

**Village of Lake Nebagamon, Douglas County, Wisconsin
Amendment to the Municipal Code**

Chapter 9, §18.6 entitled “REMOVAL OF SHORE COVER” of the Municipal Code of the Village of Lake Nebagamon is hereby repealed, amended and recreated, and Chapter 9, §4.5 entitled “REMOVAL OF SHORE COVER” is hereby created to provide as follows:

4.5 REMOVAL OF SHORE COVER

18.6 REMOVAL OF SHORE COVER (also Zoning Ordinance Section 4.5)

A. PERMIT REQUIRED

A land use permit will be required for:

- removal of shore cover (trees and shrubbery) from the high water mark to 35' inland.
- landscaping, filling, grading, lagooning, dredging, ditching and excavating within 300' of the ordinary high water mark of any navigable water. (See 18.7)

The permit is to include complete plans for all alterations, mitigation and restoration of the affected area(s). There shall be no fee for this permit.

B. PENALTY

Completion of work detailed in 6.1 without securing a permit, or that is in violation of an issued Land Use permit, will result in a \$1000.00 fine and required restoration of the affected area.

6.1 Shoreline Cutting

(NR 115.05(1)(c)1.) To protect natural scenic beauty, fish and wildlife habitat, and water quality, the Village shall regulate removal of vegetation in shoreland areas, consistent with the following: The Village shall establish ordinance standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow of effluents, sediments and nutrients.

Tree and shrubbery cutting in an area parallel to the ordinary high-water mark, and extending 35 feet inland from all points along the ordinary high-water mark, shall be limited in accordance with the following provisions:

6.11 Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors is allowed. Per Wis. Stats. §59.692(1f)(b), the viewing corridor may be at least 35 feet wide for every 100 feet of shoreline frontage. The

viewing corridors may run contiguously for the entire maximum width of the shoreline frontage owned per parcel.

6.12 Natural shrubbery shall be preserved as far as practicable and, where removed, it shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion and preserving natural beauty.

6.2 Paths

Any path, road or passage within the 35 foot area shall be constructed and surfaced so as to effectively control erosion.

6.3 Cutting Plan

As an alternative to Section 6.11, a special cutting plan allowing greater cutting may be permitted by the Zoning Commission by issuance of a conditional-use permit, pursuant to Section 10.4. An application for such a permit shall include a sketch of the lot providing the following information: location of parking, topography of the land, existing vegetation, proposed cutting, and proposed replanting. The Commission may grant such a permit only if it finds that such special cutting plans:

6.31 Will not cause undue erosion or destruction of scenic beauty, and

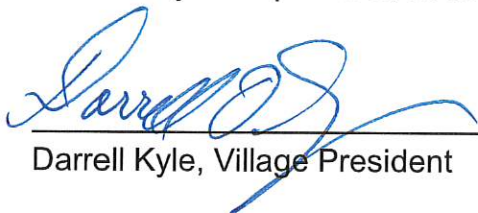
6.32 Will provide substantial visual screening from the water of dwellings, accessory structures and parking areas. Where the plan calls for replacement planting, the Commission may require the submission of a bond which guarantees the performance of the planned tree or shrubbery replacement by the lot owner.

6.4 Cutting More Than 35 Feet Inland

From the inland edge of the 35 foot line parallel to the high water mark to the outer limits of the shoreland, the cutting of trees and shrubbery shall be allowed when accomplished using accepted forest management and soil conservation practices which protect water quality.

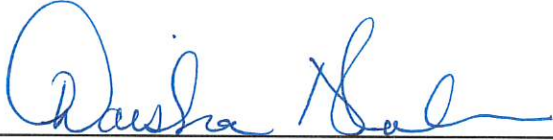
Dated the 3rd day of September, 2019

By:



Darrell Kyle, Village President

ATTEST:

A handwritten signature in blue ink, appearing to read "Daisha Nolan", written over a horizontal line.

Daisha Nolan, Village Clerk

Adopted: 9/3/2019

Notice Published: 9/4/2019