**Town of Oakland Campground Ordinance No. 2022-02**

**Section 1. Purpose**

**Section 2. Authority**

**Section 3. Definitions**

**Section 4. Pre-Existing Campgrounds**

**Section 5. Regulation of Campgrounds**

**Section 6. Campground Operator’s Permit**

**Section 7. Compliance with Other Regulations**

**Sec.1.** **Purpose.**

The provisions of this ordinance are enacted for the purpose of protecting the public health, safety and general welfare of residents and transients, to preserve the rural character, and to establish minimum requirements for the establishment and operation of campgrounds in the Town of Oakland. The requirements of this ordinance are intended to provide a wholesome community environment, adequate emergency and public services, and the conservation of natural resources, resulting in a desirable recreational facility.

**Sec. 2. Authority.**

This ordinance is adopted in accord with Wis. Stats. §§ 5, 60.10(2)(c), 60.22(3), 61.34(1), 66.0628, and 97.615(2), pursuant to which the Town Board is authorized to adopt police power ordinances for and on behalf of the health, safety, welfare, and convenience of the public by necessary and convenient means. The requirements of ATCP 79, Wis. Administrative Code and all other applicable codes, shall be minimum standards and are supplemented with this ordinance. This ordinance shall be applied in accordance with Wis. Stats § 66.0295 Comprehensive Planning and the Town of Oakland Comprehensive Land Use Plan.

**Sec. 3. Definitions.**

**In this ordinance, terms shall be defined as follows:**

**a. Camp or Camping.** The use of a shelter, such as a tent, trailer, motor vehicle or recreational vehicle as a form of temporary residence or for sleeping purposes.

**b. Camping Unit.** Excluding sleeping bags and hammocks, any structure, including a tent, camping trailer, park model, recreational vehicle, fish house, bus, van, or pickup truck capable of being used for sleeping purposes or as a temporary dwelling for camping in a licensed campground.

**c. Campground**. Any parcel or tract of land owned by a person, the state or local government, which is designed, maintained, intended or used for the purpose of providing sites for non-permanent overnight use by four (4) or more camping units, or by one (1) to three (3) camping units if the parcel or tract of land is represented as a campground.

**d. County.** Burnett County, Wisconsin.

**e. Individual Campsite.** A properly mapped site or segment of a campground for overnight camping used by not more than six (6) persons unless all are members of an individual family.

**f. Pre-Existing Campground**. Any licensed campground in operation previous to date of the original adoption of this ordinance.

**g. Person.** Any natural person, partnership, corporation or other form of association.

**h. Police Power Ordinances**. The government's right to impose laws, statutes and ordinances, including zoning ordinances and building codes, to protect the public health, safety and welfare.

**i. Town.** The Town of Oakland, Burnett County, Wisconsin.

**j. Town Board**. The Town Board of the Town of Oakland.

**Sec. 4. Pre-Existing Campgrounds.** A pre-existing campground shall be required to apply for a Campground Operator’s permit upon adoption of this ordinance, in compliance with Section 5. Regulation of Campgrounds.

**Sec. 5. Regulation of Campgrounds**

**5.1 Campground Operator’s Permit.** No person(s) shall open or operate a campground on real estate in the Town of Oakland without obtaining an Oakland Campground Operator’s Permit in accordance with Section 6 of this ordinance.

**5.2 Campground Use.** Other than for the purposes of inspection, a seasonal campsite may not be used or occupied outside the allowable dates on the Campground Operator’s Permit. Per ATCP 79.11, eight (8) continuous months in any 12-month period is the maximum allowed.

**5.3 Campground Map~~s~~.** A current, complete, and accurate map identifying the location of all campsites, facilities, and accessory structures, on the subject property shall be on file with the Town.

**5.4 Campsite Designation**. Each individual campsite shall be clearly marked with an alpha or numeric symbol that is a minimum of 2 inches in height and visible from the campground’s internal road system.

**5.5** **Accessory Structures.** All accessory structures shall be properly permitted and built not to exceed authorized dimensions per applicable conditional use permit. No accessory structures may be constructed, positioned, or placed **prior to** obtaining the applicable permit. All accessory structures shall comply with ATCP 79.13.

