

**DonTOWN OF LAPRAIRIE**  
**Rock County, Wisconsin**  
**Ordinance # 109**

**An Ordinance to change the positions of Town Clerk and Town Treasurer to appointed offices.**

The Town Board of the Town of LaPrairie, Rock County, Wisconsin does hereby ordain as follows:

That pursuant to Wis Stat. §60.30(1e)(a), the offices of the Town Clerk and the Town Treasurer shall be filled by appointment of a majority of the members-elect of the town board.

The term of office for the appointed positions shall be set by the town board, but may not exceed 3 years per §60.30(1e)(c). The town board may re-appoint the officers for additional terms. However, removal by the town board during a given term of office may only be for “cause” as defined under § 17.001 and required by §60.30(1e)(f).

This ordinance is subject to approval by the town electors in a referendum, which is hereby called by the Town Board to be held on April 2, 2024. The referendum question shall be:

“Shall the persons holding the office of Town Clerk and the office of Town Treasurer in the Town of La Prairie be appointed by the town board?”

The salary of the appointed positions shall be set by the town board and may not be reduced during the term of office.

This ordinance shall be in full force and effect from and after the date of its town board passage, notice after passage per § 60.80 and also its referendum approval by the town electors as required by §60.30(1e)(b).

Adopted this 12 day of July, 2023

Town of La Prairie, Rock County, Wisconsin.

\_\_\_\_\_  
Allan Arndt, Chair

ATTEST:

\_\_\_\_\_  
Dawn Miller, Clerk

Posted: \_\_\_\_\_

**Town of LaPrairie  
Rock County Wisconsin  
ORDINANCE #108**

**ORDINANCE TO ADOPT THE WISCONSIN MUNICIPAL RECORDS SCHEDULE**

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**SECTION 1: TITLE AND PURPOSE**

This ordinance is entitled the Town of LaPrairie Ordinance to Adopt the Wisconsin Municipal Records Schedule. The purpose of this ordinance is to provide the legal custodian(s) of public records in the possession of the Town of LaPrairie with the authority to retain and destroy those records.

**SECTION 2: AUTHORITY**

The Town Board of the Town of LaPrairie, Rock County, Wisconsin has the specific authority under § 60.83 and §19.21(4), Wis Stat., to adopt an ordinance to address the management and destruction of public records.

**SECTION 3: ADOPTION OF WISCONSIN MUNICIPAL RECORDS SCHEDULE**

The Wisconsin Municipal Records Schedule, as approved by the Public Records Board on August 27, 2018, a copy of the currently effective Wisconsin Municipal Records Schedule shall be kept on file in the Clerk's office. This schedule is hereby adopted by the Town Board of the Town of LaPrairie, Rock County as the Town's official record retention schedule.

**SECTION 4: NOTIFICATION TO WISCONSIN STATE HISTORICAL SOCIETY**

When a record has met the terms of the retention, period, the record may be destroyed by the legal custodian of the record, provided the custodian has complied with the notification requirement set forth in § 19.21(4), Wis Stats., to the Wisconsin State Historical Society.

**SECTION 5: CONFLICT**

In the event of any conflict between the terms of this Ordinance and any applicable state statute, the applicable state statute, shall control.

**SECTION 6: REVOCATION OF PRECEDING ORDINANCE**

This Ordinance hereby revokes and supersedes any prior resolutions or ordinances adopted by the Town Board relating to the retention and/or destruction of public records of the Town of LaPrairie, Rock County, Wisconsin.

**SECTION 7: EFFECTIVE DATE**

This Ordinance shall become effective upon its publication and/or posting in the manner set forth in § 60.80 Wis. Stats.

Adopted this 16<sup>th</sup> day of November 2022. By the Town Board of the Town of LaPrairie, Rock County.

**SIGNATURES ON FOLLOWING PAGE**

Approved:

Allan Arndt  
Allan Arndt, Chair

Brian Atkinson  
Brian Atkinson

Kirk Leach  
Kirk Leach

Archie Morton  
Archie Morton

Jeff Waller  
Jeff Waller

Attest:

Dawn Miller  
Dawn Miller, Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Town Hall, the Clerk's Office 3954 S Nevada Trail Janesville, Salt Shed at 1903 LaPrairie Lane, & JB Hullah Feed & Supply at 5821 ELT Townline Rd Beloit, and the town website [www.laprairiewi.gov](http://www.laprairiewi.gov)

Dawn Miller  
Dawn Miller, Clerk

11-19-2022  
Date

**ORDINANCE NO. #107**

**AN ORDINANCE TO REPEAL AND RECREATE SECTION 4.8 OF THE ZONING CODE OF THE TOWN OF LAPRAIRIE, ROCK COUNTY, WISCONSIN RELATING TO THE RURAL RESIDENTIAL/AGRICULTURAL DISTRICT (R-R/A)**

THE TOWN BOARD OF THE TOWN OF LAPRAIRIE, ROCK COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

**Section I:** Section 4.8 of the Zoning Code of the Town of LaPrairie is repealed and recreated to read as follows:

**4.8 RURAL RESIDENTIAL/AGRICULTURAL DISTRICT (R-R/A)**

**(A) Purpose and Intent**

The purpose of the Rural Residential/Agricultural District (R-R/A) is to provide a mixture of low density residential and agricultural land uses that are consistent with the goals and objective of the Comprehensive Plan. This District is designed to permit utilization of relatively small land parcels in predominantly agricultural areas for rural residential and recreational uses in concert with the restrictive covenants of Prairie Estates Subdivision. Residential uses are to be agricultural in nature and purpose. The intent of this District is that it is to be applied to those rural lands that have marginal utility for agricultural use because of soil type and/or topography. The Rural Residential/Agricultural is to be assigned to those areas where the soils do not have limitations for on-site sewer system limitations.

