

Chapter 10 - EMERGENCY MANAGEMENT AND SERVICES

State Law reference— Emergency management generally, Wis. Stats. § 323.01 et seq.; emergency temporary locations of local governments, Wis. Stats. § 323.52; succession to local offices, Wis. Stats. § 323.54; local agency response and reimbursement, Wis. Stats. § 323.70; emergency powers of local governments, Wis. Stats. § 323.11; prohibition against restricting firearms or ammunition during emergency, Wis. Stats. § 323.24; statewide emergency services number, Wis. Stats. § 356.35; false alarms, Wis. Stats. § 941.13.

ARTICLE I. - IN GENERAL

Secs. 10-1—10-30. - Reserved.

ARTICLE II. - EMERGENCY MANAGEMENT

DIVISION 1. - GENERALLY

Sec. 10-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjutant general means the adjutant general of the state department of military affairs.

Administrator of emergency management means the administrator of the division of emergency management of the state.

Disaster means a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, that exceeds the county's capability to respond to or provide the adequate resources or support and may require the additional assistance from state and federal agencies or traditional mutual aid partners.

Emergency means a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this county or a portion of this state.

Emergency management means all measures undertaken by or on behalf of the county and its subdivisions to do any of the following:

- (1) Prepare for and minimize the effect of a disaster or the imminent threat of a disaster.
- (2) Make repairs to or restore infrastructure or critical systems that are destroyed or damaged by a disaster.

Emergency management director means the head of the county emergency management department, who shall, in addition to fulfilling departmental responsibilities, provide direction and control of emergency management during times of emergency or disaster.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— Similar definitions, Wis. Stats. § 323.02.

Sec. 10-32. - Purpose.

- (a) The purpose of this article is to prepare the county and its subdivisions to cope with emergencies resulting from a disaster, or the imminent threat of a disaster, and to establish protocol for emergency management conferring certain powers and duties upon the county board and others specified in this article.
- (b) Unless otherwise specified by law, the role of any county department or agency, including the emergency management department, in an emergency declared under this article, is to assist local units of government and local law enforcement agencies in responding to a disaster or the imminent threat of a disaster.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— Declaration of state policy, Wis. Stats. § 323.01.

Secs. 10-33—10-55. - Reserved.

DIVISION 2. - EMERGENCY MANAGEMENT ORGANIZATION

Sec. 10-56. - Lines of succession for emergency declarations.

- (a) Designees established. If because an emergency condition exists and the full county board is unable to meet with promptness, the county board has established individual designees in line of succession for proclaiming an emergency or disaster in the county.
- (b) Exercise of county board powers subject to pending disaster. The line of succession designees shall be allowed, by proclamation, to exercise all of the powers of the county board which appear necessary as the result of an emergency or disaster, including issuing a mandatory evacuation order. Any proclamations so declared shall be subject to ratification, alteration, modification or repeal by the county board as soon as it can meet.
 - (1) County board chairperson. The chairperson of the county board is empowered to declare an emergency, as emergency is defined in this article.
 - (2) Alternates.
 - a. In the of absence of the chairperson, alternates in the line of succession are as follows:
 - 1. The county board vice-chairperson.
 - 2. The county sheriff.
 - 3. The county emergency management director.
 - b. In the event the county emergency management director is absent, the chief deputy of the county sheriff's department is the alternate.
 - (3) State regional director. The state emergency management regional director may, upon request of law enforcement or emergency first responders responding to an emergency, request a local declaration of emergency.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— Succession to office by local officers, Wis. Stats. § 323.54; interim successors, Wis. Stats. § 323.55.

Sec. 10-57. - Emergency declarations and powers.

(a) Declaration by county board.

- (1) The county board may, under Wis. Stats. § 323.11, declare, by resolution, an emergency existing within the county whenever conditions arise by reason of a disaster or an imminent threat of a disaster, as defined in this chapter, which exists or is likely to exist.
- (2) A state of emergency shall not exceed 60 days, unless the state of emergency is extended by resolution of the board. The existing declaration of emergency may be revoked at the discretion of the county board by resolution.

