10(2)(n)	Camping Contrary to Posted Notice	20.00
19.10(2)(p)	Campground Quiet Hours	20.00
19.11(1)	Mission Lake Boating Regulations	30.00
19.11(2)	Motor Boats, Sunny Vale Lake	30.00
19.11(3)	State Boating and Water Safety Laws Adopted	50.00

(O-7-01; O-8-03; O-16-13; O-17-15; O-4-19)

## WAUSAU CITY PARKS

### Sec. 19.15. General administration and terms.

- (1) *Terms.*
  - (a) *Park and Recreation Committee.* The term "Park and Recreation Committee", composed of five members, is the committee of jurisdiction for City of Wausau parklands, hereafter referred to as the "Committee" in this subchapter.
  - (b) *City parks.* The terms "City park", "Wausau parks" and "park" mean all lands and water previously and subsequently acquired by the City of Wausau for park or recreational purposes or placed under the jurisdiction of the Committee and include, without limitation, parks, boulevards, triangles, swimming pools and privately owned lands, the use of which has been granted or leased to the City for park, recreational or like public purposes under this subchapter.
  - (c) *Director.* The Wausau and Marathon County Parks, Recreation, and Forestry Department, whose head shall be the Director, shall be the administrative or executive agency of the Committee. The Director shall be the authorized agent of the Committee as referred to in this subchapter.
- (2) *Scope.* The provisions of this subchapter shall apply to all lands, structures and property owned, leased or administered by the City of Wausau and under the management, supervision and control of the Committee.
- (3) *Closing hours.* No person shall enter or be in any City park between 11:00 p.m. and 6:00 a.m., except persons in attendance of an event involving rental of a shelter or participation in a sanctioned special event shall be allowed to remain within the park until midnight or as allowed by the event agreement. Persons traveling on

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the River Edge Trail or on walkways traversing The 400 Block and persons transporting watercraft to and from designated boat landings are permitted at any hour. [WMC 9.20.020(b)]

- (4) *Permit to plant, remove, maintain and protect trees and shrubs.* No person shall plant trees or shrubs in any public area within the City of Wausau unless a written permit is first obtained from the City Forester. No person shall trim, prune, remove, treat, spray, inject, fertilize, brace, do surgery work, cut above or below ground or otherwise disturb any tree or shrub in any public area without obtaining a written permit from the City Forester. The permittee shall adhere to the arboricultural specifications and standards of workmanship set forth in the permit. A permit shall not be required to water trees and shrubs. [WMC 12.56.080]
- (5) *Fees and charges.* No person shall use any facility, shelter, land or other area, for which a fee or charge has been established by the Committee, without payment of such fee or charge prior to the use. [WMC 9.20.020(i)]
- (6) *Additional rules.* Rules and regulations may be made governing the use and enjoyment of all lands, structures and property owned, leased or administered by the City of Wausau and under the management, supervision and control of the Committee. No person shall disregard posted rules and regulations or engage in any activity contrary to posted notice. Any person who shall violate such rules and regulations or who refuses to subject himself or herself thereto may be excluded from the use of such facilities. The decision of the Director to exclude individuals from use of park facilities shall be final and the City of Wausau elects not to be bound by the provisions of Chapter 68, Wisconsin Statutes, with respect to administrative procedure in this regard. [WMC 9.20.020(o)]

(O-7-01; O-8-03; O-16-13; O-4-19)

### **Sec. 19.16. Public meetings and sales.**

- (1) *Public meetings.* No person shall give or take part in any entertainment or exhibition or hold any public meeting or engage in public speaking in any City park without written consent of the City of Wausau. [WMC 9.20.020(d)]
- (2) *Sales.* No person shall sell or offer for sale any goods, wares or merchandise in any City park, except as authorized by the City of Wausau and when holding proper licenses. [WMC 9.20.020(e)]
- (3) *Posting bills or advertising.* No person shall distribute or post bills or advertisements in any City park without written consent of the City of Wausau. [WMC 9.20.020(c)]

