

**JEFFERSON COUNTY  
NONMETALLIC MINING RECLAMATION ORDINANCE  
TABLE OF CONTENTS**

**PART I-GENERAL**

SECTION 1	<b>Title.</b>
SECTION 2	<b>Purpose.</b>
SECTION 3	<b>Statutory Authority.</b>
SECTION 4	<b>Restrictions Adopted Under Other Authority.</b>
SECTION 5	<b>Interpretation.</b>
SECTION 6	<b>Severability.</b>
SECTION 7	<b>Applicability.</b> <b>7.10 Overall Applicability.</b> <b>7.20 Exemptions.</b>
SECTION 8	<b>Administration.</b>
SECTION 9	<b>Effective Date.</b>
SECTION 10	<b>Definitions.</b>

**PART II – STANDARDS**

SECTION 11	<b>Standards.</b>
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**PART III – PERMITTING**

SECTION 12	<b>Nonmetallic Mining Reclamation Permit Application.</b> <b>12.10 Required Submittal.</b> <b>12.20 Reclamation Permit Application Contents.</b> (am. 05-08-07, Ord. 2007-05)
SECTION 13	<b>Reclamation Plan.</b> <b>13.10 Reclamation Plan Requirements.</b> <b>13.20 Existing Plans and Approvals.</b> <b>13-30 Approval of Reclamation Plan.</b> (am. 05-08-07, Ord. 2007-05)
SECTION 14	<b>Financial Assurance.</b> <b>14.10 Financial Assurance Requirements.</b> <b>14.20 Private Nonmetallic Mines.</b>

**14.30 Public Nonmetallic Mines.**  
(am. 05-08-07, Ord. 2007-05)

SECTION 15           **Public Notice and Right of Hearing.**  
                          **15.10 New Mines.**  
                          **15.20 Existing Mines.**  
                          **15.30 Local Transportation –Related Mines.**

SECTION 16           **Issuance of a Nonmetallic Mining Reclamation Permit.**  
                          **16.10 Permit Required.**  
                          **16.20 Permit Issuance.**  
                          **16.30 Automatic Permit for Local Transportation-Related Mines.**  
                          **16.40 Expedited Review.**  
                          **16.50 Permit Conditions.**  
(am. 05-08-07, Ord. 2007-05)

SECTION 17           **Permit Denial.**

SECTION 18           **Alternative Requirements.**  
                          **18.10 Scope of Alternative Requirements Approval.**  
                          **18.20 Procedures.**  
                          **18.30 Transmittal of Decision on Request for Alternate**  
                          **Requirements.**  
                          **18.40 Notice to Wisconsin Department of Natural Resources.**

SECTION 19           **Permit Duration.**

SECTION 20           **Permit Transfer.**

SECTION 21           **Previously Permitted Sites.**

SECTION 22           **Review.**

**PART IV - ADMINISTRATION**

SECTION 23           **Permit Modification.**  
                          **23.10 By Jefferson County.**  
                          **23.20 At the Operator’s Option.**  
                          **23.30 Required by the Operator.**  
                          **23.40 Review.**

SECTION 24           **Permit Suspension or Revocation.**  
                          **24.10 Grounds.**  
                          **24.20 Procedures.**  
                          **24-30 Consequences.**

SECTION 25           **Annual Operator Reporting.**  
                          **25.10 Contents and Deadline.**  
                          **25.20 Inspection in Lieu of Report.**  
                          **25.30 Retention of Annual Reports.**

- SECTION 26            **Plan Review Fees.**
  - 26.10 Amount and Applicability.
  - 26.20 Expedited Plan Review Fee.
  - 26.30 Relation to Annual Fee.
  
- SECTION 27            **Annual Fees.**
  - 27.10 Areas Subject to Fees, Procedures, Deadline and Amount.
  - 27.20 Wisconsin Department of Natural Resources Share of Fee.
  - 27.30 Jefferson County’s Share of Fee.
  - (am. 05-08-07, Ord. 2007-05)
  
- SECTION 28            **Regulatory Reporting and Documentation.**
  - 28.10 Reporting.
  - 28.20 Documentation.
  
- SECTION 29            **Completed Reclamation – Reporting, Certification and Effect.**
  - 29.10 Reporting.
  - 29.20 Reporting of Interim Reclamation.
  - 29.30 Certification of Completed Reclamation.
  - 29.40 Effect of Completed Reclamation.
  - 29.50 Effect of Inaction Following Report of Completed Reclamation.
  
