

CHAPTER 11

HEALTH AND SANITATION

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11.01 HEALTH OFFICER: DUTIES AND POWERS

- (1) General Duties. The health officer under the supervision of the district states the health officer shall:
 - (A) Maintain continuous sanitary supervision over his territory.
 - (B) Promote the spread of information as to the causes, nature and prevention of prevalent diseases and the preservation and improvement of health.
 - (C) Enforce the health laws, rules and regulations of the State Department of Health and Social Services, the state and City, including the laws relating to contagious diseases contained in Ch.251, Wis. Stats.
 - (D) Take steps necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.
 - (E) Keep and deliver to his successor a record of all his official acts.
 - (F) Make an annual report to the State Department, Health and Social Services and to the Common Council and such other report as they may request.
- (2) Materials and Supplies. The Health Officer shall have authority to procure, at the expense of the City, all record books, quarantine cards and other materials needed by the Board of Health, except such as are furnished by the State Department of Health and Social Services.

11.02 RULES AND REGULATIONS

The Board of Health may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention of the creation of health nuisances and the protection of the public health and welfare, and may, where appropriate, require the issuance of licenses and permits. All such regulations, when approved by the Common Council, shall have the same effect as ordinances and any person violating any of such regulations and any lawful order of the board shall be subject to a penalty as provided in Sec. 25.04 of this code.

11.03 HEALTH NUISANCES: ABATEMENT OF

The Health Officer together with the Board of Health may abate health nuisances in accordance with Sec. 251, Wis. Stats., which is adopted by reference and made a part of this chapter as if fully set forth herein.

11.04 COMMUNICABLE DISEASES

Ch. 252, Wis. Stats., and DHS 145, Wis. Admin. Code, are adopted by reference and made a part of this chapter and the Health Officer and the Board of Health shall enforce the provisions thereof.

11.05 REGULATION OF NUISANCE-TYPE BUSINESSES

- (1) Permit Required. No person shall conduct, with the City, any business which has a tendency to create a public nuisance, except upon permit issued by the Board of Health and subject to such conditions as the board may impose.
- (2) Definition. A business which has a tendency to create a public nuisance is one which unless property regulated may create the condition creating a public nuisance as defined in Sec. 10.02 of this code.
- (3) This section is enacted pursuant to Sec. 66.052, Wis. Stats.

11.07 INTRODUCTION OF FLUORINE INTO THE CITY'S WATER SYSTEM

- (1) Upon receiving the consent and approval of the State Department of Health and Social Services and until further direction of the Common Council, the Board of Health shall proceed with the introduction of approximately 1 to 1.5 parts of fluorine to every million parts of water being distributed in the water supply system of the City, and the Board may from time to time, upon approval by the State Department of Health and Social Services, change the proportions thereof.
- (2) Insofar as the facilities, equipment, place and employees subject to the jurisdiction of the public service commission may be needed and used in connection with this public health program. They shall be so used in the project as facilities and agents of and for the City, and the cost thereof shall be paid out of the general fund of the City.
- (3) The Board of Health shall make periodic reports to the Common Council as to the status of such service and conduct surveys and research as to the beneficial effect of this program and project on the citizens of this community.

11.08 LITTERING PROHIBITED

No person shall throw or deposit any litter upon any public street or place or private lot within the City, or dump or place any garbage, refuse, or debris on the bank of or within any river, creek, stream, or drainage ditch within the City.

11.09 GARBAGE, RECYCLING AND REFUSE: COLLECTION OF

- (1) Purpose. The purpose of this ordinance is to promote recycling, composting and resource recovery through the administration of an effective recycling program, as provided in Wis. Stat. Chap. 287 and Wis. Admin. Code Chap. NR 544. *(Rev.3-25-02)*
- (2) Statutory Authority. This ordinance is adopted pursuant to Wis. Stat. sec. 287.09. *(Rev.3-25-02)*
- (3) Administration. The provisions of this ordinance shall be administered by the Public Works Director. *(Rev.3-25-02)*
- (4) Definitions: *(Rev.3-25-02)*
 - (A) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
 - (B) "Commercial Waste" means any refuse that is accumulated in or upon property used for wholesale or retail commercial purposes.
 - (C) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
 - (D) "Foam polystyrene packaging" means packaging made primarily from form polystyrene that satisfies one of the following criteria:
 1. Is designed for serving food or beverages.
 2. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 3. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
 - (E) "Garbage" means all kinds of organic kitchen waste resulting from the preparation of food, and all decayed food products from any source whatsoever.
 - (F) "HDPE" means high density polyethylene, labeled by the SPI code #2.
 - (G) "Industrial Waste" means any refuse that is accumulated in or upon property used for manufacturing or industrial purposes.