(O-8-03; O-16-13)

### **Sec. 19.17. Personal conduct and nuisances.**

- (1) *Personal conduct.* No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any City park. [WMC 9.04.010 adopting § 947.01, Wis. Stats.]
- (2) *Unreasonable noise.* No person shall make or cause to be made any unreasonably loud sounds or noises under circumstances which tend to annoy or disturb others. No person shall operate a loudspeaker within any Wausau park, except upon written permit issued by the Committee or its authorized agent upon such terms and conditions as will ensure that the public peace and order will not be unreasonably disturbed. [WMC 9.04.030]
- (3) *Jumping and diving.* No person shall jump, dive, or otherwise launch themselves from any bridge or approach thereto into any body of water within any Wausau park. [WMC 9.22.020]

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- (4) *Swimming and wading.* No person shall swim or wade within 50 feet of boat launch ramps at any Wausau park except for the express purpose of launching or landing watercraft. [WMC 9.22.010]
  - (5) *Docks and piers.* No person shall use docks or piers adjacent to any boat landing in any manner as to obstruct or hinder the launching, landing, loading or unloading of watercraft. [WMC 9.20.020(k)]
  - (6) *Obstructing.* No person shall knowingly obstruct a ranger or any law enforcement officer while the ranger or law enforcement officer is doing any act in an official capacity and with lawful authority. Obstruct includes without limitation knowingly giving false information with intent to mislead the ranger or law enforcement officer in the performance of duty including the issuance of any citation. [WMC 9.20.020(m)]

(O-7-01; O-8-03; O-16-13)

### **Sec. 19.18. Destruction, entry, cleaning and refuse.**

- (1) *Damage to trees and shrubs.* No person shall in any public area of the City: break, injure, mutilate, kill or destroy any tree or shrub; permit any animal under his control to do so; permit any fire to injure any portion of any tree or shrub; permit any leak to exist in any gas line within the root zone of any tree or shrub; permit any toxic chemical to seep, drain or be emptied on or about any tree or shrub; or permit electric wires to come in contact with any tree or shrub. During building operations, the builder shall erect suitable protective barriers around public trees and shrubs which may be injured after first giving written notice to the City Forester. [WMC 12.56.040]
- (2) *Fastening materials to trees and shrubs.* No person shall fasten any sign, rope, wire or other materials to or around or through any public trees or shrubs in the City of Wausau without obtaining a written permit from the City Forester, except in emergencies. [WMC 12.56.050]
- (3) *Littering.*
  - (a) No person shall throw any glass, rubbish, waste or filth upon the streets, parks or upon the surface of any body of water within the City. [WMC 9.04.040]
  - (b) No person shall upset or turn over the contents of any recyclable or nonrecyclable solid waste container in any City park. [WMC 6.44.070(b)]
  - (c) No person shall deposit or leave any residential or commercial waste material in any waste receptacle or other area in any City park. [WMC 6.44.070(a)]
- (4) *Hot ashes and combustible materials.* No person shall deposit hot ashes, cinders, smouldering coals or greasy or oily substances liable to spontaneous ignition into any combustible receptacle or place the same within ten feet of any combustible material within any City park. [WMC 17.28.010]
- (5) *Dispensing beverages.* No vendor shall dispense beverages in any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage at any outdoor fair, game, attraction, event, or public function. This prohibition does not apply to vendors at any of the above-listed activities serving sit-down meals where the beverage containers are washed and reused. All beverage vendors at any of the above-listed activities shall use recyclable beverage containers and provide adequate collection facilities for the recycling of all beverage containers so used. [WMC 6.28.010]
- (6) *Metal and glass beverage containers and carry-ins.* No person shall carry into, possess, or throw any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage in or on the amphitheater at Marathon Park, and the grandstand and bleachers at Athletic Park. All beverage vendors must dispense beverages at the above-listed locations in either paper or plastic cups which may be enclosed with snap-on plastic lids only. [WMC 9.20.020(g)]