- SECTION 30            **Permit Termination.**

**PART V - ENFORCEMENT**

- SECTION 31            **Right of Entry and Inspection.**
  
- SECTION 32            **Orders and Citations.**
  - 32.10 Enforcement Orders.
  - 32.20 Special Orders.
  - 32.30 Review of Orders.
  - 32.40 Citations.
  - 32.50 Enforcement.
  
- SECTION 33            **Penalties.**

**APPENDIX A**

- FEE TABLE            **Plan Review and Permitting Fees.**

**PART I – GENERAL**

- SECTION 1:**            **1.00 Title.** Nonmetallic mining reclamation ordinance for the County of Jefferson.

**SECTION 2:**       **2.00 Purpose.** The purpose of this ordinance is to establish a local program to ensure the effective reclamation of nonmetallic mining sites on which nonmetallic mining takes place in Jefferson County after the effective date of this ordinance, in compliance with Chapter NR135, Wisconsin Administrative Code and Subchapter I of Chapter 295, Wisconsin Statutes.

**SECTION 3:**       **3.00 Statutory Authority.** This ordinance is adopted under authority of Section 295.13(1), Wisconsin Statutes, Section NR 135.32, Wisconsin Administrative Code, and Section 59.51, Wisconsin Statutes.

**SECTION 4:**       **4.00 Restrictions Adopted Under Other Authority.** The purpose of this ordinance is to adopt and implement the uniform statewide standards for nonmetallic mining required by Section 295.12(1)(a), Stats., and contained in Chapter NR 135, Wisconsin Administrative Code. This ordinance does not repeal, abrogate, annul, impair or interfere with any existing rules, regulation, ordinances or permits not concerning nonmetallic mining reclamation previously adopted pursuant to other Wisconsin law.

**SECTION 5:**       **5.00 Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be the applicable requirements for nonmetallic mining reclamation and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes, outside the reclamation requirements for nonmetallic mining sites required by subchapter I of Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 135, Wisconsin Administrative Code, and where the provision is unclear, the provision shall be interpreted to be consistent with the Wisconsin Statutes and the provisions of Chapter NR 135, Wisconsin Administrative Code.

**SECTION 6:**       **6.00 Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**SECTION 7:**       **7.00 Applicability.**

**7.10 Overall Applicability.** The requirements of this ordinance apply to all operators of nonmetallic mining sites within the County of Jefferson operating on or commencing to operate after August 1, 2001, and as provided in Sections NR 135.02(1) and (2), Wisconsin Administrative Code except where exempted in sub. 7.20 and except for nonmetallic mining sites located in a city, village or town within Jefferson County that has adopted an ordinance pursuant to Section 295.14, Wisconsin Statutes, and Section NR 135.32(2), Wisconsin Administrative Code.

**7.20 Exemptions.** This ordinance does not apply to the exempt activities listed in Section NR 135.02(3), Wisconsin Administrative Code.

**SECTION 8:**       **8.00 Administration.** The provisions of this ordinance shall be administered by the Jefferson County Land & Water Conservation Department.

**SECTION 9:**       **9.00 Effective Date.** The provisions of this ordinance shall take effect on June 1, 2007. (am. 05-08-07, Ord. 2007-05)

**SECTION 10:**   **10.00 Definitions.** All definitions for the purposes of this ordinance are those contained in Section NR 135.03, Wisconsin Administrative Code.

## **PART II STANDARDS**

**SECTION 11:**   **11.00 Standards.** All nonmetallic mining sites subject to this ordinance shall be reclaimed in conformance with the standards contained in Subchapter II of Chapter NR 135, Wisconsin Administrative Code.

