

**ORDINANCE #25-12**

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**AMENDING CERTAIN SECTIONS OF CHAPTER 16 OF THE VILLAGE CODE OF ORDINANCES REGARDING FLOODPLAIN REGULATIONS**

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**WHEREAS**, the Village Board for the Village of Jackson adopted floodplain regulations for the Village of Jackson and has amended such regulations from time to time; and

**WHEREAS**, the environmental regulations, as amended, are codified as Chapter 16 of the Village of Jackson municipal code, which is titled "Flood Prevention and Damage Control"; and

**WHEREAS**, the Village of Jackson was notified by the Wisconsin Department of Natural Resources that recent updates to the Village's local floodplain zoning regulations must be adopted no later than February 20, 2026; and

**WHEREAS**, the Village of Jackson Plan Commission considered the matter at its meeting on November 20, 2025, and recommended approval; and

**WHEREAS**, a copy of this proposed ordinance was sent to the Wisconsin Department of Natural Resources on or about November 21, 2025, in advance of the public hearing as required; and

**WHEREAS**, the Village Board conducted a public hearing on December 9, 2025; and

**WHEREAS**, the Village Board accepted the Plan Commission's recommended code amendments without revision.

**NOW, THEREFORE BE IT RESOLVED**, the Village of Jackson Village Board, Washington County Wisconsin ORDAINS AS FOLLOWS:

**Section 1.** Repeal and recreate Section 16.23(b)(1)b. of the Village Code of Jackson as follows:

(b) Flood Insurance Study (FIS) volumes 55131CV001D, 55131CV002D, 55131CV003D, 55131CV004D, 55131CV005D, 55131CV006D for Washington County, dated 02/20/2026.

Approved by: The DNR and FEMA

**Section 2.** Amending Sections 16.23(b)(2)a. and 16.23(b)(2)b. of the Village Code of Jackson as follows:

- a. Flood Storage Map for Washington County, Panel 8 dated 02/20/2026.
- b. Flood Storage Map for Washington County, Panel 9 dated 02/20/2026.

Approved by: The DNR and FEMA

**Section 3.** Amending Section 16.23(g), of the Village Code of Jackson as follows:

(g) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this article and obtain all necessary permits. State agencies are required to comply if Wis. Stats. § 13.48(13) applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the state department of transportation is exempt when Wis. Stats. § 30.2022 applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with federal, state, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

**Section 4.** Amending the first paragraph in Section 16.25, of the Village Code of Jackson as follows:

Unless specifically defined, words and phrases in this article shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

**Section 5.** Amending the definition of *Accessory Structure or use* under Section 16.25, of the Village Code of Jackson as follows:

*Accessory structure or use* means a facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.

**Section 6.** Amending the definition of *Lowest floor* under Section 16.25, of the Village Code of Jackson as follows:

*Lowest floor* means the lowest floor of the lowest enclosed area (including basement).

**Section 7.** Amending Section 16.50(a), of the Village Code of Jackson as follows:

- (a) The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment must be elevated to or above the flood protection elevation and is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

**Section 8.** Amending Section 16.54(4), of the Village Code of Jackson as follows:

- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the floodplain zoning agency or zoning administrator, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;

**Section 9.** Add Subsection 16.54(13), to read as follows:

(13) Standards for structures in a campground:

- a. All structures must comply with Division 2 or meet the applicable requirements in Division 3-5 for the floodplain district in which the structure is located;
- b. Deck/landing-a portable landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with section 16-54(4). Any such deck/landing structure may be constructed at elevations lower than the flood protection

elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

- c. Decks/patios that are constructed completely at grade may be allowed but must also comply with applicable shoreland zoning standards.
- d. Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the municipality compliant with section 16-54(4).
- e. Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the municipality compliant with section 16-54(4).