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- (7) *Entry.* No person shall enter in any way any building, facility or area that may be under construction or locked or closed to public use or enter or be upon any building, facility or area after the posted closing time or before the posted opening time or contrary to posted notice in any City park. [WMC 9.20.020(j)]
  - (8) *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants or other natural growth; disturb or remove shoreline rip-rap; carve on any rocks, archaeological or geological features, signs, walls or structures; drive nails in trees or move, deface or vandalize in any manner any structures including buildings, signs, fences, tables or other park property. Edible fruits, nuts, wild mushrooms and wild asparagus may be picked or gathered without a permit. [WMC 9.20.020(q)]

(O-7-01; O-8-03; O-16-13)

## **Sec. 19.19. Vehicles.**

### (1) *Vehicular traffic.*

- (a) No person shall operate any vehicle at a speed in excess of 15 mph or contrary to official traffic signs in any City park. [WMC 9.20.010(a)]
- (b) No person shall, within any City park, by or through the use of a motor vehicle, motorcycle, snowmobile or minibike, under circumstances which tend to cause or provoke a disturbance or annoy one or more persons, engage in violent, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary or deliberate or intentional: spinning of wheels; squealing of tires; revving of the engine; blowing the horn; causing the engine to backfire; or causing the vehicle, while commencing to move or in motion, to raise one or more of its wheels off the ground. [WMC 10.01.011]
- (c) No person shall operate or park any motor vehicle except as provided in this subchapter, upon any hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, boat ramps and service areas or contrary to posted notice or within any City park seasonally closed to vehicular traffic. [9.20.010(b)]
- (d) No person shall operate a snowmobile as defined in §340.01(58a), Wis. Stats., in any City park, except on snowmobile trails approved by or for events authorized by the Committee. [WMC 9.20.010(c)]

### (2) *Parking.*

- (a) No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction or watercraft:
  - 1. In any manner as to block, obstruct or limit the use of any road, trail, sidewalk, parking lot, boat landing, waterway or winter sport facility. [WMC 9.20.010(d)(1)]
  - 2. Outside of any area provided for such purposes when it is practical to use such areas. [WMC 9.20.010(d)(2)]
  - 3. Contrary to posted notice. [WMC 9.20.010(d)(3)]
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporarily or otherwise, in areas reserved, by official traffic signs indicating the restriction, for vehicles displaying registration plates or identification cards which designates the vehicle as a vehicle used by a physically disabled person as defined in § 346.505, Wis. Stats. [WMC 10.01.080(c)]
- (c) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporary or otherwise, in areas designated as fire lanes with signs or marked curbs. [WMC 10.01.080(c)]



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- (d) The forfeiture for a violation of paragraph (a) shall be \$10.00. The forfeiture for a violation of paragraph (b) or (c) shall be \$30.00. In the event that the violator fails to appear in court on the date and time indicated on the citation, or fails to enter a "not guilty" plea by mail by the court date, or fails to stipulate to the violation by posting the forfeiture required in the office of the Wausau and Marathon County Parks, Recreation, and Forestry Department at the address indicated on the citation by the court date, said forfeiture shall be ordered by the court in default and shall be increased by the amount of \$30.00 as a penalty for failure to pay in a timely fashion, for a total forfeiture of \$40.00 for a violation of paragraph (a) and \$60.00 for violation of paragraph (b) or (c).
- (e) The provisions of § 345.28, Wis. Stats., and any subsequent amendments thereto, are specifically adopted and incorporated herein by reference. If the alleged violator fails to pay the amount of the forfeiture as provided herein, or to appear in court, the County may take any or all of the actions authorized under § 345.28, Wis. Stats. [WMC 10.01.080(h)]
- (3) *Abandoned vehicles.* No person shall leave any vehicle unattended without approval of the Committee or its authorized agent for more than 48 hours under such circumstance as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owners expense. [WMC 10.08.040] Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation. [WMC 10.20.045]
- (O-7-01; O-8-03; O-16-13)