(b) Powers of emergency management director. During a state of emergency declared by the governor or the county board, the county emergency management director may obtain supplies, equipment, and services or contract with any person to provide equipment and services on a cost basis to be used to respond to a disaster or the imminent threat of a disaster.

(c) Emergency powers of county board chairperson. In the event of a local emergency or the proclamation of a state of emergency by the governor, the county board chairperson or, when applicable, his alternate is empowered as follows:

- (1) Whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the county in the emergency; including the power to bar, restrict, or remove all unnecessary traffic from the highways, notwithstanding any provision of Wis. Stats. chs. 341 to 349 and their succession chapters.
- (2) If because disaster conditions exist or are likely to exist and the county board is unable to meet promptly, the county board chairperson may exercise, by proclamation, a local state of emergency. The proclamation shall be subject to ratification, alteration, modification, or repeal by resolution as soon as the county board can meet.

(d) Initial emergency measures. All emergency measures taken by the emergency management director prior to the issuance of an official proclamation of emergency, or prior to any decision of the county board not to issue such proclamation, shall be legal and binding upon the county.

(e) Expenditures. Any expenditure made in connection with such emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the county.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— Duties and powers of local governments regarding emergency management, Wis. Stats. § 323.14.

Sec. 10-58. - Emergency management committee designated; serve in advisory capacity to director and county board.

The law enforcement and emergency management committee is designated as the emergency management committee pursuant to Wis. Stats. § 323.14. The law enforcement and emergency management committee shall be an advisory and planning group and shall advise the county emergency management director and the county board on all matters pertaining to emergency management. It shall meet upon the call of the chairperson.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— County to designate head of emergency management, Wis. Stats. § 323.14.

Sec. 10-59. - Emergency management director.

- (a) Appointment; compensation, entitlement privileges. The emergency management director shall be hired by the emergency management committee with a confirmation appointment by the county board. Compensation for the emergency management director shall be established by the county board and shall be considered to be an employee of the county not under civil service, and shall be entitled to all of the rights, privileges and benefits that county employees have. The emergency management director shall report to the county emergency management committee.
- (b) Duties and responsibilities. The duties and responsibilities of the emergency management director, pursuant to Wis. Stats. § 323.14, shall be to:
 - (1) Develop and promulgate emergency management plans for the county, including planning for joint action with municipalities consistent with the state plan of emergency management.
 - (2) Coordinate and assist in the development of municipal emergency management plans within the county and integrate such plans with the county plans.
 - (3) Direct the county and joint action municipality emergency management programs.
 - (4) Direct countywide emergency management training and exercises.
 - (5) Advise the state director of all emergency management planning for the county and render such reports as may be required by the state director.
 - (6) In case of a state of emergency proclaimed by the governor, direct the county and joint action municipalities' emergency management activities and coordinate the municipal emergency management activities within the county, subject to the coordinating authority of the state director.
 - (7) Perform such other duties relating to emergency management as may be required by the county board.
 - (8) Act as a municipal emergency management director as provided for in Wis. Stats. ch. 323 and work, in consultation with the Clark/Marathon County Hazardous Materials

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Team and Local Emergency Planning Committee, as the emergency information coordinator and community emergency coordinator until such time as that committee has revoked those responsibilities.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— County to designate head of emergency management, duties and powers of local governments regarding emergency management, Wis. Stats. § 323.14.

Sec. 10-60. - Utilization of resources and facilities; responsibilities and action of department personnel.

- (a) In order to assure that in the event of an emergency all facilities of the existing county government are expanded to the fullest to meet such emergency, all department heads will fulfill emergency and nonemergency duties as assigned under the county emergency operations plan. The emergency management director will assist them in organizing and planning for the expansion of their departments prior to and during an emergency, and for recruiting necessary emergency management volunteers to supplement regular department employees.
- (b) Nothing in this section shall be construed so as to limit the emergency management director from immediately commencing organizational and planning programs as required by the emergency operations plan adopted in section 10-64.

(Ord. No. 197-10-10, 10-1-2010)

Sec. 10-61. - Joint action procedure—Countywide functions.