- 14) A land use permit shall be obtained as provided under section 16-193(b) before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

**Section 10.** Amending the first paragraph in Section 16.169(b), of the Village Code of Jackson as follows:

Where compliance with the provisions of subsection (a) of this section would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the board of appeals, using the procedures established in section 16-195, may grant a variance from those provisions of subsection (a) of this section for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

**Section 11.** Amending Section 16.192, of the Village Code of Jackson as follows:

**Sec. 16-192. Officials previously appointed to administer zoning regulations.**

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under Wis. Stats. §§ 59.69, 59.692 or 62.23(7), these officials shall also administer this article.

**Section 12.** Repeal and recreate Subsection 16-194(b) of the Village Code of Jackson to read as follows:

(b) The plan commission shall not:

- (1) Grant variances to the terms of the article in place of action by the board of appeals; or
- (2) Amend the text or zoning maps in place of official action by the governing body.

**Section 13.** Repeal and recreate Section 16.195, of the Village Code of Jackson as follows:

**Sec. 16-195. Board of appeals.**

The board of appeals, created under Wis. Stats. § 59.694 for counties or Wis. Stats. § 62.23(7)(e) for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this article. The board shall exercise the powers conferred by state statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the board.

(1) *Powers and duties.* The board of appeals shall:

**Section 14. Effective Date**

This ordinance is subject to the review and approval of the Wisconsin Department of Natural Resources and shall be in full force and effect from and after such approval and passage and posting or publication as provided by law, whichever occurs later. All other provisions of Chapter 16 of the Village Code of Ordinances remain in full force and effect.

The Village Clerk and Village Administrator are hereby authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this Ordinance.

Introduced by: B. Heckendorf

Seconded by: J. Wells

Vote: 7 aye 0 nay

Passed and approved 12/09/2025

VILLAGE OF JACKSON

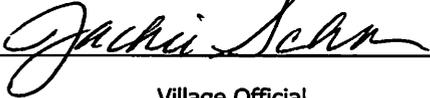
By: Brian J. Heckendorf  
Brian J. Heckendorf, Village President

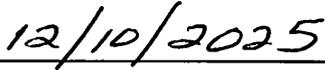
Attest:

Jacqueline Schuh  
Jacqueline Schuh, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on posting boards at the Jackson Municipal Complex, Post Office and one other location in the Village.

  
\_\_\_\_\_  
Village Official

  
\_\_\_\_\_  
Date

# Washington County and incorporated areas Flood Storage Districts

Sources of Study: WDNR  
Effective Date: 02/20/2026  
Approved by: WDNR

10N 19E  
Panel 8



**LEGEND**

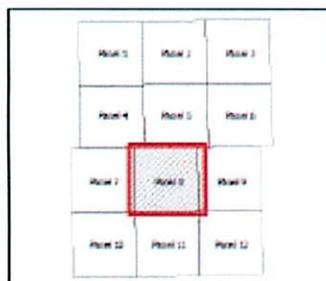
- Flood Storage Districts
- Panels
- Rivers/streams

**POLITICAL AREAS**

- Political Boundary
- Municipalities

0 1,260 2,500 5,000 Feet

1:18,000



Coordinate System: NAD 1983 HARN UTM Zone 16

Aerial photography was acquired in the Spring of 2022 and was provided in digital format by Washington County.

