

Village of Port Edwards

Municipal Building
201 Market Ave. P.O. Box 10
Port Edwards, Wisconsin 54469
Phone: 715-887-3511

VILLAGE OF PORT EDWARDS

PLANNING, LEGISLATIVE, PROPERTY AND INFORMATION TECHNOLOGY COMMITTEE MEETING

Wednesday, 8 March 2023

4: 30 P.M. AT THE MARSHALL BUEHLER CENTER

The meeting room can accommodate up to 10 people including some public. If you a member of the public and wish to listen, please call the dial in number below and you will be acknowledged

Join Zoom Meeting – <https://us06web.zoom.us/j/82207279867?pwd=aHdkTE0vbGxkVzNmR0hLRS9qYnJLUT09>

Meeting ID: 822 0727 9867, Passcode: 371531, One tap mobile +16469313860

Phone Audio only: Meeting Dial-in number: 715-423-6698, Access Code ID: 02067

Agenda:

1. Call to order.
2. Roll call.
3. Approve the agenda.
4. Approve minutes from the 1 February 2023 meeting.
5. Public comments on agenda items.
6. Chairperson comments.
7. Discuss and Review Chapter 10, Public Nuisance, Possible **MOTION** to approve changes to Chapter 10. Administrative changes and updates to outdated rules
8. Discuss “Chickens- Fowl” in the Village and the rules governing them.
9. Discuss Development options in the TIF district and incentives utilizing TIF funding
10. Discuss the contract supporting the NEPCO lake study, Possible **MOTION** to approve the payment of \$11,285 for the 2023 lake study to be reimbursed by the NEPCO lake District NLT March 2024.
11. Discuss Chapters 4 (Police) and Chapter 5(Fire) for any adjustments based on the PEFD bylaws submitted.
12. Discuss old Business
13. Discuss New Business
14. Discuss any correspondence
15. Future Agenda Items- Ordinances Chapter 8 Public Works for review, Chapter 9 Orderly Conduct Reviews
16. Next meeting date, 5 April 2023, 4:30 pm at the Marshall Buehler center
17. Adjourn

Erik Saylor - Chairman

VILLAGE OF PORT EDWARDS

Port Edwards, Wisconsin

COMMITTEE: Planning, Legislature, Property
& Information Technology

DATE: February 1, 2023

TO: JOSEPH ZURFLUH

cc: BETSY MANCL	ERIK SAYLOR	RAYMOND BOSSERT
SUE MITCHELL	DAILY TRIBUNE	JASON WORDEN
TIARA GRUNDEN	WFHR/WGLX	DIANE TREMMEL
SCOTT DREW	NICK ABTS	LONN RADTKE
CALEB MCGREGOR		

Purpose of Meeting: Regular Monthly Meeting

Attendance: J. Zurfluh, K. Nagorski, E. Saylor, C. McGregor, T. Grunden

Citizens: Eric Hummel

Subjects Discussed, Action Taken & Board Action Required:

Regular Monthly Meeting

- **Call to order:** Meeting called to order by Saylor - Chairman at 4:30 p.m.
- **Roll Call:** All present from above.
- **Approve the agenda & previous month's minutes:** **MOTION** (Saylor/McGregor) to approve minutes from 4 January 2023 & agenda. **Motion carried.**
- **Public comments on agenda items:** None.
- **Committee Chairman's comments:** Saylor received an email concerning chickens from Amanda Erdmann. Will discuss more under chickens-fowls when Ms. Erdmann arrives.
- **Planning, Legislature, Property, & Information Technology Updates**
- **Discuss & review Chapter 10, Public Nuisance, Possible MOTION to approve changes to Chapter 10. Administrative changes & updates to outdated rules.**

MOTION (Saylor/McGregor) to approve the changes to Chapter 10 with the discussed updates to the outdated ordinances. **Motion Carried.**

10.04	Public Nuisances Offending Morals & Decency - remove all
10.04 - 1	Disorderly houses - remove all

- 10.04 - 5 Illegal drinking - remove all
- 10.05 - 10 Remove the word “*considerable*.”
- 10.12 - 11 Remove “*thru the Public Works committee*”, replace with
“*administrator with appeals through the PLPIT committee*.”

- ***Discuss chickens-fowl in the village & the rules governing them.*** Tabled due to the absence of citizen Amanda Erdmann, would like to give her another opportunity to come & discuss her point.
- ***Discuss development options in the TIF district & incentives utilizing TIF funding.*** Tabled, awaiting more information.
- ***Discuss resolution supporting the Nepco Lake district formation, MOTION to approve.***

MOTION (Grunden/Saylor) to support the resolution supporting the Nepco Lake district formation. **Motion carried.**

- ***Old Business.*** None.
- ***New Business:*** None.
- ***Correspondence received.*** Email from Amanda Erdmann concerning chickens in the village.
- ***Future Agenda items for next meeting:*** Chickens-fowl in the village, discuss development options in the TIF district & incentives utilizing TIF funding.
- ***Next meeting date:*** 8 March 2023 at 4:30 p.m., in person at the Marshall Buehler Center.
- ***Adjourn:*** Adjourned at 5:13 p.m. by Saylor.

Erik Saylor – Committee Chairman

CHAPTER 10
PUBLIC NUISANCES
Updated 14 MARCH 2023

- 10.01 Public Nuisances Prohibited
- 10.02 Public Nuisance Defined
- 10.03 Public Nuisances Affecting Health
- 10.04 Public Nuisances Offending Morals and Decency
- 10.05 Public Nuisances Affecting Peace and Safety
- 10.06 Junk, Certain Vehicles and Firewood
- 10.07 Abatement of Public Nuisances
- 10.08 Diseased and Infected Tree Control
- 10.09 Weed Control
- 10.10 Lawn Care
- 10.11 Outdoor Wood Boilers
- 10.12 Business District Rules
- 10.15 Penalty

10.01 PUBLIC NUISANCES PROHIBITED. No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Village.

10.02 PUBLIC NUISANCE DEFINED. A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:

- (1) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public.
- (2) In any way render the public insecure in life or in the use of property.
- (3) Greatly offend the public morals or decency.
- (4) Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or other public way or the use of public property.

10.03 PUBLIC NUISANCES AFFECTING HEALTH. The following acts, omissions, places, conditions and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other health nuisances coming within the definitions of sec. 10.02 of this chapter:

- (1) **ADULTERATED FOOD.** All decayed, adulterated or unwholesome food or drink sold or offered for sale to the public.
- (2) **UNBURIED CARCASSES.** Carcasses of animals, birds or fowl not intended for human consumption, or foods which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
- (3) **BREEDING PLACES FOR VERMIN, ETC.** Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal or any material whatsoever in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed.
- (4) **STAGNANT WATER.** All stagnant water in which mosquitoes, flies or other insects can multiply.
- (5) **PRIVY VAULTS AND GARBAGE CANS.** Privy vaults and garbage cans which are not fly tight.
- (6) **AIR POLLUTION.** The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash or industrial dust within the Village limits or within one mile therefrom in such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property.
- (7) **NOXIOUS WEEDS.** All noxious weeds, as defined in §66.0407, Wis. Stats. In addition, other rank growth of vegetation, and all weeds, grasses and plants over 12 inches in height, excluding trees and shrubs, which:
 - (a) Detract from the surrounding area and properties.
 - (b) Become a possible fire hazard, as determined by the Fire Chief.
 - (c) Become a health hazard due to their pollen or a potential cover for disease-carrying rodents and other small animals.
 - (d) Are of infectious or poisonous nature in or adjacent to a populated area, regardless of height.
 - (e) Become a potential hazard to vehicular traffic in vision clearance triangles.
- (8) **WATER POLLUTION.** The pollution of any public well or cistern, stream, lake, canal or other body of water by sewage, creamery or industrial wastes or other substances.
- (9) **NOXIOUS ODORS, ETC.** Any use of property, substances or things within the Village emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stench repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the Village.
- (10) **STREET POLLUTION.** Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk or public place within the Village.
- (11) **PESTICIDE APPLICATION.** The application, or causing of the application, of any pesticide, as defined in §946.67(25), Wis. Stats., in such a manner as to endanger the health of persons within the Village.

