



City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

AMENDED (1-20-2017)
COMMON COUNCIL AGENDA
MONDAY, JANUARY 23, 2017
REEDSBURG CITY HALL COUNCIL CHAMBERS
7:00 P.M.

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

THE COUNCIL WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COUNCIL BY MEMBERS OF THE PUBLIC. THE COUNCIL WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING.

I. CONSENT AGENDA: (one motion to approve all Consent items)

1. Approve minutes from the Council meeting held on January 9, 2017.

II. OFFICE OF THE MAYOR:

- A. Coming Community Events
- B. Communications: Wisconsin Urban Forestry Council – 2017 Project Partnership Award
- C. Appointment: Jay Brunken for Industrial and Commercial Development Commission (Lichte)
- D. Appointment: Lee Gnatzig to Arts In Public Places – Committee (Schulte)
- E. Appointment: Jenifer Stanek to Arts In Public Places – Committee (Peterson)
- F. Appointment: JoAnn Mundth Douglas to Arts In Public Places – Committee (Estes)
- G. Appointment: Jay Salinas to Arts In Public Places – Committee (Estes)

III. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS:

Ordinance Committee

Discussion of Agenda Items: Chapter 11 Health and Sanitation

IV. GENERAL BUSINESS:

- A. Approve/Deny Discover Wisconsin – Agreement

V. COMMITTEE AND STAFF REPORTS:

Community Development Authority
Historic Preservation Commission
Library Commission
Personnel Committee
Public Works Committee

Finance Committee
Ordinance Committee
Parks & Recreation Committee
Plan Commission
Other Commissions or Committees or Boards

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact the City Clerk at (608)524-6404, 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.



City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

VI. CITY ADMINISTRATOR REPORTS:

1. Bi-Monthly City Administrator Report
 - 2017 Administrator Work Plan
 - City Department and Allied Agency – Presentations
 - Preplanning for 2017 Strategic Plan Update

VII. COMMENTS REGARDING UPCOMING CIVIC EVENTS:

VIII. CLOSED SESSION:

Motion to go into Closed Session:

Consideration of a motion to convene into closed session pursuant to Wis. Stat. 19.85(1)(g) To confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

City Attorney and City Administrator to brief Mayor and City Council on potential litigation.

Motion to come out of Closed Session:

XV. ADJOURN

Posted: _____, 201__

Last Resolution: 4268-17

Last Ordinance: 1837-16

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact the City Clerk at (608)524-6404, 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

City of Reedsburg Meeting of the Common Council January 9, 2017

Present: Mayor Dave Estes; Alderpersons Bill Finnegan, Dave Moon, Mike Gargano, Dave Knudsen, Calvin Craker, Phil Peterson, Jim Heuer, and Jason Schulte.

Absent: Alderman Brandt Werner

Others Present: Jim Gerlach, Brian Duvalle, Matt Scott, Stephen Compton, Jacob Crosetto, Timothy Becker, Citizens, Press.

Mayor Estes called the regular session of the Common Council to order at 7:02 pm. in the Common Council Chambers.

Approve Consent Agenda: Consisting of minutes from the Council meeting held on Dec. 12, 2016; Bills for the month of December; approval of Operator's Licenses for Tyler Fogo and Dennis Wimann; and approval of Temporary Class "B" Retailer License for the Reedsburg Chamber's January 20 event.

Motion: Heuer, Second: Craker. Motion Carried 8-0.

OFFICE OF THE MAYOR:

1. Creation of Blue Ribbon Committee to evaluate art in public places.
 - a. **Motion: Gargano, Second: Craker to create the Blue Ribbon Committee. Motion carried 8-0.**
2. Appointment: Aaron Bauer to the Parks and Recreation Committee
 - a. **Motion: Heuer, Second: Peterson to confirm appointment. Motion carried 8-0.**

RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS:

Finance Committee

1. Approve/Deny Resolution 4267-17 Budget Amendment to Increase the Capital Equipment Fund for Information System-Server Upgrade and approve I.T. Agreement:
 - a. **Motion: Heuer, Second: Gargano to approve Resolution 4267-17 Budget Amendment to Increase the Capital Equipment Fund for Information System-Server Upgrade and approve I.T. Agreement as presented. Motion carried 8-0.**
2. Approve/Deny Storm Water Fund: Street Sweeper lease purchase agreement
 - a. **Motion: Craker, Second: Moon to approve the Storm Water Fund usage: Street Sweeper lease purchase agreement. Motion carried 8-0.**

Personnel Committee

1. Resolution 4268-17 - Communications Division - Wages:
 - a. **Motion: Finnegan, Second: Peterson to approve Resolution 4268-17 - Communications Division - Wages. Motion carried 8-0**

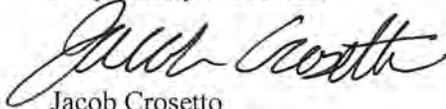
GENERAL BUSINESS

1. Approve/Deny Boys and Girls Club Six Year Lease (Old Hardware Facility):
 - a. **Motion Schulte, Second: Gargano to approve the Boys and Girls Club Six Year Lease (Old Hardware Facility, 300 Vine St.). Motion carried 8-0.**

2. Approve/Deny Property Sale – Homestead Acres – 5 Lots to Habitat for Humanity:
 - a. **Motion: Moon, Second: Heuer to approve the Property Sale – Homestead Acres – 5 Lots to Habitat for Humanity. Motion carried 8-0.**

Moved: Moon, Second: Gargano to adjourn. Motion carried 8-0.
Meeting adjourned at 7:59 pm

Respectfully submitted,



Jacob Crosetto
City Clerk-Treasurer



Wisconsin Urban Forestry Council

January 5, 2016

Stephen Compton, Interim City Administrator
134 South Locust Street
PO Box 490
Reedsburg, WI 53959

Dear Stephen,

Congratulations! It gives us great pleasure to announce that your community's dedication to improving the educational and recreational value of your urban natural areas and involving multiple and diverse community groups will be recognized by the Wisconsin DNR Urban Forestry Council with the **2017 Project Partnership Award for the Popple Trail Invasive Species Removal in Webb Park!**

The 2017 award winners will be announced during the awards luncheon at the WAA/DNR Annual Urban Forestry Conference. The luncheon will be held from 12:00-1:30 pm on Tuesday, February 21 at the KI Convention Center, 333 Main Street, Green Bay, WI. You (or your designated representative) are cordially invited to attend this luncheon as our guest. If additional members connected to this project are interested in attending this event, they will need to register through Sara and cover the luncheon fee (\$25). If you are interested in attending any conference sessions that day, we can include a one-day registration. You can see the full conference information here: <http://www.waa-isa.org/events-programs/annual-conference/>

After the ceremony, the awards will be publicized through several venues including a DNR press release and feature article in the WDNR *Wisconsin Urban Forestry* newsfeed. Until that time, please refrain from publicizing this award.

Please respond to Sara Minkoff, Urban Forestry Council Liaison at saraminkoff@wisconsin.gov, or (608) 264-6039, as soon as possible regarding your attendance at the event on February 21 or with any questions. We also request that you send Sara several digital photos of the project including partner organizations to be used in a presentation at the conference and on our website.

Please identify an additional venue where one of our Urban Forestry Council members can present your award plaque at an event of your choice in your community. We will work with you to select a council member to attend.

Once again, congratulations to you for your outstanding community project! For more information about our awards, see <http://dnr.wi.gov/topic/urbanforests/awards.html>.

We look forward to seeing you at the luncheon and recognizing your community's achievements.

Sincerely,

J. M. Treu

Kristin Gies and Jeff Treu
Wisconsin Urban Forest Council Awards Committee

The Wisconsin Urban Forestry Council serves as a statewide voice for critical issues impacting urban & community forests and is appointed by the Secretary of the Wisconsin Department of Natural Resources. Composed of representatives of green industry organizations, state agencies, municipal arborists, non-profits and other partners, the Council is charged with advising the Department of Natural Resources (DNR) on the best ways to preserve, protect, expand and improve Wisconsin's urban and community forests.
101 S. Webster Ave. PO Box 7921 Madison, WI 53707 (608)267-0568

OFFICERS

David Sivyver, Chair
Forestry Services Manager, Milwaukee
Marla Eddy, Past Chair
Forester, City of Madison
Jordan Skiff, Vice Chair
Director of Public Works, Fond du Lac

MEMBERS

Wendy Braun, PE
NA Stormwater & Erosion Association
Todd Chwala
Superintendent of Parks, Eau Claire
Patty Dreier
Portage County Executive
Thomas Dunbar, FASLA
Landscape architect, Amherst
Mark Freberg
Forester, City of Green Bay
Kristin Gies
Director, Mequon Nature Preserve, Inc.
August Hoppe
WI Arborist Association
Leif Hubbard, PLA, ASLA
WI Dept. of Transportation
Thomas Landgraf
UW School of Business
Shirley Brabender Mattox
Tree Advocate, Oshkosh
Donald Merkes
Mayor, City of Menasha
Kimberly Miller
UW-Extension
Tony Nowak, Director Parks & Forestry
Town of Greenville
Daniel Siewert
WI Public Service
Dwayne Sperber
Wudeward Urban Forest Products, LLC
Blake Theisen, PLA, ASLA, CPSI
Wisconsin Society Landscape Architects
Jeff Treu
Utility Arborist (retired), Waupaca
Kelli Tuttle
Bluestem Forestry Consulting
Dr. Les Werner
UW-Stevens Point
Shahla Werner
DATCP
Martin Whitehead
Community Member
Curt Witynski
League of Wisconsin Municipalities
Jeff Wolters
WI Nursery Association
WI Green Industry Federation

EX-OFFICIO MEMBERS

Jill Johnson, *USDA Forest Service*
Sara Minkoff, *DNR UFC Liaison*
Jeff Roe, *DNR UF Team Leader*
Brian Wahl, *DNR Regional Coordinator*

Citizen Participation Packet/Application

Dear Mayor and Members of the City Council,
I am a City of Reedsburg resident and interested in serving on the following boards, commissions or committees.

Date: 1-17-17

Please place a "X" in the box for the committees for which you are interested:

Committees	X
Airport Commission – manages the Reedsburg Airport	
Block Grant Committee – provides housing and small business loans	
Board of Review – considers appeals of property assessments	
Board of Zoning Appeals – considers hardship variances to the Zoning and Building Codes	
City Plan Commission – plans and manages the growth and development of the City and extraterritorial areas	
Community Development Authority – economic development body of the City, works on redevelopment of properties for economic development	
Ethics Committee – advise employees and elected officials about application of the ethics code	
Finance Committee – review bills, set financial policies	
Historic Preservation Committee – advise the Mayor and City Council regarding historic properties	
Industrial Development Commission – direct development of Reedsburg's Industrial areas	X
Library Board – manage the library	
Ordinance Committee – advise the Mayor and City Council about new laws and review applications for various licenses	
Parks and Recreation Committee – advise on the operation of park, recreation and forestry programs	
Personnel Committee – set personnel policies, participate in labor negotiations	
Police and Fire Commission – civil service body for the Police and Fire Departments	
Public Safety Committee – advises the Mayor and Common Council on matters regarding the Police, Fire, Ambulance and Emergency Management Departments	
Public Works – advise the Mayor and City Council about streets, sidewalks, wastewater treatment plant and other facilities	
Room Tax Commission – manage the room tax funds for tourism promotion and development	
Utility Commission – manages the water, electrical & telecommunications utility	

Name: Jay Brunken Telephone: 608-524-6454
 Address: 1301 Industrial St, Reedsburg, WI 53959 Email: (c) 608-415-1456 jay@ameinc.com
 Qualifications/Special Interest: Reedsburg, WI 53959

Return this application to: **Mayor's Office**
City of Reedsburg
134 S. Locust St., PO BOX 490
Reedsburg, WI 53959-0490

By: L. K. H. of Mayor

Citizen Participation Packet/Application

Dear Mayor and Members of the City Council,

Date: 1-18-17

I am a City of Reedsburg resident and interested in serving on the following boards, commissions or committees.

Please place a "X" in the box for the committees for which you are interested:

Committees	X
Airport Commission – manages the Reedsburg Airport	X
Block Grant Committee – provides housing and small business loans	
Board of Review – considers appeals of property assessments	
Board of Zoning Appeals – considers hardship variances to the Zoning and Building Codes	
City Plan Commission – plans and manages the growth and development of the City and extraterritorial areas	
Community Development Authority – economic development body of the City, works on redevelopment of properties for economic development	
Ethics Committee – advise employees and elected officials about application of the ethics code	
Finance Committee – review bills, set financial policies	
Historic Preservation Committee – advise the Mayor and City Council regarding historic properties	
Industrial Development Commission – direct development of Reedsburg's Industrial areas	
Library Board – manage the library	
Ordinance Committee – advise the Mayor and City Council about new laws and review applications for various licenses	
Parks and Recreation Committee – advise on the operation of park, recreation and forestry programs	
Personnel Committee – set personnel policies, participate in labor negotiations	
Police and Fire Commission – civil service body for the Police and Fire Departments	
Public Safety Committee – advises the Mayor and Common Council on matters regarding the Police, Fire, Ambulance and Emergency Management Departments	
Public Works – advise the Mayor and City Council about streets, sidewalks, wastewater treatment plant and other facilities	
Room Tax Commission – manage the room tax funds for tourism promotion and development	
Utility Commission – manages the water, electrical & telecommunications utility	

Name: Lee Gratzig Telephone: 608-963-5266

Address: P.O. BOX 101, Reedsburg, WI 53959 Email: leegratzig@gmail.com

Qualifications/Special Interest: Interested in Blue Ribbon Art Policy Committee

Return this application to: Mayor's Office
City of Reedsburg
134 S. Locust St., PO BOX 490
Reedsburg, WI 53959-0490

By: SCHOLTE

For more information call City Hall 608-524-6404 or email us at cityhall@ci.reedsburg.wi.us

Citizen Participation Packet/Application

Dear Mayor and Members of the City Council,

Date: 1-18-17

I am a City of Reedsburg resident and interested in serving on the following boards, commissions or committees.