### **Sec. 19.20. Fires, fireworks, firearms, missiles.**

- (1) *Fires.* No fires shall be permitted in any park other than The 400 Block, except for cooking purposes at designated places. No person shall grill on The 400 Block, with the exception of those special events for which waivers are granted upon the recommendation of the public health and safety committee and approval of the Wausau Common Council. Open fires utilizing liquid gas or gas fuels may be permitted on The 400 Block with the written consent of the City of Wausau. [WMC 9.20.020(a)]
- (2) *Fireworks.* Section 167.10, Wis. Stats., regulating the sale and use of fireworks, exclusive of penalties, is adopted by reference as part of this subchapter. [WMC 9.12.010]
- (3) *Firearms.*
- (a) No person, except a law enforcement officer, shall discharge any firearm, rifle, bow, arrow, spear, spring or air gun of any description in any Wausau park provided that this section shall not prevent the maintenance and use of supervised rifle or pistol ranges or shooting galleries authorized by the Wausau Common Council. This subsection shall be deemed to prohibit hunting in Wausau parks. [WMC 9.08.010(a)]
- (b) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, a person is not in violation of, and may not be charged with a violation of, this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried. [WMC 9.08.010(c)]
- (c) This section does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in §939.45, Wis. Stats. [WMC 9.08.010(d)]
- (d) No person, except a law enforcement officer, shall enter any building, facility, or location open to the public that is restricted by state law or posted as a no firearms or concealed weapons location while possessing, carrying, or concealing a firearm or weapon, whether with or without a state permit. [WMC 9.08.030(c)]

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- (4) *Throwing or shooting projectiles.* No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or any other means, at any other person or at, in or into any building, street, sidewalk, park, playground or other public place within the City. This subsection shall not apply to archery ranges under the supervision of the Committee. [WMC 9.08.020]

(O-7-01; O-8-03; O-16-13)

## **Sec. 19.21. Animals.**

- (1) *Animals in public facilities.* No person having immediate custody, care or control of any animal, shall permit said animal to enter and/or remain in or about any designated public park building, bathing beach, or playground safety surface area in any City park, except for a dog specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons. [WMC 9.20.020(h)]
- (2) *Animals running at large.*
- (a) *Restricted.* No person shall own, keep, possess or harbor a dog or cat or other animal and allow such animal to run at large in any City park. [WMC 8.08.190(a)] The animal shall be considered as running at large when it is not on the premises of its owner, unless it is on a leash no more than six feet in length, is in or upon a vehicle, or is in or on the property of another who does not object to the presence of such animal, is in a park, other than The 400 Block, on a leash no more than 16 feet in length or is part of a 4-H project, is on a display for judging purposes, is in an itinerant or transient carnival, circus or other like show, is in a dog or cat show or trial, or is part of the program of a public or private educational institution, or in an officially designated off-leash area in the following parks:
1. Oak Island Park - 6:00 a.m. - 9:00 a.m. and 6:00 p.m. - 9:00 p.m.
  2. Picnic Island Park - 6:00 a.m. - 9:00 a.m. and 6:00 p.m. - 9:00 p.m.
  3. Memorial Park - 6:00 a.m. - 9:00 a.m. [WMC 8.08.190(b)]
- (b) The 400 Block. No animals shall be allowed in The 400 Block park during organized special events as approved by the city unless one of the following conditions are met:
1. The animal is performing in or on display for an event or show approved as part of a special event;
  2. A person with a disability is being accompanied by an assistance dog trained for that person;
  3. An emergency services worker is being accompanied by a dog trained to assist police, fire or paramedics.
- (c) *Definitions.* The following terms shall have the meanings indicated:

*Assistance dog.* Any dog that has been or is being trained as a guide dog, hearing dog, or service dog. Such terms are further defined as follows:

*Guide dog.* Any dog that has been or is being specially trained to aid a particular blind or visually impaired person.