10.04 PUBLIC NUISANCES OFFENDING MORALS AND DECENCY. ~~The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances offending public morals and decency coming within the definition of sec. 10.02 of this chapter.~~

- (1) ~~DISORDERLY HOUSES. All disorderly houses, bawdy houses, houses of ill fame, gambling houses and buildings or structures kept or resorted to for the purpose of prostitution, promiscuous sexual intercourse or gambling.~~
- (2) GAMBLING DEVICES. All gambling devices and slot machines.
- (3) UNLICENSED SALE OF LIQUOR AND BEER. All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured or rectified without a permit or license as provided for by this Code.
- (4) CONTINUOUS VIOLATION OF VILLAGE ORDINANCES. Any place or premises within the Village where Village ordinances or State laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.
- (5) ~~ILLEGAL DRINKING. Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of State laws or this Code.~~

10.05 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY. The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of sec. 10.02 of this chapter:

- (1) SIGNS, BILLBOARDS, ETC. All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public safety.
- (2) ILLEGAL BUILDINGS. All buildings erected, repaired or altered in violation of the provisions of this Code relating to materials and manner of construction of buildings and structures within the Village.
- (3) UNAUTHORIZED TRAFFIC SIGNS. All unauthorized signs, signals, markers or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which, because of its color, location, brilliance or manner of operation, interferes with the effectiveness of any device, sign or signal.
- (4) OBSTRUCTION OF INTERSECTIONS. All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
- (5) TREE LIMBS. All limbs of trees which project over and less than 10 feet above any public sidewalk or less than 15 feet above a street or other public place.
- (6) DANGEROUS TREES. All trees which are injurious to public health or safety because of a diseased or damaged condition, and the storage of cut elm wood, unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide.
- (7) FIREWORKS. All use, possession or display of fireworks except as provided by the laws of the State and ch. 9 of this Code.
- (8) DILAPIDATED BUILDINGS. All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
- (9) WIRES AND CABLES OVER STREETS. All wires and cables over streets, alleys or public grounds which are strung less than 15 feet above the surface thereof.
- (10) NOISY ANIMALS OR FOWL. The keeping or harboring of any animal or fowl which, by frequent or habitual howling, yelping, barking, crowing or making of other noises, shall greatly annoy or disturb a neighborhood or any ~~considerable~~ number of persons within the Village.

- (11) OBSTRUCTIONS OF STREETS; EXCAVATIONS. All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this Code or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished, or do not conform to the permit.
- (12) SNOW, ICE AND DEBRIS REMOVAL. All debris not removed, and all snow and ice not removed or sprinkled with salt, ashes, sawdust or sand, as provided in Chapter 8 of this Code.
- (13) REFRIGERATORS. All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside.
- (14) OPEN PITS, BASEMENTS, ETC. All open and unguarded pits, wells, excavations and basements.
- (15) FLAMMABLE LIQUIDS VIOLATIONS. Repeated or continuous violations of this Code or the laws of the State relating to the storage of flammable liquids.

10.06 JUNK, CERTAIN VEHICLES AND FIREWOOD.

- (1) PUBLIC NUISANCES DECLARED. The following are hereby declared to be public nuisances wherever they may be found within the Village.
 - (a) Any motor vehicle, truck body, tractor or trailer as enumerated in subs. (3) and (4) below and defined in sub. (2)(a) and (b) below.
 - (b) Any junk stored contrary to sub. (5) below.
 - (c) Any firewood used or stored contrary to sub. (6) below.
- (2) DEFINITIONS. The words, phrases and terms used in this section shall be interpreted as follows:
 - (a) Disassembled, Inoperable, Junked or Wrecked Motor Vehicles, Truck Bodies, Tractors, Trailers. Motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated upon the public streets or highways.
 - (b) Unlicensed Motor Vehicles, Truck Bodies, Tractors or Trailers. Motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.
 - (c) Motor Vehicle. As defined in §340.01(35), Wis. Stats.
 - (d) Junk. Worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, machinery and equipment or parts thereof, vehicles or parts thereof, tools, discarded building materials or any other unsightly debris, the accumulation of which has an adverse effect upon the neighborhood or Village property values, health, safety or general welfare.
 - (e) In the Open. Land which may be viewed from public streets or adjoining property.
- (3) STORAGE OF INOPERABLE VEHICLES, ETC.
 - (a) Restricted. No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors or trailers in the open upon any public or private property in the Village for a period exceeding 10 days.
 - (b) Exceptions.
 - 1. Any business engaged in automotive sales or repair located in a properly zoned district may retain no more than 3 disassembled or wrecked vehicles, including vehicles under repair, in the open for a period not to exceed 30 days, after which such vehicles shall be removed.
 - 2. Junk yards licensed under ch. 12 of this Code.
- (4) STORAGE OF UNLICENSED VEHICLES, ETC.
 - (a) Restricted. No person shall accumulate, store or allow any unlicensed motor vehicle, truck body, tractor or trailer in the open upon any public or private property in the Village for a period exceeding 10 days.
 - (b) Exceptions.

1. Any business engaged in the sale, repair or storage of such unlicensed vehicles in a properly zoned district.
 2. Garden tractors and mowers may be stored in the rear yard not less than 10 feet from any property line.
- (5) STORAGE OF JUNK PROHIBITED. No person, except a junk dealer licensed under ch. 12 of this Code, shall accumulate, store or allow any junk outside of any building on any public or private real estate located in the Village.
- (6) STORAGE OF FIREWOOD.
- (a) Regulated. No person shall store firewood on any residential premises except for use on the premises. No firewood pile may be located within the front setback.
 - (b) Exception. Any firewood pile located contrary to the provisions of par. (a) above on the effective date of this subsection need not be moved to a place of compliance until June 1, 2003.
- (7) ISSUANCE OF CITATION; ACTION TO ABATE. Whenever a police officer shall find any such vehicle or junk, as defined in sub. (2) above, accumulated, stored or remaining in the open upon any property within the Village contrary to the provisions of subs. (3), (4) and (5) above, or firewood stored contrary to sub. (6) above, he shall notify the owner of said property on which such vehicle, junk or firewood is located of the violation of this section. If such vehicle, junk or firewood is not removed within 10 days, the police officer shall cause a citation to be issued to the property owner or the occupant of the property upon which such vehicle, junk or firewood is located. In addition, action to abate such nuisance may be commenced, as provided in sec. 10.07 of this chapter.
- (8) PENALTY. Any person who shall be adjudicated to have violated any of the provisions of this section shall be subject to a forfeiture as provided in sec. 25.04 of this Code plus the costs of said prosecution and, upon default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not to exceed 10 days. Each day that a violation of this section continues shall be deemed a separate offense.

10.07 ABATEMENT OF PUBLIC NUISANCES.

- (1) ENFORCEMENT. It shall be the duty of police officers, the Fire Chief, Zoning Administrator, Village Administrator and Police officers and may be delegated to the Fire department and Public Works Supervisor. enforce those provisions of this chapter that come within the jurisdiction of their respective offices and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does, in fact, exist.

It shall be the duty of the Police Chief, the Fire Chief and the Village Administrator to enforce those provisions of this chapter that come within the jurisdiction of their respective offices and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. Notwithstanding the foregoing, the Police Chief, Fire Chief and/or the Village Administrator shall have the discretion to delegate such authority within their respective departments, including but not limited to delegation to the Public Works Supervisor as appropriate, though delegation of such authority shall not in any case relieve the Police Chief, Fire Chief and/or the Village Administrator of their respective duties under this section.
- (2) SUMMARY ABATEMENT.
 - (a) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the Village and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village President may direct a police officer to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Village

shall cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

- (b) Abatement by Village. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.
- (3) **ABATEMENT BY COURT ACTION**. If the inspecting officer shall determine that a public nuisance exists on private premises, but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he shall serve notice on the person causing or maintaining the nuisance and the owner of the property to remove the same within 10 days. If such nuisance is not removed within 10 days, he shall report such fact to the Village President, who may direct the Village Attorney to commence an action in Circuit Court for the abatement of the nuisance.
- (4) **OTHER METHODS NOT EXCLUDED**. Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State, nor as prohibiting an action to be commenced in the Circuit Court seeking a forfeiture as provided in sec. 10.15 of this chapter.
- (5) **COST OF ABATEMENT**. In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

10.08 DISEASED AND INFECTED TREE CONTROL. See sec. 8.12 of this Code.

10.09 WEED CONTROL.

- (1) **NOXIOUS WEEDS AND RANK GROWTH PROHIBITED**. No owner or occupant of any lot or parcel shall allow such property to become overgrown with any weeds or grass so as to constitute a public nuisance, as defined in sec. 10.03(7) of this chapter.
- (2) **NOTIFICATION**. The Village President shall annually, on or before May 15, publish a Class 2 notice, under Ch. 985, Wis. Stats., that every person is required by law to destroy all noxious weeds and other rank growth of vegetation, as defined in sec. 10.03(7) of this chapter, on land in the Village which he owns, occupies or controls.
- (3) **ENFORCEMENT**. If a property owner fails to control the growth of such weeds or rank growth of vegetation on his property, the Weed Commissioner shall serve upon him notice as to this fact. If such owner fails to abate this nuisance within 5 days after service of the notice, the Weed Commissioner shall take action to abate such public nuisance.
- (4) **COSTS**. If the Village causes a nuisance to be removed as provided in sub. (3) above, the actual cost thereof, together with an administrative fee equal to 10% of the actual cost, shall be charged to the property owner. If such charges are not paid by November 15 of the year in which they are billed, such charges, together with an additional administrative fee for collection equal to 10% of the total of such charges and fees, shall be extended on the next succeeding tax roll as a tax charged against the property affected and collected in the same manner as are other taxes, pursuant to §66.0517, Wis. Stats.