Please place a "X" in the box for the committees for which you are interested:

Committees	X
Airport Commission – manages the Reedsburg Airport	X
Block Grant Committee – provides housing and small business loans	
Board of Review – considers appeals of property assessments	
Board of Zoning Appeals – considers hardship variances to the Zoning and Building Codes	
City Plan Commission – plans and manages the growth and development of the City and extraterritorial areas	
Community Development Authority – economic development body of the City, works on redevelopment of properties for economic development	
Ethics Committee – advise employees and elected officials about application of the ethics code	
Finance Committee – review bills, set financial policies	
Historic Preservation Committee – advise the Mayor and City Council regarding historic properties	
Industrial Development Commission – direct development of Reedsburg's Industrial areas	
Library Board – manage the library	
Ordinance Committee – advise the Mayor and City Council about new laws and review applications for various licenses	
Parks and Recreation Committee – advise on the operation of park, recreation and forestry programs	
Personnel Committee – set personnel policies, participate in labor negotiations	
Police and Fire Commission – civil service body for the Police and Fire Departments	
Public Safety Committee – advises the Mayor and Common Council on matters regarding the Police, Fire, Ambulance and Emergency Management Departments	
Public Works – advise the Mayor and City Council about streets, sidewalks, wastewater treatment plant and other facilities	
Room Tax Commission – manage the room tax funds for tourism promotion and development	
Utility Commission – manages the water, electrical & telecommunications utility	

Name: Jenifer Stanek Telephone: _____

Address: _____, Reedsburg, WI 53959 Email: _____

Qualifications/Special Interest: Interested in Blue Ribbon Art Police Committee

Return this application to: Mayor's Office
 City of Reedsburg
 134 S. Locust St., PO BOX 490
 Reedsburg, WI 53959-0490

By: [Signature]

For more information call City Hall 608-524-6404 or email us at cityhall@ci.reedsburg.wi.us

jjc/citizen app

Citizen Participation Packet/Application

Dear Mayor and Members of the City Council,

Date: 1-20-17

I am a City of Reedsburg resident and interested in serving on the following boards, commissions or committees.

Please place a "X" in the box for the committees for which you are interested:

Committees	X
Airport Commission – manages the Reedsburg Airport	X
Block Grant Committee – provides housing and small business loans	
Board of Review – considers appeals of property assessments	
Community Development Authority – economic development body of the City, works on redevelopment of properties for economic development	
Ethics Committee – advise employees and elected officials about application of the ethics code	
Finance Committee – review bills, set financial policies	
Historic Preservation Committee – advise the Mayor and City Council on historic properties; public education	
Industrial Development Commission – direct development of Reedsburg's Industrial areas	
Library Board – manage the library	
Ordinance Committee – advise the Mayor and City Council about new laws and review applications for various licenses	
Parks and Recreation Committee – advise on the operation of park, recreation and forestry programs	
Personnel Committee – set personnel policies, participate in labor negotiations	
Plan Commission – plans and manages the growth and development of the City	
Police and Fire Commission – civil service body for the Police and Fire Departments	
Public Works – advise the Mayor and City Council about streets, sidewalks, wastewater treatment plant and other facilities	
Reedsburg Area Dev. Council (ET) - plans and manages growth and development of the extraterritorial area	
Room Tax Commission – manage the room tax funds for tourism promotion and development	
Utility Commission – manages the water, electrical & telecommunications utility	
Zoning Board of Appeals – considers hardship variances to the Zoning and Building Codes	

Name: JoAnn Munday Douglas Telephone: 608-393-2795

Address: _____, Reedsburg, WI 53959 Email: joannmundaydouglas@gmail.com

Qualifications/Special Interest: Art in Public Places

Return this application to: **Mayor's Office
City of Reedsburg
134 S. Locust St., PO BOX 490
Reedsburg, WI 53959-0490**

for Mayor

Citizen Participation Packet/Application

Dear Mayor and Members of the City Council,

Date: 1-18-17

I am a City of Reedsburg resident and interested in serving on the following boards, commissions or committees.

Please place a "X" in the box for the committees for which you are interested:

Committees	X
Airport Commission – manages the Reedsburg Airport	X
Block Grant Committee – provides housing and small business loans	
Board of Review – considers appeals of property assessments	
Board of Zoning Appeals – considers hardship variances to the Zoning and Building Codes	
City Plan Commission – plans and manages the growth and development of the City and extraterritorial areas	
Community Development Authority – economic development body of the City, works on redevelopment of properties for economic development	
Ethics Committee – advise employees and elected officials about application of the ethics code	
Finance Committee – review bills, set financial policies	
Historic Preservation Committee – advise the Mayor and City Council regarding historic properties	
Industrial Development Commission – direct development of Reedsburg's Industrial areas	
Library Board – manage the library	
Ordinance Committee – advise the Mayor and City Council about new laws and review applications for various licenses	
Parks and Recreation Committee – advise on the operation of park, recreation and forestry programs	
Personnel Committee – set personnel policies, participate in labor negotiations	
Police and Fire Commission – civil service body for the Police and Fire Departments	
Public Safety Committee – advises the Mayor and Common Council on matters regarding the Police, Fire, Ambulance and Emergency Management Departments	
Public Works – advise the Mayor and City Council about streets, sidewalks, wastewater treatment plant and other facilities	
Room Tax Commission – manage the room tax funds for tourism promotion and development	
Utility Commission – manages the water, electrical & telecommunications utility	

Name: Jay Salinas Telephone: 608-524-8672

Address: E7904 Briar Bluff Rd Reedsburg, WI 53959 Email: jay@wormfarminstitute.org

Qualifications/Special Interest: Blue Ribbon Art Policy Committee

Return this application to: Mayor's Office
City of Reedsburg
134 S. Locust St., PO BOX 490
Reedsburg, WI 53959-0490

By: IMAYOR

For more information call City Hall 608-524-6404 or email us at cityhall@ci.reedsburg.wi.us

CHAPTER 11

HEALTH AND SANITATION

- 11.01 Health Officer: Duties and Powers
- 11.02 Rules and Regulations
- 11.03 Health Nuisances: Abatement of
- 11.04 Communicable Diseases
- 11.05 Regulation of Nuisance-Type Businesses
- 11.07 Introduction of Fluorine Into the City's Water System
- 11.08 Littering Prohibited
- 11.09 Garbage, Recycling and Refuse: Collection of
- 11.10 Reserved for Future Use
- 11.11 Reserved for Future Use
- 11.12 Reserved for Future Use
- 11.13 Debris, Junk: Order to Remove and Penalties
- 11.14 Abandonment of Vehicles
- 11.15 Sewer and Water: Compulsory Connection to
- 11.16 Private Well Abandonment
- 11.17 Use of Tobacco Products Prohibited
- 11.18 Reserved for Future Use
- 11.19 Reserved for Future Use
- 11.20 Penalty

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.

11.09 Garbage and Refuse: Collection Of

- (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)

11.09 Garbage and Refuse: Collection Of

- (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.

11.09 Garbage and Refuse: Collection Of

- (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.

11.13 Debris, Junk: Order To Remove and Penalties

- (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

11.14 Abandonment of Vehicles

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.

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

1 | Page

DIVISION OF PUBLIC HEALTH REGIONAL OFFICES



**Northern
Region**

Northern Region
2187 North Stevens Street – Suite C
Rhineland, WI 54501
(715) 365-2721

**Western
Region**

Western Region
610 Gibson Street, Suite 3
Eau Claire, WI 54701
(715) 836-5362

**Northeastern
Region**

Northeastern Region
200 N. Jefferson Street,
Suite 511
Green Bay, WI 54301-5123
(920) 448-5220

**Southern
Region**

Southern Region
1 W. Wilson, Rm 250
Madison, WI 53703
(608) 266-2832

**Southeastern
Region**

Southeastern Region
819 N. 6th Street, Rm 609 A
Milwaukee, WI 53203-1697
(414) 227-2010

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

2 | Page

CHAPTER 250 HEALTH; ADMINISTRATION AND SUPERVISION

- 50.01 Definitions.
- 50.02 State health officials.
- 50.03 Public health system.
- 50.04 Powers and duties of the department.
- 50.041 Denial, nonrenewal and suspension of registration, license, certification, approval, permit and certificate based on certain delinquency in payment.
- 50.042 Powers and duties of the department as public health authority.
- 50.045 Drugs; department order authority.
- 50.06 Public health nurses.
- 50.07 Public health planning.
- 50.10 Dental services.
- 50.15 Grants for community health centers.
- 50.16 Payments to the Wisconsin Women's Health Foundation.
- 50.17 Organ and tissue donation.
- 50.20 Health disparities reduction or elimination.
- 50.21 Workplace wellness program grants.

250.01 Definitions. In chs. 250 to 257, unless the context requires otherwise:

- (1) "Chief medical officer" means a physician who is appointed by the state health officer under s. 250.02 (2).
- (2) "Department" means the department of health services.
- (3) "Local board of health" means the policy-making body for a local health department.
- (4) "Local health department" means any of the following:
 - (a) In a county with a population of less than 500,000, any of the following:
 - 1. A county health department established under s. 251.02 (1), including a county health department whose powers and duties are transferred to a county department of human services under s. 46.23 (3) (b) 1, c.
 - 2. A city-county health department established under s. 251.02 (1m).
 - 3. A city health department that was established before January 1, 1994, or that withdraws under s. 251.15 (2) or, as a city-city local health department established under s. 251.02 (3t), that withdraws under s. 251.15 (2m).
 - 4. A village or town health department under s. 251.02 (3m).
 - 5. A multiple municipal local health department established under s. 251.02 (3r).
 - 6. A city-city health department established under s. 251.02 (3t).
 - (b) In a county with a population of 500,000 or more, a city, village, or multiple municipal health department established under s. 251.02 (2).
 - (c) A multiple county health department established under s. 251.02 (3).
- (5) "Local health officer" means the health officer who is in charge of a local health department.
- (6) "Physician" has the meaning given in s. 448.01 (5).
- (6g) "Public health authority" means the department, if the governor declares under s. 323.10 a state of emergency related to public health and designates the department as the lead state agency to respond to that emergency.
- (6r) "Public health emergency" has the meaning given in s. 323.02 (16).
- (7) "Registered nurse" means a registered nurse who is licensed under s. 441.06 or in a party state, as defined in s. 441.50 (2) (j), or permitted under s. 441.08.
- (8) "Secretary" means the secretary of health services.

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

3 | Page

- (9) "State health officer" means the individual who is appointed by the secretary to develop public health policy for the state and direct state public health programs.

History: 1993 a. 27 ss. 162, 322, 449; 1995 a. 27 s. 9126 (19); 1999 a. 9, 22; 2001 a. 16, 109; 2003 a. 158; 2005 a. 220; 2007 a. 20 s. 9121 (6) (a); 2007 a. 130; 2009 a. 42.

250.02 State health officials.

- (1) STATE HEALTH OFFICER; DUTIES. The secretary shall appoint a state health officer and may assign the state health officer such duties of the secretary or department as the secretary provides. The state health officer may appoint such advisory and examining bodies as are needed to carry out the duties of the state health officer and as provided by law. The state health officer shall appoint state epidemiologists for program areas of acute and communicable diseases, occupational and environmental diseases, maternal and child health and chronic diseases. Individuals appointed as state epidemiologists shall have advanced training and expertise in epidemiology in their program areas.
- (2) CHIEF MEDICAL OFFICERS; QUALIFICATIONS; DUTIES. The state health officer shall appoint chief medical officers in the classified service to provide public health consultation to, and leadership for, state health programs. The chief medical officers shall also serve as state epidemiologists under sub. (1), for acute and communicable diseases, occupational and environmental diseases, maternal and child health and chronic diseases. The chief medical officers shall be physicians who have training and expertise, as prescribed by the department, appropriate to their areas of assignment. The chief medical officers shall have all of the powers and duties that are designated to them by the state health officer to enforce the health laws of the state and to advise state and local officials as to health promotion, disease prevention and public health intervention strategies necessary to prevent morbidity and unnecessary mortality.

History: 1993 a. 27 ss. 163, 450; Stats. 1993 s. 250.02.

