

TOWN OF MOSEL  
SHEBOYGAN COUNTY, WISCONSIN

**ORDINANCE NO. 2023-05**

**AN ORDINANCE CREATING SECTION 7.15  
OF THE MUNICIPAL CODE OF THE TOWN OF MOSEL  
REGARDING CAMPING ON PRIVATE LAND**

**WHEREAS**, the Town of Mosel regulates the use and development of land and buildings within the Town; and

**WHEREAS**, amendments must be made from time-to-time to keep the policies current, reflect current practices, and address new issues and circumstances; and

**WHEREAS**, a public hearing was held on June 7, 2023 at 6:30 p.m. at the Mosel Town Hall, W982 CTH FF, Haven, Wisconsin, after public notice; and

**WHEREAS**, the Town of Mosel Plan Commission, after careful consideration of testimony and an examination of the facts attendant with the petition, recommended the creation of Section 7.15 of the Town of Mosel Municipal Code to address current practices and new circumstances; and

**WHEREAS**, the Town Board has determined that the creation of Section 7.15 would promote the public health, safety, and welfare of the Town and its inhabitants.

**NOW, THEREFORE**, the Board of Supervisors of the Town of Mosel, Sheboygan County, Wisconsin does hereby ordain as follows:


Section 1. **Creating Code.** Section 7.15 of the Municipal Code of the Town of Mosel entitled "Camping on Private Land" is created as set forth on the attached pages.


Section 2. **Severability.** Should any portion of this Ordinance or the affected municipal code sections be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. This ordinance shall become effective the date after posting.

Adopted this 21<sup>st</sup> day of June, 2023.

TOWN OF MOSEL, WISCONSIN

  
\_\_\_\_\_  
Aaron Anger, Town Chair

  
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ATTEST: Todd Grunwald, Deputy Clerk-Treasurer  
MOTION: Wagner/Schmidt  
VOTE: 3 Ayes 0 Noes 0 Abstentions  
EFFECTIVE DATE: June 21, 2023

## **7.15 CAMPING ON PRIVATE LAND**

### **A. APPLICABILITY**

The standards in this Section apply to camping on a private property by persons other than the landowner or the landowner's extended family. A "property" is considered to be all contiguous parcels under a common owner.

### **B. PURPOSE**

The purpose of this Section is to assure the rights of private property owners while ensuring that camping is conducted in a manner that protects public health, safety, and welfare, as well as establishing minimum standards of space for human occupancy and adequate levels of maintenance to protect the character and stability of the community.

### **C. ADOPTION OF ADMINISTRATIVE CODE SECTION**

Section ATCP 79.03 - Definitions of the Wisconsin Administrative Code is hereby adopted by the Town of Mosel in its entirety.

### **D. CONDITIONAL USE PERMIT REQUIRED**

- (1) The following camping events are allowed in all zoning districts and are considered exempt from the requirement of obtaining a conditional use permit, but must comply with all conditions set forth in this subsection:
  - (a) Camping on private land by the landowner or the landowner's extended family.
  - (b) One (1) camping unit for the maximum of twenty-one (21) consecutive days. Camping unit must be located on a parcel with an occupied residence.
  - (c) Five (5) or less camping units for a maximum of three (3) consecutive nights. Camping units must be located on a parcel with an occupied residence.
- (2) Prior to any other camping occurring, landowners must obtain a conditional use permit from the Town following the process described in 7.06 CONDITIONAL USES and meeting the conditions set forth in subsection D. (3). Camping as a conditional use is allowed in all districts except R-1, R-2, R-3, and RH-1.
- (3) Conditions
  - (a) An owner of record of any property being used for camping shall either reside at the property or have provided written permission to those persons actually camping.
  - (b) All domestic wastewater and water from kitchen or bathroom sinks, showers, tubs, and washing machines shall be disposed of by any combination of the following:
    - (i) Connection to a county approved onsite wastewater disposal system.
    - (ii) Use of a county approved holding tank.