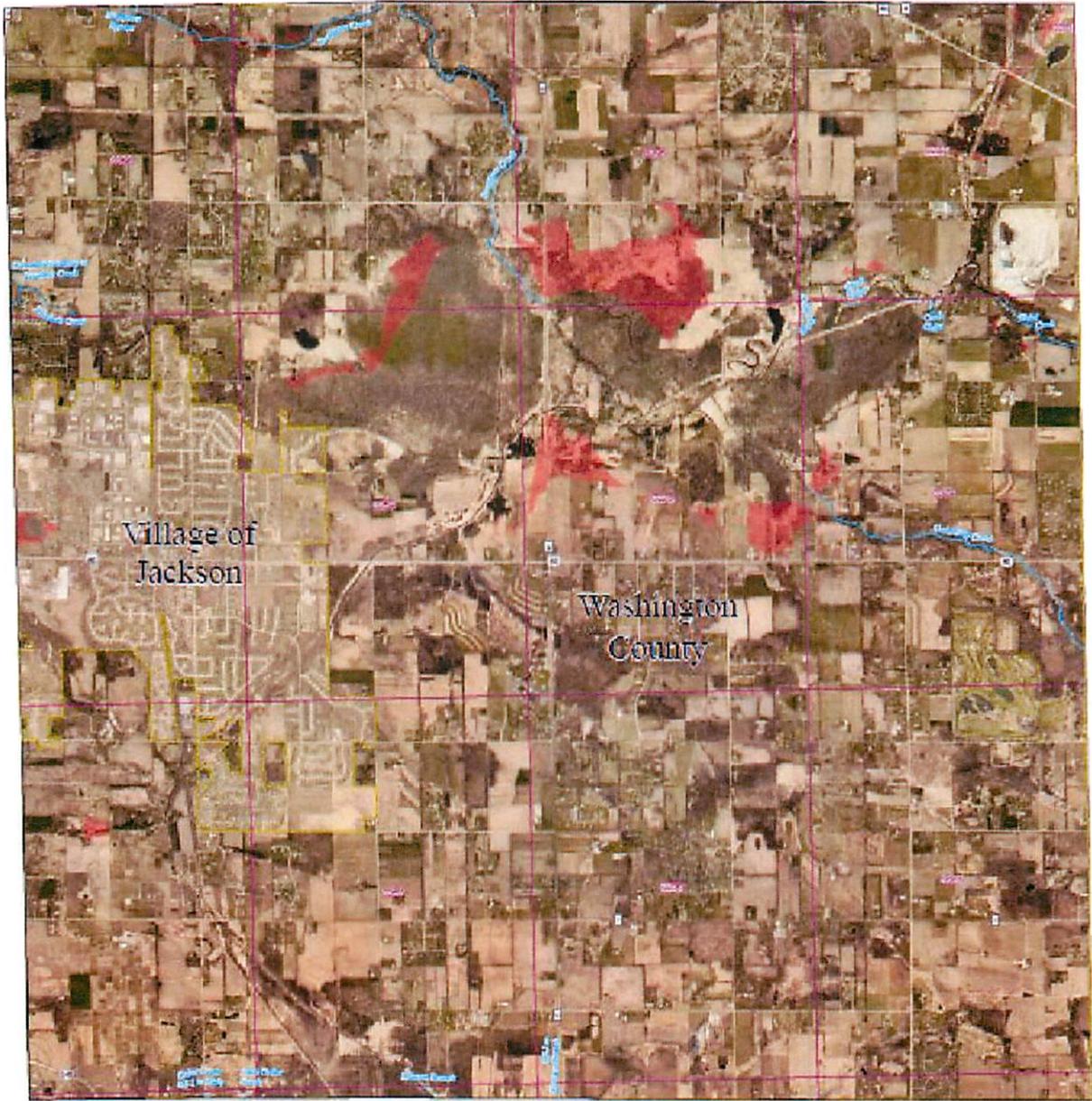
Flood Storage Districts are available for viewing after the Letter of Final Determination (LFD) date at DNR's Surface Water Data Viewer: [dnr.wisconsin.gov/topic/SurfaceWater/swdv](http://dnr.wisconsin.gov/topic/SurfaceWater/swdv) (or go to [dnr.wi.gov](http://dnr.wi.gov) and search "SWDV")



# Washington County and incorporated areas Flood Storage Districts

Sources of Study: WDNR  
Effective Date: 02/20/2026  
Approved by: WDNR

10N 20E  
Panel 9

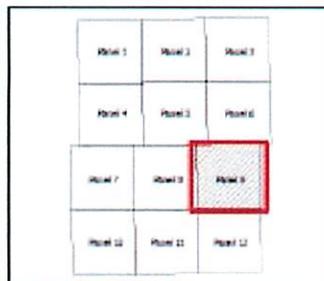


**LEGEND**

- Flood Storage Districts
- Panels
- Rivers/streams
- POLITICAL AREAS**
- Political Boundary
- Municipalities

0 1,250 2,500 5,000 Feet

1:18,000



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