



Village of Weston, Wisconsin MEETING NOTICE

- Meeting of: **COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE**
- Commissioners: **Pinonnault {c}, Ermeling {vc}, Czerwonka, Foss, Lopes-Serrao, Olson, & Vacant**
- Ex officio: **Maloney, Gebert, Hunt, Finke, Maguire**
- Staff: **Jami Gebert, Administrator**
- Date/Time: **Monday, February 3, 2025, 5:00 p.m.**
- Location: **Weston Municipal Center (4747 Camp Phillips Road) – Board Room**
- Agenda: **The agenda packet will be sent out at least 3 days prior to the meeting.**
- Attendance: **All Village officials are encouraged to attend. Commissioners, Committee members, Department Directors, and guests, please indicate if you will, or will not, be attending so we may determine in advance if there will be a quorum by sending an RSVP to the assigned Administrative Support person:**
- RSVP: **Valerie Parker, Committee Secretary**
(715) 241-2613
vparker@westonwi.gov
- Questions: **Jami Gebert, Administrator**
(715) 359-6114
jgebert@westonwi.gov

This notice was posted at the Municipal Center, 4747 Camp Phillips Road, Weston and was e-mailed to local media outlets (Print, TV, and Radio) on 01/27/2025.

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above-noticed meeting in order to gather information. No actions will be taken by any other board, commission, or committee of the Village, aside from the Village CLPS Committee. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993).

Wisconsin State Statutes require all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up to 24 hours prior to the date and time of the meeting. All final agendas will be posted on the Village's website at www.westonwi.gov and a hard copy posted at the Village Municipal Center.

Any person who has a qualifying disability, as defined by the Americans with Disabilities Act, that requires the meeting or the materials to be in an accessible location or format, must contact the Weston Clerk's Department, by 12 noon, the Friday prior to the meeting, so any necessary arrangements can be made to accommodate each request.



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
REGULAR MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE
Weston Municipal Center - Board Room
4747 Camp Phillips Road, Weston, WI 54476

Monday, February 3, 2025, at 5:00 p.m.

Some or all of the members of the Committee, applicants, or members of the public, may participate in the meeting remotely by teleconference or videoconference via the Zoom links listed below.

Join Zoom Meeting by Computer:

<https://zoom.us/j/5445915099>

Join Zoom Meeting by Phone:

+1 312 626 6799 US (Chicago)

Meeting ID: 544 591 5099

CALL TO ORDER/ROLL CALL

1. Meeting called to order by CLPS Chair & Village Trustee Pinsonneault.
2. Pledge of Allegiance to the Flag.
3. Roll Call and declaration of quorum by Secretary – Jim Pinsonneault {c}, Barb Ermeling {vc}, John Czerwonka, Kim Foss, Luis Lopes-Serrao, Brent Olson, Vacant
4. Reading of Mission Statement: *The Community Life and Public Safety Committee evaluates and makes recommendations to the Village Board on matters related to safety, welfare, and livability within the Village and their impact upon Village of Weston residents.*

PUBLIC COMMENT

(Please be advised per State Statute Section 19.84(2), the information will be received from the public. It is the policy of the Village that there be a five-minute time-period, per person, with time extension, per the Chair's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comment.)

MINUTES FROM PREVIOUS MEETINGS

5. [Minutes from January 6, 2025, Regular Meeting](#)

WRITTEN COMMUNICATIONS RECEIVED

ACKNOWLEDGE REPORTS FROM DEPARTMENTS

6. [Code Enforcement Update](#)

UNFINISHED BUSINESS

7. Discussion and/or action on any further updates regarding Future Exploration of Commercial Building Inspections Program
8. [Discussion and/or action on proposed amendments to Chapter 34 Fire Prevention and Protection](#)
9. [Discussion and/or action on proposed amendments to Chapter 38 Health & Sanitation](#)

NEW BUSINESS

10. [Discussion and/or action on Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for SBG Taco Weston LLC d/b/a Fuzzy's Taco Shop](#)



