

Amendments to General Code of Ordinances Marathon County  
Chapter 17 Zoning Code  
Metallic Mining Exploration (Permitted Use) Text Amendments  
June 7, 2018

**Section 17.204.542 METALLIC MINING EXPLORATION**

- A. This section is established for metallic mining exploration in accordance with state law, including but not limited to, WI Stats. 293 and Wisconsin Administrative Code NR 130.
- B. The requirements of this section apply to any and all operators of exploration sites within towns that have adopted the General Code of Ordinances for Marathon County Chapter 17 – Zoning Code.
- C. An application for an exploration permit shall be filed with the Zoning Administrator contemporaneously with the filing of a WI DNR exploration license application.
- D. Exploration may be permitted in all zoning districts except urban and low density residential, manufactured/mobile home park, highway corridor/interchange overlay, and wellhead protection overlay district if conducted and consistent with this Zoning Ordinance.
- E. **Issuance.**  
Exploration permits shall be issued only in conformity with the provisions of this section, unless the Zoning Administrator receives a written order from the Board of Adjustment (BOA) deciding an appeal or variance.
- F. **Application Requirements.**  
Completed applications for exploration permits shall be submitted to the Zoning Administrator, and accompanied by the appropriate fee as specified by the Department fee schedule on forms provided by the Zoning Administrator.  
At a minimum, the applicant must supply the following information:
1. Copies of all state and federal documents with respect to the proposed exploration that have been submitted to the respective State and Federal agencies;
  2. Name, address, and phone number of all property owners and applicants;
  3. The location, dimensions, and parcel identification number of the lot(s) including a legal description;
  4. Zoning district;
  5. Location of any and all nearby public and private streets;
  6. A plan of the site drawn to scale showing dimensions of the lot and the location of all existing, temporary and proposed building(s) or structures and location of existing or proposed private onsite wastewater treatment system;
  7. The boundary of the affected parcel(s) and any adjacent parcel(s), pipelines, railroads, streams, utilities, and wetlands on the proposed exploration site and any adjacent parcel;
  8. Financial Responsibility under Section 17.204.545(L) (1) General Liability Insurance is hereby incorporated as if set forth in full.
- G. **Notification.** Upon receipt of an application, the zoning administrator shall notify the political subdivision(s) of jurisdiction, the Metallic Mining Committee Chair, the Environmental Resources Committee Chair, and the DNR.
- H. **Inspections and Reports.**  
Section 17.204.545(M) is hereby incorporated as if set forth in full.
- I. **Fees.**  
The applicant shall submit a \$500 for an exploration permit as specified in Section 17.801.06, schedule of fees.
- J. **Review and Issuance of Exploration Permit.**  
Exploration permits shall be reviewed and acted upon by the Zoning Administrator under the following conditions:
1. Within 20 business days after receipt of the completed application, provided that payment of all applicable fees have been made, the Zoning Administrator shall issue an exploration permit if the application and information obtained through field inspections complies with all applicable regulations. If denied, the Zoning Administrator shall give written notice of denial and state reasons for denial including sections of the Zoning Ordinance that the applicant does not comply with.
  2. An application for an exploration permit which has been made to the county, pursuant to sections A. through F. above, shall be processed under the regulations effective at the time the application was submitted.

3. Timing of the issuance and term of the exploration permit shall be consistent with the procedures outlined in NR 130.06.

4. The Zoning Administrator shall issue a placard to be posted by the applicant in a conspicuous place on the property for which an exploration permit is issued, attesting to the fact that the activity is in conformance with the provisions of this Zoning Ordinance.

**K. Commencement and Termination of Exploration Permits**

1. Commencement. The applicant shall notify the county by registered mail of intent to drill on a parcel contemporaneously with the notification to the WI DNR.

2. Termination of exploration activities shall be in compliance with WI Stats. 293.13 and NR 130.06 and 130.08.

**Section 17.203.05 TABLE OF PERMITTED USES**

1. Add Metallic Mining Exploration as Permitted Use in all zoning districts except urban and low density residential, manufactured /mobile home park, highway corridor/interchange overlay, and wellhead protection overlay district and add Section 17.204.542 to the Development Standards column in Table 3, Uses Permitted by District.