The emergency management director shall:

- (1) Coordinate and assist in developing city, village, and town emergency management plans within the county;
- (2) Integrate the plans with the county plan;
- (3) Advise the department of military affairs of all emergency management planning in the county and submit to the adjutant general the reports that he requires;
- (4) Direct and coordinate emergency management activities throughout the county during a state of emergency; and
- (5) Direct countywide emergency management training programs and exercises.

State Law reference— Duties and powers of heads of emergency management, Wis. Stats. § 323.15.

(Ord. No. 197-10-10, 10-1-2010)

Sec. 10-62. - Same—Mutual agreement enacted with county.

Municipalities entering into a joint action agreement with the county shall provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this article.

(Ord. No. 197-10-10, 10-1-2010)

Sec. 10-63. - Same—Appointment of emergency management coordinator.

- (a) Each municipality enacting a joint action agreement with the county shall appoint an emergency management coordinator.
- (b) The municipal emergency management coordinator will operate under the administrative direction of the county emergency management director.
- (c) Remuneration, if any, for the municipal emergency management coordinator will be determined and paid by the governing body of that municipality.

(Ord. No. 197-10-10, 10-1-2010)

State Law reference— County to designate head of emergency management, Wis. Stats. § 323.14.

Sec. 10-64. - County emergency response plan.

Under the direction of the county board, the emergency management director shall be responsible for ensuring the development and maintenance of the county emergency response plan, which shall provide for the effective mobilization of all of the resources of the county, both public and private, to meet any condition constituting a local emergency, state of emergency, or state of war emergency; and shall provide for the organization, powers and duties, and staff of the emergency organization.

- (1) Compliance. The plan shall comply with applicable local, state and federal planning criteria. The plan shall contain an analysis of the risks faced by the county, assign functional responsibilities to county agencies/departments and personnel, and assign lines of succession for the members of the emergency organization.
- (2) Functional assignments. The plan shall include the functions assigned to county agencies or departments and it shall be the responsibility of each agency director/department head to develop and maintain an agency/department plan to fulfill the roles and responsibilities in the county emergency response plan and appoint coordinators who shall report to the emergency operations center and carry out assigned duties, as appropriate.
- (3) Adoption. The emergency response plan shall not be effective until adopted by the county board. Nothing in this section shall be construed so as to limit the emergency management director from immediately commencing organizational and planning

programs as required by the county emergency response plan adopted by the county board.

(Ord. No. 197-10-10, 10-1-2010)

Sec. 10-65. - Incident command system.

The emergency management plans shall require the use of the incident command system by all emergency response agencies, including local health departments, during a state of emergency declared.

(Ord. No. 197-10-10, 10-1-2010)

Sec. 10-66. - Substance release.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Cleanup means an operation where any solid, liquid, vaporous, or gaseous substance that creates a known, potential or suspected material, safety or health hazard, public nuisance, or a deleterious effect upon the environment is removed, contained, incinerated, neutralized, stabilized, cleared up, or in any manner processed, handled or disposed of with the primary goal of restoring the site to its pre-incident condition or, secondarily, to make the site harmless to people and the environment. This language is consistent with the definition of cleanup operations in 29 CFR 1910.120.

Emergency response means a response effort by trained employees from outside the immediate incident area or by other designated responders to a known, potential or suspected material, safety, health or environmental hazard. The intent of defining emergency response in this section is to allow trained personnel to implement and coordinate assessment, containment, cleanup and restoration operations of substance releases within an incident command system in accordance with 29 CFR 1910.120.

Entity means each and every individual, agent, firm, company, partnership, corporation, business establishment, or other enterprise.

Strict liability means liability without fault. Specifically, each and every entity responsible for containment of a solid, liquid, vaporous or gaseous substance at the point of release into the ecosystem of the county, including owners, controllers, and possessors of those substances, shall assume joint and several responsibility for pecuniary liabilities of those releases for containment, cleanup, restoration expenses and associated administrative fees, legal fees, and court costs. The intent of incorporating strict liability in this section is to reject matters of care, negligence, knowledge, ignorance, good faith, bad faith, or any other justification as a cause or reason for being a responsible entity in a substance release incident.

