



COLUMBIA COUNTY

Board of Supervisors

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Columbia County Ad Hoc Ordinance Review and Recodification Committee Minutes September 25, 2020

Members present: Denise Brusveen, Adam Field, James E. Foley, Matthew L. Rohrbeck, Eric Shimpach

Also in attendance during all or portions of the meeting: Vern E. Gove, Roger Brandner, Kurt Calkins, Dave Drews, Jessica Hale, Shanna Herrick, Dean Kaderabek, Joe Ruf, Lois Schepp, Cory Wiegel, Brenda Yaskal

The meeting of the Ad Hoc Ordinance Review and Recodification Committee was called to order by Chair Rohrbeck at 12:07 p.m. The meeting was properly noticed as required by the Wisconsin Open Meetings Law. The meeting was held at the Administration building, Meeting Rooms #113-115, 112 E. Edgewater Street, Portage, Wisconsin.

Approval of Agenda

Motion by Shimpach to approve revised agenda as published. Second by Brusveen. Motion carried.

Public Input

None.

Approval of Minutes

Motion by Shimpach to approve the minutes of the September 11, 2020 Ad Hoc Ordinance Review and Recodification Committee meeting. Second by Brusveen. Motion carried.

Consideration of Reformatting and Renumbering – Title 16 Zoning (tabled from September 11, 2020 meeting)

Motion by Shimpach to approve Former Title 16 Zoning to be moved to Chapter 12 Planning and Zoning as presented. Second by Brusveen. Motion carried.

At the recommendation of Chair Rohrbeck, the Committee agreed to take up Titles 21, 22, 23 and then Title 11, because of the magnitude of content in Title 11.

Review of County Ordinances – Titles 21, 22, 23, 11

Hale lead the discussion on the revised ordinances. Each chapter was reviewed as presented with any changes or modifications listed as follows:

Former Title 21 – Motor Vehicles, Traffic, and Water Safety moved to Chapter 14

- Sec. 14.301.01 Disturbance of the Peace with a Motor Vehicle.
 - (1) Unnecessary Noise and Display of Power Prohibited.
 - Add: "This includes, but is not limited to, squealing of tires, revving of the engine, causing the engine to backfire, amplify or increase noise emitted by the motor

above that emitted by the muffler originally installed on the Motor Vehicle, use of the motor vehicle's horn for other than its intended purpose for warning other motorists or pedestrians required by law and the like.”

- (3) Unnecessary Acceleration and Display of Power Prohibited.
 - After “...or to unnecessarily throw stones or gravel;” Add: “or cause the vehicle to fish tail causing the operator of the Motor Vehicle to lose control of the Motor Vehicle or accelerate at a rate of speed that constitutes a danger to other motorists or to pedestrians.”
- (4) Avoidance of Traffic Control Device Prohibited.
 - Correction: “Devise” to “Device”.
- (6) Disorderly Conduct with a Motor Vehicle.
 - (a) Definition.
 - Add: “disruptive” after “abusive”.
- Sec. 14.401.01 Enforcement.
 - (3) Deposits and Stipulations.
 - (a) Moving Traffic Offenses.
 - (i) Who May Make. Need verification on Wis. Stats. 66.12
- Sec. 14.501.01 State Snowmobile Laws Adopted.
 - Add the following:
 - Wis. Stats. § 350.035 Meeting of Snowmobiles
 - Wis. Stats. § 350.095 Noise Level Requirements
 - Wis. Stats. § 350.101 Intoxicated Snowmobiling
 - Wis. Stats. § 350.102 Preliminary Breath Screening
 - Wis. Stats. § 350.1025 Application of Intoxicated Snowmobiling Law
 - Wis. Stats. § 350.103 Implied Consent
 - Wis. Stats. § 350.104 Chemical Tests
 - Wis. Stats. § 350.106 Report Arrest to Department
 - Wis. Stats. § 350.107 Officers Action After Arrest for Operating a Snowmobile While Under Influence of Intoxicant
 - Wis. Stats. § 350.108 Public Education Program
 - Wis. Stats. § 350.11 Penalties
 - Wis. Stats. § 350.115 Snowmobile Registration Restitution Surcharge
 - Wis. Stats. § 350.122 Lac Du Flambeau Registration Program
 - Wis. Stats. § 350.125 Completion of Application for Registration by Snowmobile Dealers
 - Wis. Stats. § 350.135 Interferences with Uniform Trail Signs and Standards Prohibited
 - Wis. Stats. § 350.137 Uniform Snowmobile Rail Crossing Standards
 - Wis. Stats. § 350.138 Snowmobile Rail Crossing Requiring Permits
 - Wis. Stats. § 350.139 Established Snowmobile Rail Crossing
 - Wis. Stats. § Snowmobile Rail Crossing, Closing and Removal, Review of Rail Authorities, Insurance Rules
 - Wis. Stats. § 350.14 Duties of Snowmobile Recreational Council
 - Wis. Stats. § 350.145 Recommendations of the Snowmobile Recreational Council
 - Wis. Stats. § 350.155 Coroners and Medical Examiners to Report, Require Blood Specimen
- Subsection 600: All-Terrain and Off-Road Vehicle Operation
 - Change: “Off-Road” to “Autocycle”.
- Sec. 14.601.02 Unauthorized Operation of Motor Vehicles on Public or Private Property.
 - (1) Definitions.
 - (d) Add: “golf cart” and autocycle.

