

RESOLUTION

Adoption of Ordinance Enacting the Trempealeau County Code of Ordinances

WHEREAS, Wisconsin Statutes, Section 66.0103 authorizes the county to prepare and enact a code of its ordinances, and

WHEREAS, Trempealeau County has not previously had a code of ordinances, and the county now desires to adopt a code book to provide better accessibility to the county's ordinances, and

WHEREAS, in addition to assigning chapters and sections numbers to organize the county's various ordinances, the county through this Code adoption makes additions and amendments to its existing ordinances as set forth in Attachment A to this resolution, as authorized pursuant to Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Trempealeau County Board of Supervisors hereby adopts the attached ordinance which enacts the Trempealeau County Code.

Dated this 20th day of June, 2016.

Respectfully submitted,

AD HOC ORDINANCE CODIFICATION COMMITTEE:

Timothy Zeglin

Richard Frey

Michael Nelson

Adopted by the Trempealeau County Board of Supervisors this 18th day of July, 2016.

Dick Miller, Chairman
Trempealeau County Board of Supervisors

Paul L. Syverson, County Clerk

ATTACHMENT A

To the Resolution Adopting an Ordinance Enacting Trempealeau County Code of Ordinances

Showing, in a non-exclusive list, items added to or amended in the county's ordinances through the present enactment:

- Chapter 1 – Sections 1.01 through 1.07 (relating to general provisions which apply to the Code) include new ordinance language.
- Chapter 2 – The County Board Rules were codified into Chapter 2 and the statutory references in section 2.04 (Committees of the County Board) were appropriately updated.
- Chapter 7 – Section 7.04 (relating to temporary speed limits, authorized by Wis. Stat. § 349.11(10)), section 7.05 (relating to ratifying existing traffic control signs), and section 7.06 (relating to road weight limits, authorized by Wis. Stat. § 348.15) include new ordinance language. Such new ordinance language was approved by the Highway Committee on October 13, 2015.
- Chapter 9 – Sections 9.01 through 9.08 add at or amend the existing peace and order ordinances pursuant to authority in the provisions of Wis. Stat. § 59.54, in addition to other legal authority, regarding the following subjects: Alcohol Licenses, Underage Drinking, General Alcohol Restrictions, Purchase/Possession of Tobacco for a Minor, Battery, Trespass to Land and Dwelling, Theft, Fraud on Hotel or Innkeeper, Use of Cheating Tokens, Operate Auto without Owner's Consent, Issuance of Worthless Checks, Receiving Stolen Property, Retail Theft, Theft of Library Materials, Resisting or Obstructing an Officer, Disorderly Conduct, Unlawful Use of a Telephone, Harassment, Contributing to Truancy, Possession of Marijuana, Possession of Drug Paraphernalia, Misuse of Emergency 911, Electronic Message Harassment, Littering, Regulation of Fireworks, Disorderly Conduct with a Motor Vehicle, and False Alarms. Such new ordinance language was approved by the Law Enforcement/Emergency Management Committee on March 31, 2016.
- Chapter 10 – Sections 10.03 through 10.12 add at or amend the existing animal/peace and order ordinances pursuant to authority in the provisions of Wis. Stat. § 59.54, in addition to other legal authority, regarding the following subjects: Domestic Livestock Running at Large, Animals Damaging or Destroying Property, Prohibiting Animals Running at Large, Harboring or Keeping Barking Dogs, Dog Licenses Required, Abandonment of Animals, Mistreating Animals Prohibited, Shining Wild Animals, Disposal of Carcasses, and Rabies Control. Such new ordinance language was approved by the Law Enforcement/Emergency Management Committee on March 31, 2016.
- Chapter 21 – Sections 21.01, 21.02, and 21.07 through 21.09 add and amend ordinance language relating to issuance of citations for enforcement of the Code. The amounts in the Schedule of Deposits in section 21.09 were approved by the Law

Enforcement/Emergency Management Committee on March 31, 2016 and other committees who oversee departments who enforce specific chapters of the Code.

- Chapter 26 – Ordinance was updated to change the administration of the ordinance from the Health Department to the Department of Land Management, to change prosecution from the District Attorney’s office to the Corporation Counsel office, and to change the review board from the Board of Health to the Board of Adjustment. Such amended ordinance language was approved by the Environment and Land Use Committee on May 11, 2016.

DRAFT

ORDINANCE TO ENACT
THE TREMPEALEAU COUNTY CODE OF ORDINANCES

SECTION I - PURPOSE

The purpose of this ordinance is to enact the "Trempealeau County Code of Ordinances" that has been prepared and authorized by the county board.

SECTION II - AUTHORITY

The County Board of Supervisors of Trempealeau County, Wisconsin, has the specific authority under s. 66.0103, Wis. Stats., to prepare and enact a code of some or all of its general ordinances by enacting an ordinance that incorporates the code by reference.

SECTION III - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the county board on a roll call vote with a quorum present and voting and proper notice having been given, provides the authority for the county to prepare and enact a code of some or all of its general ordinances by enacting an ordinance that incorporates the code by reference.

SECTION IV - ENACTMENT AND INCORPORATION OF CODE OF ORDINANCES

The code of ordinances in book form entitled, "Trempealeau County Code of Ordinances," having been placed on file and open to public inspection in the office of the county clerk for a period of 2 weeks commencing June 6, 2016, pursuant to s. 66.0103, Wis. Stats., is adopted as the general code of ordinances in and for the County of Trempealeau, Wisconsin. The code is incorporated in this ordinance by reference.

SECTION V - REPEAL

Except as stated below, all other county ordinances or parts of ordinances (excluding the Trempealeau County Comprehensive Zoning ordinance) inconsistent or conflicting with this ordinance and its incorporated Code, to the extent of the inconsistency only, are repealed.

The adoption of this Code shall not act to repeal any ordinances, parts of ordinances or resolutions relating to the following subjects and not conflicting with the provisions of this Code, except that some of the following provisions may be amended by this Code:

- (1) Salaries of public officials and employees;
- (2) The creation or abolition of offices;
- (3) The annexation of territory to the county;
- (4) Releases of persons from liability;

- (5) Contracts or rights created by resolution or county board action other than general ordinance;
- (6) Naming of public property within the county;
- (7) Tax and special assessment levies;
- (8) Construction of public works;
- (9) Budget ordinances, resolutions and actions;
- (10) Issuance of corporate obligations by the county;
- (11) Establishment of grades, curblines and widths of sidewalks, and the location of public streets and alleys; and
- (12) Waterfront property lines and regulations.

When repealing an ordinance, such repeal shall not be construed to revive a former ordinance that was previously repealed, unless it shall be so expressly provided.

SECTION V - EFFECTIVE DATE

This ordinance is effective on publication or posting.

The county clerk shall properly post or publish this ordinance as required under s. 59.14, Wis. Stats.

Approved and enacted by the Trempealeau County Board of Supervisors this 18th day of July, 2016.

Dick Miller, Chairman
Trempealeau County Board of Supervisors

Paul L. Syverson, County Clerk