(b) Emergency response. The release into the ecosystem of the county of any solid, liquid, vaporous, or gaseous substance that creates a known, potential or suspected material, safety, health or environmental hazard, or public nuisance within the county, except those occurring

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during a sanctioned waste disposal, hazardous material collection or landfill activities, shall be considered such a hazard, unless determined otherwise by the on-scene incident commander, and be a condition that warrants an emergency response.

- (c) Containment, cleanup, and restoration. The entity responsible for containment of a solid, liquid, vaporous or gaseous substance at the point of release into the ecosystem of the county, including owners, controllers, and possessors of those substances, except those specifically sanctioned to perform waste disposal, hazardous materials collection or landfill activities, which presents a known, potential or suspected material, safety, health, or environmental hazard or public nuisance, shall begin immediate actions to contain and cleanup the offending substance and restore the site to its original condition upon direction of any emergency management, law enforcement, or fire department representative having jurisdictional authority. This entity includes owners, controllers, and possessors of those substances, except those specifically sanctioned to perform waste disposal, hazardous materials collection or landfill activities. Should an entity fail to comply for any reason or is not capable of completing the requirements of this subsection in a timeframe that is acceptable to the incident commander, emergency management, law enforcement or fire department representative having jurisdictional authority, such public official may order containment, cleanup, and site restoration actions to be taken by public or private agencies.
- (d) Strict liability. The entity responsible for containment of a solid, liquid, vaporous or gaseous substance at the point of release into the ecosystem of the county, including owners, controllers, and possessors of those substances, shall be strictly liable for all reasonable and necessary containment, cleanup and restoration expenses, as determined by the local emergency planning commission, for those releases, set forth in subsection (b) of this section.
- (e) Reimbursement. Agencies involved in the containment, cleanup, and restoration of substance releases shall be allowed to recoup expenses for personnel hours, equipment hours, supplies, and equipment losses as per subsection (b) of this section. Agencies seeking reimbursement under this section shall develop charge-back criteria for substance release response operations and submit that criteria to the local emergency planning commission for claims review determinations. Agencies seeking reimbursement under this section shall submit claims stating their expenses to the responsible entity with a copy to the local emergency planning commission within 30 days of the incident date. Claims for reimbursement received after 30 days of the incident date will not be reviewed or approved by the local emergency planning commission, except in cases of protracted site restoration or extenuating circumstances, as determined by the local emergency planning commission. The local emergency planning commission shall review claims submitted in accordance with this section and determine those expenses that were reasonable and necessary under this section. The agencies seeking reimbursement shall provide those entities that are strictly liable with written notice of the final determinations under this section. If an entity receiving notice objects to the amount of claimed expenses, that entity may petition the local emergency planning commission in writing within ten days of receiving such notice that the commission reviews its determinations. Such request must state specific objections to claimed expenses and offer concise rationale for those objections. The local emergency planning commission may modify its determinations and shall notify the entity of the results

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of its review. The local emergency planning commission shall be allowed to recoup expenses for processing claims under this section. The entity that is strictly liable under this section shall make direct reimbursement to each agency that submitted a claim in accordance with this subsection.

- (f) Site access. Access to any site, public or private, where there is a known, potential or suspected substance release will be provided to the incident commander, emergency management, law enforcement or fire department representative having jurisdictional authority for purposes of implementing and coordinating assessment, containment, cleanup, and restoration operations.

(Ord. No. 197-10-10, 10-1-2010)

Secs. 10-67—10-80. - Reserved.

ARTICLE III. - EMERGENCY RESPONSE/RURAL ADDRESS

Editor's note—Ord. No. 200-1-11, adopted Feb. 24, 2011, amended the Code by the addition of ch. 32, §§ 32.01—32.10; however, said provisions have been redesignated as art. III, §§ 10-81—10-90, at the editor's discretion.

Sec. 10-81. - Introduction.

- (a) Purpose. The purpose of this article is to promote the health, safety, comfort and general welfare of the public by establishing a method for physically locating properties, which is vital for providing emergency services as well as a convenience for other services that serve rural properties.
- (b) Statutory authorization. This article is adopted pursuant to authorization in Wis. Stats. § 59.54(4).
- (c) Jurisdiction. This article shall apply only in the unincorporated areas of Clark County, Wisconsin.
- (d) Severability. If any section, clause, or provision of this article is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected thereby.
- (e) Effective date. This article becomes effective upon publication following adoption by the Clark County Board of Supervisors.