10.10 LAWN CARE.

- (1) **OCCUPIED LOTS**. Every owner or occupant of any premises having a lawn consisting of conventional grasses such as Blue Grass, Creeping Fescue, Rye Grass, etc., shall cut and maintain such lawn on such premises as well as the boulevard in front of or along such premises.
- (2) **VACANT LOTS**. All vacant lots in all residential, business and manufacturing districts shall be kept free of unhealthy and unsightly debris and shall be reasonably maintained. This shall also include the boulevard in front of or along such vacant lot.

10.11 OUTDOOR WOOD BOILERS REGULATED

(1) Outdoor wood boilers may be permitted only on Agricultural zoned properties and shall be located 300 feet or more from an existing neighboring residential dwelling.

10.12 BUSINESS DISTRICT RULES

(1) SUMMARY- Due to the Unique nature of our Village Business District, the Village feels it necessary to apply some very direct code enforcement to ensure the safety, security and value of all the properties affected. The Ordinances and Rules and regulations of the Village apply to all properties within the Village limits, however specifically for our Business district the below ordinances apply and shall be enforced. In some cases, the interconnectivity of the properties requires a more multi-family enforcement rather than the stand-alone property atmosphere. The reliance on **interconnected** water, sanitation, roofing, power requires strict safety and security checks and enforcement to ensure a safe environment. The ability to attract and maintain prosperous business customers require a uniform, aesthetically appealing, safe and attractive environment that maintains the Village Values and small-town atmosphere.

(2) Definition of the Village of Port Edwards Business District:

- a. Properties in the Port Plaza market Ave building
(Parcels #2700243B, 2701007, 2701006, 2701005, 2701004, 2701003, 2701002, 2701001, 2700243, 27002243AB, 2700258A, 2700247)
- b. The US Post office Building, (Parcel #2700206A)
- c. The Adjoining Kennel club and vacant storefront (parcel #2700206)
- d. The Nekoosa Port Edwards Bank Building (Parcel #2700220, #2700219)
- e. The Port Auto Automotive shop (Parcel #2700225)
- f. Current Technology (#2700223)
- g. Simply Incredible foods (#2700208, 2700209, 2700210)
- h. Rental properties (# 2700259, 2700211)

(3) INSPECTION OF DWELLINGS AUTHORIZED The chief housing official is hereby authorized to make inspections to determine the condition of dwellings, dwelling units, and premises located within the city in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and the general public. All inspections and investigations of residential property must be conducted in compliance with the requirements for a reasonable search. Initially this means consent or a warrant must be obtained in order to enter the premises. For the purpose of making such inspections and to perform any duty imposed upon him by this code, the chief housing official is hereby authorized according to law to enter, examine, and survey at all reasonable times all such premises.

(4) FREQUENCY OF INSPECTIONS The chief housing official shall cause a periodic inspection to be made of every multiple dwelling or leased dwelling unit. Such inspection shall include a thorough examination of all parts of such dwelling and the premises connected therewith. The chief housing official is also empowered to make similar inspections of all dwellings as frequently as may be necessary or convenient.

(5) AERIELS. NO radio or Television aerial or satellites shall be installed, except with the Village approval. Any aerials/satellite dishes erected on the roof or exterior walls of the building without the consent of the village, in writing, is liable to removal without notice.

(6) STORAGE OF VEHICLES. No recreational vehicles, including but not limited to trailers, campers, boats, boat trailers and snowmobiles may be parked on the Market Ave premises. This includes the front parking areas along the Port Plaza or the alley directly behind the building. In operative, immobile or junked cars and other vehicles may remain in the parking areas for no longer than 4 days without prior approval of the Village. These may be subject to removal by the Village at a cost to the owner /occupant.

(7) DISPOSING OF REFUSE. All Business District owner/occupants should have adequate trash containers and garbage and refuse must be placed in the same. No storing of refuse and misc. supplies external to the building will be acceptable and will be subject to removal by the Village at a cost to the owner /occupant.

CHAPTER 9
ORDERLY CONDUCT
UPDATE 14 MAR 2023

- 9.01 Offenses Against State Laws Subject to Forfeiture
- 9.02 Possession and Use of Firearms and Other Dangerous Weapons
- 9.03 Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited
- 9.04 Possession of Marijuana
- 9.05 Sale and Use of Fireworks Regulated
- 9.06 Loud and Unnecessary Noise Prohibited
- 9.07 Loitering Prohibited
- 9.08 Possession and Consumption of Alcohol Beverages Restricted
- 9.09 Animals and Poultry Not to Run at Large
- 9.10 Keeping of Animals and Poultry Regulated
- 9.11 Littering
- 9.12 Open Cisterns, Wells, Basements or Other Dangerous Excavations Prohibited
- 9.13 Abandoned or Unattended Iceboxes, etc., Prohibited
- 9.14 Radio and Television Interference Prohibited
- 9.15 Curfew
- 9.16 Destruction of Property Prohibited
- 9.17 Unlawful Removal of Property
- 9.18 Boating Regulations
- 9.19 Disturbing Cemetery Property
- 9.20 Prohibited Discharges
- 9.21 Habitual Truancy
- 9.22 Offenses Upon School Property
- 9.23 *Village Park Rules*
- 9.24
- to (Reserved)
- 9.30
- 9.31 Uniform Citation Method Adopted
- 9.32 Penalty

9.01 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE. The following Statutes following the prefix "9" defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the Village, provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under sec. 25.04 of this Code.

9.346.935	Drinking in Motor Vehicles on Highway
9.938.983	Purchase or Possession of Tobacco Products by Minors
9.940.19(1)	Battery
9.940.225(3m)	Sexual Assault or Sexual Contact
9.940.34	Duty to Aid Endangered Crime Victim
9.941.01	Negligent Operation of Vehicle
9.941.03	Highway Obstruction
9.941.10	Negligent Handling of Burning Materials
9.941.12	Interfering With or Failing to Assist in Firefighting
9.941.13	False Alarms and Interference With Firefighting
9.941.20	Reckless Use of Weapon
9.941.21	Disarming a Police Officer Prohibited
9.941.22	Possession of Pistol by Minor
9.941.23	Carrying Concealed Weapon
9.941.24	Possession of Switch Blade Knife
9.941.26(4)(L)	Possession of Oleoresin of Capsicum (Pepper Spray)
9.941.35	Emergency Telephone Calls
9.941.37	Obstruction of Emergency Vehicles Prohibited
9.943.01(1)	Criminal Damage to Property
9.943.017	Graffiti Prohibited
9.943.06	Molotov Cocktails
9.943.11	Entry Into Locked Vehicle
9.943.125	Entry Into Locked Coin Box
9.943.13	Criminal Trespass to Land
9.943.14	Criminal Trespass to Dwellings
9.943.15	Entry Onto a Construction Site
9.943.20	Theft
9.943.22	Use of Cheating Tokens
9.943.24	Issue of Worthless Checks
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9.02 POSSESSION AND USE OF FIREARMS AND OTHER DANGEROUS WEAPONS.