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
OFFICIAL MEETING AGENDA OF THE REGULAR MEETING AGENDA OF THE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE

11. Discussion and/or action on an ordinance to create Section 82.114 Vehicle, Abandoned and Junked
12. Discussion and/or action on proposed amendments to Chapter 42 Law Enforcement

ANNOUNCEMENTS

REMARKS FROM COMMITTEE MEMBERS

ITEMS FOR NEXT AGENDA

- a. Next Regular Meeting Date – Monday, March 3, 2025, at 5:00 pm

ADJOURNMENT

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may/might attend the above-noticed meeting to gather information. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). No official actions other than those of the Community Life & Public Safety Committee shall take place.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Village will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the Village Clerk at 715-359-6114 or clerks@westonwi.gov to discuss your accessibility needs. We ask your request to be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the Village will make a good faith effort to accommodate your request.

This Agenda was posted at the Village Municipal Center, on www.westonwi.gov and transmitted to media partners on 01/29/2025. Questions can be directed to the Administrator at 715-359-6114

**Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE
VILLAGE COMMUNITY LIFE AND PUBLIC SAFETY (CLPS) COMMITTEE MEETING**
held on Monday, January 6, 2025, at 5:00 p.m., in the Board Room, at 4747 Camp Phillips Road

AGENDA ITEMS.

1. Meeting called to order by CLPS Chair and Village Trustee, Jim Pinsonneault, at approximately 5:00 p.m.

2. Pledge of Allegiance to the Flag.

3. Roll Call and Declaration of Quorum by Secretary Parker.

Roll call indicated 6 CLPS members present.

| <u>Member</u> | <u>Present</u> |
|--------------------------------|----------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | NO |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

Village Staff in attendance, in-person: Gebert, Wodalski, Maguire, Hunt, Finke, and Parker.

Village Staff in attendance, via Zoom: None

Board of Trustees Members Present, in-person: None

Board of Trustees Members Present, via Zoom: None

Audience Members in attendance, in-person: There were no audience members present, in-person.

Audience Members in attendance, via Zoom: There were no audience members present, via Zoom.

4. Reading of Mission Statement.

Pinsonneault asked Ermeling to read the Mission Statement of CLPS.

PUBLIC COMMENT

None.

MINUTES FROM PREVIOUS MEETINGS [0:01:55 Zoom Meeting Recording]

5. Approve Minutes from December 2, 2024, CLPS Meeting.

Motion by Ermeling, second by Czerwonka: to approve the December 2, 2024, CLPS meeting minutes.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| <u>Member (PC)</u> | <u>Voting</u> |
|--------------------------------|---------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | ----- |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

**WRITTEN
RECEIVED**

COMMUNICATIONS

Pinsonneault announced Alstad’s resignation notice received today.

ACKNOWLEDGE REPORTS FROM DEPARTMENTS [0:02:55 Zoom Meeting Recording]

6. Code Enforcement Update

Maguire pointed out the detailed list provided in the meeting packet.

Foss questioned if all cases come in online or if any of the open cases are ones the Village identifies. Maguire stated residents can submit their complaints online, and we do take phone calls, and some people e-mail. He stated all of the cases in this document are ones that are in the digital system. Foss asked when these get referred to MBMPD? Maguire stated we meet with MBMPD once per month. He stated there is also cases where staff goes through the process of sending a letter to the resident with the violation, if things aren’t resolved after the deadline of the letter, then we will refer those to Hunt.

Pinsonneault commented how you can see a small amount of details on the filed violations in Evolve. Maguire stated we are working towards adding more detail on public-facing side.

Pinsonneault questioned the status of the stop work order on storage units. Maguire explained what happened to cause the stop work order, and how lighting still needs to be installed for safety reasons. He stated that he issued an electrical permit so that they can continue to work on the lighting to get that taken care of at least while stop work order is in place. It was discussed that we have not granted any occupancy’s for these units, where there are some units being rented. He stated we could go as far as requiring the tenants to vacate, but just have the stop work order in place for now to get them to get to compliance status.