## **PART III PERMITTING**

**SECTION 12:**   **12.00 Nonmetallic Mining Reclamation Permit Application Required.** No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to the applicable reclamation ordinance unless the activity is specifically exempted in subs. 7.10, 7.20 or 10(16)(b). (am. 05-08-07, Ord. 2007-05)

**12.10 Required Submittal.** The operator of all nonmetallic mining sites shall apply for a reclamation permit from the Jefferson County Land & Water Conservation Department. All reclamation permit applications under this section shall be accompanied by the information required by Section NR 135.18(1), Wisconsin Administrative Code. (am. 05-08-07, Ord. 2007-05)

**12.20 Reclamation Permit Application Contents.** The operator of any nonmetallic mine site shall submit an application that meets the requirements of Sections NR 135.18(2), Wisconsin Administrative Code and the submittals required under sub. 12.10 to the Jefferson County Land & Water Conservation Department prior to beginning operations. (am. 05-08-07, Ord. 2007-05)

**SECTION 13:**   **13.00 Reclamation Plan.**

**13.10 Reclamation Plan Requirements.** All operators of nonmetallic mining meets the requirements of Section NR 135.19, Wisconsin Administrative Code.

**13.20 Existing Plans and Approvals.** To avoid duplication of effort, the reclamation plan required by sub.13.10 may, by reference, incorporate existing plans or materials that meet the requirements of this ordinance. Previous approvals for nonmetallic mining sites that apply in accordance with sub. 12.20 shall satisfy the requirements of sub. 13.10 if they meet the requirements of Section NR 135.21(1)(d), Wisconsin Administrative Code. (am. 05-08-07, Ord. 2007-05)

**13.30 Approval of Reclamation Plan.** Jefferson County shall approve, conditionally approve or deny the reclamation plan submitted under this section in

writing as part of permit issuance pursuant to sub. 16.20. Conditional approvals of reclamation plans shall be made according to sub. 16.50, and denials of reclamation plans made according to s. 17. The operator shall keep a copy of the reclamation plan required by this section, once approved by Jefferson County under this ordinance, at the mine site or, if not practicable, at the operator's nearest office or place of business. (am. 05-08-07, Ord. 2007-05)

**SECTION 14: 14.00 Financial Assurance.**

**14.10 Financial Assurance Requirements.** All operators of nonmetallic mining sites in Jefferson County shall prepare and submit a proof of financial assurance sufficient to ensure successful reclamation (that meets the requirements of Section 135.40, Wisconsin Administrative Code). (am. 05-08-07, Ord. 2007-05)

**14.20 Private Nonmetallic Mines.** The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with s. 12 shall submit the proof of financial assurance required by sub. 14.10 as specified in the reclamation permit issued to it under this chapter. (am. 05-08-07, Ord. 2007-05)

**14.30 Public Nonmetallic Mining.** The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the State of Wisconsin, a state agency, board, commission or department, or a municipality.

**SECTION 15: 15.00 Public Notice and Right to Hearing.** (am. 05-08-07, Ord. 2007-05)

**15.10 New Mines.** Jefferson County shall provide public notice and the opportunity for a public informational hearing as set forth in Sections NR 135.20(1) and (2), Wisconsin Administrative Code for any nonmetallic mining site for which a complete reclamation permit application that satisfies sub. 12.30 is received.

**15.20 Existing Mines.** No public notice or informational hearing is required on an application for a reclamation permit for an existing mine that satisfies sub. 12.20, except as provided in Section NR 135.20(4)(c), Wisconsin Administrative Code.

**15.30 Local Transportation-Related Mines.** No public notice of informational hearing is required for a nonmetallic mining reclamation permit issued to a local transportation-related mine pursuant to sub. 16.30. (am. 05-08-07, Ord. 2007-05)

**SECTION 16: 16.00 Issuance of a Nonmetallic Mining Reclamation Permit.**

**16.10 Permit Required.** No person may engage in nonmetallic mining or nonmetallic mining reclamation in Jefferson County without obtaining a reclamation permit issued under this section, except nonmetallic mining sites exempt from this chapter as provided in sub. 7.20. (am. 05-08-07, Ord. 2007-05)

**16.20 Permit Issuance.** Reclamation permit applications for nonmetallic mining sites that satisfy s. 12 shall be approved or otherwise acted on as provided in Section NR 135.21(2), Wisconsin Administrative Code. The permit shall require compliance with a reclamation plan submitted by the applicant that conforms with sub. 13.10, and provision by the applicant of financial assurance that conforms with s. 14

payable to Jefferson County prior to beginning mining. (am. 05-08-07, Ord. 2007-05)

**16.30 Automatic Permit for Local Transportation-Related Mines.** Jefferson County Land & Water Conservation Department shall issue an automatic permit under this subsection for any borrow site operated to provide material for a locally-administered transportation project that meets the criteria in Section NR 135.23(1)(a), Wisconsin Administrative Code. This automatic permit shall be issued according to the provisions of Sections NR 135.23(1)(b) through (j), Wisconsin Administrative Code. (am. 05-08-07, Ord. 2007-05)