**(B) Permitted Uses**

The following uses are permitted in this District:

- (1) No more than one single-family residence and up to a three-car garage may only be built upon a lot as originally platted. Two other accessory buildings may be built, which may not exceed a combined total of 1,600 square feet and must conform to the aesthetic design of the house. One of these other accessory buildings may be a green house. Accessory buildings must be located in a rear or side yard, with a setback greater than the setback of the residence.
- (2) Governmental buildings, public parks, playgrounds, recreational and community center buildings and grounds are permitted.
- (3) Bridle paths, green houses, nurseries, gardens and other agricultural uses that will not cause noxious odors or noise are permitted, but not to include the raising or keeping of livestock, poultry, bees, or fur bearing animals, except as provided in sub. (B)(4).

(4) Equines, chickens, flightless pigeons, and goats, may be kept within this district, subject to the following requirements:

- a. All lots where such animals are kept or allowed, must be maintained so as to be reasonably clean in order to minimize health hazards, rodents, predators and noxious odors. Such animals must be maintained in such manner as not to disturb neighbors or to prevent the full enjoyment of property rights by neighbors by employing best management practices.
- b. No more than two different species of such animals (chickens, flightless pigeons, equines, goats) may be kept on a lot.
- c. No equines, chickens, flightless pigeons, or goats may be kept unless a Livestock Permit is first obtained from the Town, pursuant to sub. (C).
- d. Equines and goats may only be kept on lots with a stable erected in compliance with sub. (B)(5). No more than two equines or goats or combination thereof may be kept on lots with a stable. For each ½ acre more than the minimum 1.2 acres lot size, one additional equine or goat may be kept, provided no more than four equines or goats or combination thereof may be kept on a lot.
- e. Only female or neutered male goats may be kept. Intact male goats are not permitted.
- f. To the extent required by the Wisconsin Department of Agriculture, Trade and Consumer Protection, the property owner or occupant must maintain a valid, current registration with that agency for the keeping of permitted livestock.
- g. Chickens (hens) may only be kept on lots with a chicken coop erected in compliance with sub. (B)(5). No more than 10 hens may be kept per lot. Roosters are NOT permitted. Hens must remain in the coop from sunset to sunrise each day to prevent nuisance, noise, and the attraction of predators.
- h. Flightless pigeons may only be kept on lots with a pigeon loft erected in compliance with sub. (B)(5). "Pigeon" means a member of the family Columbidae and shall only include "fancy pigeons". "Racing pigeons", "utility pigeons" and "sporting pigeons" as defined in sub. (G), are not allowed. All pigeons shall be fed within the confines of a pigeon loft. No more than 50 flightless pigeons may be kept on a lot. All flightless pigeons must be banded with one of the local or national associations/registries, unless unbanded due to medical reasons; such as the pigeon outgrows its band, and the band needs to be removed for the health of the bird.

- (5) Stables, chicken coops, and pigeon lofts may be erected (as the aforementioned “other accessory building”) upon lots in this District provided that the following conditions are met:
- a. A completed residence must first exist upon any lot where a stable, chicken coop or pigeon loft is to be erected.
  - b. Lots upon which a stable may be erected must be at least 1.2 acres in size.
  - c. Chicken coops must include a contiguous run not to exceed 400 square feet.
  - d. Pigeon lofts must provide a minimum of two square feet of floor space per flightless pigeon.
  - e. All permitted chickens and flightless pigeons must be confined to the owner’s property in a permanently fenced area located to the rear of the residence. Equines and goats may be pastured by perimeter fencing.
  - f. Each lot upon which a stable, chicken coop or pigeon loft is erected must be part of a subdivision plat.
  - g. Any stable, chicken coop or pigeon loft erected under the provisions hereof shall be at least 50 feet away from an existing residence and at least 150-feet away from any existing residence not in the subdivision.

**(C) Permit Process**

- (1) A Livestock Permit may be sought by submitting to the Town Clerk, in writing, an application describing: 1) the number and species to be maintained; 2) proof of appropriate registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection and the date when such registration will expire or must be renewed, and 3) a detailed drawing or picture of the proposed stable, chicken coop or pigeon loft, and any run or fenced in area (collectively the “permit application”). The Town Clerk shall issue a Livestock Permit if the application is complete, subject to the provisions below for reapplication following revocation of permit. The fee for the permit shall be \$10.00, or such other fee as set by the Town Board as part of the annual Town Budget process. The permit shall be personal to applicant and does not run with the land. New property owners must obtain a new permit.
- (2) If, during any six-month period, the Town Board receives three or more written complaints from the owners or occupants of neighboring properties, claiming that the keeping of equines, chickens, flightless pigeons, or goats on the lot for which the Permit has been issued is causing an undue annoyance, and if the Zoning Officer confirms that such complaints raise valid concerns with regard to the effect of such animals on neighboring properties, or in the event that the Town Board believes the applicant is non-compliant with the terms of this Chapter, the Town Board shall place

the matter on the agenda for the Town Board's next regularly-scheduled meeting to consider rescinding the Livestock Permit. The holder of the Permit and those who have complained shall have an opportunity to be heard at the Town Board meeting. If the Town Board finds that such animals being kept are causing an undue annoyance or that a violation of the terms of this Chapter has occurred, the Livestock Permit shall be revoked.