- (2) Unauthorized Off-road Operation Prohibited.
 - (b) Add: "golf cart".

Motion by Shimpach to approve Chapter 14 Motor Vehicles, Traffic, and Water Safety as presented with changes as indicated. Second by Brusveen. Motion carried.

Former Title 22 – Offenses moved to Chapter 15

- Sec. 15.201.09 Dogs Running At Large and Untagged Dogs Subject to Impoundment
 - Change: "Dogs" to "Dog".
 - (2) Untagged Dog.
 - Remove completely from section
 - (3) Dog running at large or untagged dog subject to impoundment.
 - Remove: "untagged".
- Sec. 15.301.02 Storage of Junk Regulated.
 - Change: "junked" to "inoperable".
- Subsection 500: Offenses by Juveniles
 - Add: Original section back and reference Wis. Stats. 938.

Motion by Brusveen to approve Chapter 15 Offenses as presented with changes as indicated. Second by Shimpach. Motion carried.

Former Title 23 – Miscellaneous Law Enforcement Provisions moved to Chapter 16

Hale requested that Subsection 100: Alarm Regulation be postponed for further review due to recent changes by Susan Fisher. The Committee agreed to postpone the Alarm Regulation section until the next meeting and take up remaining sections at this time.

- Sec. 16.101.02 Legislative Findings; Purpose.
 - Delete: "Legislative Findings".
 - (1) Delete.
- Sec. 16.101.04 Administration; Enforcement.
 - (1) Remove: "Judiciary".
- Sec. 16.101.05 Definitions.
 - (6) Department.
 - Change: "Sheriff's Department to "Sheriff's Office".
- Sec. 16.101.06 Alarm Devices General Regulations.
 - Add: "municipality" after "any Columbia County governmental agency" in second paragraph.
- Subsection 300: Public Assemblies
 - Change: "Assemblies" to "Events".
- Sec.16.401.01 Rabies Vaccination or Quarantine Required.
 - (1)(d)(iii) Correct: "leased" to "leashed".
- Sec. 16.501.01 Vehicle Immobilization.
 - (5) Definitions. Delete sentence.
- Subsection 800: Vicious Animals.
 - Change: "Animals" to "Dogs"
 - Include definition of vicious dogs, procedure and final authority.
- Sec. 16.801.01 Vicious Animals.
 - Change: "Animals" to "Dogs"

Motion by Shimpach to approve Chapter 16 Miscellaneous Law Enforcement Provisions as presented with changes as indicated, excluding the "Alarm Regulation" section which was postponed for further review at the next meeting. Second by Field. Motion carried.