- (1) **DEFINITIONS.** For the purpose of this section, the following definitions shall apply:
 - (a) Firearm. Any weapon which acts by force of gunpowder.
 - (b) Other Dangerous Weapon. Includes bow and arrow, crossbow, slingshot, blowgun, air guns and BB guns, and other similar weapons.
 - (c) Public Building. Any building owned by the Village, the County or the School District.
- (2) **POSSESSION OF FIREARMS IN PUBLIC PLACE PROHIBITED.** In addition to the provisions of sub. (3) below, no person except duly authorized city, village, county, state or Federal law enforcement officers specifically authorized by law to carry firearms, shall possess a firearm while in any public building, as defined in sub. (1)(c) above, within the Village as provided in §941.235, Wis. Stats., within any school zone as provided in §948.605, Wis. Stats., or goes armed with a hand gun into a tavern as provided in §941.237, Wis. Stats.
- (3) **USE OF FIREARMS.** No person except an authorized police officer shall discharge any firearm within the Village.
- (4) **USE OF OTHER DANGEROUS WEAPONS REGULATED.** Except as provided in subs. (5) and (6) below, no person shall shoot or discharge any other dangerous weapon anywhere in the Village.

- (5) **ARCHERY RANGES.** Notwithstanding sub. (4) above, the Chief of Police is hereby authorized to issue permits for the use and maintenance of archery ranges as provided herein. The Chief, before issuing such permit, shall view or have viewed by another police officer the proposed site of the archery range and shall issue the permit only after the following conditions are shown to exist with regard to the proposed archery range:
- (a) There is an unobstructed, clear and level area of 30 feet on either side of a line drawn from the proposed point or points from where the archer will shoot to the proposed point where the target will be placed.
 - (b) There is an unobstructed, clear and level area of at least 60 feet in width and 300 feet in length immediately behind the target or, if there is not such an area, there is present immediately behind the target a back stop, wall or building which will prevent the arrows shot or discharged from entering or falling upon the said area of 60 feet by 300 feet immediately behind the target.
 - (c) The placing of the bull's eye on such proposed target range shall not be in excess of 4 feet above the ground.
 - (d) The applicant is the owner or a licensee with written permission of the owner of the land on which the proposed archery range is to be located.
 - (e) Only archers 18 years of age or older may use the range, except that archers under 18 may use the range by obtaining a permit from the Police Chief.

There shall be no fee required for the approved archery range permit and the permit shall be valid for a period of one year.

- (6) **BOW AND ARROW HUNTING PERMITTED.** Bow and arrow hunting is permitted in the unplatted areas of the Village for deer and turkey only during the bow and arrow deer and turkey hunting seasons, subject to the following:

(a) Prohibited Hunting Areas.

- 1. East of the Wisconsin Central Limited Railroad tracks, from Seneca Road to Letendre Avenue.
- 2. East of a line running from Letendre Avenue along Seventh Street south to the Wisconsin River.
- 3. Within the Ripple Creek Park boundaries and north and east of the Ripple Creek apartment buildings.
- 4. *All parcels around NEPCO lake will adhere to their HOA rules. Any Village owned parcels will not allow any hunting.*

(b) Permitted Hunting Areas.

- 1. Bow and arrow hunting for deer and turkey is permitted with the written permission of the respective landowner as follows:
 - a. West and north of the Wisconsin Central Limited Railroad tracks and south of Letendre Avenue and east of S.T.H. 73.
 - b. North of Letendre Avenue and south of Ver Bunker Avenue and west of Fifth Street and east of Port Road.
- 2. Bow and arrow hunting for deer and turkey is permitted east of the Wisconsin River, except as follows:
 - a. The property which lies within and is bounded on the west by S.T.H. 13 on the north, by C.T.H. Z on the east by the Village limits and on the south by Nepco Lake and the Bloody Run Creek.
 - b. South and west of Nepco Lake Road.

- 9.03 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES PROHIBITED.** No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile by hand or by any other means at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the Village.

9.04 POSSESSION OF MARIJUANA.

- (1) PROHIBITED. Subject to sub. (2) below and subject to the exception provided in §161.41(3r), Wis. Stats., no person shall possess marijuana, as defined in §161.01(14), Wis. Stats.
- (2) EXCEPTIONS. This section shall not apply to a person who possesses more than 25 grams of marijuana or to a person who is charged with possession of any amount of marijuana following a conviction for possession of marijuana in this State.
- (3) PENALTY. Any person who shall violate sub.(1) above, except as provided in sub. (2) above, shall, upon conviction, be subject to a forfeiture as provided in sec. 25.04 of this Code.

9.05 SALE AND USE OF FIREWORKS REGULATED.

- (1) DEFINITION. The definition of "fireworks" stated in §167.10(1), Wis. Stats., is hereby adopted by reference.
- (2) SALE REGULATED. Except as provided in §167.10(2) and (4), Wis. Stats., no person shall sell, or possess with the intent to sell, fireworks.
- (3) USE REGULATED. Except as provided in §167.10(3), Wis. Stats., no person shall possess or use fireworks without a user's permit issued pursuant to sub. (4) below.
- (4) USER'S PERMIT. As provided in §167.10(3), Wis. Stats., fireworks user's permits may be issued by the Village President, or other Village official designated by the Village President. The official issuing the permit shall require a certificate of liability insurance, or similar proof of coverage, in an amount he deems necessary. A copy of the permit and proof of insurance shall be filed with the Clerk-Treasurer and copies of the permit shall be given to the Fire Chief at least 2 days before the authorized use.
- (5) USE OF CERTAIN DEVICES REGULATED. No person may use fireworks or devices listed in §167.10(1)(e) to (g) and (i) to (n), Wis. Stats., including, but not limited to, caps, toy snakes, model rocket engines, sparklers or cone fountains at a fireworks display for which a permit has been issued if the display is open to the general public.

9.06 LOUD AND UNNECESSARY NOISE PROHIBITED.

- (1) GENERAL. No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb a person of ordinary sensibilities in or about any public street, alley, park or waterway, or any private residence.
- (2) PUBLIC ADDRESS SYSTEMS AND AMPLIFIERS. No person shall use or operate any public address system, amplifier or device which increases the volume of voice, music or other sounds so loud as to disturb the public peace or the quiet and peacefulness of the neighborhood unless authorized by the Village Board.
- (3) CONSTRUCTION AND MACHINERY NOISE. Except for Village employees, between the hours of 10:00 P.M. and 7:00 A.M. no person shall do construction work or operate any chain saw, lawn mower or any other loud machinery of a similar nature.

9.07 LOITERING PROHIBITED.

- (1) LOITERING OR PROWLING. No person shall loiter or prowl in a place at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a police or peace officer, or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances makes it impracticable, a police or peace officer shall, prior to any arrest for an offense under this section, afford the person an opportunity to dispel any alarm which would otherwise be warranted by requesting him to explain his presence and conduct. No person shall be convicted of an offense under this subsection if the police or peace officer did not comply with the preceding sentence, or if it appears, at trial, that the explanation given by the person was true and, if believed by the police or peace officer at the time, would have dispelled the alarm.

- (2) **OBSTRUCTION OF HIGHWAY BY LOITERING.** No person shall obstruct any street, bridge, sidewalk or crossing by lounging or loitering in or upon the same after being requested to move on by any police officer.
- (3) **OBSTRUCTION OF TRAFFIC BY LOITERING.** No person shall loaf or loiter in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public place within the Village in such manner as to prevent, interfere with or obstruct the ordinary free use of such public sidewalks, streets, street crossings and bridges or other public places by persons passing along and over the same.
- (4) **LOITERING AFTER BEING REQUESTED TO MOVE.** No person shall loaf or loiter in groups or crowds upon the public streets, sidewalks or adjacent doorways or entrances, street crossings or bridges or in any other public place or on any private premises without invitation from the owner or occupant after being requested to move by any police officer or by any person in authority at such places.
- (5) **LOITERING IN PUBLIC PLACES.** No person shall loiter, lounge or loaf in or about any dance hall, restaurant, store, public sidewalk, public parking lot or other place of assembly or public use after being requested to move by the owner or person in charge or any police officer. Upon being requested to move, a person shall immediately comply with such request by leaving the premises or area thereof at the time of the request.
- (6) **LOITERING IN OR ON SCHOOL PROPERTY.**
 - (a) Prohibited. No person not in official attendance or on official school business shall enter into, congregate, loiter, wander or stand in or on any public or private school property within the Village between 7:00 A.M. and 5:00 P.M. on official school days. Any person who remains on school grounds after being asked to leave by the school principal, the principal's designee or a faculty member shall be presumed to be in violation of this subsection.
 - (b) Exceptions. The prohibition against loitering in this subsection shall not apply to students, school faculty and school staff personnel, or to those persons who are authorized to be on school grounds for legitimate reasons.
 - (c) Definitions. In this subsection, the terms used shall be defined as follows:
 - 1. **School Grounds.** Any school building in the Village and those areas surrounding any school building, including parking lots, which are either owned by the school district or normally used for school related activities.
 - 2. **Legitimate Reasons.** Such reasons as attendance at school related activities open to the public; school business; authorized meetings with school administrators, school faculty, students or school staff personnel; and any other valid reasons which justify the presence of someone on school grounds.