- (3) Upon expiration of no less than six months after revocation, the holder of the revoked Permit may apply for a new Livestock Permit but no permit shall be issued to anyone whose permit has been revoked without an express finding by the Town Board that the granting of such a permit is unlikely to result in the same problems that led to the original revocation.
- (4) Any Livestock Permit issued hereunder shall be deemed automatically revoked if any Wisconsin Department of Agriculture, Trade and Consumer Protection registration for the property expires without timely renewal or if such registration is revoked.

#### **(D) Conditional Uses**

A Conditional Use listed in this Ordinance shall be permitted only upon application to the Zoning Administrator; review, public hearing, and recommendation of the Commission; and approval of the Conditional Use Permit by the Town Board. A Conditional Use Permit shall be issued only upon satisfaction of the requirements listed herein, in Sections 5 and 8, and other applicable requirements of this Ordinance. Each Conditional Use application is hereby declared to possess unique and special characteristics and shall be considered as an individual case.

- (1) Home occupation when such operation is incidental to the residential use of the premises and does not involve any external alteration that would effect a substantial change from the residential character of the building.
- (2) Professional offices when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises and does not involve any external alternative that would effect a substantial change from the residential character of the building.
- (3) The fencing that encloses the bridal paths in subdivisions, shall be similar in design and nature and shall be subject to the approval of the Commission. The purpose of this restriction is to ensure that all of the fencing closing the bridle paths in the subdivision shall be similar in design, height and quality throughout the entire subdivision.

#### **(E) Standards for Permitted and Conditional Uses**

- (1) Minimum Lot Size: 60,000 sq. ft.

- (2) Minimum Lot Width: 100 ft.
- (3) Road and Highway Setbacks (As per WDOT Functional Highway Plan - See Section 9.1 for more details):
  - a. Arterial Highways: Minimum of 100 feet from Right-of-Way line, or 150 feet from center line, whichever is greater.
  - b. Collector Roads: Minimum of 75 feet from Right-of-Way line, or 125 feet from center line, whichever is greater.
  - c. Local Roads: Minimum of 75 feet from Right-of-Way line, or 85 feet from center line, whichever is greater.
  - d. Special width Roads and Highways: As per Transportation Plan
- (4) Minimum Building Rear Yard Setback: 50 ft.
- (5) Minimum Building Side Yard Setback:
  - a. Principal Buildings: 25 Feet on Each Side.
  - b. Accessory Buildings: 25 Feet on Each Side.
- (6) Minimum Lot Frontage on Public Road: 100 ft.
- (7) Minimum Lot Frontage on Cul-de-Sac Road Bulb: 50 ft.
- (8) Minimum Residential Structure Size: 1,200 sq. ft.
- (9) Minimum Building Width: 24 ft.
- (10) Maximum Accessory Building Height: 23 ft. or not to exceed the height of the principal building.
- (11) Maximum Lot Coverage: Not to exceed 12.5 % of total lot.
- (12) Accessory buildings shall aesthetically conform to the principal structure.
- (13) Maximum driveway length from Public Road: 300 ft.
- (14) Off-Street Parking: Minimum of 2-Spaces.
- (15) In-ground Swimming Pool: Minimum of 5-foot-high restricted vision Fence Completely Surrounding the Pool Area



- (16) All habitable structures shall have their own on-site sewer system and water well.
- (17) Separation of land and buildings are NOT allowed.
- (18) Fencing Standards:
  - a. No temporary fencing for more than 60 days.
  - b. No barbed wire fences.
  - c. Perimeter fence design approval required prior to construction by the Subdivision Resident Commission, appointed by the Town Board Chair.
  - d. Electric fences shall not be used as primary barrier, only to keep livestock off and away from the primary (boundary) fence.
- (19) Commercial vehicles, trailers, or equipment weighing more than 20,000 pounds as a unit shall be considered Commercial Vehicles and not be parked or stored outside of a structure in this district.
- (20) Maximum Barn or Silo Height: 23 feet

**(F) Prohibited Uses**

The following uses are prohibited within this District:

- (1) Automotive vehicles without current license plates shall not be parked or stored on any property in this district other than in completely enclosed buildings.
- (2) No structure or improvement may be built, or land used in this district unless it is a Permitted use or an approved Conditional Use in this district.
- (3) Sewage disposal plants, garbage incinerators and buildings for the repair or storage of road building or maintenance machinery.
- (4) Single wide mobile homes only when located in a mobile home park.