11.09 Garbage and Refuse: Collection Of

- (H) “LDPE” means low density polyethylene, labeled by the SPI code #4.
- (I) “Magazines” means magazines and other materials printed on similar paper.
- (J) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnaces, boilers, heat exchanger, dishwashers and water heaters.
- (K) “Multiple-family dwelling” means a property having three (3) or more residential units, including those which are occupied seasonally.
- (L) “Newspaper” means a newspaper and other materials printed on newsprint.
- (M) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and governmental facilities and properties.
- (N) “Office paper” means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade.
- (O) “Other resins or multiple resins” means plastic resins labeled by the SPI code #7.
- (P) “Person” includes any individual, corporation, partnership, association, local governmental unit, as defined in Wis. Stat. sec. 66.0131, state agency or authority or federal agency.
- (Q) “PETE” means polyethylene terephthalate, labeled by the SPI code #1.
- (R) “Plastic container” means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.
- (S) “Post consumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in Wis. Stat. sec. 291.01 (7), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Wis. Stat. sec. 289.01(35).
- (T) “PP” means polypropylene, labeled by the SPI code #5.
- (U) “PS” means polystyrene, labeled by the SPI code #6.
- (V) “PVC” means polyvinyl chloride, labeled by the SPI code #3.
- (W) “Recyclable materials” includes lead acid batteries, major appliances; waste oil; hard waste; aluminum containers; corrugated paper or other container board, foam polystyrene packaging; glass containers; magazines, newspaper; office paper, rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.
- (X) “Refuse” means all waste matter such as ashes, tin cans, glass, paper, rags, garden refuse, and other items of a similar nature, but shall not include leaves, trees, tree limbs, earth, stone, sewage, demolition material or manure.
- (Y) “Residential Dwelling Unit” means a property having a single family dwelling or a duplex.
- (Z) “Residential Waste Collector” means the exclusive provider of residential solid waste services selected by the City to provide such services.
- (AA) “Solid waste” has the meaning specified in Wis. Stat. sec. 144.01(15).
- (BB) “Solid waste facility” has the meaning specified in Wis. Stat. sec. 144.43(5).
- (CC) “Solid waste treatment: means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. “Treatment” includes incineration.
- (DD) “Waste tire” means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (EE) “Yard waste” means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

11.09 Garbage and Refuse: Collection Of

- (5) License Required. (Rev.3-25-02)
 - (A) Nonresidential waste collector. Collector of nonresidential waste may not operate in the City of Reedsburg without a non-exclusive nonresidential waste collector license issued by the City Clerk.
 - (B) Residential waste collector. Residential waste in the City shall be collected only by the exclusive residential waste collector selected and licensed by the City.
- (6) Selection of Residential Waste Collector. (Rev.3-25-02)
 - (A) On or before May 1, 2002, the City shall solicit bids for the exclusive residential solid waste collection license. Applications shall be submitted not later than June 1, 2002 on forms to be prepared by the City Administrator.
 - (B) The applications shall be forwarded to the Public Works Committee which shall make a recommendation to the Common Council.
 - (C) The Common Council shall select a licensee for a three-year period commencing September 1, 2002.
 - (D) The Mayor and City Clerk are authorized to enter into a three-year contract with the licensee.
 - (E) The license application and issuance process shall be repeated every three years.
- (7) Mandatory Residential Service. (Rev.3-25-02)
 - (A) The residents of residential dwelling units shall have their solid waste and recycling collected by the Residential Waste Collector licensed by the City.
 - (B) The residential Waste Collector shall provide its residential customers a container for solid waste and a container for recyclables.
- (8) Fees; Solid Waste Fund. (Rev.3-25-02)
 - (A) The fees to be paid for the residential waste collection service shall be established from time to time by the Common Council by resolution.
 - (B) Fees shall be billed by the City on an annual basis as a special charge on the tax roll.
 - (C) Unpaid fees may be collected as a special charge against real property pursuant to Wis. Stat. sec. 66.0627.
 - (D) Fees collected for residential waste collection services shall be to a separate, segregated Solid Waste Fund to be managed and administered by the City Administrator. The City Administrator may create sub-accounts within the fund and may establish rules for the administration of the residential solid waste collection service.
- (9) Frequency of Pick-ups. (Rev.3-25-02)
 - (A) The Residential Waste Collector shall collect solid waste and recyclables from its customers at least weekly at the same time.
 - (B) Collections shall not take place on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas. Collections scheduled for those days shall take place within 48 hours of the scheduled collection day.
 - (C) Nonresidential collections shall take place pursuant to schedules negotiated between the providers and their customers.
- (10) Collection Facilities and Equipment; Condition. (Rev.3-25-02)
 - (A) All facilities and equipment used in the collection of solid waste and recyclables in the City shall be kept and maintained in a safe, clean and sanitary condition.
 - (B) All vehicles used in the collection of solid waste and recyclables in the City shall be completely enclosed.
 - (C) All solid waste and recyclables collected in the City shall be deposited directly from the collection container to the collection vehicle.