9.08 POSSESSION AND CONSUMPTION OF ALCOHOL BEVERAGES RESTRICTED. See sec. 12.02(13) of this Code.

9.09 ANIMALS AND POULTRY NOT TO RUN AT LARGE. No person having in his possession or under his control any animal or fowl shall allow the same to run at large within the Village.

9.10 KEEPING OF ANIMALS AND POULTRY REGULATED.

- (1) DEFINITIONS.
 - (a) Livestock. Includes, but not limited to, horses, cattle, swine, sheep and goats.
 - (b) Wild Animals. Birds, mammals and reptiles which normally inhabit and propagate in a natural environment.
- (2) No person shall keep in his possession any livestock within the Village, except in an Agricultural District.
- (3) No person shall keep in his possession any wild animal within the Village.

9.11 LITTERING.

- (1) **PROHIBITED.** No person shall deposit any mud, glass, refuse or waste, filth or other litter upon the streets, highways, alleys, parks or other property of the Village or upon any private property or into or upon any body of water or stream within the Village.
- (2) **PENALTY.** Any person found guilty of violating this section shall be subject to a forfeiture, as provided in sec. 25.04 of this Code, plus the cost of cleanup. Each day a violation continues shall constitute a separate violation.

9.12 OPEN CISTERNS, WELLS, BASEMENTS OR OTHER DANGEROUS EXCAVATIONS PROHIBITED. No person shall have or permit on any premises owned or occupied by him any open cisterns, cesspools, wells, unused basements, excavations or other dangerous openings. All such places shall be filled, securely covered or fastened in such manner as to prevent injury to any person and any cover shall be of a design, size and weight that the same cannot be removed by small children.

9.13 ABANDONED OR UNATTENDED ICEBOXES, ETC. PROHIBITED. No person shall leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, dwelling or other structure under his control in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or other container which has an airtight door or lid, snap lock, or other locking device which may not be released from the inside, without first removing such door or lid, snap lock or other locking device from such icebox, refrigerator or container unless such container is displayed for sale on the premises of the owner or his agent and is securely locked or fastened.

9.14 RADIO OR TELEVISION INTERFERENCE PROHIBITED. No person shall operate any machine or equipment which causes interference with radio or television reception when such interference can be prevented by repairs, adjustments, the installation of corrective appliances or other practical alterations at a reasonable expense.

9.15 CURFEW.

(1) **REGULATIONS AND EXCEPTIONS.**

- (a) Regulations. It shall be unlawful for any child under the age of 18 to loiter, idle or remain upon any street or alley or other public place in the Village between 11:00 P.M. and 5:00 A.M. the next day on Sunday through Thursday, and 12:00 midnight and 6:00 A.M. the next day on Friday and Saturday.
- (b) Exceptions. The following shall constitute valid exceptions to the operation of the curfew:
 1. At any time, if the person is accompanied by his parent, legal guardian, or other responsible person who is over the age of 18 and who is approved by the person's parent or legal guardian.
 2. At any time, in the event of an emergency which would justify the reasonableness of the person's presence.
 3. At any time while the person is pursuing the duties of his employment.
 4. Until the hour of 12:30 A.M. if the person is on an errand as directed by the person's parent or legal guardian.
 5. If the person is coming directly home from a public meeting or place of public entertainment such as a movie; play; or school, church or sporting event. This exception will apply for 1/2 hour after the completion of such event, but in no case beyond 12:30 A.M. If the event is not commercial in nature or does not have a fixed publicly known time at which it will end, the sponsoring organization must register the event with the Clerk-Treasurer at least 24 hours in advance informing the Clerk-Treasurer of the time such event is scheduled to be, the place at which it will be held, the time at which it shall end, and the name of the sponsoring organization.
 6. If the person is coming directly home from a private home which has been approved by the person's parent or legal guardian.

- (2) **PARENTAL VIOLATION.** No parent, guardian or person having legal custody of a child under the age of 18 years shall suffer or permit such child to violate sub. (1) above.
- (3) **WARNING AND PENALTY.**
 - (a) Warning. The first time a child is taken into custody by a law enforcement officer, the parent, guardian or person having legal custody of such child may be advised as to the provisions of this section and further advised that any violation of this section occurring thereafter by this child or any other child under his care or custody shall result in a penalty being imposed as hereinafter provided.
 - (b) Penalty. Any parent, guardian or person having legal custody of a child described in sub. (1) above, who has been warned in the manner provided in par. (a) above and who thereafter violates this section shall be subject to a penalty as provided in sub. (4) below. Any child under the age of 18 years who violates this section shall also be subject to a penalty as provided in sub. (4) below.
- (4) **PENALTY.**
 - (a) A violation of this section may be punishable by a forfeiture of not less than \$5 or more than \$200.
 - (b) In addition to the penalty outlined above, any person under the age of 18 years may be punished under §§48.17(2) and §48.343, Wis. Stats.

9.16 DESTRUCTION OF PROPERTY PROHIBITED. No person shall willfully injure or intentionally deface, destroy or unlawfully remove, take or meddle with any property of any kind or nature belonging to the Village or its departments or to any private person without the consent of the owner or proper authority.

9.17 UNLAWFUL REMOVAL OF PROPERTY. It shall be unlawful for any person to take and carry away the property of another without the owner's consent. This offense shall include, but not be limited to, the operation of a vehicle, whether or not motorized, without the owner's consent.

9.18 BOATING REGULATIONS.

- (1) **INTENT.** The intent of this section is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest and the capability of the water resource.
- (2) **APPLICABILITY AND ENFORCEMENT.** The provisions of this section shall apply to the waters of Lake Nepco within the jurisdiction of the Village and the Town of Saratoga. The provisions of this section shall be enforced by designated officers of the Village and the Town.
- (3) **STATE BOATING AND WATER SAFETY LAWS ADOPTED.** The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety found in §§30.50 to 30.71, Wis. Stats., are hereby adopted by reference and made a part hereof.
- (4) **DEFINITIONS.** The terms used herein shall be defined as follows:
 - (a) Shore Zone. All surface water within 200 feet of the shoreline.
 - (b) Swimming Zone. An authorized area marked by regulatory markers to designate a swimming area.
 - (c) Designated Anchorage. An area of water established and marked as an anchorage by lawful authority.
 - (d) Public Access. Any access to the water by means of the public property.
 - (e) Navigation Lane. An area designated by authorized aids to navigation.
 - (f) Slow-No-Wake. The slowest possible speed so as to maintain steerage.
- (5) **WATER-SKIING REGULATED.** In the Domtar employee recreation area, ski boats shall take off and land in a counter clockwise direction. Water-skiing, takeoff and landing activities shall be restricted to the designated ski area only. The pickup and drop areas for water-skiers shall be established and marked with regulatory markers as required in §30.69, Wis. Stats., and Wis. Adm. Code NR 5.09. Skiing activities are not permitted from the docks and piers in the recreation area.

- (6) OPERATION OF MOTOR BOATS PROHIBITED IN SWIMMING AREAS. No person shall at any time operate a motor boat or personal motorized watercraft or operate a motor boat towing a person on water skis or similar equipment who shall ski or go within the swimming areas of the Nepco Recreation area and the Y.M.C.A. Camp as designated by the shaded-in areas on the map on file in the office of the Clerk-Treasurer and incorporated herein, and such areas shall be marked by buoys.
- (7) CLERK-TREASURER'S DUTIES. The Clerk-Treasurer is directed to file a copy of this section and of any subsequent amendments hereto with the Department of Natural Resources.