**(G) Additional Definitions**

- (1) "Fancy Pigeon" means a pigeon which, through past breeding, has developed certain distinctive physical and performing characteristics as to be clearly identified and accepted as such by the National Pigeon Association, National Modena Club, or the Rare Breeds Pigeon Club. Examples: Modena, Fantails, Pouters, Trumpeters. Etc.
- (2) "Racing Pigeon" means a pigeon which, through selective past breeding, has developed the distinctive physical and mental characteristics as to enable it to return

to its home after having been released a considerable distance therefrom, and which is accepted as such by the American Racing Pigeon Union or the IF (International Federation of) Pigeon Fanciers. Also, commonly known as Racing Homer, Homing Pigeon, Show Type Racing Homers, or Carrier Pigeon.

- (3) "Sporting Pigeon" means a pigeon which, through selective past breeding, has developed the ability to fly in a distinctive manner, such as aerial acrobatics or endurance flying. Examples: Rollers, Tipplers, Highfliers, etc.
- (4) "Utility Pigeon" means a domesticated pigeon which, is generally bred to be a source of meat called squab, however some fanciers also show these large breed pigeons. Examples: Runt/Giant Runt, Red Carneau, and French Mondain.
- (5) "Loft" means the structure for the keeping or housing of pigeons allowed by this section.

**Section II:** This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 10 day of May, 2022.

  
\_\_\_\_\_  
Allan Arndt, Town Chair

ATTEST:

  
\_\_\_\_\_  
Dawn Miller, Town Clerk

Date Adopted: 5-10-2022

Date Posted: 5-19-2022

Effective Date: 6-2-2022



## **ORDINANCE NO. #106**

### **An Ordinance to update Section 4.7 of the zoning Code of the Town of LaPrairie, Rock County, Wisconsin relating to A-4 Agricultural-Residential District**

The Town Board of the Town of LaPrairie, Rock County, Wisconsin Do Ordain as Follows:

**Section I:** Section 4.7 of the Zoning code of the Town of LaPrairie is updated and reads as follows:

**4.7 AGRICULTURAL - RESIDENTIAL DISTRICT FOUR (A- 4)**  
(To be used in conjunction with the A-1 District Base Districts)

**A. Purpose and Intent**

1. The purpose of the A-4 District is to retain and strengthen agricultural use of the farmlands of the Town of La Prairie while accommodating the interest of non-agricultural persons and families who wish to build homes and live in the Rural Agricultural Areas of the Town without forcing such persons to purchase the larger tracts of land to meet the minimum parcel sizes of the A-1 District. A second purpose is to have a fair mechanism to allocate the opportunity to set off new and existing residential lots from large agricultural parcels and to create economic incentive for the pace of new non-farm housing to remain moderate.
2. The A-4 District does this by allowing groupings of contiguous, commonly owned land of at least 50 acres, for new construction of 32 to 50 acres for an existing residence, to be approved, at the discretion of the Town, for the creation of parcels having lot sizes between 1.5 acres and 5.0 acres accompanied by a permanent deed restriction of all or part of the lands in the unit to agricultural use.
3. Map Inventory of Parcels Zoned A-4, Agricultural Deed Restrictions and Ownership Groupings. This Ordinance includes a map entitled Ownership Groupings, showing ownership groupings of A-1 lands that will be treated as having been in common ownership as of January 1, 2002 for the purpose of administering the A-4 District. The map also indicates parcels zoned A-4 and parcels with agricultural deed restrictions. The Town Board may update this map from time to time based on previously unknown information or changed circumstances, by adopting a resolution to this effect.

**B. Criteria for Rezoning Land From an A-1 to an A-4 District.**

1. Rezoning land to an A-4 District from an A-1 District shall apply only to units of land of at least 50 acres falling within an area of mapped common ownership lands as of January 1, 2002 for a new residence or 32 to 50 acres for Residential structures that existed prior to January 1, 2002.

- d. Conditional uses under section 4.4(D), except for uses (D)(7) (certain agricultural-related uses) and (D)(13) CAFOs subject to section 13 of this ordinance.
5. Setbacks required for deed restricted land. The deed restrictions shall state that no structures shall be located within 500 feet of the property line of any new residence on any adjacent parcel zoned A-4.

**C. Permitted Uses**

The following uses are permitted in this district.

1. Any of the following activities of limited scope, conducted for the purpose of earning an income living or lifestyle, limited to one animal unit (as defined in sec. 14.2) per acre.
  - a. Crop or forage production
  - b. Keeping livestock
  - c. Beekeeping
  - d. Nursery or Christmas tree production
  - e. Floriculture
  - f. Aquaculture
  - g. Fur farming
  - h. Forest management
  - i. Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment
2. Accessory uses as defined in section 4.4(B)(2).

**D. Conditional Uses**

The following uses may be allowed as conditional uses.

1. The following agricultural uses for density greater than one animal unit per acre (as defined by sec. 13.2(8)) per acre.
  - a. Keeping of livestock
  - b. Aquaculture
  - c. Fur farmingAny conditional use permit shall require facilities to incorporate best management practices of animal husbandry and will require contracts to handle offsite manure/waste management, i.e., land spreading.
2. Veterinary clinics and hospitals serving agricultural uses.
3. Riding stables, riding schools, and hunting clubs using game birds, poultry, fowl and similar hunting type activities in the non-agricultural season as a Farm Family business that are incidental to agricultural use.