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- (11) Condition of Containers and Refuse. (Rev.3-25-02)
- (A) All solid waste shall be placed in the pickup area in a covered metal or plastic container with a close-fitting lid.
 - (B) The containers for solid waste and recyclables shall be well drained and shall be kept and maintained in a clean and sanitary condition.
 - (C) Containers with residential solid waste and recyclables shall be placed curbside for pickup unless the customer and the collector agree upon an alternate pickup site.
 - (D) The City may, from time to time, establish by resolution rules and guidelines regarding the preparation and collection of solid wastes and recyclables.
 - (E) A collector of solid waste or recyclables may refuse to collect refuse which is not in accord with this ordinance. If refuse is refused, the collector shall advise the customer in writing of the reason by attaching a tag to the refused refuse or container.
- (12) Transport to Approved Facilities. Solid waste and recyclables generated in the City shall be disposed of at sites approved by the Wisconsin Department of Natural Resources or other approval agency. (Rev.3-25-02)
- (13) Separation of Recyclable Materials. The following recyclable materials shall be separated from post consumer waste: (Rev.3-25-02)
- (A) Lead acid batteries
 - (B) Major appliances
 - (C) Waste oil
 - (D) Yard waste
 - (E) Aluminum containers
 - (F) Bi-metal containers
 - (G) Corrugated paper or other container board
 - (H) Foam polystyrene packaging
 - (I) Glass containers
 - (J) Magazines
 - (K) Newspaper
 - (L) Office paper
 - (M) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
 - (N) Steel containers
 - (O) Waste tires
- (14) Separation Requirements Exempted. The separation requirements of Code sec.13 do not apply to the following: (Rev.3-25-02)
- (A) Solid waste and recyclables processed at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials from solid waste in as pure a form as is technically feasible.
 - (B) Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as supplemental fuel.
 - (C) A recyclable material specified in Code Sec. 13 for which a variance has been granted by the Department of Natural Resources under Wis. Stat. sec. 287.11(2m) or Wis. Admin. Code sec. NR 544.14.
- (15) Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with Code sec. 13 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain and other inclement weather conditions. (Rev.3-25-02)

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- (16) Disposal of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste. (Rev.3-25-02)
- (A) Lead acid batteries shall be disposed of as provided in Wis. Stat. sec. 287.18.
 - (B) Major appliances shall be picked up at curb side on an as-needed basis by a licensed hauler or during annual or semi-annual pick-up events sponsored by the City. The property owner shall be responsible for the pick-up charges.
 - (C) Waste oil may be delivered to service stations within the City with facilities to receive the oil or may be disposed of as provided by Wis. Stat. sec. 287.15.
 - (D) Yard waste shall be disposed of through the use of personal compost piles with larger materials being broken down, packaged and picked up on a semi-annual/annual basis by the City.
- (17) General Prohibitions. (Rev.3-25-02)
- (A) No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the recyclable materials specified in Code Sec. 13 which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.
 - (B) No person shall deposit, throw, or place any solid waste or recyclables on or within any public street, alley, park, sidewalk or other public place, or within or upon any private property or premises whether owned, kept or controlled by such person or not, unless the same shall be placed in containers as herein provided, or disposed of through a mechanical disposal unit connected to a sanitary sewer.
 - (C) No person shall bury or burn any solid waste or recyclables on private or public property but cause to be collected and or disposed of in the manner herein provided.
 - (D) Except as otherwise provided in this Chapter 11, no person other than a City authorized refuse collector shall collect or interfere with any garbage, refuse, or recycling materials after they shall have been put into a recycling receptacle and deposited at the curb for the collector, nor shall any person molest, hinder, or delay or in any manner interfere with the City authorized refuse collector in the discharge of its duties. No person shall hoard garbage for periods longer than a normal collection period. After any recyclable are placed at the curb for collection, they shall become and are the property of the City of Reedsburg. No one other than the authorized refuse collector for the City of Reedsburg is allowed to collect, pick up or receive recyclable materials placed at the curb for collection. (Created 5-14-07)
- (18) Enforcement. (Rev.3-25-02)
- (A) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Reedsburg may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the City of Reedsburg who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.
 - (B) Any person who violates a provision of this ordinance may be issued a citation by the Public Works Director or his/her designee to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