9.19 DISTURBING CEMETERY PROPERTY. No person except the owner of the cemetery lot or a cemetery employee shall cut, remove, injure or carry away flowers, trees, plants or vines from any cemetery lot or property nor shall any person deface, injure or mark upon any cemetery markers, headstones, monuments, fences or structures nor shall any person other than the owner injure, carry away or destroy any vases, flower pots, urns or other objects which have been placed on any cemetery lot.

9.20 PROHIBITED DISCHARGES. *Wood County Ordinance #101 is hereby adopted by reference. State the MAIN Points.*

9.21 HABITUAL TRUANCY.

- (1) PROHIBITED. Pursuant to the authority granted under §118.163, Wis. Stats., no pupil under 18 years of age may be "habitually truant" as defined in §118.16(1)(a), Wis. Stats.
- (2) PENALTY. The Village Municipal Court is hereby authorized to impose forfeitures and other penalties enumerated in §118.163(lm), Wis. Stats.

9.22 OFFENSES UPON SCHOOL PROPERTY.

- (1) No person shall refuse to leave school property upon being asked to leave by the school principal or a person acting under his direction. A violation of this section shall be considered a trespass.
- (2) No person shall bring, or cause to be brought, upon school property any intoxicating liquor, fermented malt beverage or controlled substance, as defined in Ch. 161, Wis. Stats.

9.24 PARK RULES.

- (1) *The operating hours for all Village parks will be sunrise to sunset.*
- (2) *All Village parks, Less Ripple Creek, will be "NO DOGS ALLOWED" areas. Ripple Creek Park to support the Village DOG park will allow Dogs to be on leash to and from the Dog Park. All other areas in Ripple Creek will require dogs to be on leash, to include when the pet owner is stationary or sitting at the shelters or benches.*

9.31 UNIFORM CITATION METHOD ADOPTED.

- (1) CREATION. Pursuant to §66.0113, Wis. Stats., the Village hereby elects to use the citation method of enforcement of ordinances, including those ordinances for which a statutory counterpart exists.
- (2) CITATION. The citation shall contain the following:
 - (a) The name and address of the alleged violator.
 - (b) Factual allegations describing the alleged violation.
 - (c) The time and place of the offense.
 - (d) The section of the municipal code violated.
 - (e) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so.

- (f) The time at which the alleged violator may appear in court.
 - (g) A statement which, in essence, informs the alleged violator, as follows:
 - 1. A cash deposit of a specified amount may be made which shall be delivered or mailed to the Clerk of Courts prior to the time of the scheduled court appearance.
 - 2. If such a deposit is made, the alleged violator need not appear in court unless he is subsequently summoned.
 - 3. If a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment and fees imposed under the Wisconsin Statutes, not to exceed the amount of the deposit or, if the court does not accept the plea of no contest, a summons shall be issued demanding him to appear in court to answer the complaint.
 - 4. If no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture and the penalty assessments and fees imposed under the Wisconsin Statutes.
 - (h) A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under par. (g) above has been read. Such statement shall be sent or brought with the cash deposit.
 - (i) Such other information as the Village Board deems necessary.
- (3) DEPOSITS.
- (a) Each citation issued under this section, except those to which par. (d) below applies, shall specify a cash deposit as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference or, where applicable, the Village Deposit Schedule, which is hereby adopted by reference, which consists of the appropriate forfeiture, the current penalty assessments and fees imposed by law.
 - (b) Deposits shall be made in cash, money order or check to the County Clerk of Courts, who shall provide a receipt therefor.
 - (c) The penalty assessments and fees imposed by the Wisconsin Statutes shall be added to all forfeitures hereunder, except where said forfeitures are derived from citations issued for violations of ordinances for which State law controls or for ordinances involving nonmoving traffic violations.
 - (d) The deposit, including costs, pertaining to any minor receiving a citation under this section shall in no event exceed the maximum penalties provided in Ch. 48, Wis. Stats., plus the penalty assessments and fees under the Wisconsin Statutes except that costs and penalties shall not be assessed against minors unless Wisconsin law so provides.
- (4) DEPOSIT SCHEDULE. Every officer issuing a citation for any violation of this Code shall indicate on the citation the amount of the deposit, as provided in sub. (3) above, that the alleged violator may make in lieu of court appearance.
- (5) ISSUANCE OF CITATION. Citations authorized under this section may be issued by the following:
- (a) Any law enforcement officer.
 - (b) The Fire Inspector.
- (6) PROCEDURE. Section 66.0113(3), Wis. Stats., relating to a violator's options and procedure on default, is hereby adopted and incorporated herein by reference.
- (7) NONEXCLUSIVITY.
- (a) Other Ordinances. Adoption of this section does not preclude the Village Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
 - (b) Other Remedies. The issuance of a citation hereunder shall not preclude the Village or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

CHAPTER 9
ORDERLY CONDUCT
UPDATE 14 MAR 2023

- 9.01 Offenses Against State Laws Subject to Forfeiture
- 9.02 Possession and Use of Firearms and Other Dangerous Weapons
- 9.03 Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited
- 9.04 Possession of Marijuana
- 9.05 Sale and Use of Fireworks Regulated
- 9.06 Loud and Unnecessary Noise Prohibited
- 9.07 Loitering Prohibited
- 9.08 Possession and Consumption of Alcohol Beverages Restricted
- 9.09 Animals and Poultry Not to Run at Large
- 9.10 Keeping of Animals and Poultry Regulated
- 9.11 Littering
- 9.12 Open Cisterns, Wells, Basements or Other Dangerous Excavations Prohibited
- 9.13 Abandoned or Unattended Iceboxes, etc., Prohibited
- 9.14 Radio and Television Interference Prohibited
- 9.15 Curfew
- 9.16 Destruction of Property Prohibited
- 9.17 Unlawful Removal of Property
- 9.18 Boating Regulations
- 9.19 Disturbing Cemetery Property
- 9.20 Prohibited Discharges
- 9.21 Habitual Truancy
- 9.22 Offenses Upon School Property
- 9.23 *Village Park Rules*
- 9.24
- to (Reserved)
- 9.30
- 9.31 Uniform Citation Method Adopted
- 9.32 Penalty

- (6) OPERATION OF MOTOR BOATS PROHIBITED IN SWIMMING AREAS. No person shall at any time operate a motor boat or personal motorized watercraft or operate a motor boat towing a person on water skis or similar equipment who shall ski or go within the swimming areas of the Nepco Recreation area and the Y.M.C.A. Camp as designated by the shaded-in areas on the map on file in the office of the Clerk-Treasurer and incorporated herein, and such areas shall be marked by buoys.
- (7) CLERK-TREASURER'S DUTIES. The Clerk-Treasurer is directed to file a copy of this section and of any subsequent amendments hereto with the Department of Natural Resources.

9.19 DISTURBING CEMETERY PROPERTY. No person except the owner of the cemetery lot or a cemetery employee shall cut, remove, injure or carry away flowers, trees, plants or vines from any cemetery lot or property nor shall any person deface, injure or mark upon any cemetery markers, headstones, monuments, fences or structures nor shall any person other than the owner injure, carry away or destroy any vases, flower pots, urns or other objects which have been placed on any cemetery lot.

9.20 PROHIBITED DISCHARGES. *Wood County Ordinance #101 is hereby adopted by reference. State the MAIN Points.*

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- (1) PROHIBITED. Pursuant to the authority granted under §118.163, Wis. Stats., no pupil under 18 years of age may be "habitually truant" as defined in §118.16(1)(a), Wis. Stats.
- (2) PENALTY. The Village Municipal Court is hereby authorized to impose forfeitures and other penalties enumerated in §118.163(lm), Wis. Stats.

9.22 OFFENSES UPON SCHOOL PROPERTY.

- (1) No person shall refuse to leave school property upon being asked to leave by the school principal or a person acting under his direction. A violation of this section shall be considered a trespass.
- (2) No person shall bring, or cause to be brought, upon school property any intoxicating liquor, fermented malt beverage or controlled substance, as defined in Ch. 161, Wis. Stats.

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- (1) *The operating hours for all Village parks will be sunrise to sunset.*
- (2) *All Village parks, Less Ripple Creek, will be "NO DOGS ALLOWED" areas. Ripple Creek Park to support the Village DOG park will allow Dogs to be on leash to and from the Dog Park. All other areas in Ripple Creek will require dogs to be on leash, to include when the pet owner is stationary or sitting at the shelters or benches.*

9.31 UNIFORM CITATION METHOD ADOPTED.

- (1) CREATION. Pursuant to §66.0113, Wis. Stats., the Village hereby elects to use the citation method of enforcement of ordinances, including those ordinances for which a statutory counterpart exists.
- (2) CITATION. The citation shall contain the following:
 - (a) The name and address of the alleged violator.
 - (b) Factual allegations describing the alleged violation.
 - (c) The time and place of the offense.
 - (d) The section of the municipal code violated.
 - (e) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so.