*Hearing dog.* Any dog that has been or is being specially trained to aid a particular deaf or hard of hearing person.

*Service dog.* Any dog that has been or is being specially trained to aid a person with a disability other than sight or hearing. [WMC 8.08.190(c)]

- (d) No person shall allow a dog or any other animal on cross-country ski trails during that period of the year when such trails are open for cross-country skiing in any City of Wausau park. [WMC 9.20.020(r)]

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- (3) *Howling animals.* No person shall own, keep, possess or harbor any animal in any City park which by frequent or habitual howling, yelping, barking or wailing disturbs other persons. [WMC 8.08.230]
  - (4) *Animal feces.*
    - (a) The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal upon any City park. [WMC 8.08.220(a)]
    - (b) No person shall permit a dog or other animal to be in any City park unless such person has, in his immediate possession, an appropriate means of removing animal feces. [WMC 8.08.220(b)]
  - (5) *Removing animals.* No person shall allow a dog or other animal to intimidate any other person from the use or enjoyment of any City park. Evidence that a dog or other animal intimidates persons includes, but is not limited to, such animal not being amenable to control or threatening to attack persons or other animals. Any law enforcement officer or ranger may order the animal be removed from the park. [WMC 9.20.020(p)]
  - (6) *Hunting and trapping.* No person shall take, catch, kill, hunt, trap, pursue, feed or otherwise disturb any wild animals or birds in any City park, except that nuisance animals may be trapped upon written consent of the Committee or its authorized agent and in accordance with applicable state statutes and applicable provisions of the Wisconsin Administrative Code setting forth regulations of the Department of Natural Resources. [WMC 9.20.020(n)]

(O-7-01; O-8-03; O-16-13; O-19-14)

**Sec. 19.22. Athletics.**

- (1) *Golf.* No person shall play or practice golf in any City park. [WMC 9.20.020(f)]
- (2) *Roller skates, skateboards, and scooters.* No person shall ride, push or travel upon roller skates, skateboards, or scooters within any building or facility not specifically intended for such use including, but not limited to, tennis courts, benches, tables, bleachers or on docks and piers adjacent to any boat landing, except in designated areas and in accordance with posted regulations. [WMC 12.44.035(a)(5)]
- (3) *Ice skating.* No person shall play or practice hockey, broomball or any other games or sports that may interfere with casual ice skaters, when casual skaters are present on outdoor ice skating rinks established by the Committee, except hockey and broomball may be played on designated hockey rinks. [WMC 9.20.020(l)]

(O-7-01; O-8-03; O-16-13)

**Sec. 19.23. Jurisdiction over minors and underage persons.**

Any and all County ordinances conferring jurisdiction on the Circuit Court for persons 12 years of age or older, including all subsequent amendments and/or revisions thereto, are hereby adopted and by reference made a part of this section.

(O-7-01)

**Sec. 19.24. Schedule of cash deposits, Wausau parks.**

Section	Title	Deposit
19.15(3)	Closing Hours	\$30.00
19.15(5)	Fees and Charges	20.00