**E. Prohibited Uses. The following uses are prohibited:**

1. CAFOs subject to the requirements of section 13 of this ordinance.
2. Sewage disposal plants, garbage incinerators and buildings for the repair or storage of road building or maintenance machinery.

**ORDINANCE #105**  
**An Ordinance Amending the Zoning Ordinance, Creating Section 6.7**

WHEREAS, the Town Board and Plan Commission of the Town of LaPrairie having determined that it is appropriate to address the construction of various solar energy systems to make their regulation uniform while ensuring that such regulation is no more restrictive than the rules of the Wisconsin Public Service Commission and are consistent with the requirements of Wis Stat. Sec 66.041 and

WHEREAS, the Plan Commission having held a duly noticed Public Hearing on the proposed creation of Section 6.7 of the Zoning Ordinance of the Town of LaPrairie; and

WHEREAS, following said Public Hearing, the Plan Commission having found that the proposed creation of Section 6.7 is appropriate and in the best interests of the residents and owners of property within the Town of LaPrairie and having recommended said proposed amendment and the creation of said proposed section of the Zoning Ordinance to the Town Board of the Town of LaPrairie; and

WHEREAS, the Town Board of the Town of LaPrairie having reviewed the proposed creation of Section 6.7 of the Zoning Ordinance of the Town of LaPrairie and having considered the recommendation of the Plan Commission and having determined that said proposed creation of said proposed section to the Zoning Ordinance are in the best interests of the residents and owners of property within the Town of LaPrairie.

NOW, THEREFORE, The Town Board of the Town of LaPrairie do hereby ordain as follows:

1. That the heading of Section 6.0 of the Town's Zoning Ordinance is amended to read: "Zoning Permits, Site Plan Review and Solar Energy Systems."
2. A new section 6.7 is created to read: Regulation of Solar Energy Installations.

**6.7 Regulation of Solar Energy Installations**

**A. Definitions:**

**Agrivoltaics:** A solar energy system co-located on the same parcel of land as agricultural production, including crop production, grazing, apiaries, or other agricultural products or services.

**Building-integrated Solar Energy Systems:** A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

**Community-Scale Solar Energy System:** A commercial solar energy system that converts sunlight into electricity for the primary purpose of serving electric demands off-site from the facility, either retail or wholesale. Community-scale systems are principal uses and projects typically cover less than 1 acres.

**Community Solar Garden:** A solar energy system that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system. Also referred to as shared solar.

**Grid-intertie Solar Energy System:** A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.

**Ground-mount:** A solar energy system mounted on a rack or pole that rests or is attached to the ground. Ground-mount systems can be either accessory or principal uses.

**Large-Scale Solar Energy System:** A commercial solar energy system that converts sunlight into electricity for the primary purpose of wholesale sales of generated electricity. A large-scale solar energy system will have a project size greater than 1 acre and is the principal land use for the parcel(s) on which it is located.

**Off-grid Solar Energy System:** A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.

**Passive Solar Energy System:** A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

**Photovoltaic System:** A solar energy system that converts solar energy directly into electricity.

**Renewable Energy Easement, Solar Energy Easement:** An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to wind or sunlight passing over the burdened land, consistent with Wis. Statutes 700.35.

**Roof-mount:** A solar energy system mounted on a rack that is fastened to or ballasted on a structure roof. Roof-mount systems are accessory to the principal use.

**Roof Pitch:** The final exterior slope of a roof calculated by the rise over the run, typically but not exclusively expressed in twelfths such as 3/12, 9/12, 12/12.

**Solar Access:** Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

**Solar Carport:** A solar energy system of any size that is installed on a carport structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities.

**Solar Collector:** A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.

**Solar Daylighting:** Capturing and directing the visible light spectrum for use in illuminating interior building spaces in lieu of artificial lighting, usually by adding a device or design element to the building envelope.

**Solar Energy:** Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

**Solar Energy System:** A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

**Solar Hot Air System:** (also referred to as Solar Air Heat or Solar Furnace) – A solar energy system that includes a solar collector to provide direct supplemental space heating by heating and re-circulating conditioned building air. The most efficient performance includes a solar collector to preheat air or supplement building space heating, typically using a vertically mounted collector on a south-facing wall.

**Solar Hot Water System:** A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.

**Solar Mounting Devices:** Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

**Solar Resource:** A view of the sun from a specific point on a lot or building that is not obscured by any vegetation, building, or object for a minimum of four hours between the hours of 9:00 AM and 3:00 PM Standard time on all days of the year, and can be measured in annual watts per square meter.

**Viewshed:** A natural or historic environment that is visible from more or more viewing point.

## B. Permits Required

1. A building and zoning permit is required for all solar energy systems. The owner must provide a site plan, fee, and information specified in the Town zoning ordinance. Accessory use panels less than 20 square feet in size and not connected to any utility grid are exempt from permitting. Exempted panels must meet existing setback requirements, and the energy generated must be used exclusively by the parcel occupant where the panel is located.
2. A conditional use permit is required for all large-scale solar systems. A conditional use permit application must be on a form approved or provided by the Town and follow the regulations of the Town ordinance. This is in addition to compliance with the Accessory Use provisions of these ordinances.