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- (C) The occupant of a one or two family dwelling may have the opportunity to correct a violation of the ordinance and retain the material not prepared properly for collection for the next regular pickup.
- (D) Penalties for violating this ordinance may be assessed as follows:
 - 1. Any person who violates S. (18) may be required to forfeit \$50 for a first violation, \$200 for a second violation and not more than \$2,000 for a third or subsequent violation together with taxable court costs.
 - 2. Any person who violates a provision of this ordinance, except (18), may be required to forfeit not less than \$10 nor more than \$1,000 for each violation together with taxable court costs.
- (19) Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Wis. Admin. Code Chap. NR 544, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Wis. Admin Code Chap. NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance. *(Rev.3-25-02)*
- (20) Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected. *(Rev.3-25-02)*
- (21) Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply. *(Rev.3-25-02)*

11.10 RESERVED FOR FUTURE USE *(Rev.3-25-02)*

11.11 RESERVED FOR FUTURE USE *(Rev.3-25-02)*

11.12 RESERVED FOR FUTURE USE *(Rev.3-25-02)*

11.13 DEBRIS, JUNK: ORDER TO REMOVE AND PENALTIES

- (1) Whenever the Council shall find that conditions on any premises within the City create a fire or health hazard or shall find that, by virtue of any accumulation of unsightly materials, junk or debris of any nature on any premises or for any other reason, any premises are detrimental to the appearance, neatness or cleanliness of a neighborhood so as to tend to depreciate property values therein or create a nuisance or offend the aesthetic character of the immediate neighborhood or produce blight or deterioration by reason of such conditions, the Common Council may order the owner of said premises to correct any such condition or to remove therefrom any such unsafe, hazardous or unsightly articles, material or debris.

- (2) (A) The order shall specify a time not to exceed 30 days within which the owner and/or occupant shall comply therewith.
- (B) The order shall be served on the owner and/or occupant of the premises in the manner provided for service of a summons in the Circuit Court, and if the said owner and/or occupant is not found, by certified mail with return receipt requested and posting of notice on a conspicuous part of the premises.

11.14 ABANDONMENT OF VEHICLES

- (1) Definitions.
 - (A) Vehicle. When using this section, vehicle means any vehicle which is self-propelled, including a motor vehicle as defined in the Wisconsin Statutes, and also means every device in, upon, or by which any person or property is or may be transported, and every type of equipment on wheels, including farm machinery.
 - (B) Junked Vehicles. Junked vehicles as used in this section shall mean any vehicle as described above which is inoperative in its then existing condition.
 - (C) Abandonment. Whenever any or all of the following conditions exist, a vehicle shall be deemed to have been abandoned within the meaning of this ordinance:
 - 1. Whenever any vehicle has been allowed to remain standing on any public place or on-street parking area for more than 72 hours. (Ordinance 7.10 shall take precedence over this section in all snow emergency cases.)
 - 2. When any vehicle has been allowed to remain standing upon any private property, except when stored in a private garage, in a public garage or a premises attached thereto, or upon any premises which shall have been licensed or approved by the Common Council as a junk yard auto wrecking year, for more than 14 consecutive days or where such vehicle shall have had its wheels removed or have been raised off the ground for more than four consecutive days.
 - 3. Whenever any vehicle, whether operative or inoperative, shall have been allowed to stand or remain on any municipal parking lot or metered area within the City in violation of the parking regulations thereof, for more than a period of 24 hours.
 - (D) Standing. Any vehicle which is not moved at least 30 feet away from its original space in the areas and time periods described in this ordinance shall be considered to have been “standing.”
- (2) Abandonment Prohibited. No person, firm or corporation shall abandon any wrecked, inoperable, junked, dismantled or partially dismantled motor vehicle within the City of Reedsburg or leave any such motor vehicle with the City for such time and under such circumstances as to cause such motor vehicle reasonably to appear to have been abandoned.
- (3) Emergency Removal. The Chief of Police or any member of the City Police Department is hereby authorized to remove or to have removed any vehicle whose location or existence jeopardizes public safety by either creating an unsafe condition or by significantly hindering the efficient movement of traffic. Except for pre-seizure notification as set forth below, the owner of said vehicle shall be entitled to all of the rights otherwise set forth in this ordinance.
- (4) Impounding of Abandoned or Discarded Motor Vehicles. The Chief of Police, or any member of the City Police Department, is hereby authorized to remove or to have removed any wrecked, inoperative, junked, dismantled or partially dismantled motor vehicle left at any place within the City of Reedsburg which reasonably appears to be in violation of this section or to be lost, stolen or unclaimed. Such motor vehicle shall be impounded until lawfully claimed or disposed of in accordance with subsection (d) of this section.

