

## **AGENDA**

### **Administration & Rules Committee**

**Jefferson County Courthouse**

**320 S. Main Street**

**Jefferson, WI 53549**

May 30, 2012

8:30 a.m. - Room 112

#### **Committee Members**

Paul Babcock – James Braugher – Rick Kuhlman - Jim Mode – John Molinaro, Chair

1. Call to Order
2. Roll Call
3. Certification of Compliance with Open Meeting Law Requirements
4. Review of Agenda
5. Public Comment
6. Election of Committee Chair, Vice Chair and Secretary
7. Approval of April 26, 2012 Administration & Rules Committee meeting minutes
8. Approval of May 7, 2012 County Board minutes
9. Communications
10. Jefferson County website design presentation by MIS staff
11. Discussion and possible action on comments from Veterans Service Officer and Judge Koschnick regarding the Outagamie County Resolution to "Oppose any language that holds the county financially responsible for services that are already paid for by other entities"
12. Discussion and possible action on resolutions, letters or reports from other governmental agencies
13. Discussion regarding possible agenda topics for a meeting of County Board Committee chairs
14. Status report from Corporation Counsel on Codification of Ordinances project
15. County Administrator's monthly report
16. Discussion and possible action on future meeting schedule
17. Tentative Future Meeting schedule and Agenda Items
18. Adjourn

The Committee may discuss and/or take action on any item specifically listed on the agenda

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

JEFFERSON COUNTY BOARD  
COMMITTEE MINUTES

#7

April 26, 2012  
Administration & Rules Committee  
8:30 a.m.

1. **Call to Order**  
Meeting was called to order by Supervisor Molinaro at 8:30 a.m.
2. **Roll Call**  
**Administration and Rules Committee Members**  
Members present: James Braughler, Jim Mode, Rick Kuhlman, John Molinaro. Paul Babcock was excused.  
  
Others Present: Gary Petre – County Administrator; Connie Freeberg – Paralegal, Confidential; Tammie Jaeger – Administrative Assistant – Confidential, Phil Ristow – Corporation Counsel.
3. **Certification of compliance with Open Meeting Law Requirements**  
Gary Petre certified compliance with the open meeting law.
4. **Review of Agenda**  
No changes were made
5. **Public Comment**  
None
6. **Approval of March 28, 2012 Administration & Rules Committee meeting minutes**  
Motion made by Supervisor Mode; Second by Supervisor Braughler to approve the March 28, 2012 Administration & Rules Committee meeting minutes as printed. (Ayes-All) Kuhlman – Abstained. Motion carried.
7. **Approval of April 17, 2012 County Board minutes**  
Motion by Supervisor Mode; Second by Supervisor Kuhlman to approve the April 17, 2012 County Board as corrected. (Ayes-All) Motion carried.
8. **Communications**
9. **Discussion and possible action on resolutions, letters or reports from other governmental agencies**  
Resolution – “Oppose any language that holds the county financially responsible for services that are already paid for by other entities.”  
The Committee discussed this resolution. They would like Yvonne Duesterhoeft, Veterans Service Officer, and Judge Randy Koschnick to review this resolution and provide their comments for the next meeting. No action taken.
10. **Discussion and possible action on the 2011 County Board Committee, Board and Commission member per diems**  
A per diem report was provided for the committee to review. John Molinaro will put together a cover letter and update the history sheet for this report and present it to the County Board at their May meeting.
11. **County Administrator’s monthly report**  
Gary Petre reviewed his monthly report and addressed questions from the Committee.
12. **Discussion and possible action on meeting dates**  
Next meeting will be held on May 30, 2012 at 8:30 a.m.
13. **Tentative Future Agenda Items and Meeting Dates**
  - Approval of April 25, 2012 Administration & Rules Committee meeting
  - Correction and Approval of May 8, 2012 County Board meeting minutes
  - Election of Committee Officers

- Discussion and possible action on resolutions, letters or reports from other governmental agencies
- County Administrator's monthly report
- Jefferson County website design presentation by MIS staff
- Discussion and possible action on implementing ideas related to the County's Governing Assessment Survey Report
- Status report from Corporation Counsel on codification project
- Youth Government Day briefing
- Discussion and possible action on comments from Veterans Service Officer and Judge Koschnick regarding the Outagamie County Resolution to "Oppose any language that holds the county financially responsible for services that are already paid for by other entities".

**14. Adjourn**

Motion made by Supervisor Kuhlman; Second by Supervisor Mode to adjourn at 9:17 a.m. (Ayes-All) Motion carried.

