



Issue: Information re: State Statute in Wisconsin
Date: January 12, 2015

The purpose of this notice is informational. This statement is part of the Wisconsin State Statutes. Might it apply to frac sand mining and related industrial issues in your location?

66.0415 Offensive industry.

66.0415(1)⁽¹⁾ The common council of a city or village board may direct the location, management and construction of, and license, regulate or prohibit, any industry, thing or place where any nauseous, offensive or unwholesome business is carried on, that is within the city or village or within 4 miles of the boundaries of the city or village, except that the Milwaukee, Menominee and Kinnickinnic rivers with their branches to the outer limits of the county of Milwaukee, and all canals connecting with these rivers, together with the lands adjacent to these rivers and canals or within 100 yards of them, are within the jurisdiction of the city of Milwaukee. A town board has the same powers as are provided in this section for cities and villages as to the area within the town that is not licensed, regulated or prohibited by a city or village under this section. A business that is conducted in violation of a city, village or town ordinance that is authorized under this section is a public nuisance. An action for the abatement or removal of the business or an injunction to prevent operation of the business may be brought and maintained by the common council or village or town board in the name of this state on the relation of the city, village or

town as provided in ss. [823.01](#), [823.02](#) and [823.07](#), or as provided in s. [254.58](#). Section [97.42](#) does not limit the powers granted by this section. Section [95.72](#) does not limit the powers granted by this section to cities or villages but powers granted to towns by this section are limited by s. [95.72](#) and by any orders and rules promulgated under s. [95.72](#).

(2) To prevent nuisance, a city or village may, subject to the approval of the appropriate town board, by ordinance enact reasonable regulations governing areas where refuse, rubbish, ashes or garbage are dumped or accumulated in a town within one mile of the corporate limits of the city or village.

History: [1973 c. 206](#); Sup. Ct. Order, 67 Wis. 2d 585, 774 (1975); [1993 a. 27](#); [1999 a. 150](#) s. [155](#); Stats. 1999 s. 66.0415.

The social and economic roots of judge-made air pollution policy in Wisconsin. Laitos, 58 MLR 465.

From Ted Auch, Frack Tracker (Take a look at the site he is creating!!!!!!)

Folks: we have begun to curate a YouTube channel which includes several videos from Ohio

and some amazing video from northern Michigan of the most amazing and disturbing flaring by Marathon & Co as well as sand mines in Minnesota and Michigan.

If you have any video you would like to share anonymously or with citation(s) please do share.

[https://www.youtube.com/user/](https://www.youtube.com/user/FracTrackerVideos/videos)

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Thanks

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Welcome to the Frac Sand Sentinel, a newsletter highlighting resource links, news media accounts, blog posts, correspondence, observations and opinions gathered regarding local actions on, and impacts of, the developing frac sand mining and processing industries.

The content of this newsletter is for informational purposes only. The editor of the Frac Sand Sentinel does not accept any responsibility or liability for the use or misuse

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CHECK OUT THE WEBSITE: WWW.CCC-WIS.COM for additional information