250.03 Public health system.

- (1) The department shall:
- (a) Maintain a public health system in cooperation with local health departments; community organizations; and medical clinics that are operated by the governing bodies, or agencies of the governing bodies, of federally recognized American Indian tribes or bands located in this state.
 - (b) Serve as the state lead agency for public health.
 - (c) Assess the health needs in the state based on statewide data collection.
 - (d) Advise the legislature on the development of an adequate statutory base for health activities in the state.
 - (e) Establish statewide health objectives and delegate power to local health departments to achieve the objectives as the department considers appropriate.
 - (f) Support local public health service capacity building through grants, consultation and technical assistance.
 - (g) Develop policy and provide leadership in public health throughout the state that fosters local involvement and commitment, that emphasizes public health needs and that advocates for equitable distribution of public health resources and complementary private activities commensurate with public health needs.
 - (h) Distribute state and federal public health funds under its control in a manner that will promote the development and maintenance of an integrated system of community health services.
 - (i) Require, as a condition for distributing funds under par. (h) at the local level, that services at that level be coordinated.
 - (j) Advocate for the provision of reasonable and necessary public health services.
 - (k) Promote cooperation and formal collaborative agreements among any of the following with regard to public health planning, priority setting, information and data sharing, reporting, resource allocation, funding, service delivery, and jurisdiction:
 - 1. The state.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

4 | Page

2. Local health departments.
 3. Federally recognized American Indian tribes or bands located in this state.
 4. The federal Indian health service.
 - (L) Perform or facilitate the performance of all of the following services and functions:
 1. Monitor the health status of populations to identify and solve community health problems.
 2. Investigate and diagnose community health problems and health hazards.
 3. Inform and educate individuals about health issues.
 4. Mobilize public and private sector collaboration and action to identify and solve health problems.
 5. Develop policies, plans, and programs that support individual and community health efforts.
 6. Enforce statutes and rules that protect health and ensure safety.
 7. Link individuals to needed personal health services.
 8. Assure a competent public health workforce.
 9. Evaluate effectiveness, accessibility, and quality of personal and population-based health services.
 10. Provide research to develop insights into and innovative solutions for health problems.
 - (2) The department may enter into agreements and provide consultation on matters relating to human health.
 - (3)
 - (a) No later than 90 days after a state of emergency relating to public health is declared and the department is designated under s. 323.10 as the lead state agency to respond to that emergency and no later than 90 days after the termination of this state of emergency relating to public health, the department shall submit to the legislature under s. 13.172 (2) and to the governor a report on all of the following:
 1. The emergency powers used by the public health authority or its agents.
 2. The expenses incurred by the public health authority and its agents in acting under the state of emergency related to public health.
 - (b) Biennially, after first consulting with the adjutant general, local health departments, health care providers, as defined in s. 146.81 (1) (a) to (p), and law enforcement agencies, as defined in s. 165.77 (1) (b), the department shall submit to the legislature under s. 13.172 (2) and to the governor a report on the preparedness of the public health system to address public health emergencies.
- History: 1993 a. 27; 2001 a. 109; 2005 a. 198; 2009 a. 28, 42.
- 250.04 Powers and duties of the department.**
- (1) The department has general supervision throughout the state of the health of citizens and shall study especially the vital statistics of the state and use the analysis of the vital statistics for health planning. The department may, upon due notice, enter upon and inspect private property. The department has power to execute what is reasonable and necessary for the prevention and suppression of disease. The department may or, if required, shall advise public boards or officers in regard to heating and ventilation of any public building or institution. The department may investigate the cause and circumstances of any special or unusual disease or mortality or inspect any public building and may do any act necessary for the investigation.
 - (2)
 - (a) The department possesses all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of public health statutes and rules.
 - (b) If local health departments fail to enforce public health statutes or rules, the department may enforce those statutes and rules. If the department does this, the county, city or village for which the local health department has jurisdiction shall reimburse the department for expenses that the department incurs in enforcing communicable disease statutes and rules.
 - (3)

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

5 | Page

- (a) The department shall establish and maintain surveillance activities sufficient to detect any occurrence of acute, communicable or chronic diseases and threat of occupational or environmental hazards, injuries or changes in the health of mothers and children.
- (b)
1. The department shall analyze occurrences, trends and patterns of acute, communicable or chronic diseases, maternal and child health, injuries and occupational and environmental hazards and distribute information based on the analyses.
 2. The department shall, in cooperation with local health departments, maintain a public health data system.
 3. The department may conduct investigations, studies, experiments and research pertaining to any public health problems which are a cause or potential cause of morbidity or mortality and methods for the prevention or amelioration of those public health problems. For the conduct of the investigations, studies, experiments and research, the department may on behalf of the state accept funds from any public or private agency, organization or person. It may conduct the investigations, studies, experiments and research independently or by contract or in cooperation with any public or private agency, organization or person including any political subdivision of the state. Individual questionnaires or surveys shall be treated as confidential patient health care records under ss. 146.81 to 146.835, but the information in those questionnaires and surveys may be released in statistical summaries.
 4. The department may use hospital emergency room and inpatient health care records, abstracts of these records and information the state or federal government collects to correlate exposure to certain occupational and high risk environments with resulting acute or chronic health problems. If the department finds that an occupational health hazard exists, it shall disseminate its findings and promote efforts to educate employees and employers about the health hazard.
- (c) The department shall publish an annual maternal and child health report, including morbidity and mortality indicators for the state, regions of the state, counties, certain cities and subpopulations of the state.
- (3m)** The department may charge a reasonable fee for the analysis and provision of data under this section.
- (4)**
- (a) The department shall administer programs for the control and prevention of public health problems.
 - (b) The department shall be responsible for follow-up investigations of unusual occurrences of acute, communicable and chronic diseases, occupational and environmental hazards, unusual injuries and unusual changes in maternal and child health.
 - (5) Where the use of any pesticide results in a threat to the public health, the department shall take all measures necessary to prevent morbidity or mortality.
 - (6) The department shall provide consultation, technical assistance and training regarding public health to local health departments, community organizations and others.
 - (7) The department may promulgate and enforce rules and issue and enforce orders governing the duties of all local health officers and local boards of health and relating to any subject matter under the department's supervision that are necessary to provide efficient administration and to protect health. Whoever violates a rule or order specified under this subsection shall be fined not less than \$10 nor more than \$100 for each offense, unless a different penalty is provided.
- Cross-reference:** See also ch. DHS 139, Wis. adm. code.
- (8)** The department may administer oaths, certify to official acts, issue subpoenas and compel the attendance of witnesses and the production of papers, books, documents and testimony. Witness fees and mileage shall be paid from the appropriation under s. 20.435 (1) (a), but no witness subpoenaed at the instance of parties other than the

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

6 | Page

department is entitled to payment of fees or mileage, unless the department certifies that his or her testimony was material.

- (9) The department may establish, equip and operate a state branch laboratory of hygiene in a city accessible to physicians and local health officers in the northern part of the state to conduct bacteriological and chemical examinations of material from the various contagious and infectious diseases or material from suspected contagious and infectious diseases of persons and animals when public health is concerned, if suitable quarters for the laboratory are offered to the state free of charge for rent, light, heat and janitor service. The department may also establish and aid in maintaining in conjunction with the cities of the state not more than 7 state cooperative laboratories. All of the cooperative laboratories shall be operated in the manner and under the conditions that the department establishes in rules that the department may promulgate.
- (10) The department may investigate and supervise the sanitary conditions of all charitable, curative, reformatory and penal institutions, all detention homes for children and the hospitals and institutions that are organized for the purposes set forth in s. 58.01. The department may visit the jails, municipal prisons, houses of correction and all other places in which persons convicted or suspected of crime or mentally ill persons are confined and ascertain the sanitary conditions of those places.
- Cross-reference:** See also ch. DHS 190, Wis. adm. code.
- (11) The department shall investigate any hospital which is found by a panel established under s. 655.02, 1983 stats., or by a court to have been responsible for negligent acts.
- (12) The department is designated the state health planning and development agency.
- (12m) In public health planning, the department shall collaborate with local health departments on an ongoing basis and shall consult with private sector entities, as defined in s. 229.41 (9), and with public sector entities, as defined in s. 229.41 (10).
- (13) The department shall provide information on the prevention, detection, diagnosis and treatment of blastomycosis in areas of this state with a high incidence of blastomycosis.
- (14)
- (a) Subject to the availability of funds and to par. (b), the department may provide or fund emergency services or assistance to victims of s. 940.302 (2) or 948.051.

- (b) The department may provide or fund emergency services or assistance to a victim only for the following time periods:
1. If the victim is cooperating with the appropriate law enforcement agencies, from the time the victim is identified until 60 days after the disposition of the trial.
 2. If the victim is not cooperating with the appropriate law enforcement agencies, a total of 60 days.

History: 1971 c. 100 s. 23; 1973 c. 90; 1975 c. 37, 39; 1975 c. 94 s. 91 (9); 1975 c. 292, 422; 1977 c. 29, 418; 1979 c. 221, 229, 334, 355; 1981 c. 20, 214, 257; 1983 a. 203; 1985 a. 340; 1987 a. 27 ss. 1786, 1787, 3200 (24); 1987 a. 399; 1989 a. 173, 264; 1991 a. 39, 178, 269; 1993 a. 16; 1993 a. 27 s. 170, 171, 173, 174, 176, 178, 179, 180, 183, 187, 250, 452 to 456; 1993 a. 209, 491; 1997 a. 27; 2005 a. 198; 2007 a. 116.

Cross-reference: See also DHS 110-, Wis. adm. code.

Neither s. 140.05 [now 250.04] or regulations adopted under sub. (3) [now sub. (7)] are safety statutes that create an independent basis for a negligence action. *Johnson v. City of Darlington*, 160 Wis. 2d 418, 466 N.W.2d 233 (Ct. App. 1991).

250.041 Denial, nonrenewal and suspension of registration, license, certification, approval, permit and certificate based on certain delinquency in payment.

- (1) Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, as a condition of issuing or renewing any of the following:
- (c) A certification under s. 254.176 (1) or (3) or 254.20 (2), (3) or (4).
- (d) An approval under s. 254.178 (2) (a).

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

7 | Page

- (1m) If an individual who applies for or to renew a registration, license, certification, approval, permit or certificate under sub. (1) does not have a social security number, the individual, as a condition of obtaining the registration, license, certification, approval, permit or certificate, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families. A registration, license, certification, approval, permit or certificate issued or renewed in reliance upon a false statement submitted under this subsection is invalid.
- (2) The department of health services may not disclose any information received under sub. (1) to any person except to the department of children and families for the purpose of making certifications required under s. 49.857.
- (3) The department of health services shall deny an application for the issuance or renewal of a registration, license, certification, approval, permit or certificate specified in sub. (1) or may, under a memorandum of understanding under s. 49.857 (2), suspend or restrict a registration, license, certification, approval, permit or certificate specified in sub. (1) if the department of children and families certifies under s. 49.857 that the applicant for or holder of the registration, license, certification, approval, permit or certificate is delinquent in the payment of court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

History: 1997 a. 191; 1999 a. 9; 2005 a. 25; 2007 a. 20 ss. 3032, 3033, 9121 (6) (a); 2015 a. 55.

250.042 Powers and duties of the department as public health authority.

- (1) If the governor declares a state of emergency related to public health under s. 323.10 and designates the department as the lead state agency to respond to that emergency, the department shall act as the public health authority during the period of the state of emergency. The department shall ensure that the emergency operations during the state of emergency are conducted using the incident command system required under s. 323.13 (1) (b). During the period of the state of emergency, the secretary may designate a local health department as an agent of the department and confer upon the local health department, acting under that agency, the powers and duties of the public health authority.
- (2) As the public health authority, the department may do any of the following:
- (a) Purchase, store, or distribute antitoxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents or medical supplies that the department determines are advisable to control a public health emergency.
- (b) Act as specified in s. 252.041.
- (3)
- (a) As the public health authority, the department shall inform state residents of all of the following:
1. When a state of emergency related to public health has been declared or is terminated.
 2. How to protect themselves from a public health emergency.
 3. What actions the public health authority is taking to control a public health emergency.
- (b) The public health authority shall provide the information specified in par. (a) by all available and reasonable means calculated to inform the general public, including reasonable efforts to make the information accessible to individuals with disabilities and to provide the information in the primary languages of individuals who do not understand English.
- (c) As the public health authority, the department, to the extent possible, shall consult with local health departments, whether or not designated as agents of the department, and with individual health care providers.

History: 2001 a. 109; 2003 a. 186; 2005 a. 96; 2007 a. 79, 99, 153; 2009 a. 42.

250.045 Drugs; department order authority.

- (1) In this section, "drug" has the meaning given under s. 450.01 (10).

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

8 | Page

- (2) Except in cases of emergency, or if consent to entry for inspection purposes has been granted, the department may enter only upon obtaining a special inspection warrant under s. 66.0119 and at reasonable hours, any premises in the state where drugs are manufactured, processed, packaged or held for sale or any vehicle being used to transport or hold drugs. The department may inspect the premises or vehicle, secure samples or specimens of drugs, examine and copy relevant documents and records and obtain photographic or other evidence needed to carry out its authority under this section. The department shall pay or offer to pay the market value of any samples of drugs taken. The department shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether the drugs constitute an immediate danger to health or the operations or methods of operation on the premises cause the drugs to create an immediate danger to health.
- (3)
- (a) Whenever the department has reasonable cause to believe that drugs constitute an immediate danger to health or that the operations or methods of operation on the premises or vehicle where the drugs are manufactured, processed, packaged or held cause the drugs to create an immediate danger to health, the administrator of the division of the department responsible for public health may issue and cause to be delivered to the owner or custodian of the drugs, premises or vehicle a temporary order which prohibits the sale or movement of the drugs for any purpose or prohibits the operations or methods of operation which create the immediate danger, or both. The temporary order may be effective for a period of no longer than 14 days from the time of its delivery, but it may be reissued for one additional 14-day period if necessary to complete the analysis or examination of samples, specimens or other evidence.
- (b) No drugs described in a temporary order issued and delivered under par. (a) may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the department until the order has terminated or the time period specified in par. (a) has run out, whichever is earlier. If the department, upon completed analysis and examination, determines that the drugs, operations or methods of operation do not create an immediate danger to health, the owner or custodian of the drugs, premises or vehicle shall be promptly notified, in writing, and the temporary order shall terminate upon receipt of the written notice.
- (c) Where the analysis or examination shows that the drugs, operations or methods of operation constitute an immediate danger to health, the owner or custodian shall be notified within the effective period of the temporary order under par. (a). Upon receipt of the notice, no drugs described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the department pending the issuance of a final decision under sub. (4).
- (4) A notice issued under sub. (3) (c) shall be accompanied by notice of a hearing as provided in s. 227.44. The hearing shall be held no later than 15 days after the service of the notice unless both parties agree, in writing, to a later date. A final decision shall be issued under s. 227.47 within 10 days of the hearing. If a finding is made that the drugs, operations or methods of operation constitute a danger to health, the decision may order the destruction of the drugs, the diversion of the drugs to uses which do not pose a danger to health, modification of the drugs so that they do not create a danger to health or changes in or the cessation of operations or methods of operation to remove the danger to health.
- (5)
- (a) Any person who violates this section or an order issued under this section may be fined not more than \$10,000 plus the retail value of any drugs moved, sold or disposed of in violation of this section or an order issued under this section or imprisoned not more than one year in the county jail or both.
- (b) Any person who does either of the following may be fined not more than \$5,000 or imprisoned not more than one year in the county jail or both:

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

9 | Page

1. Assaults, restrains, threatens, intimidates, impedes, interferes with or otherwise obstructs a department inspector, employee or agent in the performance of his or her duties under this section.
2. Gives false information to a department inspector, employee or agent with the intent to mislead the inspector, employee or agent in the performance of his or her duties under this section.