**Future Meeting Dates**

Wednesday, May 30, 2012 at 8:30 a.m.

**CORRECTIONS TO BE MADE TO  
MAY 7, 2012, JEFFERSON COUNTY BOARD MINUTES**

**Pages 31 thru 55:**

The footnote on the bottom of each page should read Monday, May 7, 2012 not Tuesday, May 8, 2012

**Page 35:**

Line 35 – Rinard should **not** be italicized

**Page 38:**

Line 22/5<sup>th</sup> column – figure should be 385.00 not 395.00

**Page 40:**

Line 15/6<sup>th</sup> column – figure should be 24.48 not 124.48

**Page 43:**

Line 21/5<sup>th</sup> column – delete 44.88

Line 21/8<sup>th</sup> column – insert 44.88

**Page 44:**

Line 3/5<sup>th</sup> column – delete 28.35

Line 3/8<sup>th</sup> column – insert 28.35

Line 7/5<sup>th</sup> column – delete 85.20

Line 7/8<sup>th</sup> column – insert 85.20

Line 9/4<sup>th</sup> column – insert 577.50

Line 9/5<sup>th</sup> column – delete 577.50 and insert 605.00

Line 9/6<sup>th</sup> column – delete 605.00 and insert 141.12

Line 9/7<sup>th</sup> column – delete 141.12 and insert 1,323.62

Line 9/8<sup>th</sup> column – delete 1,323.62

Line 10/4<sup>th</sup> column – delete 55.00

Line 10/5<sup>th</sup> column - delete 12.75 and insert 55.00

Line 10/6<sup>th</sup> column – delete 67.75 and insert 12.75

Line 10/7<sup>th</sup> column – insert 67.75

Line 15/5<sup>th</sup> column – delete 152.88

Line 15/8<sup>th</sup> column – insert 152.88

**Page 47:**

Lines 10, 11 & 12 – combine lines so it reads as follows: Smith, Johnson Creek, on jobs; Gary Manke, Jefferson, and City of Jefferson Mayor Dale Oppermann on the Highway facility relocation site.

**Page 54:**

Line 5 – insert the word vote after 2/3

**RESOLUTION NO.: 124-2011-12**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

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Under current law, counties may establish specialty or treatment courts that offer treatment programs, alternatives to incarceration and other types of assistance for people accused of certain crimes or for certain people who are identified as needing special assistance. Currently, a few Wisconsin counties have established veterans courts with special programs and procedures that seek to assist veterans and armed service members who face or are convicted of criminal charges. Under proposed legislation, if a person convicted of a crime enters a guilty or no contest plea to a crime or is facing revocation of his or her probation or extended supervision or enters into a deferred prosecution program and the person is a veteran or service member the person may qualify for a transfer to a veterans court. Under the proposal, the county where the sentencing court is located retains the responsibility to fund any community-based care, treatment, or services for the veteran or service member and to pay the costs of jailing the veteran or service member. This resolution opposes any language that holds the county financially responsible for services that are already paid for by other entities.

NOW THEREFORE, the undersigned members of the Public Safety Committee recommend adoption of the following resolution.

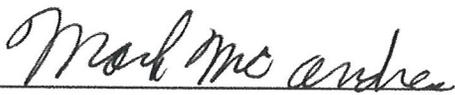
BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose any language that holds the county financially responsible for services that are already paid for by other entities, and

BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Lobbyist, all other Wisconsin Counties and the Outagamie County Veterans Service Officer.

Dated this 27th day of March, 2012

  
\_\_\_\_\_  
Paul Hirte

Respectfully Submitted,  
PUBLIC SAFETY COMMITTEE

  
\_\_\_\_\_  
Mark McAndrews

## Gary Petre

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**From:** Gary Petre  
**Sent:** Wednesday, May 09, 2012 8:55 AM  
**To:** 'Randy Koschnick'  
**Cc:** Tammie Jaeger  
**Subject:** RE: FW: Resolution No. 124--2011-12

Judge K.,

Thank you and the other judges for taking out the time to respond to the Committee's inquiry. I will forward your email to the Committee members.

Gary.

Gary R. Petre  
Jefferson County Administrator  
920-674-7101  
[www.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov)

-----Original Message-----

From: Randy Koschnick [<mailto:Randy.Koschnick@wicourts.gov>]  
Sent: Tuesday, May 08, 2012 3:55 PM  
To: Gary Petre  
Subject: Re: FW: Resolution No. 124--2011-12

Gary-

I forwarded your email to the other judges on May 1. Up to this point, none of the judges has indicated to me that we should take a position on this issue. Whether the resolution is adopted or not, we do not foresee an impact on court operations. If any of us come up with any different opinions between now and the May 30th meeting, I'll be sure to let you know.