19.15(6)	Additional Rules	20.00
19.16(1)	Public Meetings	40.00
19.16(2)	Sales	40.00
19.16(3)	Posting Bills or Advertising	40.00
19.17(1)	Personal Conduct	40.00
19.17(2)	Unreasonable Noise	20.00
19.17(3)	Jumping and Diving	20.00
19.17(4)	Swimming and Wading	10.00
19.17(5)	Docks and Piers	10.00
19.17(6)	Obstructing	40.00
19.18(1)	Damage to Trees and Shrubs (Plus Restitution for Damages)	50.00
19.18(2)	Fastening Materials to Trees and Shrubs	10.00
19.18(3)	Littering	50.00
19.18(4)	Hot Ashes and Combustible Materials	50.00
19.18(5)	Dispensing Beverages	50.00
19.18(6)	Metal and Glass Beverage Containers and Carry-ins	10.00
19.18(7)	Entry	30.00
19.18(8)	Deface, Remove or Destroy (Plus Restitution for Damages)	50.00
19.19(1)	Vehicular Traffic	40.00
19.19(3)	Abandoned Vehicles	40.00
19.20(1)	Fires	30.00
19.20(2)	Fireworks	30.00
19.20(3)	Firearms	50.00
19.20(4)	Throwing or Shooting Projectiles	30.00
19.21(1)	Animals in Public Facilities	10.00
19.21(2)	Animals Running at Large	10.00
19.21(2)(d)	Animals on Ski Trails	10.00
19.21(3)	Howling Animals	10.00
19.21(4)	Animal Feces	10.00
19.21(5)	Removing Animals	30.00
19.21(6)	Hunting and Trapping	50.00
19.22	Athletics	10.00

(O-7-01; O-8-03; O-16-13; O-17-15; O-4-19)

**Secs. 19.25—19.29. Reserved.**

## LAKE WAUSAU



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### **Sec. 19.30. Lake Wausau management committee.**

- (1) *Agreement.* Pursuant to § 66.30, Wis. Stats., the Cities of Wausau and Schofield, Village of Rothschild, Towns of Stettin and Rib Mountain and the County enter into an agreement to create the Lake Wausau Management Committee.
- (2) *Membership.*
  - (a) The Committee shall consist of two representatives from each of the participating municipalities and each representative's nomination to the Committee shall be confirmed by its governing body. The term of the representatives shall be for two years. One representative from each participating municipality shall be appointed in an odd year, the other shall be appointed in an even year.
  - (b) Each representative shall have one vote.
- (3) *Purpose.* The Committee shall be organized to:
  - (a) Oversee activities and developments affecting the public health, safety and welfare concerning Lake Wausau and its contiguous waters within the boundaries of the participating municipalities including, but not limited to:
    1. Ways of protecting and enhancing the natural beauty of the lake.
    2. Land uses.
    3. Lake uses.
    4. Conflicting lake uses.
    5. Shoreline management issues.
    6. Water user safety issues.
    7. Long-term water quality goals and issues.
  - (b) Propose uniform ordinances for adoption by the participating municipalities for the protection of the public health, safety and welfare and which will protect or enhance the opportunities for public enjoyment of the lake.
  - (c) Study and make recommendations concerning the provision of uniform law enforcement services on Lake Wausau and its contiguous waters within the boundaries of the participating municipalities.
- (4) *Officers.* The Committee shall elect from its membership a chairman, vice-chairman and secretary. The officers shall be elected at the annual meeting which will occur in May of each year. The terms of the officers shall be for one year.
- (5) *Duties.*
  - (a) *Chairman.* The chairman shall call and preside over all regular and special meetings of the Committee.
  - (b) *Vice-chairman.* The vice-chairman in the absence of the chair shall perform any and all duties of the chair.
  - (c) *Secretary.* The secretary shall take minutes and maintain a record of all committee business. The secretary shall also provide for timely publication and distribution of all notices of Committee business.
- (6) *Rules.*
  - (a) "Robert's Rules" shall govern all Committee activities, unless otherwise provided herein.

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- (b) A quorum shall be constituted by a majority of the representatives and of the municipality's presence at a Committee activity. A municipality shall be counted as present when one representative from that municipality is present.
  - (c) All appropriate State statutes concerning open meetings and records shall apply to the Committee.
- (7) *Powers.*
- (a) The Committee shall have the power to enter into contracts and agreements upon designation of an appropriate officer to enter into the contracts or agreements. Prior to the execution of contracts, funding shall be obtained from the participating municipalities or from other sources.
  - (b) The officers may at their discretion appoint such committees as shall be necessary from time to time.
- (R-36-92)