(Ord. No. 200-1-11, § 32.01, 2-24-2011)

Sec. 10-82. - Definitions.

Address means a physical number for each primary structure as assigned by the county designee.

Address sign means an individual address plate placed on a named road or driveway identifying the street or location address of a building or location.

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Application form means the form required for assignment of a new address. The owner or their agent shall complete and submit the form to the Clark County Planning and Zoning Department.

Driveway means a private road serving not more than two primary structures.

Driveway access point means the point where the driveway or private road intersects a public roadway. This location is used to determine the correct address.

Primary structure is the building used for the principal activity on the property. A primary structure may be used for residential, commercial, industrial, public-semipublic, recreation or other purposes. (Note: An address may be assigned to a property without a primary structure at the request of the property owner.)

Private road means any road on private property leading to two or more driveways and/or principal structures.

Road means a public road which affords primary means of access by vehicles to adjacent property whether designated as a drive, easement, street, avenue, highway, road, boulevard or cartway, or otherwise designated.

Signpost means a post, permanently affixed in the ground, used solely for display of the address sign.

Summary signs means where three or more address signs are placed on a road intersection with a private road or driveway. The summary signs identify the range of addresses located on that specific private road.

(Ord. No. 200-1-11, § 32.02, 2-24-2011)

Sec. 10-83. - Addressing number system.

(a) Addresses shall be assigned based upon the existing address grid of Clark County as follows:

- (1) The starting origin for address numbers running east to west begins at W100 along the east boundary of Clark County; the starting origin for numbers running south to north begins at N100 on the south boundary of the County along the towns Dewhurst, Levis, Washburn, and Sherwood and is assigned N100 northing from the southern border.
- (2) There shall be 400 numbers allocated per section mile. The odd numbers are on southerly and westerly side of roads, the even numbers are on the northerly and easterly side.
- (3) The northing and westing grid follows the PLSS (public land survey system) section lines.
- (4) The direction of numbers to be assigned is based on the predominant direction of the entire stretch of road.
 - a. Addresses along westing roads shall be prefaced with the letter W.
 - b. Addresses along northing roads shall be prefaced with the letter N.

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- (5) Those roads not aligned along a linear direction shall be assigned numbers by the Clark County Planning and Zoning Committee or their designee.
- (b) Roads shall be designated based on their alignment:
 - (1) Roads aligned east/west shall be designated roads.
 - (2) Roads aligned north/south shall be designated avenues.
 - (3) Roads with non-linear alignment may be designated as a road, avenue, court, drive, lane, or other as approved by the Clark County Planning and Zoning Department and Clark County Sheriffs Department.
- (c) The principal structure shall be assigned an address based on where the driveway to the structure intersects the named road.
- (d) Assignment of "sub" numbers or letters shall not be permitted without the approval of the Clark County Planning and Zoning Department.
- (e) In unique situations where addressing will not conform to the system above, the county shall have the authority to coordinate the addressing in such a manner so the stated purpose of this article is maintained.

(Ord. No. 200-1-11, § 32.03, 2-24-2011)

Sec. 10-84. - Address assignment.

- (a) It shall be the duty of the Clark County Planning and Zoning Department to assign a rural address number following a written request by a property owner to the zoning department. The zoning department shall maintain digital maps of the rural addressing for use by emergency services. The address assigned shall become the official address of the property and replace any prior address.
 - (1) The Clark County Planning and Zoning Department shall assess fees, order the sign and arrange for delivery to the appropriate town official.
 - (2) The town shall install all new and replacement signs.
- (b) Properties served by a private access shall have a sign posted at the intersection of the public road and the private access indicating the range of rural addresses served by the access. Each property served by the access shall have an individual sign placed at the access for that property. Properties with more than one residence shall have a rural address for each residence.
- (c) The Clark County Planning and Zoning Department shall forward the assigned address to the fire department, post office, the sheriff, tax lister, county treasurer and town chairperson, with an update to the necessary databases, within 30 calendar days of assignment.
- (d) Incorrect assignment of an address due to incomplete or incorrect information on the application form or an error on the part of the person issuing the address shall be corrected immediately.