9.32 PENALTY. Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in sec. 25.04 of this Code. In addition to any penalty imposed for violation of sec. 9.943.01(1) of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent of any unemancipated minor child who violates sec. 9.943.01(1) may also be held liable for the cost of repairing such damaged or destroyed property in accordance with §895.35, Wis. Stats.

(8) FACADES- Will retain the original design of the building. Any adjustments or proposals will be submitted to the Public Works Committee for discussion and approval. No facades will be extreme in design or color choices. No facades will protrude further than 12" from the building front.

(9) SIGNS- No signs will be larger than 3'x 8'. They will all require a Village Sign permit and approved by the Village Administrator before installation.

(10) INSURANCE- Due to the in connectivity of the majority of the buildings in the Business district, basic coverage per state rules will be required for Fire, Water and Wind damage. The coverage will replace the structure and interiors to at a minimum the current standard. Internal coverage for personal items will be at the discretion of the owner.

(11) WINDOWS- Windows will be kept clean and at least have 50% of open line of sight on the total square footage of the window. On the interior, moveable shades and shutters may be maintained but nothing permanent in structure can be installed. Window designs, signs and graphics will be reviewed and approval by the Village Administrator with appeals by the Property, Legislative, Planning, and Information Technology (PLPIT) committee thru the Public Works committee.

(12) SIDEWALKS- Will be maintained per Village ordinances and cleared of debris and snow as per ordinances.

(13) ALLEYS- Will be free of debris and maintained by the Village as part of the transportation network. Trash and debris collection will be per Village ordinances.

(14) SAFETY: Fire inspections shall be conducted on a more frequent basis due to the composition of the Business district and the impact on the functioning of our local government. The Village will have the right to quarterly inspect all the properties in the Business district at no cost to the occupants. However, violations and corrective actions once noted will be conducted at the expense of the occupant/owner in 30 days, with a follow up check to validate.

a. ENTERING ON PREMISES. No person shall deny the Fire Inspector or the Deputy Inspector free access to any property within the Village at any reasonable time for the purpose of making fire inspections. No person shall hinder or obstruct the Fire Inspectors in the performance of duties or refuse to observe any lawful direction given by the Inspector or Deputies

b. CORRECTION OF FIRE HAZARDS. When any inspection by the Fire Chief or Deputy Inspector reveals a fire hazard, the Chief or the Deputy Inspector may serve a notice in writing upon the owner of the property giving the owner a reasonable time in which to remove the hazard. If the fire hazard is not removed within the time allowed, it shall be deemed a nuisance and the Fire Chief or the Deputy Inspector may have the same removed by the Village, and the cost of such removal shall be recovered in an action by the Village against the owner of the property and may also be entered on the tax roll as a special charge against the property.

c. INSPECTION DUTIES. Fire Inspectors shall inspect, according to State regulations, all buildings, premises and public thoroughfares within the Village limits for the purpose of noting and causing to be corrected any conditions liable to cause fires. Repairs or alterations necessary to remove the hazardous condition shall be made within a reasonable time at the expense of the owner. The Inspector shall also investigate the storage and handling of all explosives and inflammable liquids within the Village.

d. WRITTEN RECORD OF INSPECTIONS. The Chief shall keep a written record of each property inspected, which shall conform to the requirements of the State Department of Commerce and shall make a report of such inspections available upon request.

(15) PUBLIC NUISANCES

a. PUBLIC NUISANCES AFFECTING PEACE AND SAFETY. The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of sec. 10.02 of the Village ordinances.

b. DILAPIDATED BUILDINGS. All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

(16) ABATEMENT OF PUBLIC NUISANCES.

a. ENFORCEMENT. It shall be the duty of police officers, the Fire Chief and the Zoning Administrator to enforce those provisions of this chapter that come within the jurisdiction of their respective offices and they shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does, in fact, exist.

b. SUMMARY ABATEMENT.

1) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the Village and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Village President may direct a police officer to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the Village shall cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

2) Abatement by Village. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.

3) ABATEMENT BY COURT ACTION. If the inspecting officer shall determine that a public nuisance exists on private premises, but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he shall serve notice on the person causing or maintaining the nuisance and the owner of the property to remove the same within 10 days. If such nuisance is not removed within 10 days, he shall report such fact to the Village President, who may direct the Village Attorney to commence an action in Circuit Court for the abatement of the nuisance.

4) OTHER METHODS NOT EXCLUDED. Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Village or its officials in accordance with the laws of the State, nor as prohibiting an action to be commenced in the Circuit Court seeking a forfeiture as provided in sec. 10.15 of this chapter.

5) COST OF ABATEMENT. In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Village shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

(17) PENALTY. In addition to the penalties provided in this chapter, any person who shall violate any provision of this chapter, or permit or cause a public nuisance, shall be subject to a penalty as provided in sec. 25.04 of this Code.

(18) BUILDING CODE ENFORCEMENT

a. ADMINISTRATION AND ENFORCEMENT. The Village Building Inspector shall administer and enforce this chapter within the Village.

b. DEMOLITION PERMIT REQUIREMENTS FOR HIGH VALUE PROPERTIES
ENFORCEMENT AND VIOLATIONS. The Building Inspector, with the aid of the Police and Fire Departments, shall

enforce the provisions of this section of the Building Code. Any person who violates, disobeys, neglects, omits or refuses to comply with any of the provisions of this section of the Building Code, shall be subject to the penalties described in Sec. 25.04 of the General Provisions including the assignment of daily penalties for each day the property is found to be in violation of the Code. Such penalties shall be in addition to any other applicable penalties that may be described in a valid development agreement between the applicant and the Village or as may otherwise be allowed by law including the Village making a claim on the applicant's performance bond.

c. **ILLEGAL DUMPING PROHIBITED.** It shall be illegal for any person to dump, dispose, deposit, litter or store refuse in the Village outside of a container approved by the Village Board on either private or public lands.

(19) DISPLAY OF BUILDING ADDRESS/STREET NUMBER REQUIRED.

a. **REQUIRED.** Each principal building in the Village shall be assigned an official street number. All lots and parts of lots in the Village shall be numbered in accordance with a street numbering map on file in the office of the Village Engineer/Administrator. In the event a lot is not numbered, the Village Engineer/Administrator shall assign a number in cooperation with Wood County Emergency Management. Plats shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined on the map.

b. **DISPLAY.** The owner, occupant, or agent in charge of the premises shall cause to be affixed and to be maintained when so affixed to each principal building controlled by such person the official street number assigned to that building as provided in subsection (1) of this section. Each required number shall be affixed on the particular building in such a contrast, size, and location that it may be easily and readily seen by a person of ordinary eyesight on the public street or highway upon which the building abuts. For buildings abutting also on a public alley, the street number shall so be affixed in such location that it may be seen in like manner from such alley. Buildings set back more than 75 feet from a street or alley shall have a street number affixed to a sign in the front or rear yard in addition to the required number on the building. All signs must comply with the requirements of Chapter 17.25. Script, spelled-out, or Roman numerals are not acceptable.

c. **NONCOMPLIANCE.** If the owner or occupant of any building neglects for 20 days to duly attach and maintain the proper numbers on the building, the Village shall serve such owner or occupant a notice requiring such owner or occupant to properly number the building. If such owner or occupant neglects to do so for ten days after service, such owner or occupant shall be subject to the provisions of 11.10, Penalty.

d. **PENALTY.** Any person who shall violate any provision of this chapter shall be subject to a penalty as provided below unless State Statutes supersede.

(19) ZONING CODE VIOLATION AND PENALTIES.

a. Any person who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter, shall forfeit a sum of not less than \$200 nor more than \$500, together with the costs of prosecution, and, in case of nonpayment of such forfeiture, shall be imprisoned in the County Jail for a term of not more than 30 days or until such judgment is paid, and each day of violation shall constitute a separate offense.

10.15 PENALTY. In addition to the penalties provided in this chapter, any person who shall violate any provision of this chapter, or permit or cause a public nuisance, shall be subject to a penalty as provided in sec. 25.04 of this Code.