*Note: A reclamation permit is not required under this subsection for nonmetallic mine sites that are operated to provide materials for construction, maintenance and repair of transportation facilities that are subject to the Wisconsin Department of Transportation concerning restoration of the nonmetallic mining site, as provided by s. 295.16(1)(c), Stats. Plan review fees may not be assessed for local transportation-related mines permitted under this subsection, and the county or municipality may not assess them an annual fee under s. 27 that is greater than allowed by s. NR 135.23(1)(fg), Wis. Adm. Code.*

**16.40 Expedited Review.** Any operator of a nonmetallic mining site may obtain an expedited review of a reclamation permit application by paying the expedited review fee specified in s.26.20. The expedited review shall be carried out according to the provisions of Section NR 135.23(2), Wisconsin Administrative Code. Such expedited review shall not waive, shorten or otherwise affect the public notice and right of hearing pursuant to s. 15. (am. 05-08-07, Ord. 2007-05)

**16.50 Permit Conditions.** Permits issued under this section may include conditions as provided in Section NR 135.21(3), Wisconsin Administrative Code. One required condition shall be that new mines shall obtain financial assurance prior to beginning mining pursuant to Section NR 135.40, Wisconsin Administrative Code. (am. 05-08-07, Ord. 2007-05)

**SECTION 17:** **17.00 Permit Denial.** An application for a nonmetallic mining reclamation permit shall be denied if any of the factors specified in Section NR 135.22, Wisconsin Administrative Code exist.

**SECTION 18:** **18.00 Alternative Requirements.**

**18.10 Scope of Alternative Requirements Approval.** An operator of a nonmetallic mining site may request an alternative requirement to any reclamation standard established in s. 11.00. Such a request may be made only on the basis of the criteria set forth in Section NR 135.26(1), Wisconsin Administrative Code.

**18.20 Procedures.** The operator of a nonmetallic mining site requesting an alternate requirement in sub. 18.10 shall demonstrate all the criteria in Section NR 135.26(1), Wisconsin Administrative Code. This shall be submitted in writing to the Jefferson County Zoning Board of Adjustment.

**18.30 Transmittal of Decision on Request for Alternate Requirements.** The decision on a request for alternative reclamation requirements shall be in writing to

the applicant and shall include documentation of why the alternative requirement was or was not approved.

**18.40 Notice to Wisconsin Department of Natural Resources.** Jefferson County shall provide notice to the Wisconsin Department of Natural Resources as provided in Section NR 135.26(3)(a), Wisconsin Administrative Code.

**SECTION 19: 19.00 Permit Duration.** A nonmetallic mining reclamation permit issued under this ordinance shall last through operation and reclamation of the nonmetallic mining site, unless suspended or revoked pursuant to sub. 32.20, or as limited under Section NR 135.27, Wisconsin Administrative Code where the mine operator is not the landowner.

**SECTION 20: 20.00 Permit Transfer.** A nonmetallic mining reclamation permit issued under this ordinance shall be transferred to a new owner or operator upon satisfaction of the conditions in Section NR 135.28, Wisconsin Administrative Code.

**SECTION 21: 21.00 Previously Permitted Sites.** For any nonmetallic mining site which had a reclamation permit previously issued pursuant to Chapter NR 135, Wisconsin Administrative Code that becomes subject to reclamation permitting authority of Jefferson County the previously-issued municipal reclamation permit's terms and conditions shall remain in force until they can be modified by Jefferson County pursuant to sub. 23.10.

**SECTION 22: 22.00 Review.** Any permitting decision or action made by Jefferson County under this ordinance may be reviewed as set forth in Section NR 135.30, Wisconsin Administrative Code by Jefferson County Zoning Board of Adjustment.

#### **PART IV- ADMINISTRATION**

**SECTION 23: 23.00 Permit Modification.**

**23.10 By Jefferson County.** A nonmetallic mining reclamation permit issued under this ordinance may be modified by Jefferson County if it finds that, due to changing conditions, the nonmetallic mining site is no longer in compliance with this ordinance. Such modification shall be by an order conforming with the procedures in s.32 and as provided in Section NR135.24(1), Wisconsin Administrative Code.