## C. Permitted Accessory Use

Solar energy systems are a permitted accessory use in all zoning districts where structures of any sort are allowed, subject to certain requirements as set forth below. Solar carports and associated electric vehicle charging equipment are a permitted accessory use on surface



parking lots in all districts regardless of the existence of another building. Solar energy systems that do not meet the following design standards will require a conditional use permit.

1. **Height:** Solar energy systems must meet the following height requirements;
  - a. Building or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes of height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building-mounted mechanical devices or equipment.
  - b. Ground- or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.
2. **Setback:** Solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located, except as allowed below.
  - a. Roof or Building-mounted Solar Energy Systems: the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side- yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be building-integrated systems and are regulated as awnings.
  - b. Ground-mounted Solar Energy Systems: Ground- mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.
3. **Visibility:** Solar energy systems in residential districts shall be designed to minimize visual impacts from the public right-of-way, to the extent that doing so does not affect the cost or efficacy of the system, consistent with Wis. Statute §66.0401.
  - a. Building Integrated Photovoltaic Systems: Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setbacks, land use, or performance standards for the district in which the building is located.

- b. **Aesthetic restrictions:** Roof-mount or ground-mount solar energy systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley, or if the system meets the following standards:
    - 1) Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
    - 2) Roof-mount systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than five feet above the finished roof and are exempt from any rooftop equipment or mechanical system screening.
  - c. **Reflectors:** All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties.
- D. **Lot Coverage:** Ground-mount systems total collector area shall not exceed half the building footprint of the principal structure if applicable
- 1. Ground-mount systems shall be exempt from lot coverage or impervious surface standards if the soil under the collector is maintained in vegetation and not compacted and the system area is less than one acre in size.
  - 2. Ground-mounted systems shall not count toward accessory structure limitations.
  - 3. Solar carports in non-residential districts are exempt from lot coverage limitations.
- E. **Plan Approval Required:** All solar energy systems requiring a building permit or other permits shall provide a site plan for review.
- 1. **Plan Applications:** Plan applications for solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.
  - 2. **Plan Approvals:** Applications that meet the design requirements of this ordinance shall be granted administrative approval by the zoning official and shall not require Planning Commission review. Plan approval does not indicate compliance with Building Code or Electric Code.
- F. **Approved Solar Components:** Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.
- G. **Compliance with Building Code:** All solar energy systems shall meet approval of local building code officials, consistent with the State of Wisconsin Building Code or the Building Code adopted by the local jurisdiction, and solar thermal systems shall comply with HVAC-related requirements of the Energy Code.

- H. **Compliance with State Electric Code:** All photovoltaic systems shall comply with the Wisconsin State Electric Code.
- I. **Compliance with State Plumbing Code:** Solar thermal systems shall comply with applicable Wisconsin State Plumbing Code requirements.
- J. **Utility Notification:** All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.
- K. **Solar Energy System Principal Use:** the development of commercial or utility scale solar energy systems are encouraged where such systems present few land use conflicts with current and future development patterns. Ground-mounted solar energy systems that are the principal use on the development lot or lots are conditional uses in selected districts.
- L. **Principal Use General Standards**
  - 1. **Site Design**
    - a. **Setbacks:** Community and large-scale solar arrays must meet the following setbacks:
      - 1) Property line setback for buildings or structures in the district in which the system is located.
      - 2) Roadway setback of 150 feet from the Right-Of-Way centerline of State and County Highways, 100 feet for other roads
      - 3) Housing unit setback of 150 feet from any existing dwelling unit or more if set forth in the individual zoning ordinances.
      - 4) Setback distance should be measured from the edge of the solar energy system array, excluding security fencing, screening, or berm.
    - b. **Screening:** Community and large-scale solar shall be screened from existing residential dwellings.
      - 1) A Screening Plan shall be submitted that identifies the type and extent of screening.
      - 2) Screening shall not be required along property lines within the same zoning district, except where the adjoining lot has existing residential uses.
      - 3) The town may require screening where it determines there is a clear community interest in maintaining a viewshed.
    - c. **Ground cover and buffer areas:** the following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover; additional site-specific conditions may apply as required by Town.

- 1) Large-scale removal of mature trees on the site is discouraged.
- 2) The applicant shall submit a vegetative management plan prepared by a qualified professional or reviewed and approved by a natural resource agency or authority, such as the Wisconsin Department of Natural Resources, County Land Conservation Department, or Natural Resource Conservation Service. The plan shall identify:
  - a) The natural resource professionals consulted or responsible for the plan
  - b) The conservation, habitat, eco-system, or agricultural goals, which may include: providing habitat for pollinators such as bees and monarch butterflies, providing habitat for wildlife such as upland nesting birds and other wildlife, establishing vegetation for livestock grazing, reducing on-site soil erosion, and improving or protecting surface or ground-water quality.
  - c) The intended mix of vegetation upon establishment.
  - d) The management methods and schedules for how the vegetation will be managed on an annual basis, with particular attention given to the establishment period of approximately three years.
- 3) Soils shall be planted and maintained in perennial vegetation for the full operational life of the project to prevent erosion, manage runoff, and build soil.
- 4) Vegetative cover should include a mix of perennial grasses and wildflowers that will preferably result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening. Perennial vegetation (grasses and forbs) that are preferably native to Wisconsin, but where appropriate to the vegetative management plan goals, may also include other naturalized and non-invasive species which provide habitat for pollinators and wildlife and/or other ecosystem services (i.e., clovers).
- 5) Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.