Please let the committee know that I appreciate being consulted but that the judges don't take a position on this item, either for or against.

Thank you.

Judge K

Judge Koschnick

Judge Randy R. Koschnick  
Jefferson County Circuit Court  
Branch 4  
Jefferson County Courthouse  
320 S. Main St.  
Jefferson, WI 53549  
920.674.7217  
fax: 920.674.7523  
[randy.koschnick@wicourts.gov](mailto:randy.koschnick@wicourts.gov)

>>> Gary Petre <[GaryP@jeffersoncountywi.gov](mailto:GaryP@jeffersoncountywi.gov)> 5/1/2012 1:49 PM >>>

Last week the Admin. and Rules Committee considered the attached resolution from Outagamie County. The Committee postponed action until their next meeting on May 30th and asked that a copy be forwarded to the two of you. They asked that Judge K. submit his comments for the Committee's consideration and asked that Yvonne appear at the next meeting to share her comments/recommendation. The Committee must decide if they are going to recommend that our County board consider a similar resolution.

Please review the attached and reply to me with your comments, which I will share with the Committee. Feel free to contact me with any questions.

Thanks, Gary.

Gary R. Petre  
Jefferson County Administrator  
920-674-7101  
[www.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov)

From: Tammie Jaeger  
Sent: Thursday, April 26, 2012 9:33 AM  
To: Gary Petre  
Subject: Resolution No. 124--2011-12

NOTICE: This E-mail and any attachments may contain confidential information. Use further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you received this email in error, please notify the sender; delete the E-mail; and do not use, disclose or store the information it contains.

**County Administrator's  
Monthly Activity Report  
May, 2012**

#15

1. 2013 Budget

Departments have submitted their requests for 2013 computer equipment and programming services. These have been reviewed and will be included in the requested budgets. The requested MIS budgets have been reviewed and the MIS budget allocations to departments are being calculated for inclusion in department requested budgets. 2013 Budget Guidelines and tax levy goals are being developed for distribution to the departments on 6/14. I have met with Finance Department staff to review the budget calendar and discuss the budget process. The absence of a Finance Director during any phase of the development of the 2013 Budget will result in additional workload for me and some of the Finance staff.

2. Personnel Policies and Procedures

The Human Resources Director continues to review the County's Personnel Policies and Procedures relative to updates that may be needed as a result of State changes to collective bargaining laws. Additional changes relating to Section HR0500 - Personal Conduct and Discipline will be submitted to the Human Resources Committee on 6/5 for review and likely to the full County Board at its 6/12 meeting.

3. Department Head Meeting

There was a department head meeting on 5/9 (copy of agenda attached). In addition to the listed agenda items, department heads discussed items related to MIS department projects.

4. Committee/Board, Staff and Other meetings

I will have attended 9 Committee/Board meetings this month. In addition, I will have had 19 meetings with staff and other officials this month. These include meetings to discuss personnel matters; 2013 MIS budgets and other budget development issues; 2012 County Fair sponsorships and vendors; other Fair Park operational matters; and the additional Highway Department facility study.

The annual Human Services Volunteer Recognition Dinner was held at the Fair Park's Activity Center on 5/2. I attended the event with several County Board and Human Services Board members. County Board Chair John Molinaro gave a Thank You address on behalf of the County to all of the volunteers.

On 5/3, I participated in a webinar with Human Resource Department staff regarding personnel policies that have been impacted by State passage of Act 10 and on 5/9 I attended a Fair Park Superintendent's meeting which is a meeting of the volunteers who help plan and run the daily events at the annual Fair.

The annual Law Enforcement Day Memorial Ceremony was held on 5/17. I attended this event, along with several County Board members.

5. Highway Facilities Site Analysis

A meeting was held on 5/24 with the Highway Commissioner; me; and representatives from Bray Architects to discuss the status of the firm's additional report on the new Highway Department facility. County Board Supervisors Reese and Christensen also attended the meeting. The firm will present its report to a joint meeting of the Highway and Infrastructure Committees on 5/30.

**County Administrator's  
Monthly Activity Report  
May, 2012**

The Committees may then be in a position to submit a recommendation relating to a site(s) for the new main facility, to the full County Board at its 6/12 meeting.