**23.20 At the Operator's Option.** If operator of any nonmetallic mine that holds a reclamation permit issued under this ordinance desires to modify such permit or reclamation plan approved under this ordinance, it may request such modification by submitting a written application for such modification to Jefferson County. The application for permit or plan modification shall be acted on using the standards and procedures of this ordinance.

**23.30 Required by the Operator.** The operator of any nonmetallic mine that holds a reclamation permit issued under this ordinance shall request a modification of such permit if required under the circumstances set out in Section NR 135.27, Wisconsin Administrative Code. Such application for permit modification shall be acted on using the standards and procedures of this ordinance.



**23.40 Review.** All actions on permit modifications requested or initiated under this section are subject to review under s. 22.

**SECTION 24: 24.00 Permit Suspension or Revocation.**

**24.10 Grounds.** Jefferson County may suspend or revoke a nonmetallic mining reclamation permit issued pursuant to this ordinance if it finds any of the grounds listed in Section NR 135.25(1), Wisconsin Administrative Code.

**24.20 Procedures.** If Jefferson County finds grounds for suspending or revoking a nonmetallic mining reclamation permit set forth in sub. 25.10, it may issue a special order suspending or revoking such permit as set forth in sub. 32.20.

**24.30 Consequences.** The consequences of a reclamation permit suspension or revocation order under sub. 24.20 shall be as set forth in Sections NR 135.25(2) and (3), Wisconsin Administrative Code.

**SECTION 25: 25.00 Annual Operator Reporting.**

**25.10 Contents and Deadline.** Annual reports shall be submitted by the operators of nonmetallic mining sites that satisfy the requirements of Section 135.36, Wisconsin Administrative Code. The annual report shall cover activities on the unreclaimed and reclaimed acreage for the previous calendar year and be submitted by January 31 to the Jefferson County Land & Water Conservation Department. Annual reports shall be submitted until reclamation at each nonmetallic mining site is certified as complete under sub. 29.30. (am. 05-08-07, Ord. 2007-05)

**25.20 Inspection in Lieu of Report.** Jefferson County may, at its discretion, obtain the information required in sub. 25.10 by written documentation of an inspection it completes during a calendar year, as set forth in Section NR 135.36(4), Wisconsin Administrative Code.

**25.30 Retention of Annual Reports.** Annual reports submitted under this section or inspection records that replace them shall be retained by Jefferson County for at least 10 years after the calendar year to which they apply. These records, or accurate copies of them, shall be made available to the Wisconsin Department of Natural Resources upon request or during its inspection or audit activities carried out pursuant to Chapter NR 135, Wisconsin Administrative Code.

**SECTION 26: 26.00 Plan Review Fees.**

**26.10 Amount and Applicability.** A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under sub. 12.30 shall submit a non-refundable plan review fee to Jefferson County as set forth in Appendix A of Jefferson County Nonmetallic Mining Reclamation Ordinance, in section entitled Non-Metallic Mining Plan Review Fee. No plan review fee may be assessed under this section for any nonmetallic mine site for which an application for an automatic reclamation permit is submitted that meets the requirements of sub. 12.20 or for any local transportation-related mine issued an automatic permit under sub. 16.50. A separate plan review fee shall be paid under this section for any

modification to an existing reclamation plan submitted pursuant to s. 23. (am. 05-08-07, Ord. 2007-05)

**26.20 Expedited Plan Review.** A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under sub. 12.30 may obtain expedited reclamation plan review by paying a fee of twice the amount set forth in 26.10.

**26.30 Relation to Annual Fee.** Any reclamation plan review fee or expedited reclamation plan review fee collected under this section shall be added to and collected as part of the first annual fee collected under s. 27.