History: 1983 a. 271; 1985 a. 146 s. 8; 1985 a. 182 s. 57; 1993 a. 27 s. 185; Stats. 1993 s. 250.045; 1999 a. 150 s. 672.

250.06 Public health nurses.

- (1) The qualifications of all public health nurses shall be prescribed by rules promulgated by the department. All public health nurses shall be registered nurses. Licensed practical nurses licensed under ch. 441 may be employed by local health departments under the supervision of a public health nurse to perform services for which licensed. Public health nurses shall work under the direction of the local board of health and the local health officer and shall conduct a generalized public health nursing program in cooperation with the department.
- (1m) Notwithstanding sub. (1), any relevant education, training, instruction, or other experience that an applicant obtained in connection with military service, as defined in s. 111.32 (12g), counts toward satisfying the requirements for education, training, instruction, or other experience to qualify as a public health nurse if the applicant demonstrates to the satisfaction of the department that the education, training, instruction, or other experience that the applicant obtained in connection with his or her military service is substantially equivalent to the education, training, instruction, or other experience that is required to qualify as a public health nurse.
- (3) The department shall examine the practice of public health nurses and make recommendations for the improvement and the development of public health nursing.
- (6) This section shall not apply to school nurses, as defined in s. 115.001 (11), while acting in the employ of a public school.

History: 1971 c. 42; 1975 c. 115; 1977 c. 29 ss. 1157, 1157m, 1657 (18) (f); 1983 a. 189 s. 329 (17); 1985 a. 281; 1989 a. 56 s. 259; 1993 a. 27 ss. 272, 273, 275; Stats. 1993 s. 250.06; 2011 a. 120.

Cross-reference: See also ch. DHS 139, Wis. adm. code.

250.07 Public health planning.

- (1) The department shall:
 - (a) By January 1, 2010, and at least every 10 years thereafter, develop a public health agenda.
 - (b) Initiate, conduct and periodically evaluate a process for planning to use the resources of the state to meet the health needs of residents and, in conjunction with other state agencies, to implement the objectives that relate to state government in statutes or in public health rules promulgated by the department. The process shall involve representatives from public health organizations, governmental agencies and the general public.
 - (c) Provide technical assistance to local units of government for the development of local public health plans.
 - (d) Serve as the state lead agency in coordinating the activities within state government involving the collection, retrieval, analysis, reporting and publication of statistical information and other information related to health and health care.
- (1m) The public health council shall monitor implementation of any document developed by the department under sub. (1)(a) and shall advise the governor, the legislature, the department, and the public on progress in implementing the document and coordination of responses to public health emergencies.

History: 1993 a. 27; 2003 a. 186; 2005 a. 198.

NOTE: 2003 Wis. Act 186, which affected this section, contains extensive explanatory notes.

250.10 Dental services.

- (1m) The department shall do all of the following:
 - (a) Provide funding in each fiscal year to the Marquette University School of Dentistry for clinical education of Marquette University School of Dentistry students through the provision of dental services by the students and faculty of the Marquette University School of Dentistry in underserved areas and to underserved populations in the

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

10 | Page

state, as determined by the department in conjunction with the Marquette University School of Dentistry; to inmates of correctional centers in Milwaukee County; and in clinics in the city of Milwaukee.

- (b) Award in each fiscal year to qualified applicants grants totaling \$25,000 for fluoride supplements, \$25,000 for a fluoride mouth-rinse program, and \$120,000 for a school-based dental sealant program.
- (3) The department may provide funding to technical college district boards to provide oral health services.

History: 1989 a. 336; 1991 a. 39; 1993 a. 16; 1993 a. 27 s. 258; Stats. 1993 s. 250.10; 1995 a. 27; 1997 a. 27, 221; 1999 a. 9; 2005 a. 25; 2009 a. 28.

250.15 Grants for community health centers.

- (1) DEFINITION. In this section, "community health center" means a health care entity that provides primary health care, health education and social services to low-income individuals.
- (2) GRANTS. From the appropriation account under s. 20.435 (1) (fh), the department shall, in each fiscal year, award all of the following as grants:
- (a) To a community health center in a 1st class city, \$50,000.
- (b) To community health centers that receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the amount that results from multiplying the total amount available for grants under this paragraph in the fiscal year in which the grants are to be awarded by the quotient obtained by dividing the amount that the community health center received under 42 USC 254b (e), (g) or (h) in the most recently concluded federal fiscal year in which those grants were made by the total amount of federal grants under 42 USC 254b (e), (g) and (h) made in that federal fiscal year to community health centers in this state.
- (c) To HealthNet of Janesville, Inc., \$50,000.

History: 1999 a. 9; 2007 a. 20, 88; 2009 a. 28.

250.16 Payments to the Wisconsin Women's Health Foundation.

- (1) From the appropriation account under s. 20.435 (1) (gi), the department shall make payments to the Wisconsin Women's Health Foundation, Inc., to provide women's health outreach and education programs and support for women's health research that improves the quality of life for women and families in this state.
- (2) The agreement under this section shall require that the Wisconsin Women's Health Foundation, Inc., provide, without fee and as a condition of receiving payments specified under this section, any license or other approval required for use of any logo, trademark, trade name, word, or symbol to be used on or in association with special group registration plates under s. 341.14 (6r) (f) 57.
- (3) The agreement under this section shall require that the Wisconsin Women's Health Foundation, Inc., annually submit to the attorney general and the presiding officer of each house of the legislature an audited financial statement of its use of the payments under this section, prepared in accordance with generally accepted accounting principles.
- (4) Payments to the Wisconsin Women's Health Foundation, Inc., under this section shall be discontinued by the department if the Wisconsin Women's Health Foundation, Inc., dissolves or is no longer exempt from taxation under section 501 (a) of the Internal Revenue Code.

History: 2005 a. 199; 2009 a. 28.

250.17 Organ and tissue donation.

- (1) From the appropriation account under s. 20.435 (1) (g), the department shall make payments to Donate Life Wisconsin, to encourage organ and tissue donation by providing educational programs, promoting or advancing research and patient services, and, at the discretion of Donate Life Wisconsin, distributing portions of these payments to any other organ and tissue procurement and donation organization in this state that is exempt from taxation under section 501 (a) of the Internal Revenue Code, to be used for these same purposes.
- (2) The agreement under this section shall require that Donate Life Wisconsin provide, without fee and as a condition of receiving payments specified under this section, any license or other approval required for use of any logo,

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

11 | Page

trademark, trade name, word, or symbol to be used on or in association with special group registration plates under s. 341.14 (6r) (f) 58.

- (3) The agreement under this section shall require that Donate Life Wisconsin annually submit to the attorney general and the presiding officer of each house of the legislature an audited financial statement of its use of the payments under this section, prepared in accordance with generally accepted accounting principles. The agreement under this section shall also require that Donate Life Wisconsin enter into a contract with any organ and tissue donor organization to which it distributes funds under sub. (1) requiring that organization to prepare and submit audited financial statements of that organization's use of funds received under sub. (1).
- (4) The department shall discontinue payments to Donate Life Wisconsin under this section if Donate Life Wisconsin dissolves or is no longer exempt from taxation under section 501 (a) of the Internal Revenue Code and the department shall designate a new recipient for payments under this section. The new recipient must be a nonprofit organization that promotes organ and tissue donation and must comply with any requirement specified in this section for Donate Life Wisconsin. Notwithstanding any other provision of this section, the department shall not make any payments under this section until Donate Life Wisconsin is properly formed and operational and is exempt from taxation under section 501 (a) of the Internal Revenue Code.

History: 2007 a. 107; 2009 a. 28.

250.20 Health disparities reduction or elimination.

- (1) DEFINITIONS. In this section:
- (a) "African American" means a person whose ancestors originated in any of the black racial groups of Africa.
- (b) "American Indian" means a person who is enrolled as a member of a federally recognized American Indian tribe or band or who possesses documentation of at least one-fourth American Indian ancestry or documentation of tribal recognition as an American Indian.
- (c) "Asian" means a person whose ancestors originated in Asia south and southeast of the Himalayas and west of Wallace's Line in the Malay Archipelago.
- (d) "Economically disadvantaged" means having an income that is at or below 125 percent of the poverty line.
- (e) "Hispanic" means a person of any race whose ancestors originated in Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or origin is Spanish.
- (f) "Inter-tribal organization" means an organization or association of tribes or tribal agencies.
- (g) "Minority group member" means any of the following:
1. An African American.
 2. An American Indian.
 3. A Hispanic.
 4. An Asian.
- (h) "Nonprofit corporation" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).
- (i) "Other agencies and organizations" means agencies of local, state and federal governments and private organizations that are not inter-tribal organizations or tribal agencies.
- (j) "Poverty line" means the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2).
- (k) "State agency" has the meaning given in s. 16.70 (1e).
- (L) "Tribal agency" means an agency created by a tribe.
- (m) "Tribe" means a federally recognized American Indian tribe or band in this state.
- (2) DEPARTMENTAL DUTIES; MINORITY HEALTH. The department shall do all of the following:

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

12 | Page

- (a) Identify the barriers to health care that prevent economically disadvantaged minority group members in this state from participating fully and equally in all aspects of life.
- (b) Conduct statewide hearings on issues of concern to the health interests of economically disadvantaged minority group members.
- (c) Review, monitor and advise all state agencies with respect to the impact on the health of economically disadvantaged minority group members of current and emerging state policies, procedures, practices, statutes and rules.
- (d) Work closely with all state agencies, including the board of regents of the University of Wisconsin System and the technical college system board, with the University of Wisconsin Hospitals and Clinics Authority, with the private sector and with groups concerned with issues of the health of economically disadvantaged minority group members to develop long-term solutions to health problems of minority group members.
- (e) Disseminate information on the status of the health of economically disadvantaged minority group members in this state.
- (f) Encourage economically disadvantaged minority group members who are students to enter career health care professions, by developing materials that are culturally sensitive and appropriate and that promote health care professions as careers, for use by the University of Wisconsin System, the technical college system and the Medical College of Wisconsin in recruiting the students.
- (g) Submit a biennial report on the activities of the department under this section that includes recommendations on program policies, procedures, practices and services affecting the health status of economically disadvantaged minority group members, to the appropriate standing committees under s. 13.172 (3) and to the governor.
- (3) From the appropriation account under s. 20.435 (1) (kb), the department shall annually award grants for activities to improve the health status of economically disadvantaged minority group members. A person may apply, in the manner specified by the department, for a grant of up to \$50,000 in each fiscal year to conduct these activities. An awardee of a grant under this subsection shall provide, for at least 50 percent of the grant amount, matching funds that may consist of funding or an in-kind contribution. An applicant that is not a federally qualified health center, as defined under 42 CFR 405.2401 (b) shall receive priority for grants awarded under this subsection.
- (4) From the appropriation account under s. 20.435 (1) (kb), the department shall award a grant of up to \$50,000 in each fiscal year to a private nonprofit corporation that applies, in the manner specified by the department, to conduct a public information campaign on minority health.
- (5) AMERICAN INDIAN HEALTH PROJECT GRANTS. From the appropriation under s. 20.435 (1) (ke), the department shall award grants for American Indian health projects in order to address specific problem areas in the field of American Indian health. A tribe, tribal agency, or inter-tribal organization may apply, in the manner specified by the department, for a grant of up to \$10,000 to conduct an American Indian health project that is designed to do any of the following:
 - (am) Develop, test or demonstrate solutions for specific American Indian health problems which, if proven effective, may be applied by other tribes, tribal agencies, inter-tribal organizations or other agencies or organizations.
 - (bm) Fund start-up costs of programs to deliver health care services to American Indians.
- (c) Conduct health care needs assessments and studies related to health care issues of concern to American Indians.
- (d) Provide innovative community-based health care services to American Indians.
- (6) AMERICAN INDIAN DIABETES PREVENTION AND CONTROL. From the appropriation under s. 20.435 (1) (kf), the department shall fund activities to prevent and control diabetes among American Indians.

History: 1993 a. 16; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2007 a. 130 ss. 29 to 34, 36 to 42, 178; Stats. 2007 s. 250.20; 2009 a. 28.

250.21 Workplace wellness program grants.

- (1) DEFINITIONS. In this section:

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

13 | Page

- (a) "Health risk assessment" means a computer-based health-promotion tool consisting of a questionnaire; a biometric health screening to measure vital health statistics, including blood pressure, cholesterol, glucose, weight, and height; a formula for estimating health risks; an advice database; and a means to generate reports.
- (b) "Small business" means a business that has 50 or fewer employees.
- (c) "Workplace wellness program" means a health or fitness program that includes health risk assessments and one or more of the following programs or services:
 - 1. Chronic disease prevention.
 - 2. Weight management.
 - 3. Stress management.
 - 4. Worker injury prevention programs.
 - 5. Health screenings.
 - 6. Nutrition education.
 - 7. Health or fitness incentive programs.
 - 8. Vaccinations.
 - 9. Employee physical examinations.
- (2) **WORKPLACE WELLNESS PROGRAM GRANTS.** Subject to the limitations provided under sub. (3) and after the department's approval of the application, from the appropriation account under s. 20.435 (1) (bn), the department shall award a grant to each applicant who provides a workplace wellness program to any of the applicant's employees who are employed at a small business in this state in an amount not to exceed 30 percent of the amount that the applicant paid during the year to provide such a program, not including any amount paid to acquire, construct, rehabilitate, remodel, or repair real property.
- (3) **LIMITATIONS.** The maximum amount of the grants that may be awarded to all applicants in any fiscal year is \$3,000,000. No applicant may be awarded a grant under this section for a workplace wellness program in existence before March 15, 2014. No applicant may be awarded more than one grant under this section. No grants may be awarded under this section after December 31, 2018.
- (4) **ADMINISTRATION.** A person wishing to receive a grant under this section shall apply for a grant in the manner prescribed by the department. An applicant shall include with the application an itemized list of the applicant's expenditures for providing a workplace wellness program. The department shall promulgate rules to administer this section.

