

**Town of Rushford
Resolution 2024-0321**

**A Resolution Requesting Coordination and Collaboration by and between the
Winnebago County Zoning Department and the Town of Rushford.**

Whereas, Winnebago County, Wisconsin is 579 square miles and is comprised of 22 local units of government including 15 unincorporated Towns;

Whereas, WI Stats. NR115 requires Counties to regulate shorelands in unincorporated areas;

Whereas, Winnebago County adopted Chapter 27 Shoreland Zoning Code to regulate shorelands in unincorporated areas within Winnebago County;

Whereas, Winnebago County Chapter 27 Shoreland Zoning Code incorporates by reference Winnebago County Chapter 23 Town/County General Zoning Code;

Whereas, the incorporation of Chapter 23 Town/County Zoning Code includes the said chapter in its entirety;

Whereas, Winnebago County Chapter 23 Town/County Zoning Code Section 23.1-3 states, *“The provisions of this chapter shall only apply in those towns in Winnebago County where such town board has passed a resolution adopting this chapter...”*;

Whereas, the Town of Rushford has not adopted Winnebago County Chapter 23 Town/County Zoning Code;

Whereas, the Town of Rushford has adopted its own local general zoning authority pursuant to WI Stats. Section 62.23(7);

Whereas, local land use and development is unique to individual communities both in and out of shoreland areas, and as such, local knowledge provides the best insight for zoning decisions;

Whereas, the Town of Rushford has more local knowledge of their community than the larger, overlying county government unit.

Whereas, the Town of Rushford wishes to exercise its sovereign general zoning authority in and out of shoreland areas located within its municipal boundaries;

Whereas, the local community will benefit from and the Town of Rushford desires a coordinated and collaborative working relationship with the Winnebago County Zoning Department relating to the Town’s General Zoning authority and the County’s Shoreland Zoning authority;

Now therefore, be it resolved, the Town of Rushford requests that Winnebago County recognize that Winnebago County Chapter 27 Shoreland Zoning Code incorporates by reference Winnebago County Chapter 23 Town/County Zoning Code in its entirety including Chapter 23, Section 23-1.3;

Be it further resolved, the Town of Rushford requests that Winnebago County recognize that the Town of Rushford has not adopted by resolution as required and prescribed by Winnebago County Chapter 23, Section 23-1.3, and as such Winnebago County does not hold any general zoning authority in the Town of Rushford.

Be it further resolved, the Town of Rushford requests that Winnebago County recognize the benefits of the local knowledge of the Town of Rushford community provided by the local Town officials, and as such, actively seek, establish, and implement Zoning regulation procedures which incorporate coordination and collaboration by and between the Town of Rushford as it exercises its general zoning authority and the Winnebago County Zoning Department as it exercises its shoreland zoning authority;

Be it further resolved, the Town of Rushford also requests that the Towns and County work together to develop a uniform process for the coordination and collaborative association by and between Winnebago County Zoning Department and all 15 unincorporated Towns of Winnebago County for the Zoning Regulation both in and out of shoreland areas.

Adopted this 21st day of March, 2024

by a vote of ____ Ayes; ____ Nays; ____ Abstain; ____ Absent

Thomas Egan, Chairperson

Patrick Kafer, Supervisor

Jerry Schoonover, Supervisor

Attest:

Peggy Hendricks, Clerk