**5.6 Campground Site Fee.** In order toprotect and promote the public health, morals, and welfare; and, to equitably defray the cost of municipal services required by persons and families using campground communities for living, dwelling, or sleeping purposes, each campsite will be assessed an annual fee, payable in arrears and in full by 31 January in the year immediately following the current campground operating year. The fee will be established by the Town and amended from time to time.

**5.7 Camping Unit Storage.**

**a. During the season.** Follow all requirements in ATCP 79.

**b. During the off-season.** A maximum of one (1) camping unit may be placed, parked, or stored on each campsite. No additional short/long term placement, parking, or storage of vehicles, ATV/UTV/Snowmobiles, ATV/UTV/Snowmobile trailers, fish houses, etc. is allowed per ATCP 79.

**5.8 Access.** All portions of the real estate upon which a permitted campground is located and which are open to the public, including all open spaces and enclosures, buildings or other structures used or made available for use by the public in association with the operation of said campground shall be open to the Town, its officers/designees, law enforcement officers, firefighters and ambulance and emergency rescue personnel for purposes of maintaining property, health, safety and welfare of the public. The permittee, by applying for and holding a Town permit, shall be deemed to have consented to such entry of the aforementioned officers/officials.

**5.9 Posting of Ordinance and License.** A copy of this ordinance shall be posted on a bulletin board on the campground premises for public review, conspicuously in, at minimum, one location where camping parties and visitors are likely to see it.

**Sec. 6 Campground Operator’s Permit.**

**6.1 Requirement.** No person(s) shall open or operate a campground on real estate in the Town of Oakland without obtaining an Oakland Campground Operator’s Permit

**6.2 Permit Application**

**a.** **Availability.** Available online or hard copies may be obtained directly from the Town.

**b. Required Information and Processing Fee.** A complete and accurate application shall include:

(1) Application processing fee

(2) Owner/Operator’s name, address, and preferred contact information,

(3) Campground address

(4) Campground Use dates in accordance with Section 5.2.

(5) Current campground map in accordance with Section 5.3. (Note; the campground map requirement may be waived if there is currently a map on file with the Town and the owner attests there have been no changes or additions made to the campground or campsites.)

**6.3 Review Procedures.**

**a. Prompt Review.** Applications shall be promptly reviewed and considered by the Town Board. Applications that are incomplete, contain errors or omissions will be returned. All Town actions shall be in accord with the requirements and restrictions of this ordinance and all other applicable ordinances, laws, and regulations.

**b. Timeline**. Applications for the upcoming season may be submitted starting 1 December. Applications received 1 December- 31 January will receive a determination no later than 15 February. Applications received in February will receive a determination in March; applications received in March, will receive a determination in April, and so on.

**c. Considerations.** The Town Board will, at a minimum, consider the:

(1) Application

(2) Campground’s compliance with Town and Burnett County ordinances

(3) The Conditions of the applicable land use permit(s) allowing the Campground

(4) All local, county, state, and federal requirements for Campgrounds.

**6.4 Approvals.** Campground Operating Permits shall be valid for the current campground operating year. The Town shall issue a Permit if the application meets the requirements and restrictions of this ordinance and all other applicable ordinances, laws, and regulations.

**6.5 Disapprovals/Appeals.** Unsuccessful applicants may submit an appeal in writing to the Town within five (5) days of the disapproval. Upon receipt, the Town shall hold a public hearing within 10 days and provide written notice to the appellant of the date of the hearing. At the hearing the appellant is entitled to be represented by counsel. After hearing the evidence, the Town shall grant the appeal, deny the appeal, or table a decision if additional information is deemed necessary. If tabled, time is of the essence; thus, the appellant and the Town’s actions shall not unnecessarily delay the completion of the appeal process.

**Sec. 7 Compliance with Other Regulations.**

Pursuant to the purpose statement in Section 1, it is not the intent of this ordinance to repeal or amend any other ordinances or regulations; and, to the extent that other ordinances of the Town or County, or laws or regulations of the State of Wisconsin may regulate the operation of campgrounds, they shall remain in full force and effect in the Town of Oakland.