- d. **Foundations:** A qualified engineer shall certify that the foundation and design of the solar panel racking and support is within accepted professional standards, given local soil and climate conditions.
  - e. **Power and communication lines:** Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the town in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the zoning administrator.
2. **Fencing:** Perimeter fencing for the site shall not include barbed wire or woven wire designs, and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom. The applicant may request an exception to this standard if information is provided that confirms another regulator entity requires barbed or woven wire fence. Alternative fencing can be used if the site is incorporating Agrivoltaics.
  3. **Stormwater and NPDES:** Solar farms are subject to the Rock County Stormwater Management and Erosion Control Ordinance and NPDES permit requirements.
  4. **All solar farms shall be in compliance** with all applicable local, state and federal regulatory codes, including the State of Wisconsin Uniform Building Code, as amended; and the National Electric Code, as amended.
  5. **Site Plan Required:** The applicant shall submit a detailed site plan for both existing and proposed conditions, showing locations of all solar arrays, other structures, property lines, right-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, electric equipment, and all other characteristics requested by the Town. The site plan should show all zoning districts and overlay districts.
  6. **Aviation Protection:** For solar farms located within 500 feet of an airport or within approach zones of an airport, the applicant must complete and provide the results of a glare analysis through a qualitative analysis of potential impact, field test demonstration, or geometric analysis of ocular impact in consultation with the Federal Aviation Administration (FAA) Office of Airports, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.
  7. **Agricultural Protection:** Solar farms must comply with site assessment or soil identification standards that are intended to identify agricultural soils. The Town may require mitigation for use of prime soils for solar array placement, including the following:


- a. Demonstrating co-location of agricultural uses (agrivoltaics) on the project site.
  - b. The site shall be restored to agriculture at the end of life of the solar installation.
  - c. Placing agricultural conservation easements on an equivalent number of prime soil acres adjacent to or surrounding the project site.
  - d. Locating the project in a wellhead protection area for the purpose or removing agricultural uses from high-risk recharge areas.
8. **Decommissioning:** A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life.
- a. Decommissioning of the system must occur in the event the project is not in use for 12 consecutive months.
  - b. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation to the condition prior to when the solar project was started and assurances that financial resources will be available to fully decommission the site.
  - c. The Town may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.
- M. **Community-Scale Solar:** Model Community permits the development of community-scale solar, subject to the following standards and requirements:
- 1. **Rooftop gardens permitted:** Rooftop community systems are permitted in all districts where buildings are permitted.
  - 2. **Community-scale uses:** Ground-mount community solar energy systems must cover no more than 1 acre (project boundaries), and are a permitted use in industrial and agricultural districts, and permitted with standards or conditional in all other non-residential districts. Ground-mount solar developments covering more than 1 acre shall be considered large-scale solar.
  - 3. **Dimensional standards:** All structures must comply with setback and height standards for the district in which the system is located.
  - 4. **Other standards:** Ground-mount systems must comply with all required standards for structures in the district in which the system is located.
- N. **Large-Scale Solar:** Ground-mount solar energy arrays that are the primary use on the lot, designed for providing energy to off-site uses or export to the wholesale market, are permitted under the following standards:
- 1. **Conditional Use Permit:** Solar farms are conditional uses in agricultural districts, industrial districts, shoreland and floodplain overlay districts, airport safety zones


subject to this ordinance, and in the landfill/brownfield overlay district for sites that have completed remediation.

This ordinance shall take effect upon passage and posting as provided by law.

Approved by the Town Board of the Town of LaPrairie this 16<sup>th</sup> day of November 2021.

TOWN OF LAPRAIRIE

By:   
Allan Arndt, Chair

ATTEST:  
By:   
Dawn Miller, Clerk

Date Passed: 11-16-2021

Published or Posted: 11-20-2021

# RESOLUTION BY ELECTORS TO ENDORSE THE TOWN BOARD'S RESOLUTION TO EXCEED THE LEVY LIMIT

Town of LaPrairie, Rock County  
Resolution No. 2021-6

**Whereas**, the State of Wisconsin has imposed levy limits on tax levies for 2021 and thereafter under 66.0602, Wis Stat.;

**Whereas**, s. 66.0602(5), Wis Stat. allows the town electors in a town with a population of less than 3,000 to exceed the maximum allowable state levy limit by adoption of a resolution at a town meeting of the electors;

**Whereas**, the town board has adopted a resolution supporting an increase in the town tax levy which would exceed the maximum allowable state levy limit for the Town of LaPrairie.

