

**TOWN OF OAKLAND
DOUGLAS COUNTY
STATE OF WISCONSIN**

ORDINANCE NO. 2013-6

**OPERATING CONDITIONS FOR NON-METALLIC MINING ORDINANCE
(rev 5/14/2013)**

SECTION 1 - PURPOSE

The following conditions/restrictions are established by the Town of Oakland, Douglas County, Wisconsin, to cover non-metallic mine operations within the Town. Authority for the Town to regulate operations is set forth in Wis. Stats. 349.16 & 349.17. These conditions/restrictions are to be in addition to the reclamation requirements as outlined in Douglas County Ordinance 8.9 - Nonmetallic Mining Reclamation Ordinance for the County of Douglas. The Town of Oakland reserves the right to add/adjust/remove conditions/restrictions for any non-metallic mine operation on a case-by-case basis as outlined by Wis. Stat. 293.41.

SECTION 2 - THE ESTABLISHMENT OF RESTRICTIONS:

- During periods of weight restrictions, materials will not be hauled on any posted roadways unless granted emergency authorization as specified by the Town of Oakland Weight Limit Ordinance.
- Mine operator/owner will assume the cost of repairs for any damage that occurs to these roads caused by hauling operations.
- The mine operator/owner agrees to provide gravel and other needed materials to repair damaged areas caused by hauling operations. The town will bill for the additional expenses such as labor, fuel, machine time, etc. The town may agree to permit the operator/owner to repair the damage.
- Alternative haul routes may be established by the Town Chairman or his designee during weight restrictions or at any other time during the year. The Town also reserves the right to route vehicles in one way and out another.

SECTION 3 – HOURS OF OPERATION:

- Normal operating hours are 7 a.m. to 7 p.m. Monday through Friday, 9 a.m. to 3p.m. on Saturdays.
- Mine operators/owners will notify the Town of Oakland if there is a need to operate outside the normal hours and will obtain approval in writing by the Town Chair, or a designee, before doing so. The approval will specify the approximate start date, approximate duration of operations and the roads that would need to be used.

SECTION 4 –BLASTING:

- All blasting will be done in accordance with the Wisconsin Administrative Code, Chapters 7&8 and the National Fire Protections guidelines in the NFPA Explosives Material Code, Chapter 495.
- A minimum of three (3) seismographs will be placed at closest agreeing neighboring residences during each blast.
- A copy of each blast record will be sent to the town as well as to residents upon request. A blast notification list will be maintained by the operator/owner at the company office.
- Any resident within a half-mile of the non-metallic mine operation shall be notified prior to any blast being detonated at the mine.
- Blast notification will be given. It may be given in person, by written notice, or by telephone and will occur at least 24 hours prior to the blast being detonated. Voice messages may be considered notification.

SECTION 5 - CONTROLS OUTLINED IN PERMIT APPLICATION

- Dust control shall be provided as per Permit Application Plan. The town reserves the right to request dust control as needed. Noise control shall be provided as per Permit Application Plan.

.SECTION 6 – PENALTIES FOR VIOLATIONS:

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 14th day of May, 2013

Attest:



Robert Warner, Town Chairman



Laurie Dolsen, Town Clerk