**AQUATIC PLANT AND HABITAT SERVICES LLC
AGREEMENT FOR PROFESSIONAL SERVICES**

This Agreement is made this day of February, 2023, between the Nepco Lake District (NLD the "Client") and Aquatic Plant and Habitat Services LLC (APHS, the "Consultant"). This agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: **Aquatic Plant Surveys & Aquatic Plant Management Plan for Nepco Lake.**

Lyman Tschanz

Client's Authorized Representative

PO Box 1173, Wisconsin Rapids, WI 54495

Address

262-442-4400

Telephone

Email

Aquatic Plant and Habitat Services LLC Representative:

Project Manager: Sara Hatleli

Address: N4888 Beck Road, Taylor, WI 54659

Telephone: 715-299-4604 (C)

email: sarahatleli97@gmail.com

I. Consulting Services

- 1. Point-Intercept Aquatic Plant Survey-** A whole-lake aquatic plant survey will be completed in August or early September 2023 using 660 survey coordinates. Methods will follow the standard statewide protocol used and approved by the WDNR (Hauxwell et al. 2010) and will provide locations & occurrence of EWM and native species. Plant Survey \$1753 base + \$5.73 per littoral point at 660 sample points. The number of sample points may be fewer depending max rooting depth of plants. Cost includes mileage, lodging, boat fuel & field equipment, per diem, data entry, & results to be included in the aquatic plant management plan (APMP). Total not to exceed = **\$5,535.**
- 2. Eurasian Watermilfoil Bed Survey –** The EWM bed survey will be completed the same time as the whole-lake PI survey in August or early September 2023. Activities include delineating beds of EWM and recording average depth, plant height, and observed density. \$100 per hour for field work. Cost of data entry, analysis, and map of EWM beds no additional cost if combined with item #1. Cost of mileage, lodging, & per diem included if combined with item #1. EWM maps to be included in the APMP. Total expected not to exceed **\$1,000.**

- 3. Public Meeting** - Schedule, prepare and facilitate a public planning meeting in fall 2023, during which survey results from 2023 will be presented. The public meeting will be held in a neutral location (e.g., library, village hall, etc.) and will fulfill WDNR requirements for members of the general public to provide input related to aquatic plant management. WDNR Water Resource Mgmt Specialist, Wood Co Land & Water Conservation staff, Nepco Lake residents, and the general public will be invited to attend. We will gather feedback on aquatic plant related issues and discuss ways in which the issues could be addressed. A summary of this meeting will be included in the final aquatic plant management plan (APMP) as a deliverable. Cost includes mileage, meeting materials, preparation, and meeting facilitation services - **\$1,500. *Consultant and Client agree to work together to advertise the meeting. Consultant will advertise the meeting in the local newspaper as a public notice and will invite WDNR and Wood County staff. Client agrees to invite Nepco Lake residents and assist in identifying other interest groups that should attend. Client agrees to provide representatives (2-5) that will attend the meeting.***
- 4. Follow-up Meeting** – Schedule, prepare and facilitate a follow-up Zoom meeting to organize the results of the public planning meeting. This meeting will occur (ideally) within 30 days of the public meeting and will include the Village Administrator, natural resource professionals and members of the Village Aquatic Plant Committee (or similar committee). Participants will discuss broad goals and objectives. The outcome of this second planning session will include goals and objectives as the framework for the updated aquatic plant management plan. A summary of this meeting will be included in the final aquatic plant management plan as a deliverable. Cost includes preparation and meeting facilitation services **\$750. *Consultant will plan meeting, invite participants, facilitate meeting, and share meeting recap. Client agrees to provide representatives (2-5) that will attend the meeting.***
- 5. Aquatic Plant Management Plan** - Review existing documents related to aquatic plant management in Nepco Lake, incorporate the new data from the 2023 lake surveys and revise objectives to create an updated Aquatic Plant Management Plan. The updated plan will provide management guidelines for the next five-year period 2024-2028 and will include (a) identification of problems or threat to the lake (b) description of historical control actions (c) information on the lake's historical and current condition (d) assessment of the fishery, wildlife and aquatic plant community (e) identification of the need for the protection/enhancement of fish and wildlife habitat or endangered resources and (f) identification of the management objectives and additional items that are identified in the final contract agreement. The plan will go through an internal review among Nepco representatives, a review among partners, a 3-week public review period, and final approval with the WDNR. Completion of the plan will be in 2024. ***Consultant will complete writing, research, data analysis, map creation, public review period & working with the WDNR to secure approval \$2,500. Client agrees to provide representatives (2-5) that will review the APMP and provide feedback during development of the APMP.***

II. Payment

In consideration of the services to be provided by Consultant to Client, the estimated fee for items listed in this work agreement are subject to a not-to-exceed amount of \$11,285 as outlined above unless the scope changes or events occur that are beyond the control of either Consultant or Client. The Consultant shall submit an invoice for each activity. Payment is requested from the Client within 30 days of receiving invoices.

III. Termination

This agreement may be terminated by either party upon seven days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination. This agreement may be terminated by either party upon thirty day's written notice without cause. In the event of termination, the Consultant shall be compensated for services performed prior to the termination date and any deliverables completed prior to the termination date (data, draft reports, maps) will become property of the Client.

IV. Other Terms and Conditions

This agreement supersedes all prior oral or written agreements and represents the entire understanding between Client and Consultant with respect to the services to be provided by the Consultant.

Aquatic Plant and Habitat Services LLC

Nepco Lake District

By: Sara Hatleli
Sara Hatleli

By: _____
Lyman Tschanz

Title: Owner and Biologist

Title: Volunteer

Date: February 9, 2023

Date: _____

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WOOD COUNTY ORDINANCE #101 PROHIBITED DISCHARGES

The Board of Supervisors, for Wood County, Wisconsin do ordain as follows: That Section 1 of the Code of Ordinances of Wood County, relating to prohibited discharges, be created to provide as follows:

Chapter 101 .01 PROHIBITED DISCHARGES

(1) Prohibited Discharges. No person, partnership, organization, association, firm or corporation and no employee or agents thereof shall discharge cause to be or allowed to be discharged, leaked, or spilled upon any public street, alley, or public property, or unto the ground, surface waters, subsurface waters, or aquifers, or on any private property within Wood County (except those areas specifically licensed for waste disposal or landfill activities and to receive such materials) any explosive, flammable or combustible solid liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

These prohibited discharges will include the dangers and hazardous road conditions created by Automatic Irrigation Systems which allow any irrigation material to be sprayed onto State, County, Town or any other Municipal Roadways, through the negligence of either the system owners and/or operators.

(2) Containment, Cleanup and Restoration. Any person, partnership, organization, association, firm or corporation and employees or agents thereof in violation of paragraph (1), shall, upon direction of the Emergency Government Office begin immediate actions to cease the discharge, leak, leach or spill and to contain, cleanup and remove to an approved repository the offending materials and to restore to it's original condition, with the offending person, partnership, organization, association, firm or corporation being responsible for all expenses incurred. Should any person, partnership, organization, association, firm or corporation fail to engage the necessary men and equipment to comply or to complete the requirement of this section, the Office of Emergency Government may order the required actions to be taken by public or private resources and allow the recovery of any and all costs incurred.

(3) Site Access. Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to Emergency Response Personnel and to Police and Fire Department Personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.

(4) Public Protection. Should any prohibited discharge occur that threatens the life,

safety and health of the public at, near, or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect life and limb, the Coordinator of Emergency Government, his assistant, or the senior police or fire officials on the scene of the emergency may order an evacuation of the area or take other appropriate protective steps for a period of time until appropriate action can be taken.

(5) Enforcement. Sworn law enforcement officers at all levels within the County, shall have authority to issue citations or complaints under this section.

(6) Civil Liability. Any person, partnership, organization, or association, firm or corporation in violation of this section shall be liable for any expenses incurred or damage sustained by Wood County by reason of such violations.

(7) Penalties. Any person, partnership, organization or association, firm or corporation in violation of this section shall forfeit to Wood County upon conviction thereof not to exceed Two Hundred Dollars (\$200) plus the costs of prosecution and in default of payment thereof, imprisonment in the County jail for ten (10) days. Each day of violation shall constitute a separate offense.

Chapter 101 .02 EFFECTIVE DATE

That this ordinance shall be effective upon adoption and publication as provided by law.