



## Livestock Facility Siting

# Permit Approval or Denial

## What's required of local governments under the siting law

This fact sheet describes the steps local government must follow to properly approve or deny a livestock siting application.

A town, county or other permitting authority must issue a written decision when it denies or approves an application for a permit. A written decision should also be prepared if a permit is revoked, suspended or modified. The written decision must include findings of fact. To make these findings, you will need to retain all documents required under the siting law, and document the dates key actions were taken during the application review process. If an application is approved, you also need to mark the application "Approved"

After a decision is made, a written notice of the decision must be filed with the department (as well as a copy of the application granted or denied). The notice filed with the department may be a short timeline indicating decisions made during the permitting process. In addition ATCP 51.36 requires the local government to maintain a more comprehensive record of decision making for seven years.

Here are the key items and actions to include in a written decision's findings of fact:

Applicant's legal name

Date application was received

Was the application submitted to another entity for review (i.e. land conservation department, consultant)? Date this occurred. What was their evaluation of the application?

Date of completeness determination

- If the application was deemed incomplete, when was the applicant notified? What additional information was requested?
- Date the applicant supplied the requested information

Date notification was sent to adjacent landowners

Was additional information requested to clarify the application?

- What information was requested?
- What additional information was supplied by the applicant?
- Track modifications to the application

A record of public hearings

- Dates
- Facts presented for or against the application, including materials distributed at the meeting related to the application



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- Names of individuals speaking for or against the application

Document other items prepared or reviewed by the permitting authority during the decision making process

Written decision to approve or deny an application, including the date of decision

Date the decision and a copy of the application, stamped approved or denied, was submitted to the applicant, and date it was filed with DATCP