6. Courthouse Parking Lot Project

The engineering/construction management agreement with GMA Engineers for the Courthouse parking lot project was signed. Construction bids were received and reviewed by the Infrastructure Committee on 5/23. A contract recommendation with Tri-North Builders will be forwarded to the County Board for approval at its 6/12 meeting. The recommended base contract bid and first alternate totaling approximately \$250,000, is under the projects available \$419,000 budget by \$169,000. Construction costs could increase under other bid alternates if additional work is identified during construction.

7. County Web Site

MIS, Administration and department staff continue work on a new, more user friendly version of the County's web site. County department heads and their staff involved with maintenance of the web site have been working with and submitting their suggestions to MIS systems staff for consideration. A presentation of the new site will be made by MIS staff to the Administration and Rules Committee at its 5/30 meeting. It is planned that the new web site will be on-line to the public on 6/1.

8. Personnel Matters

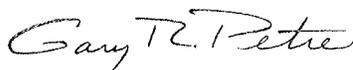
Department Head performance evaluations are up to date. The next evaluation is due on 6/14.

The recruitment process for a new Fair Park Director is well under way. As of today, 17 applications have been received. The application review date was extended to 5/25. Several interviews have already been conducted. The goal is to introduce the top two candidates to the Fair Park Committee at its 6/7 meeting. Committee member and Fair Park staff input will be considered in my selection of an appointee. It is planned to submit an appointment for confirmation to the County Board at either the 6/12 or 7/10 meeting.

The recruitment process for a new Finance Director has begun. The job description has been updated; job announcement produced; and ads have begun to be placed in various newspapers and on recruitment and association websites. The application review date has been set for 6/18.

9. Board/Commission Appointments

At this time, it is anticipated that there will be two appointments to the Zoning Board of Adjustment submitted for confirmation to the County Board on 6/12. These are the only appointments that I am aware of at this time.



Gary R. Petre  
County Administrator

Jefferson County  
Department Head Meeting

Wednesday, May 9, 2012

1:00 p.m.

Workforce Development  
874 Collins, Room 103  
Jefferson, WI

1. Literacy Council Presentation – Jill Ottow
2. Courthouse Fire Drill – Sheriff's Office
3. 2013 Health Insurance Rates
4. County Board Orientation – Session 2 – June 4<sup>th</sup> 6:00 p.m.
5. Courthouse Brick Paver Campaign
6. Department Head Items
7. Next Meeting – June 14<sup>th</sup> 1:00 p.m., Rooms 8 & 9
  - a. 2013 Budget Materials

2012 Meeting Dates (all meetings at 1:00 p.m. in Room 103 at Workforce Development):

June 14<sup>th</sup> (UW Extension, Rooms 8/9)  
August 15<sup>th</sup>  
September 12<sup>th</sup>  
October 10<sup>th</sup>  
November 14<sup>th</sup>  
December 12<sup>th</sup>

## CHAPTER 1

### GENERAL PROVISIONS

#### Section

- 1.01 Designation and Citation of Code
- 1.02 Definitions and Rules of Construction
- 1.03 Catchlines of Sections
- 1.04 History Notes
- 1.05 References to Chapters or Sections
- 1.06 References and Editor's Notes
- 1.07 Continuation of Existing Ordinances
- 1.08 Effect of Repeal of Ordinances
- 1.09 Certain Ordinances Not Affected by Code
- 1.10 Amendments to Code; Effect of New Ordinances; Amendatory Language
- 1.11 Supplementation of Code
- 1.12 Conflict of Provisions
- 1.13 Separability of Provisions
- 1.14 Effective Date of Ordinances
- 1.15 General Penalty
- 1.16 Citations System Adopted
- 1.17 Effect of Citation
- 1.18 Cash Deposits, Assessments, Etc.
- 1.19 Procedure
- 1.20 Persons Authorized to Issue Citations

**1.01 DESIGNATION AND CITATION OF CODE.** The ordinances embraced in this Code shall be known and referred to as the "Code of Jefferson County, Wisconsin."  
**State law reference**--Code of Ordinances, Wis. Stats. §66.0103.