History: 2013 a. 137.

**CHAPTER 251
LOCAL HEALTH OFFICIALS**

- 51.001 Legislative findings.
- 51.01 Definitions.
- 51.02 Local health department; establishment.
- 51.03 Local board of health; members.
- 51.04 Local board of health; powers and duties.
- 51.05 Local health department; levels of service; duties.
- 51.06 Local health officer; qualifications; duties.
- 51.07 Certain physicians; state agency status.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

14 | Page

- 51.08 Jurisdiction of local health department.
- 51.09 Joint services.
- 51.10 County health department, how financed.
- 51.11 City-county health department and multiple county health department, how financed.
- 51.115 Multiple municipal local health department and city-city local health department; how financed.
- 51.12 City health department, how financed.
- 51.125 Village health department, how financed.
- 51.127 Town health department, how financed.
- 51.13 City-county health department and multiple county health department, joint funds.
- 51.135 Publication and effective date of orders and regulations.
- 51.14 Gifts.
- 51.15 Withdrawal of counties, cities, villages, or towns.
- 51.16 Local health department; evidence.
- 51.20 Rule making.

Cross-reference: See definitions in s. 250.01.

251.001 Legislative findings. The legislature finds that the provision of public health services in this state is a matter of statewide concern.

History: 1993 a. 27.

251.01 Definitions. In this chapter:

- (1g) "City-county board of health" means a board of health for a city-county health department.
- (1r) "County board of health" means a board of health for a single county health department or for a multiple county health department.
- (3) "County health officer" means the position of a local health officer in a single county health department or in a multiple county health department.
- (7m) "Represented employee" means an employee in a collective bargaining unit for which a representative is recognized or certified under subch. IV of ch. 111.
- (8) "Sanitarian" means a sanitarian, as defined in s. 440.98 (1) (b), who is registered under s. 440.98 (5).

History: 1993 a. 27 ss. 196, 197, 460; 2001 a. 16; 2007 a. 130.

251.02 Local health department; establishment.

- (1) In counties with a population of less than 500,000, unless a county board establishes a city-county health department under sub. (1m) jointly with the governing body of a city or establishes a multiple county health department under sub. (3) in conjunction with another county, the county board shall establish a single county health department, which shall meet the requirements of this chapter. The county health department shall serve all areas of the county that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r) or by a city-city health department established under sub. (3t). No governing body of a city may establish a city health department after January 1, 1994.
- (1m) Subject to sub. (1r), in counties with a population of less than 500,000, the county board and the governing body of a city that has a city health department may jointly establish a city-county health department, which shall meet the requirements of this chapter. A city-county health department shall serve all areas of the county that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r). A city-county health department established under this subsection after September 1, 2001, is subject to the control of the

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

15 | Page

city and county acting jointly under an agreement entered into under s. 66.0301 that specifies, in conformity with this chapter, all of the following:

- (a) The powers and duties of the city-county health department.
- (b) The powers and duties of the city-county board of health for the city-county health department.
- (c) The relative powers and duties of the city and county with respect to governance of the city-county health department and the city-county board of health.
- (1r) If a city that assigns represented employees to its city health department and if a county that assigns represented employees to its county health department jointly establish a city-county health department under an agreement specified under sub. (1m), all of the following shall apply, but only if the represented employees at the city health department and at the county health department who perform similar functions are included in collective bargaining units that are represented by the same representative:
 - (a) The city-county health department shall offer employment to all city and county employees who are represented employees and who perform functions for the city and county that are transferred to the city-county health department in the agreement under sub. (1m).
 - (b) Notwithstanding s. 111.70 (4) (d), if, in any collective bargaining unit that is initially created at the city-county health department, all of the former city and county employees were represented by the same representative when they were employed by the city or county, that representative shall become the initial representative of the employees in the collective bargaining unit without the necessity of filing a petition or conducting an election.
 - (c) Unless otherwise prohibited by law, with respect to city-county health department employees who were formerly represented employees at the city or county, the city-county health department shall adhere to the terms of the collective bargaining agreements that covered these employees while they were employed by the city or county until such time that the city-county health department and the representative of the employees have entered into a collective bargaining agreement.
- (2)
 - (a) Except as provided in par. (b), in a county with a population of 500,000 or more, the governing body of each city or village shall do one of the following:
 1. Establish a local health department that meets the requirements of this chapter.
 2. Contract with the local health department of another city or village in the county to have that local health department provide services in the city or village.
 - (b) In a county with a population of 500,000 or more, the governing body of a city or village may establish, jointly with the governing body of another city or village, a multiple municipal local health department that meets the requirements of this chapter.
 - (3) A county board may, in conjunction with the county board of one or more other counties, establish a multiple county health department, which shall meet the requirements of this chapter. A multiple county health department shall serve all areas of the respective counties that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r).
- (3m) If a county has a population of at least 100,000 but less than 500,000 and the county board of that county has, by July 1, 1985, abolished a county health commission or committee established under s. 141.10, 1991 stats., a village board in that county may continue and establish as a local board of health a village board of health that was established prior to January 1, 1994, and a town board in that county may continue and establish as a local board of health a town board of health that was established prior to January 1, 1994. A village or town that does so shall establish a local health department and elect a local health officer consistent with this chapter.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

16 | Page

- (3r) In a county described in sub. (3m), in addition to the local health department required to be established under sub. (3m), the governing body of a city, village or town in that county may, in concert with the governing body of another city, village or town in that county, establish a multiple municipal local health department and elect a local health officer consistent with this chapter.
- (3t) The governing body of a city with a city health department, as specified in s. 250.01 (4) (a) 3., may, in concert with the governing body of another city with a city health department, as specified in s. 250.01 (4) (a) 3., in the same county, establish a city-city health department and elect a local health officer consistent with this chapter.
- (4) No governing body of a county, city, village or town is required to use the term "local health department" to refer to a local health department that is established under this section.

History: 1993 a. 27; 1999 a. 9, 185; 2001 a. 16; 2003 a. 158; 2011 a. 32.

251.03 Local board of health; members.

- (1) A local board of health shall consist of not more than 9 members. At least 3 of these members shall be persons who are not elected officials or employees of the governing body that establishes the local health department and who have a demonstrated interest or competence in the field of public health or community health. In appointing the members who are not elected officials or employees, a good faith effort shall be made to appoint a registered nurse and a physician. Members of the local board of health shall reflect the diversity of the community. A county human services board under s. 46.23 (4) may act as a county board of health if the membership of the county human services board meets the qualifications specified in this subsection and if the county human services board is authorized to act in that capacity by the county board of supervisors. If a county human services board acts in this capacity, it shall use the word "health" in its title.
- (2) The chief executive officer of a city or a village shall appoint members of a local board of health, subject to confirmation by the governing body. In a county with a county executive, the county executive shall appoint members of the county board of health, subject to confirmation by the county board of supervisors. In a county without a county executive, members of the county board of health shall be appointed by the chairperson of the county board of supervisors, subject to confirmation by the county board of supervisors. The person who appoints members of the local board of health may designate certain members to be nonvoting members of the board.
- (3) In establishing a city-county or multiple county health department, the relevant governing bodies shall agree on how many members of the local board of health are appointed by each governing body and how many of each governing body's appointees shall be members who are not elected officials or employees of the governing body. The members shall be appointed as specified in sub. (2).
- (4) Governing bodies of counties, cities or villages that appoint local boards of health shall specify the lengths of terms of members and shall provide for staggered terms.
- (4m) Subsections (1) to (4) do not apply to a village or town that establishes a local health department under s. 251.02 (3m). In a village or town that does so, the village board or town board shall establish itself as a local board of health or appoint either wholly or partially from its own members a local board of health that consists of a suitable number of competent persons. A local board of health under this subsection shall elect a chairperson and clerk.
- (4r) Subsections (1) to (4m) do not apply to a city, village or town that establishes a multiple municipal local health department under s. 251.02 (2) (b) or (3r), or to cities that establish a city-city local health department under s. 251.02 (3t). In establishing a multiple municipal local health department as described under s. 251.02 (2) (b) or (3r), the relevant governing bodies shall agree on how many members of the local board of health are appointed by each governing body and how many of each governing body's appointees shall be members who are not elected officials or employees of the governing body. The members shall be appointed by the relevant governing bodies. A local board of health under this subsection shall elect a chairperson and clerk.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

17 | Page

- (5) No governing body of a county, city, village or town is required to use the term "local board of health" to refer to a local board of health that is established under this section.

History: 1993 a. 27; 1999 a. 9; 2003 a. 158.

251.04 Local board of health; powers and duties.

- (1) Except as authorized in s. 251.02 (2) (b), (3m), (3r), and (3t), a city board of health shall govern a city health department, a county board of health shall govern a county health department or multiple county health department, and a city-county board of health shall govern a city-county health department. A city board of health, a county board of health, a city-county board of health, or a board of health for a local health department as authorized in s. 251.02 (2) (b), (3m), (3r), or (3t) shall assure the enforcement of state public health statutes and public health rules of the department as prescribed for a Level I local health department. A local board of health may contract or subcontract with a public or private entity to provide public health services. The contractor's staff shall meet the appropriate qualifications for positions in a Level I local health department.
- (2) A city or county board of health or a board of health for a local health department as authorized in s. 251.02 (2) (b), (3m), (3r), or (3t) shall assure that its local health department is a Level I, Level II, or Level III local health department, as specified in s. 251.05 (1).
- (3) A city or county board of health or a board of health for a local health department as authorized in s. 251.02 (2) (b), (3m), (3r), or (3t) may adopt those regulations, for its own guidance and for the governance of the local health department, that it considers necessary to protect and improve public health. The regulations may be no less stringent than, and may not conflict with, state statutes and rules of the department.
- (4) A local board of health shall report to the department as required by rule.
- (5) A local board of health shall meet at least quarterly.
- (6) A local board of health shall:
- Assess public health needs and advocate for the provision of reasonable and necessary public health services.
 - Develop policy and provide leadership that fosters local involvement and commitment, that emphasizes public health needs and that advocates for equitable distribution of public health resources and complementary private activities commensurate with public health needs.
- (7) A local board of health shall assure that measures are taken to provide an environment in which individuals can be healthy.
- (8) Unless the manner of employment is otherwise provided for by ordinance, a local board of health shall employ qualified public health professionals, including a public health nurse to conduct general public health nursing programs under the direction of the local board of health and in cooperation with the department, and may employ one or more sanitarians to conduct environmental programs and other public health programs not specifically designated by statute as functions of the public health nurse. The local board of health shall coordinate the activities of any sanitarian employed by the governing body of the jurisdiction that the local board of health serves. The local board of health is not required to employ different persons to perform these functions.
- (9) In counties with a single county health department and either a county executive or a county administrator, the county executive or county administrator may assume the powers and duties of a local board of health under this section. If a county executive or a county administrator elects to assume those powers and duties, the local board of health shall be only a policy-making body determining the broad outlines and principles governing the administration of the county health department.

History: 1993 a. 27 ss. 261, 264, 463; 1997 a. 114; 1999 a. 9, 185; 2001 a. 16; 2003 a. 158.

251.05 Local health department; levels of service; duties.

- (1) A local health department shall meet the following requirements specified in par. (a) and may, unless sub. (6) applies, meet the following requirements specified in par. (b) or (c):

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

18 | Page

- (a) As a Level I local health department, at least the level of services specified in sub. (2) (a) with a local health officer who at least meets the qualifications specified in s. 251.06 (1) (a).
- (b) As a Level II local health department, at least the level of services specified in sub. (2) (b) with a local health officer who at least meets the qualifications specified in s. 251.06 (1) (b).
- (c) As a Level III local health department, at least the level of services specified in sub. (2) (c) with a local health officer who at least meets the qualifications specified in s. 251.06 (1) (c).
- (2) The services to be provided by the 3 levels of local health departments are as follows:
 - (a) A Level I local health department shall provide at least surveillance, investigation, control and prevention of communicable diseases, other disease prevention, health promotion and human health hazard control.
 - (b) A Level II local health department shall provide at least the services under par. (a) and additional services specified by the department by rule under s. 251.20 (3).
 - (c) A Level III local health department shall provide at least the services under par. (a) and additional services specified by the department by rule under s. 251.20 (3).
- (3) A local health department shall:
 - (a) Regularly and systematically collect, assemble, analyze and make available information on the health of the community, including statistics on health status, community health needs and epidemiologic and other studies of health problems.
 - (b) Develop public health policies and procedures for the community.
 - (c) Involve key policymakers and the general public in determining and developing a community health improvement plan that includes actions to implement the services and functions specified under s. 250.03 (1) (L).
 - (d) Submit data, as requested, to the local public health data system established by the department.
 - (e) Act as agent of the department, if designated by the secretary under s. 250.042 (1).
- (4) Except as provided in sub. (6), a local health department is not required to provide the level of services that is specified in sub. (1) (b) or (c) or to have a local health officer who meets the qualifications specified in sub. (1) (b) or (c).
- (5) Except as provided in sub. (6), the department may not require a local health department to provide the level of services that is specified in sub. (1) (b) or (c) or to have a local health officer who meets the qualifications specified in sub. (1) (b) or (c).
- (6) A local health department may be required to provide the level of services that is specified in sub. (1) (b) or (c) if and only to the extent that these services and qualifications are funded from state and federal funds that are available and are additional to any funding available on January 1, 1994.

History: 1993 a. 27; 2001 a. 109; 2005 a. 198; 2007 a. 130.

Cross-reference: See also ch. DHS 140, Wis. adm. code.

251.06 Local health officer; qualifications; duties.

(1)

(a)

1. Except as provided in subd. 2. or 3., a local health officer of a Level I local health department shall have at least a bachelor's degree from a nursing program accredited by the national professional nursing education accrediting organization or from a nursing program accredited by the board of nursing.
2. A local health officer of a village or town health department established under s. 251.02 (3m) or of a multiple municipal local health department established under s. 251.02 (3r) shall be either a physician or a registered nurse. The local health officer shall be a voting member of the local board of health and shall take an oath of office. With respect to the levels of services of a Level I local health department, as specified in s. 251.05 (2) (a), the local health

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

19 | Page

officer shall be authorized to act by and be directed by the county health officer of the county specified under s. 251.02 (3m).