11.14 Abandonment of Vehicles

- (5) Notice and Right to Preliminary Hearing. In all non-emergency cases whereby, reasonable diligence, the Chief of Police or any member of the City Police Department is able to determine the owner of any abandoned vehicle, a written notice shall be provided to that owner either personally or by registered mail. The notice shall provide that the vehicle will be towed pursuant to the terms of this ordinance if a written request for a hearing is not received within 72 hours of receipt of the notice. The request shall be directed to the Chief of Police and shall be served on him or any member of the Police Department either personally or by registered mail within 72 hours. All hearings shall be scheduled within a reasonable time after receipt of the written request and shall be administered by the City Attorney or one of his or her assistants at such time and place as is designated by that individual. Failure to appear at the hearing shall be grounds for an immediate towing under the terms of this ordinance. If, at the conclusion of the hearing, the hearing officer finds that there is probable cause to believe that the vehicle has been abandoned pursuant to the definitions contained in this ordinance, a citation under subsection (e) shall be issued and the vehicle shall be impounded pending final hearing on the above citation. In the event that the vehicle is impounded, the owner shall remain liable for all towing charges as set forth below and these charges shall be assessed over and above the penalties set forth in subsection (e) if the person is found to be guilty of a violation of this ordinance.

The above-written request for a hearing shall be either personally served on the Chief of Police or any representative of the Police Department or made by certified mail.

- (A) Reserved for Future Use
- (B) If, after employing reasonable diligence, the Chief of Police cannot determine the owner of the vehicle and the vehicle does not create a hazard as set forth in paragraph 3, the vehicle shall be impounding as set forth below and the Chief of Police shall cause publication of a notice of such impounding as a Class II notice in the official City newspaper. The notice shall briefly describe the motor vehicle, the location from which it was removed and set forth the owner's rights to a hearing as set forth above.
- (C) Reclamation. At any time prior to the sale of an impounded motor vehicle, any person establishing his ownership or right of possession of the same by paying the Police Department for the storage and towing thereof along with such other expenses incidental to the care and maintenance of the same and any other expenses incurred in relation thereto.
- (D) Sale of Impounded Motor Vehicles. After any motor vehicle shall have been stored for more than 30 days and the required notices have been given or published and, where applicable, a hearing has been held in a court of law with respect to the alleged violation of this section, the Chief of Police shall sell the same at public auction. Notice of such sale shall be published in the official City newspaper as a Class II notice. The sales notice may include one or more vehicles. At such sale, the highest bid in cash for any motor vehicle shall be accepted, unless the same is, in the judgement of the Chief of Police, inadequate. In that event, all bids are rejected or no bid at all is received, the Chief of Police may, in his discretion either re-advertise the sale or adjourn the same from time to time to a definite date each time, or sell such motor vehicle at a private sale, or junk the same.

After deducting the reasonable and necessary expenses incident to the care and sale of any motor vehicle, the balance of the proceeds shall be paid to the City Clerk-Treasurer and credited to the general City fund. The sale of the motor vehicle under the provisions of this section shall forever bar all prior claims thereto and any interest therein except as hereafter provided.

