

# **CHAPTER 1**

## **GENERAL PROVISIONS**

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### **1.01 TITLE; EFFECTIVE DATE; CITATION.**

These ordinances shall be known as the “Code of Ordinances, County of Trempealeau, Wisconsin” and shall take effect from and after passage and publication as provided in Wis. Stats. § 66.0103. All references thereto shall be cited by section number (example: Section 13.06, Code of Ordinances, County of Trempealeau, Wisconsin).

(History: Res. 2016-06-04)

### **1.02 REVISION AND PERPETUATION OF CODE.**

As each ordinance affecting the Code becomes effective, the clerk shall forward such ordinance to the revisor, who shall incorporate it into the Code. The revisor shall make no substantive changes to such ordinances but may renumber, rearrange and edit them without first submitting them to the County Board; and such rearranging, renumbering and editing shall not affect the validity of such ordinances and resolutions or the provisions of this Code affected thereby.

(History: Res. 2016-06-04)

### **1.03 PROVISIONS AS CONTINUATION OF EXISTING ORDINANCES.**

The provisions of this Code, insofar as they are substantially the same as legislation previously adopted by the county relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments.

(History: Res. 2016-06-04)

### **1.04 CATCHLINES OF SECTIONS; REFERENCES TO CODE; HISTORY NOTES.**

- (1) The catchlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be the title of such sections, nor as any part of the section; nor, unless expressly so

provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

- (2) References in this Code to chapters, articles, divisions or sections are to chapters, articles, divisions or sections of this Code unless stated otherwise.
- (3) Editor's notes, cross references and references to the Wisconsin Statutes that appear in footnotes to this Code are for reference purposes only and are not part of this Code.
- (4) History notes appearing at the end of sections of this Code are for reference purposes only and are not part of this Code.

(History: Res. 2016-06-04)

### **1.05 CONFLICT, INTERPRETATION AND SEVERABILITY.**

- (1) **Conflict and Interpretation of Provisions.** If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter. In their interpretation and application, the provisions of this chapter shall be held to be the minimum and are not deemed a limitation or repeal of any other power granted by Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretations shall apply.
- (2) **Severability of Code Provisions.** If any section, subsection, sentence, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The County Board declares that it would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

(History: Res. 2016-06-04)

### **1.06 PUBLICATION OF ORDINANCES.**

- (1) Each ordinance and resolution adopted by the county board of supervisors shall be properly filed by the county clerk in its final adopted form and shall be duly attested by the county clerk immediately after adoption. The chair of the county board of supervisors shall countersign all adopted ordinances and resolutions.
- (2) Immediately upon adoption by the county board, each ordinance shall be published in the official newspaper by the county clerk as a class 1 notice under Wis. Stat. ch. 985 or as a notice under Wis. Stat. § 59.14(1m).

- (3) The county clerk shall not publish under sub-section (2) above any adopted ordinance which consolidates, revises, or otherwise enacts a comprehensive revision of the Code of Ordinances or any title thereof wherein said ordinance is exempted by Wis. Stat. § 66.0103 from the publication requirements of Wis. Stat. § 59.14.
- (4) The full text of ordinances enacted by the county board shall be available in the office of the county clerk. A complete set of ordinances shall be available in the office of county clerk and on the official Trempealeau County website.

(History: Res. 2016-06-04)

#### **1.07 PUBLICATION OF BUDGET ADJUSTMENTS.**

- (1) Immediately following adoption, the county clerk shall publish a duly attested copy of the following in the official newspaper as a class 1 notice under Wis. Stat. ch. 985, but in no case shall publication be more than 10 days after adoption:
  - (a) Any adopted resolutions ordered published by the county board of supervisors.
  - (b) A notice of alterations to the county budget adopted by the county board pursuant to Wis. Stat. § 65.90(5)(a);
  - (c) A notice of a transfer from the contingency fund by the county board or the committee on finance and budget pursuant to Wis. Stat. § 65.90(5)(b).

(History: Res. 2016-06-04)