



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 263

Assembly Amendment 1

Memo published: September 24, 2001

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CURRENT LAW

Under current law, the Department of Health and Family Services (DHFS) issues permits to and regulates campgrounds, camping resorts, recreational and educational camps, and public swimming pools. [s. 254.47, Stats.] Local health departments that have been granted agent status under s. 254.69 (2), Stats., may issue the permits and make investigations or inspections in connection with facilities covered by the permits.

Under its authority relating to campgrounds, DHFS by administrative rule requires permits for and regulates certain aspects of “special event campgrounds.” “Campground” is defined as “any parcel or tract of land owned by a person, the state or a local government, which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or by one to 3 camping units if the parcel or tract of land is represented as a campground.” [s. HFS 178.03 (3), Wis. Adm. Code.] “Special event” is defined as “a single event such as a fair, rally or festival involving the gathering of camping units for a maximum of 7 consecutive nights.” [s. HFS 178.03 (16), Wis. Adm. Code.]

The operator of a special event campground is required to submit a permit application to DHFS or a local health department acting as agent for the department at least seven days prior to opening the special event campground. [s. HFS 178.16 (1), Wis. Adm. Code.] The application must include: the location of the event; an estimate of the number of people to be accommodated; the number and type of and provisions for servicing and maintaining toilet facilities; the water supply source and distribution method; and the method of handling solid and liquid waste. Specific regulations apply to water, toilets, wastewater and solid waste storage and disposal in connection with special event campgrounds. [s. HFS 178.16 (2) to (5), Wis. Adm. Code.]

Violation of statutory and administrative rule provisions relating to permits for and regulation of campgrounds and special event campgrounds is punishable by a fine of not less than \$25 nor more than

\$250. [s. 254.47 (3), Stats.] Failure to comply with a related order of DHFS is punishable by a forfeiture of \$10 for each day of noncompliance after the order is served. Further, after a ch. 227 hearing, the DHFS may refuse to issue a permit or suspend or revoke a permit for violation of pertinent statutes, rules or DHFS orders.

ASSEMBLY BILL 263

Assembly Bill 263 provides that a special campground permit issued by DHFS or a local health department acting as agent of the department for a special event to be held on town territory is not valid if a town or county permit that is required for the special event is not obtained or if a condition of the required town or county permit is not met. The bill requires that the special event permit issued by DHFS or a local health department indicate that its validity is conditioned on obtaining and meeting the conditions of any town or county permit that is required for the event.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 extends the provisions of the bill to special events held in cities and villages, as well as towns.

Assembly Amendment 1 was recommended for adoption by the Assembly Committee on Urban and Local Affairs by a vote of Ayes, 6, Noes, 0.

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