

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

Chapter 9, §18.7 entitled “FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING” of the Municipal Code of the Village of Lake Nebagamon is hereby repealed, amended and recreated, and Chapter 9, §4.6 entitled “FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING” is hereby created to provide as follows:

- 4.6 FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING**
18.7 FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING
(also Zoning Ordinance Section 4.6)

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. (see 18.6)
- landscaping, filling, grading, lagooning, dredging, ditching and excavating within 300' of the ordinary high water mark of any navigable water.

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 filling, grading, lagooning, dredging, ditching & excavating as described in 18.7(A) 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.

7.1 General Standards

Filling, grading, lagooning, dredging, ditching or excavating may be permitted in the shoreland area provided that:

- 7.11 It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
- 7.12 Filling, grading, lagooning, dredging or excavating in a shoreland-wetland district meets the requirements of Sections 8.132 and 8.133 of this ordinance.
- 7.13 All applicable federal, state and local authority is obtained in addition to a permit under this ordinance.

- 7.14 Any fill placed in the shoreland area is protected against erosion by the use of rip-rap, vegetative cover or a bulkhead.

7.2 Artificial Waterways


- 7.21 For any planned construction or dredging on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high-water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water, a permit is required.

7.3 Permit Conditions

In granting a zoning permit for filling, grading, lagooning, dredging, ditching & excavating, the Village Zoning Administrator shall attach the following conditions, where appropriate:

- 7.31 The smallest amount of bare ground shall be exposed for as short a time as feasible.
- 7.32 Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
- 7.33 Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
- 7.34 Lagoons shall be constructed to avoid fish trap conditions.
- 7.35 Fill shall be stabilized according to accepted engineering standards.
- 7.36 Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
- 7.37 Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or rip-rap are provided.

Dated the 3rd day of September, 2019

By: 

Darrell Kyle, Village President

ATTEST:



Daisha Nolan, Village Clerk

Adopted: 9/3/2019

Notice Published: 9/4/19