**SECTION 27:**

**27.00 Annual Fees.**

**27.10 Areas Subject to Fees, Procedures, Deadline and Amount.** Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter shall pay an annual fee to Jefferson County as set forth in Appendix A of Jefferson County Nonmetallic Mining Reclamation Ordinance, in section entitled Non-Metallic Mining Annual Permitting Fee. These fees shall be calculated based on amount of unreclaimed acres of each site, as defined in Section NR 135.39(1)(a), Wisconsin Administrative Code and according to its provisions. Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes place, until final reclamation is certified as complete under s. 29. Fees shall be paid no later than January 31 for the previous year. (am. 05-08-07, 2007-05)

**27.20 Wisconsin Department of Natural Resources Share of Fee.** Fees paid under this section shall include a share for the Wisconsin Department of Natural Resources equal to the amount specified in Section NR 135.39(3), Wisconsin Administrative Code. For sites on which no nonmetallic mining has taken place during a calendar year, fees to be paid under this section for the following year shall be \$15.00. Jefferson County shall forward fees collected under this subsection to the Wisconsin Department of Natural Resources by March 31<sup>st</sup>. (am. 05-08-07, 2007-05)

**27.30 Jefferson County's Share of Fee. (1)** Fees paid under this section shall also include an annual fee due to Jefferson County which shall be determined by the dollar amount specified in Appendix A of Jefferson County Nonmetallic Mining Reclamation Ordinance section entitled Non-Metallic Mining Annual Permitting Fees. These fees shall be established on an un-reclaimed acre basis, and equal as closely as possible the county or municipal cost of administering the reclamation program and may be modified based on the program administration costs - see s. 295.13(3)(e)1. for details. This and supporting documentation shall be available for public inspection. (am. 05-08-07, Ord. 2007-05)

*Note: Section NR 135.39(4)(b)[preamble], Wis. Adm. Code further requires that annual fees must equal as closely as possible the county or municipality's expenses to administer the program, including but not limited to the examination and approval of plans, cost to ensure compliance, inspecting nonmetallic mining sites and administering the reclamation program set up under this ordinance. Section NR 135.39(4)(b)1., Wis. Adm. Code also provides the county or municipality may use these fees only for reasonable expenses associated with administration of a nonmetallic mining reclamation program.*

(2) The annual fees collected by Jefferson County under this subsection for local transportation-related mines issued permits under sub. 16.30 may not exceed the amounts set forth in Table 2 of Section NR 135.39 and shall include both a share for the Wisconsin Department of Natural Resources and Jefferson County.

*Note: This is required by s. NR 135.23(1)(g), Wis. Adm. Code.*

**SECTION 28: 28.00 Regulatory Reporting and Documentation.**

**28.10 Reporting.** Jefferson County shall send an annual report to the Wisconsin Department of Natural Resources containing the information required by Section NR 135.37, Wisconsin Administrative Code by March 31<sup>st</sup> for the previous calendar year. (am. 05-08-07, Ord. 2007-05)

**28.20 Documentation.** Jefferson County shall, to the best of its ability, maintain the information set forth in Section NR 135.47(3), Wisconsin Administrative Code, and make it available to the Wisconsin Department of Natural Resources for the agency's audit of Jefferson County's reclamation program pursuant to Section NR 135.47, Wisconsin Administrative Code.

**SECTION 29: 29.00 Completed Reclamation – Reporting, Certification and Effect.**

**29.10 Reporting.** The operator of a nonmetallic mining site may certify completion of reclamation for a portion or all of the nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this ordinance and Chapter NR 135, Wisconsin Administrative Code.

**29.20 Reporting of Interim Reclamation.** The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this ordinance and Chapter NR 135, Wisconsin Administrative Code. Reporting of interim reclamation shall be done according to the procedures in sub. 29.10.

**29.30 Certification of Completed Reclamation.** Jefferson County shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt, and make a determination in writing in accordance with Section DNR 135.40(7)(c), Wisconsin Administrative Code. If it is determined that interim or final reclamation is complete, including revegetation as specified in a plan that conforms with s.13, Jefferson County shall issue the mine operator a written certificate of completion.

**29.40 Effect of Completed Reclamation.** If reclamation is certified by Jefferson County as complete under sub. 29.30 for part or all of a nonmetallic mining site, then:

- (1) No fee shall be assessed under s. 27 for the area so certified.
- (2) The financial assurance required by s. 14 shall be released.
- (3) For sites which are reported as interim reclaimed under sub. 29.20 and so certified under sub. 29.30, financial assurance amounts for reclaiming the certified area shall be reduced upon certification by the regulatory authority. (am. 05-08-07, Ord. 2007-05)

**29.50 Effect of Inaction Following Report of Completed Reclamation.** If no written response as required by sub. 29.30 for an area of the mine site reported as reclaimed or interim reclaimed is given within 60 days of receiving such request, any annual fee paid to Jefferson County for said area under s. 27 shall be refunded.