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- (e) If the location of an existing driveway access point changes, the present address number may remain unless the county determines the change disrupts the orderly and uniform sequence of the addressing system. If the location of the driveway access point is moved to a different roadway, the property shall be required to be readdressed.
- (f) Existing addresses that are discovered to have been incorrectly assigned shall be evaluated by the county and determination shall be made if the situation needs to be corrected. The landowner(s) affected may be required to change their address to correct the situation.
- (g) The town must provide the county with the name, address and phone number of the town's contact person for address or road naming coordination within the town.
- (h) Any rural address not obtained through the Clark County Planning and Zoning Department under the authority of this article shall be deemed in a violation of this article.

(Ord. No. 200-1-11, § 32.04, 2-24-2011)

Sec. 10-85. - Sign specifications.

- (a) These specifications are not retroactive to existing signs.
- (b) The sign shall be two-sided and installed perpendicular to the roadway.
- (c) The address letter and number shall be a minimum of four inches tall.
- (d) The address sign shall include the street name and the town name.
- (e) The sign shall have a blue background and white lettering.

(Ord. No. 200-1-11, § 32.05, 2-24-2011)

Sec. 10-86. - Sign placement.

- (a) The town shall install the address sign.
- (b) The rural address sign for a property shall be installed at the intersection of the public road and the access for the property.
 - (1) The sign shall be within ten feet of the right-of-way and 20 feet of the driveway or private road. (Note: Installers are encouraged to notify Diggers Hotline prior to installing any sign post.)
- (c) In the case of a private access road for multiple properties, a sign indicating the range of addresses served by the access road shall be placed at the intersection of the public road and the access road. The town may require an additional sign be installed at the intersection of the private driveway and the private access road.

(Ord. No. 200-1-11, § 32.06, 2-24-2011)

Sec. 10-87. - Maintenance.

It shall be the responsibility of the property owner to maintain the installed address sign for the property. Maintenance shall include clearing of vegetation and keeping the sign in a condition where it is easily visible and legible at any time, and contacting the county or town to order a replacement sign if the sign is damaged or destroyed.

(Ord. No. 200-1-11, § 32.07, 2-24-2011)

Sec. 10-88. - Fees.

The new sign and replacement sign fees for a rural address sign shall be established by the Clark County Planning and Zoning Committee and may be amended by the committee when deemed necessary. A property owner shall submit a completed application and the established fee to the Clark County Planning and Zoning Department when requesting a rural address sign. (Note: The fees are provided in the Clark County Planning and Zoning Department Fee Schedule.)

(Ord. No. 200-1-11, § 32.08, 2-24-2011)

Sec. 10-89. - Enforcement.

The following violations are subject to a forfeiture of not less than \$5.00 and not more than \$200.00, plus court costs, for each violation. Each day of non-compliance shall constitute a separate and distinct violation.

- (1) Damaging, altering, disfiguring, removing, or relocating an address sign.
- (2) Failure to comply within 30 days after written notification to remove an address sign or failing to cooperate with installation of a replacement address sign.
- (3) Failure to comply within 30 days to remove any address sign or numbers affixed to a structure, utility pole, fence or other illegal location, or house entrance, or elsewhere, which may be confused with the assigned address number.
- (4) Utilizing a E911/rural address number not developed and assigned by the Clark County Planning and Zoning Department.

(Ord. No. 200-1-11, § 32.09, 2-24-2011)

Sec. 10-90. - Variance and appeal.

- (a) The Clark County Planning and Zoning Committee shall determine and may vary the regulations of this article in harmony with its general purpose and intent, only in specific instances where the committee makes a finding of fact, based upon the standards prescribed in [reference in codified ordinances], that there are practical difficulties in carrying out the strict letter of the regulations of this article and that the granting of a variance will not

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merely serve as a convenience to the applicant, but is necessary to alleviate some demonstrable difficulty.

- (b) The board of adjustment established under [reference in codified ordinances] shall hear the appeals to Clark County Planning and Zoning Committee decisions in regard to this article.

(Ord. No. 200-1-11, § 32.10, 2-24-2011)