3. If there is more than one full-time employee of a Level I local health department, including a full-time public health nurse who meets the qualifications specified under s. 250.06, the local health officer may meet the qualifications of a Level II or Level III local health officer.
 - (b) A local health officer of a Level II local health department shall have at least 3 years of experience in a full-time position with a public health agency, including responsibility for a communicable disease prevention and control program, preferably in a supervisory or other administrative position, and at least one of the following:
 1. A bachelor's degree from a nursing program accredited by the national professional nursing education accrediting organization or from a nursing program accredited by the board of nursing, either of which shall include preparation in public health nursing.
 2. A bachelor's degree in public health, environmental health, the physical or biological sciences or a similar field.
 - (c) A local health officer of a Level III local health department shall have at least one of the following:
 1. A master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field and 3 years of experience in a full-time administrative position in either a public health agency or public health work.
 2. A bachelor's degree and 16 graduate semester credits towards a master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field and 5 years of experience in a full-time administrative position in either a public health agency or public health work.
 3. A license to practice medicine and surgery under ch. 448 and at least one of the following:
 - a. Three years of experience in a full-time administrative position in either a public health agency or public health work.
 - b. Eligibility for certification by the American board of preventive medicine in public health or general preventive medicine.
 - c. A master's degree in public health, public administration, health administration or, as defined in rules promulgated by the department, a similar field.
 - (d) Notwithstanding pars. (a) to (c), relevant education, training, instruction, or other experience that an applicant obtained in connection with military service, as defined in s. 111.32 (12g), counts toward satisfying the requirements for education, training, instruction, or other experience to qualify as a public health officer if the applicant demonstrates to the satisfaction of the department that the education, training, instruction, or other experience that the applicant obtained in connection with his or her military service is substantially equivalent to the education, training, instruction, or other experience that is required to qualify as a public health officer.
- (2)
 - (a) Except as provided in pars. (b) and (c), a local health officer shall be a full-time employee of a local health department.
 - (b) A local health officer of a county health department in a county under s. 251.02 (3m) shall be a full-time employee of the county who meets the qualifications of a local health officer of a Level I local health department.
 - (c) A local health officer of a local health department of a village or town established under s. 251.02 (3m) or a local health officer of a multiple municipal local health department established under s. 251.02 (3r) shall be one of the following:
 1. An employee of the local health department of the village or town or an employee of the multiple municipal local health department.
 2. A full-time employee of a local health department other than that specified in subd. 1.
 3. The local health officer under par. (b).
 4. The employee of a hospital, who provides, on a full-time basis, the services under s. 251.05 (2) (a), (b) or (c).

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

20 | Page

- (3) A local health officer shall:
- (a) Administer the local health department in accordance with state statutes and rules.
 - (b) Enforce state public health statutes and rules.
 - (c) Enforce any regulations that the local board of health adopts and any ordinances that the relevant governing body enacts, if those regulations and ordinances are consistent with state public health statutes and rules.
 - (d) Administer all funds received by the local health department for public health programs.
 - (e) Appoint all necessary subordinate personnel, assure that they meet appropriate qualifications and have supervisory power over all subordinate personnel. Any public health nurses and sanitarians hired for the local health department shall meet any qualification requirements established in rules promulgated by the department. "Subordinate personnel" under this paragraph may include any of the following:
 - 1. A public health educator who meets qualifications that the department shall specify by rule.
 - 2. A public health nutritionist, who is a certified dietitian, as defined in s. 448.70 (1m), is credentialed as a registered dietitian by the Commission on Dietetic Registration, and meets qualifications that the department shall specify by rule.
 - 3. A public health dental hygienist, who is licensed as a dental hygienist under s. 447.04 (2) (a) or (b), and who meets qualifications that the department shall specify by rule.
 - (f) Investigate and supervise the sanitary conditions of all premises within the jurisdictional area of the local health department.
 - (g) Have access to vital records and vital statistics from the register of deeds, as specified in ch. 69.
 - (h) Have charge of the local health department and perform the duties prescribed by the local board of health. The local health officer shall submit an annual report of the administration of the local health department to the local board of health.
 - (i) Promote the spread of information as to the causes, nature and prevention of prevalent diseases, and the preservation and improvement of health.
- (4)
- (a) Except as provided in pars. (b) and (c), a local health officer shall be appointed in the same manner as are members of a local board of health under s. 251.03 (2).
 - (b) In any county with a county executive that has a single county health department, the county executive shall appoint and supervise the county health officer. The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63. The county health officer appointed under this paragraph is subject only to the supervision of the county executive. In a county with such a county health officer, the local board of health shall be only a policy-making body determining the broad outlines and principles governing the administration of the county health department.
 - (c) A local health officer of a village or town health department established under s. 251.02 (3m), of a multiple municipal local health department established under s. 251.02 (2) (b) or (3r), or of a city-city local health department established under s. 251.02 (3t) shall be appointed by the local board of health.

History: 1993 a. 27 ss. 203, 209, 266, 465; 1993 a. 106; 1995 a. 201; 1997 a. 114; 1999 a. 9; 2003 a. 158; 2007 a. 130; 2011 a. 120.

Cross-reference: See also ch. DHS 139, Wis. adm. code.

This section does not require that a county create a stand-alone county health department and does not preclude the county human services director from exercising any managerial authority over the county health officer with respect to the operation of county health department programs. Because the transfer of the functions of a county health department to the county human services department is expressly authorized under s. 46.23 (3) (b) 1. bm. and c., a county that has a county executive is not required to create a stand-alone county health department. OAG 7-08.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

21 | Page

251.07 Certain physicians; state agency status. A physician who is not an employee of the local health department and who provides services, without compensation, for those programs and services provided by a local health department that require medical oversight is, for the provision of the services he or she provides, a state agent of the department of health services for the purposes of ss. 165.25 (6), 893.82 (3), and 895.46.

History: 2007 a. 20 s. 9121 (6) (a); 2007 a. 130; 2009 a. 276.

251.08 Jurisdiction of local health department. The jurisdiction of the local health department shall extend to the entire area represented by the governing body of the county, city, village or town that established the local health department, except that the jurisdiction of a single or multiple county health department or of a city-county health department does not extend to cities, villages and towns that have local health departments. Cities, towns and villages having local health departments may by vote of their local boards of health determine to come under the jurisdiction of the county health department. No part of any expense incurred under this section by a county health department may be levied against any property within any city, village or town that has a local health department and that has not determined to come under the jurisdiction of the county health department.

History: 1993 a. 27 s. 213; 2001 a. 16.

251.09 Joint services. Local health departments jointly may provide health services as agreed upon under s. 66.0301, unless, notwithstanding s. 66.0301, the agreement conflicts with a provision of this chapter.

History: 1993 a. 27 s. 271; Stats. 1993 s. 251.09; 1999 a. 150 s. 672.

251.10 County health department, how financed. The county board shall appropriate funds for the operation of a single county health department that is established under s. 251.02 (1) and determine compensation of county health department employees. The local board of health shall annually prepare a budget of the proposed expenditures of the county health department for the ensuing fiscal year.

History: 1993 a. 27.

251.11 City-county health department and multiple county health department, how financed.

- (1) The local board of health of every multiple county health department established under s. 251.02 (3) and of every city-county health department established under s. 251.02 (1m) shall annually prepare a budget of its proposed expenditures for the ensuing fiscal year and determine either the proportionate cost to each participating county and city on the basis of equalized valuation or the proportionate levy contribution from each county and city on a per capita basis. A certified copy of the budget, which shall include a statement of the amount required from each county and city, shall be delivered to the county board of each participating county and to the mayor or city manager of each participating city. The appropriation to be made by each participating county and city shall be determined by the governing body of the county and city. No part of the cost apportioned to the county shall be levied against any property within the city.
- (2) The local board of health of a multiple county health department established under s. 251.02 (3) shall, under this section, determine the compensation for the employees of the multiple county health department. The local board of health of a city-county health department established under s. 251.02 (1m) shall, under this section, determine the compensation for the employees of the city-county health department.

History: 1993 a. 27 ss. 207, 216, 217; 2001 a. 16, 104; 2015 a. 175.

251.115 Multiple municipal local health department and city-city local health department; how financed. The governing body of every multiple municipal local health department established under s. 251.02 (2) (b) or (3r) and of every city-city local health department established under s. 251.02 (3t) shall annually prepare a budget of its proposed expenditures for the ensuing fiscal year and determine either the proportionate cost to each participating municipality on the basis of equalized valuation or the proportionate levy contribution from each participating municipality on a per capita basis. A certified copy of the budget, which shall include a statement of the amount required from each municipality, shall be delivered to the governing body of each participating

MEMORANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

22 | Page

municipality. The appropriation to be made by each participating municipality shall be determined by the governing body of the city, village, and town.

History: 2015 a. 175.

251.12 City health department, how financed. The common council shall appropriate funds for the operation of all of the following:

- (1) A city health department that is established as specified in s. 251.02 (1) and (2) (a).
- (2) A multiple municipal local health department that is established as specified in s. 251.02 (3r).
- (3) A multiple municipal local health department that is established as specified in s. 251.02 (2) (b).
- (4) A city-city local health department that is established as specified in s. 251.02 (3t).

History: 1993 a. 27; 1999 a. 9; 2003 a. 158, 326.

251.125 Village health department, how financed. If a village health department is established under s. 251.02 (2) (a) or (3m), if a multiple municipal local health department is established as specified in s. 251.02 (3r), or if a multiple municipal local health department is established as specified in s. 251.02 (2) (b), the village board shall appropriate funds for the operation of the department.

History: 1993 a. 27; 1999 a. 9, 185; 2003 a. 158.

251.127 Town health department, how financed. If a town health department is established under s. 251.02 (3m) or if a multiple municipal local health department is established under s. 251.02 (3r) by the governing body of a town in concert with the governing body of another town or a city or village, the town board shall appropriate funds for the operation of the department.

History: 1993 a. 27; 1999 a. 9.

251.13 City-county health department and multiple county health department, joint funds. For each multiple county or city-county health department, a joint health department fund shall be created either in the treasurer's office where the principal office of the health department is located or in the office of the city treasurer of a city within the health department's jurisdiction, as determined by the local board of health. The treasurer of each county and city participating in the health department shall annually pay or cause to be paid into the fund the share of the county or city. This fund shall be expended by the treasurer in whose office the fund is kept in the manner prescribed by the local board of health pursuant to properly authenticated vouchers of the health department signed by the local health officer.

History: 1993 a. 27 s. 218.

251.135 Publication and effective date of orders and regulations. The orders and regulations of a local board of health shall be published as a class 1 notice, under ch. 985, and shall take effect immediately after publication. No local board of health is required to use the term "regulation" to refer to a regulation that is published under this section.

History: 1993 a. 27 s. 211; Stats. 1993 s. 251.135.

251.14 Gifts. A local board of health may receive gifts and donations for the purpose of carrying out the provisions of this chapter.

History: 1993 a. 27 s. 215.

251.15 Withdrawal of counties, cities, villages, or towns.

- (1) After establishing a multiple county health department under s. 251.02 (3), any participating county board may withdraw by giving written notice to its county board of health and the county boards of all other participating counties, except that participating county boards may, in establishing a multiple county health department under s. 251.02 (3), establish an initial minimum participation period of up to 5 years. If a multiple county health department is established with an initial minimum participation period under this subsection, a participating county may not withdraw during that initial minimum period unless withdrawal is necessary to meet statutory requirements for a Level I health department under s. 251.05.

MEMODANDUM

To: Ordinance Committee
Prepared By: Stephen P. Compton, City Administrator
Date of Meeting: Jan. 23, 2017
Subject: DPH MAP AND State Health Statutes

23 | Page

- (2) A city that had established a local health department prior to deciding to participate in a city-county health department established under s. 251.02 (1m) may withdraw from the city-county health department if the common council of the city gives written notice to the county board of the participating county, except that participating cities and counties may, in establishing a city-county health department under s. 251.02 (1m), establish an initial minimum participation period of up to 5 years. If a city-county health department is established with an initial minimum participation period under this subsection, a participating city or county may not withdraw during that initial minimum period unless withdrawal is necessary to meet statutory requirements for a Level I health department under s. 251.05.
- (2m) After establishing a multiple municipal local health department under s. 251.02 (2) (b) or (3r) or a city-city local health department under s. 251.02 (3t), the governing body of any participating city, village, or town participating may withdraw by giving written notice to the local board of health and to the governing bodies of all other participating cities, villages, and towns, except that participating cities, villages, and towns may, in establishing a multiple municipal local health department under s. 251.02 (2) (b) or (3r) or a city-city local health department under s. 251.02 (3t), establish an initial minimum participation period of up to 5 years. If a multiple municipal local health department or city-city local health department is established with an initial minimum participation period under this subsection, a participating city, village, or town may not withdraw during that initial minimum period unless withdrawal is necessary to meet statutory requirements for a Level I health department under s. 251.05.
- (3) The notice under sub. (1), (2), or (2m) shall be given at least one year prior to commencement of the fiscal year at which the withdrawal takes effect. Whenever the withdrawal takes effect, all relevant provisions of law relating to local boards of health and local health officers shall immediately become applicable within the withdrawing county, city, village, or town.

History: 1993 a. 27 s. 220; 2001 a. 16; 2003 a. 158; 2015 a. 175.

251.16 Local health department; evidence. The reports and employees of a local health department are subject to s. 970.03 (12) (b).

History: 1979 c. 221; 1985 a. 267 s. 3; 1993 a. 27 s. 221; Stats. 1993 s. 251.16.

251.20 Rule making. The department shall promulgate rules that specify all of the following:

- (1) Required services for each of Levels I, II and III local health departments under s. 251.05 (2).
- (3) Additional required services for Level II and Level III local health departments under s. 251.05 (2) (b) and (c), including services that the department of health services determines appropriately address objectives or services specified in the most recent public health agenda under s. 250.07 (1) (a).