**SECTION 30: 30.00 Permit Termination.** When all final reclamation required by a reclamation plan conforming to s. 13 and required by this chapter is certified as complete pursuant to sub. 29.30, Jefferson County Land & Water Conservation Department shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit. (am. 05-08-07, Ord. 2007-05)

## PART V – ENFORCEMENT

**SECTION 31: 31.00 Right of Entry and Inspection.** For the purpose of ascertaining compliance with the provisions of Subchapter 1 of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, or this ordinance, any authorized officer, agent, employee or representative of Jefferson County may inspect any nonmetallic mining site subject to this ordinance as provided in Section 295.17(1), Wisconsin Statutes, and Section NR 135.42, Wisconsin Administrative Code.

*Note: Under section NR 135.42(1), Wisconsin Administrative Code, persons entering nonmetallic mine sites under this right of inspection shall obtain training and provide their own safety equipment as needed to comply with applicable federal, state and local laws or regulations.*

**SECTION 32: 32.00 Orders and Citations.**

**32.10 Enforcement Orders.** Jefferson County may issue orders as set forth in Section 295.19(1)(a), Wisconsin Statutes, to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this ordinance, a permit issued pursuant to this ordinance or a reclamation plan required by s. 13 and a permit issued under this ordinance. A violation of this ordinance, an order or permit issued pursuant to this ordinance or a reclamation plan required by s. 13 and a permit issued under this ordinance shall be considered a violation of Subchapter I of Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code.

**32.20 Special Orders.** Jefferson County may issue a special order as set forth in Sections 295.19(1)(b) and (c), Wisconsin Statutes, suspending or revoking a nonmetallic mining reclamation permit pursuant to s. 24, or directing an operator to immediately cease an activity regulated under Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code or this ordinance until the necessary plan approval is obtained.

**32.30 Review of Orders.** An order issued under sub. 32.10 or sub. 32.20 may be reviewed as provided in Section NR 135.43(2), Wisconsin Administrative Code.

**32.40 Citations.** Jefferson County may issue a citation under s. 66.0113, Stats. to collect forfeitures or take any other required action needed to enforce Subchapter I of

Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this ordinance, a permit issued pursuant to this ordinance or a reclamation plan required by s. 13 and a permit issued under this ordinance. The issuance of a citation under this subsection shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this subsection.

**32.50 Enforcement.** Jefferson County may submit any order issued under s. 32 to the district attorney, the corporation counsel, the municipal attorney or the attorney general for enforcement as provided in Section 295.19(1)(d), Wisconsin Statutes.

**SECTION 33:** **33.00 Penalties.** Any violation of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this ordinance, a permit issued pursuant to this ordinance or a reclamation plan required by s. 13 and a permit issued under this ordinance may result in forfeitures as provided in Section 295.19(3), Wisconsin Statutes, which penalties are adopted herein by reference.

NOTE: Original ordinance, 2001-03, adopted May 8, 2001. Revised: Ord. 2007-05, 05/08/07; published 05/14/07.



# APPENDIX A

## Jefferson County Non-Metallic Mining

### Reclamation Plan Permitting

**PLAN REVIEW FEE TABLE**

Proposed Mine site Size Rounded to the Nearest Whole Acre	One-Time Plan Review Fee
1 to 25 acres	\$900.00
26 to 50 acres	\$1200.00
51 or more acres	\$1500.00

**ANNUAL FEE TABLE**

<i>Un-reclaimed acreage, rounded to nearest whole acre</i>	<u>Jefferson County Annual Fee</u>	<u>DNR Annual Fee per Table 1 NR 135.49(3)(c)</u>	<u>Total Annual Fee</u>
Inactive	\$15.00	\$15.00	<b>\$30.00</b>
1 to 5 acres	\$150.00	\$35.00	<b>\$185.00</b>
6 to 10 acres	\$300.00	\$70.00	<b>\$370.00</b>
11 to 15 acres	\$450.00	\$105.00	<b>\$555.00</b>
16 to 25 acres	\$600.00	\$140.00	<b>\$740.00</b>
26 to 50 acres	\$700.00	\$160.00	<b>\$860.00</b>
51 acres or larger	\$750.00	\$175.00	<b>\$925.00</b>

The County of Jefferson shall transfer fees collected per Table 1 NR 135.49(3)(c) to the Wisconsin Department of Natural Resources by March 31.