**1.02 DEFINITIONS AND RULES OF CONSTRUCTION.** The following rules or meanings shall be applied in the construction and interpretation of ordinances codified in this Code of Ordinances unless such application would be clearly inconsistent with the plain meaning or intent of the ordinances:

- (1) *Acts by agents.* When an ordinance requires an act be done by a person which may be legally performed by an authorized agent of that principal person, the requirement shall be construed to include all acts performed by such agents.
- (2) *Code, Code of Ordinances.* The term "Code" and "Code of Ordinances", when used in any section of this Code, shall refer to this Code of Jefferson County, Wisconsin, unless the context of the section clearly indicates otherwise.
- (3) *Computation of time.* The computation of any period of time prescribed or allowed by these ordinances shall be as defined in Wisconsin law. **State law reference**—Computation of time, Wis. Stats. § 990.001(4).
- (4) *County.* The term "county" shall mean Jefferson County, Wisconsin.
- (5) *County board.* The term "county board" shall mean the Board of Supervisors of Jefferson County, Wisconsin.
- (6) *Fine, forfeiture.* The term "fine" shall be the equivalent of the word "forfeiture," and vice versa.
- (7) *Gender.* Every word in these ordinances referring to the masculine gender shall also be construed to apply to females, and vice versa.

- (8) *General rule.* All words and phrases shall be construed according to their plain meaning in common usage. However, words or phrases with a technical or special meaning shall be understood and construed according to that technical or special meaning if such is the intent of the ordinances.
- (9) *Joint authority.* All words purporting to give a joint authority to three or more county officers or employees shall be construed as giving such authority to a majority of such officers or other persons.
- (10) *Number.* Every word in this Code referring to the singular number only shall also be construed to apply to several persons or things, and every word in these ordinances referred to a plural number shall also be construed to apply to one person or thing.
- (11) *Officers, employees, boards, committees.* Whenever a reference is made to officers, employees, boards, committees, etc., it shall mean and refer to those of Jefferson County, Wisconsin.
- (12) *Person.* The term "person" shall be as defined in Wisconsin law. **State law reference--** Definition of person, Wis. Stats. § 990.01(26).
- (13) *Repeal.* When any ordinance having the effect of repealing a prior ordinance is itself repealed, such repeal shall not be construed to revive the prior ordinance or any part thereof, unless expressly so provided.
- (14) *State.* Whenever the word "state" is used, it shall mean the State of Wisconsin.
- (15) *Tense.* The use of any verb in the present tense shall not preclude the interpretation of the verb in the future tense where appropriate.
- (16) *Wisconsin Administrative Code, Wis. Admin. Code.* The term "Wisconsin Administrative Code" and its abbreviation as "Wis. Admin. Code" shall mean the Wisconsin Administrative Code, as amended or renumbered from time to time.
- (17) *Wisconsin Statutes, Wis. Stats.* The term "Wisconsin Statutes" and its abbreviation as "Wis. Stats." shall mean, the Wisconsin Statutes, as amended.

**State law references:** Legal holidays, Wis. Stats. §895.20.

- 1.03 CATCHLINES OF SECTIONS.** 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 are not titles of such sections, or any part of the section, nor unless expressly so provided shall they be so deemed when any such section, including the catchline, is amended or reenacted.
- 1.04 HISTORY NOTES.** The history or source notes appearing in parenthesis after sections in this Code have no legal effect but are merely intended to indicate the legislative history of that section.
- 1.05 REFERENCES TO CHAPTERS OR SECTIONS.** All references to chapters or sections are to the chapters or sections of this Code unless otherwise specified.
- 1.06 REFERENCES AND EDITOR'S NOTES.** Editor's notes, cross references and state law references that appear in this Code after sections or subsections are provided for the convenience of the user of the Code and have no legal effect.
- 1.07 CONTINUATION OF EXISTING ORDINANCES.** The provisions of this Code, insofar as they are substantially the same legislation previously adopted by the county relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

**1.08 EFFECT OF REPEAL OF ORDINANCES.**

- (1) The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.
- (2) The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal for an offense committed or cause of action arising under the ordinance repealed.