History: 1993 a. 27; 2005 a. 198; 2009 a. 180.

Cross-reference: See also ch. DHS 140, Wis. adm. code.

State Web Links:

<https://www.dhs.wisconsin.gov/lh-depts/boh-info.htm>

STAFF REPORT

AGENDA ITEM: TV-A

To: Mayor and Common Council

Prepared By: Stephen P. Compton, City Administrator 

Date of Meeting: January 23, 2017

Subject: Discover Wisconsin – Media Network Agreement

BACKGROUND

Discover Mediaworks was born in the Northwoods of Wisconsin in 1987, planting roots in broadcast television with our flagship program, *Discover Wisconsin*. Since then, they added another television program, *Into the Outdoors*, which has grown into a successful and robust environmental education curriculum.

Fulfilling the rising needs of television program partners, Discover Mediaworks organically evolved into a successful full-service advertising and marketing communications agency. Discover Mediaworks works with a wide variety of clients in industries such as tourism and hospitality, food, manufacturing, agriculture and environmental improvement, among others.

ANALYSIS

Over this past year, I reviewed the marketing plans created under the “City Branding” efforts which resulted in a changed City Logo which emerged on city stationary, publications and communications through emails.

Kristine Koenecke, Chamber of Commerce Executive Director has completed many marketing pieces to tell the story of the City. As the next step in evolution we both felt the City and Chamber should take the next step into using Television and Radio. This tool: videography and photography services from “Discovery Wisconsin” produce (video editing and sound design) specific focused products to showcase the City for a tourism market. They also will attend top tourism trade shows and deliver City of Reedsburg marketing brochures, demographic and videos.

It is the intent of the production to be use in the City “Economic Development” outreach to those searching for “Tourism” destinations. A secondary use for the Chamber of Commerce, Reedsburg Utility Commission, Industrial & Commercial Development Commission and Community Development Authority would be used in marketing campaigns for industry, business/commercial recruitment.

Looking internally both the City and the Chamber staff, while we have the passion to tell the story with key community characteristics (Business-Downtown, Education, Industry and Schools/Residential and our lower Utility cost – a great Reedsburg story, we do not have the staff or departments to produce the professional market place production and separately we do not have the funds.

During the 2017 Budget reparation a partnership and a funding plan was created that will get us to the level needed to fund this production: \$40,000. The production will take one year to produce with delivery of the video segments starting in 2018 and running through 2019 and the summer of 2020.

FINANCIAL IMPACT

The FY 2017 Budget has the first year funding for the project. Future years will be budgeted. Additionally, the Chamber of Commerce has approved a similar approach and a multi-year financial plan for funds needed over a three year period.

Financial Plan:	Share	Cost	Cost	Cost	Total		
		Year 1	Year 2	Year 3			
	%	\$15,000.00	%	\$13,000.00	%	\$12,000.00	\$40,000.00
City - Community Improvement	0.36	\$5,400.00	0.36	\$4,680.00	0.36	\$4,320.00	\$14,400.00
Chamber of Commerce	0.28	\$4,200.00	0.28	\$3,640.00	0.28	\$3,360.00	\$11,200.00
Room Tax Commission	0.18	\$2,700.00	0.18	\$2,340.00	0.18	\$2,160.00	\$7,200.00
Business Donations	0.10	\$1,500.00	0.10	\$1,300.00	0.10	\$1,200.00	\$4,000.00
Community Donations	0.05	\$750.00	0.05	\$650.00	0.05	\$600.00	\$2,000.00
Non-Profit Donations	0.03	\$450.00	0.03	\$390.00	0.03	\$360.00	\$1,200.00

Payment Schedule:	City Share	Chamber Share
February 20, 2017	\$8,100*	\$6,900*
February 20, 2018	\$7,020*	\$5,980*
February 20, 2019	<u>\$6,480*</u>	<u>\$5,520*</u>
Total	<u>\$21,600</u>	<u>\$18,400</u>

‘**’ the City and Chamber have an amount of denotations for the project over this next couple of years.

In early 2016 the Discover Wisconsin team made a presentation to the Room Tax Commission about having an organization “Tourism” theme. The Room Tax Commission was very supportative but also knew the larger amount of funds would have to come from additional sources. In February the Room Tax Commission will receive an application for funding.

Discover Wisconsin will make a presentation to the City Council on the evening of Jan 23, 2017.

STAFF RECOMMENDATION

Staff recommends the City Council adopt the agreement with Discover Wisconsin Media Network and authorize the City Administrator to sign the agreement. Account 01-566100-03 \$5,400.00

ATTACHMENTS:

-Discover Wisconsin Agreement

DISCOVER WISCONSIN MEDIA NETWORK AGREEMENT

CLIENT INFORMATION			
<i>Company Name</i>	City of Reedsburg / Reedsburg Area Chamber of Commerce <small>(Company Name as it should appear on invoice)</small>		
<i>Billing Address</i>	134 South Locust Street / P.O. Box 490	240 Railroad Street / P.O. Box 142	
	<small>(City Address)</small>	<small>(Chamber Address)</small>	
	Reedsburg	Wisconsin	53959
	<small>(City)</small>	<small>(State)</small>	<small>(Zip)</small>
<i>Billing Contact</i>	Stephen Compton / Kristine Koenecke		City Administrator / Chamber Ex. Director
	<small>(Name)</small>		<small>(Title)</small>
	608-524-6404	608-524-2850	admin@ci.reedsburg.wi.us / ed@rucls.net
	<small>Phone # for Stephen</small>	<small>Phone # for Kristine</small>	<small>(Email Address)</small>
<i>Assigned #'s</i>	TBD		DWTV 1811
	<small>(Client Purchase Order #)</small>		<small>(Discover Mediacom Project #)</small>

PROJECT SCOPE	
<i>Description</i>	
I. Project Summary	
<p><u>Website Component</u></p> <ul style="list-style-type: none"> (2) Year “ Destination page” on <i>discoverwisconsin.com</i> specific for Reedsburg. Discover Wisconsin “Choice Destination” Badge would be supplied as an icon for placement on your website, to link to <i>discoverwisconsin.com</i>. <p><u>Television Component</u></p> <p>Production:</p> <ul style="list-style-type: none"> Professionally produced one-half hour <i>DW</i> television episode featuring Reedsburg as episode content. Production to take place 2017. <p>Air Time:</p> <ul style="list-style-type: none"> Your episode will be broadcast three (3) times throughout our syndicated television network over two (2) years. Spring of 2018 to spring of 2020 List select events during weekly broadcasts over the 2 years 	

Radio Component

Production:

- Five professionally produced DW - Radio programs will feature Reedsburg area as program content.

Airtime:

- Radio programs will be broadcast over a two (2) year period, throughout our syndicated DW-Radio Network.

Non-Broadcast Components

Video:

- (1) jump drive of a commercial-free version of the episode, and a YouTube version of the segments for your website will be created and provided to you for a variety of non-broadcast promotional purposes.

Other:

- Promotional use of DW Choice Destination logo
- Trade Show involvement
- Public Relations
- Items as stated in proposal

Non-compete

- It is further understood that *Discover Wisconsin* is a registered trademark of Mediaworks, any video, electronic or audio reproduction, alteration or rebroadcast of this episode or any portion thereof, as produced by *Discover Wisconsin*, without the express written approval of Mediaworks, is strictly prohibited.
- Broadcast components are subject to pre-emption and other acts, circumstances or occurrences which are beyond the control of Mediaworks.

V. Project Costs					
Total Investment	\$40,000.00				
VI. Payment Terms					
<p><u>February 20, 2017 – City \$8,100.00 / Chamber \$6,900.00</u></p> <p><u>February 20, 2018 – City \$7,020.00 / Chamber \$5,980.00</u></p> <p><u>February 20, 2019 – City \$6,480.00 / Chamber \$ 5,520.00</u></p> <p>*Finance charges of 18% annual percentage rate will be assessed on balances not paid by date due.*</p>					
<p>PROPOSED BY: Discover Mediaworks, Inc.</p>	<p>ACCEPTED BY: City of Reedsburg</p>				
<p>_____ Greg Smith Managing Director</p>	<p>_____ Stephen Compton Reedsburg Area Chamber of Commerce</p>				
<p>Date: _____</p>	<p>_____ Kristine Koenecke</p> <p>Date: _____</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #cccccc; text-align: center;">TOTAL COSTS</td> <td style="text-align: right;">\$40,000.00</td> </tr> <tr> <td style="background-color: #cccccc; text-align: center;">TIMELINE / DEADLINE</td> <td></td> </tr> </table>		TOTAL COSTS	\$40,000.00	TIMELINE / DEADLINE	
TOTAL COSTS	\$40,000.00				
TIMELINE / DEADLINE					

MEMODANDUM

To: Mayor, City Council
Prepared By: Stephen P. Compton, City Administrator *SPC*
Date of Meeting: Jan. 23, 2017
Subject: 2017 Administrator Work Plan

On Going Responsibilities

Citywide duties, responsibilities, and authority – enforce all laws and ordinances of the city; all franchises, permits and privileges granted by the City.

Operating Departments Oversight – provide direction to team members on citywide priorities, City Council goals, and effective management of city services.

Council Meeting and Agenda Report Preparation – direct and review agenda reports and assist the Mayor and City Staff with preparation of the agenda staff reports and facilitation of the City Council meetings.

Continuous Improvement – initiate and implement opportunities for improving city department processes and city services.

Budget Management – Plan and direct the preparation of the operating and capital improvement budgets. This includes keeping the City Council fully advised as to the financial conditions and needs of the City and to furnish financial reports to the City Council.

Problem Solving/Issue Resolution – use sound judgment and best management principles and practices in resolving citywide problems.

Direct Connect – Keep the workforce involved and informed of citywide issues, initiatives, and City Council goals.

Current Objectives and Specific Projects

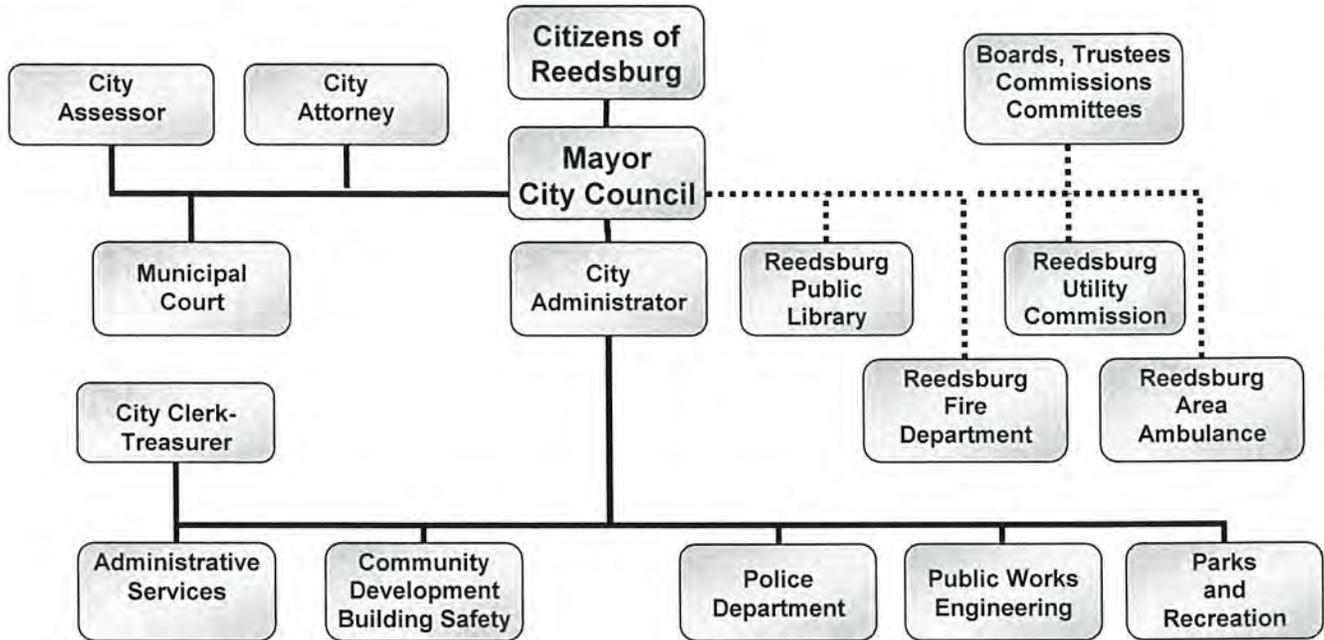
1. Establish Mayor and City Council listening sessions dates (Meet in C.A. Office or Off Site).
2. Blue Ribbon Committee: to develop Policy for Art in Public Places.
3. Personnel Committee: review of staffing levels and compensation of City Employees.
4. Work with City Clerk-Treasurer to present to Council draft policies for review of Citywide Fees, Charges, Revenue Enhancements and or adjustments to Impact fees.

5. Work with City Clerk-Treasurer on 2016 Audit issues. Make sure prior year audit concerns are resolved.
6. Work with Director of Public Works to develop - City Council Top Priority CIP projects – Develop Scope and Funding Alternatives
 - Design Work for current public streets in the CIP Plan
 - Begin the 23/33/Viking Drive Corridor Study
 - Discuss Airport impact and Right of Ways changes
 - Space planning for next essential public facility
7. Develop criteria to assist City Council in priority setting for 2017 City Strategic Plan Update.
8. Continue to seek funding for areas identified under Funding gaps in the 2017 Legislative Program.
 - ~ Continue to monitor State and Federal funding for major drainage, roadway construction and leisure property development funds.
 - ~ Seek and maintain local road funds for construction of South Dewey.
 - ~ Seek funding for the extension of South Viking Drive into the Industrial / Commercial Bus. Park.
 - ~ Seek bridge repair funding for facilities in the City as may be available.
 - ~ Seek funding to support the development of Park, Recreation and Forestry areas; The 400 Trail, the Popple Nature Area a city premier nature area and walking trail along the Baraboo River, Half Moon Lagoon and Hay Creek. These areas can be developed into a destination for tourist and community pride.
 - ~ Seek large scale funding of “Flood Protection” measures along the Baraboo River. Several times this water course has reached outside the normal river boundaries and impacted nearby residential, commercial and essential public facilities. These areas should be programmed and under continuous grant applications seeking “Federal Assistance.
9. Complete 2017 - Future Mayor Program and seek “Youth Voice Engagement” on the development of a Youth Council Program.
10. Present financial options and fiscal plan to Council prior to FY 2018 Budget development to set new assumptions for salary, benefits, positions, operation changes.
11. Budget Development – FY2018 Operating and CIP budget
12. Looking at developing with CDA the “Housing Authority” function defined under Community Development State Law. Work on Industrial and Business recruitment marketing efforts.