Former Title 11 – County Departments (with incorporation and revisions of Title 5 – County Administration) moved to Chapter 8

- Sec. 8.101.03 Overpayment and Underpayment.
 - Change: over payment and under payment amount to \$3.
- Sec. 8.101.04 County Budget.
 - Add: "adopted by the County Board" after "Finance Committee".
- Sec. 8.101.10 Grant Reporting.
 - Add: period after "Federal and State government" and move "maintenance of the County Financial Handbook" to Sec.8.101.14 Other.
- Sec. 8.501.07 Emergency Ordinances.
 - Add: "First" before "Vice Chair".
- Sec. 8.601.02 Alcohol Free Workplace.
 - Add: "possession" to second sentence.
- Sec. 8.601.03 Smoking and Tobacco Use.
 - Work on language for "Disposal of smokeless tobacco products" and bring back for the committee review.
 - Discussion to add CBD Oil to this section. The Committee decided against adding at this time for lack of information and no state statutes regarding CBD oil.
- Sec. 8.601.04 Concealed Weapons.

Motion by Field to allow concealed carry in other County buildings. Second by Shimpach. Motion carries, not unanimous. Foley and Rohrbeck voted against.

- Remove (2) Prohibitions on Concealed Weapons.
- Remove (4) Posting of Signs on County Buildings and on County Property.

Ruf and Hale will work on additional language for further review.

- Sec. 8.601.06 Use of Grounds for County Office Buildings.
 - (1) Parking
 - (a) and (b) Add: "Annex lot" after "Courthouse".
 - (a) Remove: "from November 1 to May 1".
- Sec. 8.701.03 Alzheimer's Disease Unit.
 - Change: "Alzheimer's Disease Unit" to "Memory Care Unit".
 - Remove: "Alzheimer's Disease" and add "dementia related illness" reading: The Health Care Center shall maintain and provide care and monitoring for residents diagnosed with dementia related illness.
- Sec. 8.801.02 Health and Human Services Board Composition, Terms of Office, and Compensation.
 - Change: "Board" to "Committee".
 - (1) Health and Human Services Board
 - Add: "The remaining three members shall be citizens." after third sentence.
- Sec. 8.801.03 Health and Human Services Board Powers and Duties: Meetings.
 - (2) Duties.
 - Remove: (i) entirely.
- Sec. 8.801.05 Advisory Committees.
 - Delete section.

The Committee would like further review on Subsection 800: Health and Human Services to incorporation other divisions not listed and input from new Health and Human Services Director.

Chair Rohrbeck wondered if county departments might be better suited if they were divided up in two sections based on alphabetical order since it could be really long for one title section in the ordinances.

- Sec. 8.1201.06 Barnyard and Feedlot Runoff Administration.
 - Change: “and” to “or”.

Motion by Rohrbeck to remove Alcohol Free Workplace; Smoking and Tobacco Use; and Concealed Weapons from Facilities Management and be moved to new section that will be title “Building Rules” or another name similar pending further review from the committee members and Corporation Counsel. Second by Shimpach. Motion carried.

Chapter 8 was tabled for further review to date uncertain. Chair Rohrbeck stated an additional meeting may need to be scheduled to review and finalize changes to Chapter 8.

Set Next Meeting Date

The next scheduled meeting of the Ad Hoc Ordinance Review and Recodification Committee was set for Friday, October 9, 2020 at 1 p.m. in Meeting Rooms #113-115 of the Administration building. Title 23/Chapter 16, Section 100: “Alarm Regulations” and Titles 12, 25, 28 of the Ordinances will be reviewed.

Motion by Brusveen to adjourn the meeting. Second by Field. Motion carried. The Ad Hoc Ordinance Review and Recodification Committee meeting was adjourned at 4:55 p.m.

Respectfully Submitted,



Eric Shimpach
Ad Hoc Ordinance Review and Recodification Committee Secretary

These minutes were recorded by Shanna L. Herrick, Chief Deputy County Clerk