**1.09 CERTAIN ORDINANCES NOT AFFECTED BY CODE.**

- (1) Nothing in this Code or the ordinance adopting this Code affects the validity of any of the following:
  - (a) Any offense or act committed or done or any penalty or forfeiture incurred before the effective date of this Code.
  - (b) Any ordinance promising or guaranteeing the payment of money for the county or authorizing the issue of any bonds of the county or any evidence of the county's indebtedness or any contract, right, agreement, lease, deed or other instrument or obligation assumed by the county.
  - (c) Any administrative policies of the county not in conflict or inconsistent with this Code.
  - (d) Any right or franchise granted by any ordinance.
  - (e) Any ordinance dedicating, establishing, naming, locating, relocating, opening, paving, widening, repairing or vacating any street or public way.
  - (f) The ordinance adopting the budget or any appropriation ordinance.
  - (g) Any ordinance levying or imposing taxes.
  - (h) Any ordinance prescribing through streets, parking and traffic regulations, speed limits, one-way traffic, limitations on load of vehicles or loading zones.
  - (i) Any land use, development, zoning or rezoning ordinance or amendment to the zoning map.
  - (j) Any ordinance establishing and prescribing the street grades of any street.
  - (k) Any ordinance providing for local improvements and assessments for such improvements.
  - (l) Any ordinance regarding plats or subdivisions.
  - (m) Any ordinance establishing positions, classifying positions, establishing pension or employee benefits, setting salaries of county officers and employees or any personnel regulations or indemnifications policies or otherwise related to employees.
  - (n) Any ordinance on investment and other financial policies.
  - (o) Any ordinance authorizing street maintenance agreements.
  - (p) Any ordinance relating to the acquisition of lands by the county by condemnation proceedings.
  - (q) Any ordinance levying a fee, rate, deposit or charge.
  - (r) Any ordinance adopting or amending the comprehensive plan.
  - (s) Any ordinance adopted by reference by any section of this Code and not included herein.
  - (t) Any temporary or special ordinance.
- (2) All such ordinances are recognized as continuing in full force and effect to the same extent as if published at length in this Code. All ordinances are on file in the county clerk's office.

**1.10 AMENDMENTS TO CODE; EFFECT OF NEW ORDINANCES; AMENDATORY LANGUAGE.**

- (1) All ordinances adopted subsequent to this Code that amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of the Code and printed for inclusion in the Code. Portions of this Code repealed by subsequent ordinances may be excluded from this Code by omission from affected reprinted pages. The subsequent ordinances as numbered and printed or omitted, in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code of Ordinances and subsequent ordinances numbered or omitted are readopted as a new code of ordinances by the county.
- (2) Amendments to provisions of this Code shall be made with the following language: "Section (chapter, article, division or subdivision, as appropriate) of the Code of Jefferson County, Wisconsin, is hereby amended to read as follows: "The new provisions shall be set out in full.
- (3) If a new section, subdivision, division, article or chapter is to be added to the Code, the following language shall be used: "Section (chapter, article, division or subdivision, as appropriate) of the Code of Jefferson County, Wisconsin, is hereby created to read as follows: "The new provisions shall be set out in full.
- (4) All provisions desired to be repealed should be repealed specially by section, subdivision, division, article or chapter number, as appropriate, or by setting out the repealed provisions in full in the repealing ordinance.

**1.11 SUPPLEMENTATION OF CODE.**

- (1) Supplements to this Code shall be prepared and printed whenever authorized or directed by the county. A supplement to this Code shall include all substantive permanent and general parts of ordinances passed by the county or adopted by initiative and referendum during the period covered by the supplement and all changes made thereby in the Code. The pages of the supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages that have become obsolete or partially obsolete. The new pages shall be so prepared that when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (2) In preparing a supplement to this Code, all portions of the Code that have been repealed shall be excluded from the Code by the omission from reprinted pages.
- (3) When preparing a supplement to this Code, the person authorized to prepare the supplement may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement as necessary to embody them into a unified code. For example, the person may:
  - (a) Arrange the material into appropriate organizational units.
  - (b) Provide appropriate catchlines, headings and titles for chapters, articles, divisions, subdivisions and sections to be included in the Code and make changes in any such catchlines, headings and titles or in any such catchlines, headings and titles already in the Code.
  - (c) Assign appropriate numbers to chapters, articles, divisions, subdivisions and sections to be added to the Code.
  - (d) Where necessary to accommodate new material, change existing numbers assigned to chapters, articles, divisions, subdivisions or sections.

- (e) Change the words "this ordinance" or similar words to "this chapter," "this article," "this division," "this subdivision," "this section" or "sections \_\_\_\_\_ to \_\_\_\_\_" (inserting section numbers to indicate the sections of the Code that embody the substantive sections of the ordinance incorporated in the Code).
- (f) Make other nonsubstantive changes necessary to preserve the original meaning of the ordinances inserted in the Code. In no case shall the codifier make any change in the meaning or effect of ordinance provisions included in the supplement or already embodied in the Code.

#### 1.12 CONFLICT OF PROVISIONS.

- (1) If the provisions of different chapters conflict with each other, the provisions of each individual chapter shall control all issues arising out of the events and persons intended to be governed by that chapter.
- (2) If the provisions of different sections of the same chapter conflict with each other, the provision which is more specific in its application to the events or persons raising the conflict shall control over the more general provision.

#### 1.13 SEPARABILITY OF PROVISIONS. If any provision of this 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 provisions of these ordinances.