Other Duties, Responsibilities, and Authority

Member, Baraboo River Development – Phase 1 and 2
Chief Executive Team Member, League of Wisconsin Municipalities
League Lobby Team Member – 2017-18 Legislative Year, League of Wisconsin Municipalities
City Administrator member, League of Wisconsin Municipalities
Member, International City/County Managers Association

2017 City Organizations Chart



2013 City Council Strategic Planning

Top Three	Quality of Life: – Public Safety (Police, Fire EMS), facilities, roads, wastewater The high points in city services were police, fire and the responsiveness of caring for the city's infrastructure, including streets and the wastewater treatment plant.
Goal 1 (Votes 8)	Transportation and Infrastructure Improvements: The top priorities seemed to reflect an overall priority to improve the quality of life in the community. <u>The No. 1 choice with eight votes</u> was a plan to establish a route through the city that would keep heavy commercial trucks off the side streets, particularly Dewey Street, on the south side of Main Street.
Goal 2 (Votes 6)	Recreation Opportunities More recreational opportunities and improvements to aging city buildings, each with <u>six votes</u> , tied for second place.
Goal 3 (Votes 5)	Improving Recreational Facilities and increasing shopping opportunities. It was a tie for third place as well with <u>five voting</u> in favor of improving recreational facilities and <u>five voting</u> for increasing retail shopping opportunities.
Goal 4 (Votes 4)	Maintain a low, competitive, Tax rate Another priority was maintaining a low, competitive tax rate, an idea that <u>got four votes</u> .
Goal 5 (Votes 3)	Job Market Boosting the job market received <u>three votes</u> .
Goal 6 (Votes 0)	N/A



City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

City Mission, Vision and Goal Statement

Mission Statement

- Connecting opportunities and providing services for a vibrant community.

Vision and Goals Statement

- Reedsburg is a small, rural community where businesses flourish; people feel welcome and are comfortable raising families and retiring.
- Staying true to our Mission statement - connecting opportunities and providing exceptional services for a vibrant community - we offer:
 - A balanced array of quality resources for families surrounded by rich natural resources at the edge of Wisconsin's Driftless region.
 - An historic and walkable downtown campus along the Baraboo River with a budding arts sphere.
 - Thriving and diverse industry, with a well-equipped industrial park and a contiguous business center containing light, research, and high tech industries.
- Citywide Internet access to every home and business in the community at Gigabit speeds; the fastest available in Wisconsin!

MEMODANDUM

To: Directors, Managers

Prepared By: Stephen P. Compton, City Administrator

Date of Meeting: Jan. 12, 2017

Subject: Schedule for Department and Allied Agency Presentations

We will start at the Feb. 13, 2017 meeting with the presentations. At this meeting the Reedsburg Public Library Director will be presenting.

We will then shift to the 2nd Council meeting of the month for presentations as these meetings seems to have less agenda actionable items.

Suggested Content: Department/Agency Specific

Time Period: 10 to 15 minutes

Power Point: 5 to 6 slides or you can also use the City Web Site Information.

Document: Department Report you have to hand out.

QUARTER	DATE	DEPARTMENT
1 st	Feb. 13, 2017	Library *
1 st	March 20, 2017	Public Works, Engineering,
2 nd	April 24, 2017	Park and Recreation
2 nd	May 22, 2017	Community Development/Building Safety
2 nd	June 26, 2017	Administration, Municipal Court, CDBG
3 rd	July 24, 2017	Police, Communications
3 rd	August 28, 2017	Fire Department *
3 rd	September 25, 2017	EMS/Emergency Management *
4 th	October 23, 2017	Reedsburg Utility Commission *

- Allied Agencies to the City.

8 THINGS

A stylized illustration of a city skyline with various buildings in shades of blue, green, and yellow, set against a dark blue background with light blue clouds.

That May Be

MISSING

From Your City's
Strategic Plan

8 THINGS THAT MAY BE MISSING FROM YOUR CITY'S STRATEGIC PLAN

Strategic planning isn't really the norm among cities. At least, not the way it is with most private-sector organizations. But when a city implements a strategic plan correctly, it has the potential to create the openness and sense of community that many cities want.

If your city does have a strategic plan, it's easy to think that because you spend a good amount of time creating and implementing it, that it's going to work. But when things don't turn out the way you intended, it makes you wonder what you're doing wrong. The truth is, there are key components to a strategic plan, and if any one of them is missing, you won't see the results you're hoping for. So if you're wondering why it's so hard to execute your city's strategic plan, ask yourself, "What's missing?"

1. DO YOU HAVE A MISSION OR VISION?

First and foremost, for a strategic plan to work, you need to have vision and mission statements.

Vision statements, or mission statements, are high-level, reachable goals that are set from the very beginning of the strategic process and work as the foundation for your plan. They are a declaration of your city's long-term goals—basically, they state what you are hoping to achieve by going through the strategic planning process.

Ask yourself, “Why is it important for us to create this strategic plan?” and “Why is it important to think about where we want to be in the future?” Answering these questions will help you come up with your vision and will let everyone involved in the process be on the same page.

These statements need to be free of useless words that might create confusion or remove clarity from your goal. It needs to be a broad, overall goal, showing your picture of the city's future. Involve city staff and citizens in the process of making the vision statement, and once you've got one in mind, communicate with them about why it's important. Without this clear vision, you are basically attempting to build a house without a foundation. (It's just not going to work.)

If you didn't start your strategic planning process with a clear enough or strong enough vision statement, you may need to go back to the beginning and rethink your plan.



See how Durham, North Carolina created a new strategic plan.



2. HAVE YOU CREATED A “CHANGE AGENDA”?

A change agenda is basically where you are now vs. where you want to go. For example, your schools may be at a point where every child can succeed in every school, but you want to get to a point where you have schools specialized for children’s specific skills or gifts. This would mean a shift in strategy, from all schools having the same standards to having a STEM school, a music school, or a girls’ school. Another example could be that you’re currently focused on reducing major crimes and felonies in your city, but you want to make a shift to focus on basic crimes.

Or, instead of being revenue-driven, you may find that you need to be mission-driven. Whatever the case, it could mean a complete change in what you’re doing and how you’ve been thinking about your city.

A change agenda will drive how you think about your measures and your strategy map, so if you haven’t come up with one, you need to.



3. DO YOU HAVE STRATEGIC THEMES?

Once you've agreed on the vision of your city and your change agenda, you can create strategic themes.

Basically, strategic themes are the 3-5 high-level goals your city is trying to accomplish. They are broad in scope, and apply to every part of the organization. They define what major strategic goals your city will pursue to achieve its vision, meaning they are the basis for your city's change. Without excelling in your themes, it's going to be really hard to carry out your vision.

When you come up with strategic themes, you have to consider other strategic ele-

ments, like the support or challenges you face. Themes also represent deliberate, strategic, directional decisions made by leadership. An example would be to have three themes, such as "safest, most family-friendly, and most business-friendly city in the state." When put together, you should be able to look at the proposed set of themes and ask, "If we excel in these areas, will we achieve our vision?" If you can't answer that question, or even ask it, then you most likely need work on your strategic themes.



**See Fort Lauderdale,
Florida's strategy
management journey.**



4. HAVE YOU CREATED STRATEGIC OBJECTIVES?

Objectives are the next step in the strategic process, and they essentially break down the vision even further. In order to create objectives, you have to identify the most critical goals in each theme. Objectives are short, concise statements that define what an organization has to do on a regular basis to achieve its vision.

For cities, objectives can be stated as action phrases or complete sentences. They can be written as informative statements, such as “We must leverage technology to connect citizens.” Or, they can be written in the voice of the citizen, “My family lives in a safe neighborhood.”

Objectives must be measurable, meaning there has to be at least one standard that measures the progress of the objective. They should also be specific, in order to provide a clear message into what needs to be

accomplished. Objectives should be relevant and realistic, as well. This means that it needs to be consistent with the vision and something that is actually achievable within the city’s capabilities and resources. Lastly, there needs to be a set time frame for completing the objective. Whether it’s five months from now or five years from now, stating a time frame will help make the goal more reachable and will hold people more accountable for getting it done.

So, if you don’t have specific, measurable, realistic objectives, it’s time you start making some. Without them, your strategic plan isn’t going to get you very far.

5. DO YOU HAVE MEASURES & TARGETS?

In order to know if you're achieving your goals, you need to be able to measure your progress. Measures are what will be tracked and change over time, and targets are what direction or speed the measure will take. A target is the level of performance or rate of improvement required for a particular measure. Targets should be observed over time to figure out what's changing (or not changing) and what should happen next. A measure should include a statement of the unit you're measuring (dollars, headcount, percentage, rating), a frequency for the measure (monthly, quarterly, annually), and a graph format to show the results (bar chart, pie chart, or a more sophisticated chart).

Being able to visualize the progress your city is making will help to better achieve the

openness cities want. Citizens appreciate being able to see the progress being made, and if you can compare yourself to similar cities or other standards, it will inform citizens even more. By having measures, people will be able to see that things are happening, and will be more likely to stay on board with the plan. If you have everything we've stated so far for a strategic plan, but don't have anything to measure or show for your efforts, you won't be able to know if your strategic plan is actually working. So make sure you have a way to keep track of your progress so you can see the results of your plan and better determine what action should take place next.



6. DO YOU HAVE INITIATIVES OR MILESTONES?

Initiatives are key action programs made to help you achieve your objectives or close the gap between your measures, performance, and targets. Basically, they are things you do in order to get an objective done. Initiatives are often known as projects, actions, or activities. They differ from objectives in that they are more specific, have stated boundaries (a beginning and an end), have a person or team assigned to accomplish them, and have a budget. Several initiatives taken together may support a specific objective or theme. It is important for a city to define the boundaries for initiatives, such as “all strategic projects over \$200k in size”.

It’s also important for initiatives to be strategic in nature, and not just “operations as usual” projects, or projects you would be doing regardless of a strategic plan. These actions must align with your objectives in order to see positive results in your strategic plan. If you don’t have initiatives or are having trouble executing them, it’s time to buckle down and fix this issue.



7. DO YOU HAVE A CULTURE OF INVOLVEMENT?

Another key element to a successful strategic plan is creating a culture of change within your organization. This means involving multiple people across the entire organization, sometimes cross-functionally.

You may have a designated “strategic plan team,” but it’s impossible to have a successful plan if only a select group of people know

about it or are working toward it. Even if city employees already have other jobs that don’t include the strategic plan, involving them is a great way to spread your reach across all city departments.

By creating this culture of openness, involvement, and change, you’ll find it much easier to reach the goals of your plan. So if you haven’t done it yet, it’s time to start.



8. DO YOU HAVE STRONG LEADERSHIP AND ACCOUNTABILITY?

It doesn't take an expert to know that without good leadership, you'll have a hard time seeing positive improvement in any organization, including cities. It's important to have strong leadership, as well as accountability within that leadership, in order to encourage change in the rest of the group or team. If you have people who are excited about your plan and who are willing to do what it takes to see it succeed, you'll see much better results. You also need to know that they can be held accountable for their actions in those leadership positions.

But accountability doesn't just stop at the leadership. Everyone who is involved in

implementing the strategic plan will need to be accountable, because you need to know that they are all on board. This includes people at both the department and executive level. It's a good idea to appoint one or two strong people to be "champions", people who fully understand your plan and are committed to helping other people understand it, too. They can drive buy-in in the early stages of development to make sure you have the support you need.

Once you know that everyone's all-in, you can move forward with confidence and hope for a positive future city.



SO, WHAT'S MISSING FROM YOUR PLAN?

In order to see your city flourish, you can't let anything fall by the wayside. Now that you know what should go into your strategic plan, be proactive about it. If that requires you to make some changes, don't be afraid to do it. Because, in the future, you'll be happy you did.

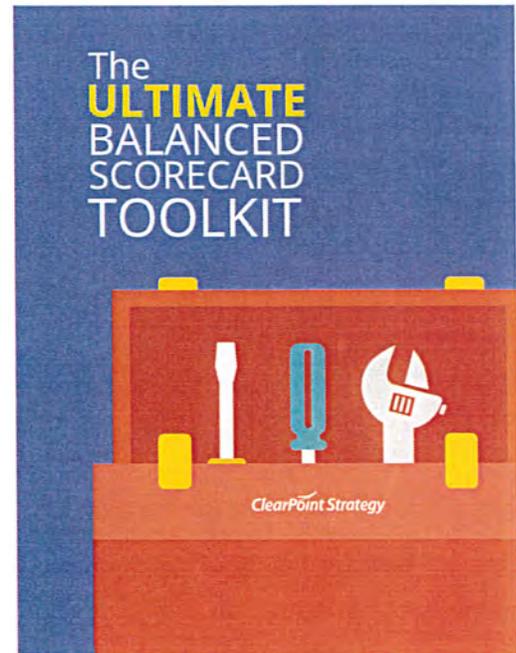
So ask yourself, what's missing from my strategic plan?

Click here to talk with a ClearPoint expert who can help you understand what's missing in your organization.

ClearPoint Strategy
www.clearpointstrategy.com

**Need Help With
Measures & Targets?**

Download Our Guide Here



ClearPoint Strategy
www.clearpointstrategy.com