**Whereas**, a special town meeting of the town electors has been called and properly notice to consider the adoption of a resolution to endorse a town board resolution to exceed the state levy limits, specifically by increasing the allowable tax levy for 2021 (to be collected in 2022) by **22.4** percent;

**THEREFORE**, the special town meeting of the Town of LaPrairie, Rock County, Wisconsin, by a majority vote of the eligible electors duly assembled and voting on this 16th day of November, 2021, hereby resolves and orders as follows:

1. The town electors of the Town of LaPrairie, Rock County, Wisconsin endorse the town board resolution to increase the town tax levy for 2021 (to be collected in 2022) by **22.4** percent over the allowable 2021 levy, which is a dollar increase of \$85,000 over the allowable 2021 town tax levy.
2. The town clerk shall properly post this resolution as required by law under s. 60.80(1)(a), Wis Stat. within 30 days of adoption.

Adopted this 16th day of November, 2021 at a Special Town Meeting.

Number of town electors voting aye 18

Number of town electors voting nay 0

Number abstaining or not voting (if determined) \_\_\_\_\_

Signature of Town Chair



Attested by Town Clerk





**RESOLUTION FOR ELECTORS TO ADOPT THE TOWN TAX LEVY AT  
SPECIAL TOWN MEETING OF TOWN ELECTORS**

**Town of LaPrairie, Rock County  
Resolution No. 2021-7**

**Whereas**, s. 60.10(1)(a), Wis Stat. authorizes the town electors of a town to adopt the town tax levy at a town meeting of the electors;

**Whereas**, a special town meeting of the town electors has been called and properly noticed to approve the 2021 total town tax levy (to be collected in 2022), pursuant to s. 60.10(1)(a), Wis Stat;

**Whereas**, the town electors, after proper notice, have, via a special town meeting vote, authorized the Town of LaPrairie to exceed the allowable state levy limit;

**THEREFORE**, the special town meeting of the Town of LaPrairie, Rock County, Wisconsin, by a majority vote of the eligible electors duly assembled and voting on this 16th day of November 2021, hereby resolves and orders as follows:

1. The town electors of the Town of LaPrairie, Rock County, Wisconsin adopt the town tax levy for 2021 (to be collected in 2022) in the amount of **\$463,258**.
2. The town clerk shall properly post this resolution as required by law under s 60.80(1)(a), Wis Stat. within 30 days of adoption.

Adopted this 16th day of November, 2021 at a Special Town Meeting.

Number of town electors voting aye 17

Number of town electors voting nay 0

Number abstaining of not voting (if determined) 1

Signature of Town Chair 

Attested by Town Clerk 

# Resolution Claiming a Standard Allowance for ARPA Funds

Resolution No. 2022-1

STATE OF WISCONSING  
Town of LaPrairie  
Rock County

A resolution claiming a standard allowance for the ARPA funds to allow the Town of LaPrairie to spend the ARPA funds on Services the town provides.

**WHEREAS**, the United States Treasury Department released the American Rescue Plan Act (ARPA) funds to the Town of LaPrairie in the amount of \$91,166.31;

**WHEREAS**, the United States Treasury Department has released an ARPA Final Rule which will be effective on April 1, 2022;

**WHEREAS**, the ARPA final rule offers a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation and recipients that select the standard allowance may use that amount to provide standard services the municipalities provide;

**THEREFORE**, the Town Board of the Town of LaPrairie, Rock County, does hereby resolve and order as follows:


That the whole sum of the ARPA funds the Town of LaPrairie received in the amount of \$91,166.31 be claimed as a standard allowance for revenue loss and that all ARPA funds received may be used to provide standard services for the residents of the Town of La Prairie and that the Town Board of the Town of La Prairie will designate the use of the ARPA funds by the end of calendar year 2024 and that the funds will be spent by the end of the calendar year 2026.

Adopted this 9<sup>th</sup> day of March 2022

Signature of Town Chair



Attested by Town Clerk



Roll Call Vote of the Town Board of the Town of La Prairie

Chair Allan Arndt	<u>aye</u>
Supervisor Brian Atkinson	<u>aye</u>
Supervisor Kirk Leach	<u>aye</u>
Supervisor Archie Morton	<u>aye</u>
Supervisor Jeff Waller	<u>aye</u>

# TOWN OF LAPRAIRIE

## Resolution No. 2022-4

### Adoption of the Town Tax Levy at Special Town Meeting of the Electors

**Whereas**, Sec. 60.10(1)(a) of Wis. Statutes authorizes the town electors of a town to adopt the town tax levy at a town meeting of the electors;

**Whereas**, a special town meeting of the electors has been called for this 16th day of November, 2022;

Now, therefore, the special town meeting of the Town of LaPrairie, Rock County, Wisconsin, by a majority vote of the eligible electors voting on this 16th day of November, 2022 duly assembled and voting resolves and orders as follows:

**BE IT RESOLVED**, the town electors of the Town of LaPrairie, Rock County Wisconsin, hereby adopt the town tax levy for 2022 to be collected in 2023 at **\$463,868**.

The town clerk shall properly post or publish this resolution as required by law under Sec. 60.80 of Wis Statutes within 30 days of the below noted adoption date.

Adopted this 16th day of November, 2022 at a Special Town Meeting.

Number of town electors voting aye 10

Number of town electors voting nay 0

Number abstaining or not voting 0



Allan Arndt, Town Chair



Dawn Miller, Town Clerk