#### 1.14 EFFECTIVE DATE OF ORDINANCES.

- (1) *Code.* The Code shall take effect from and after passage and publication as provided by state law.
- (2) *Subsequent ordinances.* All ordinances passed by the county subsequent to the adoption of the Code, except when otherwise specifically provided, shall take effect from and after their publication.

State law reference--Municipal Code, Wis. Stats. § 66.0103.

#### 1.15 GENERAL PENALTY.

- (1) *Generally.* Except where a penalty is provided elsewhere in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:
  - (a) *First offense.* Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$500.00, together with the costs of prosecution and, in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding six months.
  - (b) *Second and subsequent offenses.* Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$1,000.00 for each such offense, together with costs of prosecution and, in default of payment of such forfeiture and costs, shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, but not exceeding six months.
- (2) *Continued violations.* Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the county from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

- (3) *Other remedies.*
- (a) The county shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeitures and costs of prosecution mentioned in subsection (1) of this section.
- (b) Execution against defendant's property. Whenever any person fails to pay a forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the county, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

**State law reference--**Penalty, Wis. Stats. §§ 66.0109, 66.0113(3).

#### 1.16 CITATIONS SYSTEM ADOPTED.

- (1) To expedite the resolution of ordinance violations, the county board hereby adopts the citation enforcement procedure authorized by Wis. Stats. § 66.0113 to enforce those ordinances, including ordinances with statutory counterparts, identified in 1.18.
- (2) The adoption herein of the citation method of enforcement shall not preclude the county from proceeding under other enforcement ordinances, regulations, statutes, laws, rules or orders pertaining to the subject matter addressed by the citation or to any other matter. Proceedings under any other ordinance, statute, law, rule or regulation pertaining to that or any other matter shall not preclude the issuance of a citation.
- (3) Unless otherwise specified in the adopting resolution, all ordinances without a statutory counterpart adopted subsequent to the ordinance from which this chapter is derived shall be enforced by the citation method, provided that the county board, in conjunction with enacting any such ordinance, establishes a cash deposit for the violation. The deposit set for each new ordinance shall be incorporated by reference to the schedule contained herein. The provisions of subsection (2) of this section shall apply to all new ordinances. (Ord. No. 84-10, §1, 11-17-1988)

- 1.17 **EFFECT OF CITATION.** The citation shall have the legal effect specified in Wis. Stats. §66.0113, and a duly issued citation shall confer jurisdiction upon the circuit court for the county. (Ord. No. 84-10, §2, 11-17-1988)

#### 1.18 CASH DEPOSITS, ASSESSMENTS, ETC.

- (1) **Schedule of cash deposits.** The following is the schedule of cash deposits adopted by the county (effective 7-1-2011, State of Wisconsin):

GENERAL PROVISIONS

Sec. 1.18

Code Section No.	Violation	Deposit	Penalty Assessment.	Court Costs	CSF/JIF Fee	Jail Assessment	CLDA	Total
4.1	Livestock at large	\$ 50.00	\$ 13.00	\$ 25.00	\$ 89.50	\$ 10.00	\$ 13.00	\$200.50
4.2	Noisy animals or fowl	50.00	13.00	25.00	89.50	10.00	13.00	200.50
4.23	Uncicensed dogs	25.00	6.50	25.00	89.50	10.00	13.00	169.00
4.25	Dogs at large, untagged dogs	50.00	13.00	25.00	89.50	10.00	13.00	200.50
4.89 thru 4.162	Animal waste storage & nutrient management	100.00	26.00	25.00	89.50	10.00	13.00	263.50
12.19 thru 12.29	General sanitation	50.00	13.00	25.00	89.50	10.00	13.00	200.50
12.67	Smoke Free Air Act except 101.123(2)(ar)	100.00	.00	.00	89.50	.00	.00	189.50
18.2	Battery	50.00	.00	.00	89.50	.00	.00	139.50
18.3	Damage to property	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.4	Trespass to land	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.5	Trespass to dwelling	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.6	Theft	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.7	Retail theft	100.00	26.00	25.00	89.50	10.00	13.00	263.50
18.8	Worthless check	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.9	Disorderly conduct	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.10	Carry weapon in Courthouse	100.00	26.00	25.00	89.50	10.00	13.00	263.50
18.11	Tire squealing	50.00	13.00	25.00	89.50	10.00	13.00	200.50
18.12	Excessive speed, Fair Park	25.00	6.50	25.00	89.50	10.00	13.00	169.00
18.13	Resisting/obstructing	75.00	19.50	25.00	89.50	10.00	13.00	232.00
18.15	Underage persons							
18.15	Wis. Stats. §125.07(1)(a)	150.00	39.00	25.00	89.50	10.00	13.00	326.50
18.15	All other alcohol violations							

