

## ADAMS COUNTY SHORELAND PROTECTION ORDINANCE FACT SHEET

“Uncontrolled use of the shorelands, wetlands and pollution of the navigable waters of Adams County, WI, adversely affects the public health, safety, convenience and general welfare, and impairs the tax base. The legislature of Wisconsin has delegated responsibilities to the counties to further the maintenance of safe and healthful conditions, prevent & control water pollution, protection of fish spawning grounds, fish and aquatic life, control of building sites, placement of structures and land uses, preserving shore cover and natural beauty; this is the responsibility recognized by Adams County, WI.” The Adams County Shoreland Protection Ordinance is administered by the Adams County Planning & Zoning Department.

- **Definition:** “Shoreland is defined as 1000 feet landward from the ordinary high water mark for navigable lakes, ponds or flowages and 300 feet landward of the ordinary high water mark for navigable rivers & streams and areas that may or may not be wetlands that are dispersed within an area encompassed largely and generally by wetlands.
- Water bodies are presumed to be navigable.

### IMMEDIATE SHORE & 35' LANDWARD:

- Vegetation cutting or removal (including tilling or any activity that uproots existing vegetation) in an area paralleling the shore and 35 feet landward of the ordinary high water mark is prohibited, EXCEPT
- No more than 30% of the length of the strip can be clear-cut to the depth of the strip for an access and view corridor.
- Any filling, tilling, grading, lagooning, dredging, ditching or excavating in the shoreland area can only be done with an approved plan from Adams County Planning & Zoning Department. This includes beach “enhancement”.
- In the 70% of the shore area not defined as the access corridor, vegetation must be preserved for natural beauty and erosion control.
- These areas may not be mowed, cut, tilled or otherwise removed. HOWEVER
- Grasses in this area may be trimmed to 12 inches high (but may not be mowed).
- Permitted shoreland stabilization measures are counted as contributing to the measurement of the 35 foot buffer.



- Non-existent, inadequate or otherwise ineffective 35 foot shoreline buffer areas shall be considered nonconforming unless under an existing maintenance/management plan approved by Adams County.
- All non-conforming buffer areas shall be brought into compliance by September 30, 2013.
- The buffer area shall consist of a minimum 50 percent native plant canopy upon maturity.
- In instances where site limitation(s) make a 35 foot buffer impractical, other mitigation measure(s) capable of serving the purposes of the ordinance may be implemented, if a plan and mitigation agreement is approved by and filed with the Adams County Land & Water Conservation Department and Planning & Zoning Department.
- If less than a 35 foot buffer is to be established, the buffer area shall be at a minimum 33 percent of the distance measured horizontally from the ordinary high water mark to the primary structure. In the event that a violator is convicted, such violator shall forfeit to Adams County a penalty of not less than \$100, together with taxable costs of such action, and not more than \$1000 plus cost.
- Every day of violation shall constitute a separate offense.
- Additionally, the violator will be required to bear the costs for correcting the violation and may be required to post a cash bond to cover such costs, with any balance after correction being returned to the violator.

#### **FIRST 75' LANDWARD FROM SHORE**

- Building/structure setbacks shall be 75 feet back from the ordinary high water mark.
- Stairs & elevated walkways must be no more than 4 feet wide, cannot have a canopy or roof, and must be supported by piles or footings 6 inches above the grade of the land.
- Stairway or dock landings cannot exceed 40 square feet.
- Patios may be approved by special permission if they are at least 35 feet landward of the ordinary high water mark and the area does not exceed 200 square feet.
- Permits from Adams County Planning & Zoning are required for the installation of any structure, including patios, stairways, etc.

#### **ADDITIONAL INFORMATION**

- Adams County Ordinance 13-2006 places responsibility for violations of building construction, comprehensive zoning, floodplain zoning, shoreland zoning and sanitary ordinances on contractors (as well as property owners) that perform any such work on behalf of the property owner. Any such contractor is responsible for obtaining all permits unless a written waiver of responsibility is signed by the property owner and filed with Adams County Planning & Zoning.
- Contractors failing to comply with this ordinance shall be fined not less than \$10 (plus costs) nor more than \$200 (plus costs) for each violation. Each day a violation exists or continues shall be a separate offense.
- Although the Adams County Stormwater Runoff Ordinance generally does not apply to one-and-two family dwellings, it may apply if changes or condition results in a total of 4000 square feet of impervious surface or is a land disturbance that results in unfiltered runoff into Adams County waters.