At any time within two years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein, may present a claim to the Common Council of the City of Reedsburg setting forth such facts as are necessary to establish such ownership or interest. If the Common Council is

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satisfied as to the merit of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid to the City Treasurer as a result of the sale of such vehicle nor the amount of the interest of the claimant therein.

- (E) Penalties. Any person who shall violate any provision of this or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Section 25.04 of this municipal code.

11.15 SEWER AND WATER: COMPULSORY CONNECTION TO

- (1) Notice to Connect. Whenever sewer and water becomes available to any building used for human habitation, the Building Inspector shall notify in writing the owner, thereof to connect all facilities. If such person to whom the notice has been given shall fail to comply for more than 10 days after the notice, the Building Inspector shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Sec. 66.0701, Wis. Stats.
- (2) Abatement of Privies and Cesspools. After connection to a water main and public sewer, no privy, privy vault or cesspool shall be constructed or maintained upon such lot or parcel, and shall be abated upon 10 days written notice for such abatement by the Building Inspector. If not so abated, the Building Inspector shall cause the same to be done and the cost thereof assessed as a special tax against the property.
- (3) The City or Reedsburg Utility Commission may extend the time for connection hereunder or may grant other temporary relief where strict enforcement would work and unnecessary hardship without corresponding public or private benefit.

11.16 PRIVATE WELL ABANDONMENT

- (1) All private wells located on any premises served by the public water system of the City of Reedsburg shall be properly filled and capped by July 27, 1986. Only those wells for which a well operation permit has been granted by the Superintendent of the Utility may be exempted from this requirement as long as the operation conditions set forth below.
 - (A) No new private well shall be permitted to be constructed or put in operation on any lot or parcel to which the Reedsburg Utility Commission has certified that a suitable public water supply exists except as provided in 3 and 4 below.
 - (B) No existing private well shall be permitted to provide water for human consumption to any lot or premises for which the Reedsburg Utility Commission has certified that suitable public water supply exists except as provided in 3 and 4 below.
- (2) When a suitable public water supply has been certified as being available to a lot or premises:
 - (A) A new well may be drilled and placed in operation only for the purpose of facilitating the operation of a ground water heat pump system and provided that a valid permit has been issued by the City.
 - (B) An existing well may be retained in operation only for the purpose of facilitating the use of a heat pump or for outdoor, non-potable use (e.g. car washing, watering lawns and gardens, filling swimming pools, etc.) and provided that a valid permit has been issued. At any time that an existing well shall require substantial repair or reconstruction, the well shall be abandoned.
- (3) The City may issue a permit for the construction and operation of a new private well or retention and operation of an existing well provided that the use of the private well is in compliance with Section 2 and:

11.16 Private Well Abandonment

- (A) The Owner has made application to the City for the permit providing all the information required.
 - (B) The well and pump installation meet the requirements of Chapter NR 812, Wisconsin Administrative Code, as evidenced by an inspection report signed by a licensed well driller or pump installer. A copy of such certification shall be provided to the City.
 - (C) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings two weeks apart. Copies of the laboratory analysis shall be provided to the City.
 - (D) The Reedsburg Utility Commission has certified that no cross-connection exists between the public water supply system and the private well system.
 - (E) No known health or environmental hazards will be created or occur due to the construction or operation of the private well.
 - (F) A well permit fee has been paid.
- (4) When issued, a private well permit shall be valid for a period of five (5) years. A permit may be reissued provided that the conditions in paragraph 3 are met.
- (5) When a private well is abandoned, the abandonment shall be in compliance with the requirements of the applicable sections of the Wisconsin Administrative Code. The City shall be notified that the well has been abandoned.

11.17 USE OF TOBACCO PRODUCTS PROHIBITED

- (A) It shall be unlawful to use any tobacco products on, and/or within 20 feet of, premises owned by the Reedsburg School District within the City of Reedsburg.
- (B) **Smoking Prohibited.** This section adopts Wis. Stats. §101.123 prohibiting smoking in places of employment and public places. *(Created 6-28-10)*

11.18 RESERVED FOR FUTURE USE

11.19 RESERVED FOR FUTURE USE

11.20 PENALTY *(Rev. 9-24-07)*

For a violation of a section of this Chapter 11, the forfeiture shall be not less than \$5.00 nor more than \$500.00 upon conviction for each offense together with the costs of prosecution.