State Uniform Bond Schedule for incorporated offense

Sec. 1.18

GENERAL PROVISIONS

18.16	Alcohol regulation – Fair Park	50.00	13.00	25.00	89.50	10.00	13.00	200.50
18.17	Possession of marijuana	100.00	26.00	25.00	89.50	10.00	13.00	263.50
18.18	Drug paraphernalia	100.00	26.00	25.00	89.50	10.00	13.00	263.50
18.19	Fireworks	50.00	13.00	25.00	89.50	10.00	13.00	200.50
26.20	Parks	25.00	6.50	25.00	89.50	10.00	13.00	169.00
Ch. 32	Floodplain	50.00	13.00	25.00	89.50	10.00	13.00	200.50
Ch. 34	Land division & subdivision	50.00	13.00	25.00	89.50	10.00	13.00	200.50
Ch. 36	Private Sewage Systems	100.00	26.00	25.00	89.50	10.00	13.00	263.50
Ch. 38	Zoning	50.00	13.00	25.00	89.50	10.00	13.00	200.50
Ch. 38	Shoreland	50.00	13.00	25.00	89.50	10.00	13.00	200.50

- (2) For any citation issued for disorderly conduct, the officer shall review the provisions of Wis. Stats. § 973.055(1) to determine if a domestic abuse assessment is applicable, and, if so, add the statutory amount for such assessment to the cash deposit set forth herein.
- (3) Any amendment to Wis. Stats. ch. 814, establishing the penalty assessment, Wis. Stats. § 302.46(1) establishing the jail assessment, Wis. Stats. § 973.055(1) establishing the domestic abuse assessment, or other Wisconsin Statutes establishing the court automation fee, court service fee, court costs, and justice information fee, shall be deemed incorporated in this section and modify the cash deposit schedule set forth in subsection (1) of this section in accordance with such statutory amendment. Any assessments or fees hereafter established by state law which provide for imposition upon a defendant convicted of an ordinance violation as listed herein shall be deemed incorporated in the cash deposit schedule and the total cash deposit modified accordingly.

(Ord. No. 84-10, § 3, 11-17-1988; Ord. No. 96-36, § 6, 3-11-1997; Ord. No. 2001-26, 1-8-2002; Ord. No. 2002-15, 8-13-2002; Ord. No. 2003-33, 2-10-2004; Ord. No. 2005-44, 2-14-2006; Ord. No. 2007-10, 9-11-2007; Ord. No. 2007-44, 2-12-2008; Ord. No. 84-10, 2-12-2008)

**1.19 PROCEDURE.** The provisions of Wis. Stats. § 66.0113(3), on the violator's options and the procedure on default are hereby adopted.  
(Ord. No. 84-10, § 4, 11-17-1988)

**1.20 PERSONS AUTHORIZED TO ISSUE CITATIONS.**

- (1) Any law enforcement officials employed by the county may issue citations for the enforcement of any ordinances authorized under this chapter. In addition, such officials may delegate the authority to enforce the county Smoke Free Air Act to department heads and/or persons in charge of any county building.
- (2) In addition, the following county officials may issue citations for the violation of ordinances directly related to their official responsibilities:
  - (a) County Zoning Administrator
  - (b) Parks Director
  - (c) District Attorney and Assistant District Attorneys
  - (d) Health Officer
  - (e) Director of Land & Water Conservation
  - (f) Any acting or interim appointee to the positions in subsections (a) thru (e) above.
- (3) The officials named in subsection (2) of this section may submit to the county board written nominations of employees within their respective offices who should be delegated authority to issue citations for violations of ordinances related to their official responsibilities. If the nominations are affirmatively approved by vote of the county board, the persons so named shall have authority to issue citations with respect to ordinances directly related to their responsibilities.
- (4) Citation issuance authority may be revoked in the same manner in which it was conferred.

(Ord. No. 84-10, § 5, 11-17-1988; Ord. No. 98-46, § 2, 1-12-1999; Ord. No. 2001-26, 1-8-2002; Ord. No. 2002-15, 8-13-2002; Ord. No. 2003-04, 5-13-2003; Ord. No. 2003-06, §§ 2, 3, 9-9-2003; Ord. No. 2003-33, 2-10-2004; Ord. No. 2005-44, 2-14-2006; Ord. No. 2007-44, 2-12-2008; Ord. No. 2008-37, § 1, 3-10-2009)