- (iii) Use of a portable toilet with disposal at an approved sanitary dump station.
- (iv) Use of a Wisconsin product approved composting, chemical, or incineration toilet if completely within a camping unit.
- (c) All garbage is to be adequately contained during each stay and properly disposed of after each stay. It is the responsibility of the property owner to provide their own removal of waste and recycling. Waste and recycling materials shall not be disposed at the Town Recycling Center.
- (d) The number of camping units shall not exceed one (1) per acre, per tract, with a maximum of ten (10) at any one time.
- (e) The maximum stay for a camping unit shall not exceed (fourteen) 14 consecutive days.
- (f) The total number of days in which camping occurs on the property shall not exceed twenty-one (21) in a calendar year.
- (g) Only one conditional use permit will be issued per year per property owner.
- (h) Camping units shall meet all setback requirements for the zoning district in which they are located, as well as any Sheboygan County shoreland setbacks that may apply.
- (i) Platforms shall be engineered and comply with local building codes.
- (j) A rural address number shall be posted at the access driveway to the camping area. If the camping area uses the same access driveway as another building on the property that already has a rural address number, that number is sufficient. Said access driveway must have a direct connection to a public road or other officially approved right-of-way.
- (k) Off-road parking is required for any non-camping vehicles on-site; such locations must meet all setback requirements.
- (l) Generators used for camping shall not be operated between the hours of ten (10) p.m. and seven (7) a.m. unless one of the following exist:
  - (i) The generator used is an inverter generator.
  - (ii) There is no residence within 200 feet of the generator location.
- (m) Music audible beyond the property is not allowed.
- (n) Fireworks are prohibited.
- (o) Fires shall be confined to designated fire pits, which shall be no more than three (3) feet in diameter and meet the following requirements:
  - (i) The ground surface surrounding fire pits shall be covered by non-combustible materials for a minimum distance of five (5) feet.
  - (ii) No more than two (2) fire pits shall be allowed per five (5) acres.
  - (iii) Fires shall have flames no more than three (3) feet in height.
  - (iv) Fires shall be attended at all times unless completely extinguished.
  - (v) Fire extinguishing materials and devices shall be located on-site.
  - (vi) A notice of fire restrictions shall be posted near each fire pit.
  - (vii) Fire restrictions issued by the Wisconsin DNR shall be monitored and fires shall be prohibited when the local Fire Danger is rated "Extreme."

- (p) Any signage must meet the standards of the Town of Mosel Sign Ordinance.
- (q) Conditional use permits shall expire December 31 of each year.

## **7.16 SOLAR ENERGY SYSTEMS (SES)**

### **A. APPLICABILITY**

The standards in this Section apply only to mid-scale solar energy systems as described in subsection C.

### **B. PURPOSE**

There are hereby established standards for certain solar energy systems that will provide for the construction and operation of said systems. All regulations contained herein are adopted to preserve and protect public health and safety.

### **C. TYPES OF SOLAR ENERGY SYSTEMS AND PERMITS REQUIRED**

- (1) **Large-scale SES (100 MW or more):** Must be approved by the Wisconsin Public Service Commission. Such systems are allowed only in the A-1, A-1-S, A-PR, A-2, B-1, and I-1 districts and require a building permit from the Town. A Sheboygan County Shoreland/Floodplain Zoning permit, if applicable, may also be required. The Town may require a conditional use permit and/or developer's agreement as long as no conditions, in the opinion of the SES developer, inhibit or preclude the project, per Section 196.491(3)(i), Wis. Stats.
- (2) **Mid-scale SES (less than 100 MW but greater than 30 kW):** Are subject to the conditional use permit conditions set forth in Section 7.06 of this Ordinance and the requirements set forth in subsection D below, the Town's building permit requirements, the County's applicable Shoreland/Floodplain requirements, and any other applicable state or federal requirements. Such systems are allowed only in the A-1, A-1-S, A-PR, A-2, A-T, B-1, and I-1 districts.
- (3) **Small-scale SES (30 kW or less):** Are considered to be accessory uses and are permitted uses in all districts. Such systems are allowed whether or not a principal structure exists on the parcel. A building permit from the Town is required, and a Sheboygan County Shoreland/Floodplain Zoning permit may also be required, if applicable.

### **D. REQUIREMENTS FOR MID-SCALE SOLAR ENERGY SYSTEMS**

- (1) Any mid-scale SES hereafter established, altered, or enlarged shall be subject to the following requirements unless less restrictive requirements are specifically granted by the Plan Commission in the conditional use permit.