Maguire stated the Commercial Building Inspector has been out there and he does not have any concerns with the structures. The issue is safety reasons: no lighting, inadequate fire extinguishers, no pavement. Maguire stated we have not heard anything yet, as they have been pretty silent for the full month of December. Maguire stated if they do not continue work on the site, our next step is to issue a repair order, which gives them 30 days. If the 30-day order expires than we have to take more steps. Maguire is hopeful that by the end of this week, there will be electricity out there, otherwise, he will have to write the repair order.

Lopes-Serrao confirmed spelling error on #1. The word “rave” is used, and the intent was “raze”.

Motion by Lopes-Serrao, second by Czerwonka: to acknowledge the Code Enforcement Update Report.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| <u>Member (PC)</u> | <u>Voting</u> |
|--------------------------------|---------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | ----- |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

UNFINISHED BUSINESS

7. Discussion and/or action on further updates regarding Future Exploration of Commercial Building Inspections Program [0:12:40 Zoom Meeting Recording]

Maguire stated his test is scheduled for January 15th. Discussion on this will come up on later in the agenda.

8. Discussion and/or action on proposed amendments to Chapter 34 Fire Prevention and Protection [0:13:15 Zoom Meeting Recording]

Finke stated he did some research on the fire watchers for tents. He does not think that regulation was intended for the special event tents that are like 40'x40' in size, and where there is one side open, that would give the public a quick point to get out. He thinks this regulation was designed more for those large circus tents.

Finke then brought up the requirements for Knox Boxes. He would like to see 34.214(2)(a) in the fire code remain. He suggested if we do make a change to that, we remove "where access is difficult because of security" and instead add "multi-family residential complexes that have a common area". He also feels there should at least be language that states SAFER recommends Knox Boxes be installed on all commercial structures.

Gebert questioned, with the Christmas Tree storage, if during inspections, if Christiansen looks for signs that say "no smoking". Finke feels we should enforce it and require it.

Pinsonneault commented about the reference to open light bulbs and open flames in a barn. Finke stated the requirement stemmed from barns that stored hay, and the concern was about birds and animals breaking the light fixtures allowing the hot bulbs to land in hay and start a fire.

Gebert stated next month we will bring this back with the alteration to the requirement of Knox Boxes (adding multi-family, in place of where difficult because of security, and recommend for all commercial structures).

Finke stated he will research to see what other communities have for tents.

Motion by Ermeling, second by Foss: to bring back in February with changes as discussed.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| <u>Member (PC)</u> | <u>Voting</u> |
|--------------------------------|---------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | ----- |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

NEW BUSINESS

9. Discussion and/or action on Village On-Street Parking Regulations [0:20:10 Zoom Meeting Recording]

A copy of Weston, Rothschild, and Schofield's parking ordinances (attached) was handed out for reference.

Pinsonneault stated this request came from the BOT and Police Chief. This request is in attempt to get all communities' parking regulations the same.

Wodalski stated about 10 years ago, the Village of Weston switched to the parking hours for alternate side winter parking. He explained the process, and stated in snow emergencies, there is no street parking allowed. Hunt gave a description of what Rothschild and Schofield's parking ordinances state, and the differences between all three municipalities. Hunt then explained the differences in citations. He stated he would like us to streamline the enforcement to make it easier for the officers, and suggested all three communities fine just \$10.00 per occurrence.

Hunt stated that abandoned vehicles should fall under parking. He would like to see part of an ordinance added for abandoned vehicles in here also, as Weston does not have this in theirs.

Maguire brought up trailers parked on the roadway. Hunt stated trailers have to be attached to a vehicle and not on the road. Wodalski stated we could probably add something in the definitions that states a trailer is treated as a vehicle as far as on-street parking.

Pinsonneault questioned if it would be easier for the ordinances to be read the same, amongst the three municipalities. Hunt stated that as long as the fines get to be the same, he is fine leaving the general ordinance language of each.

Hunt discussed how they track the different offenses.

Gebert stated we don't have to change the ordinance to go to "no warning" and citation fee change to \$10.00.

Hunt stated, as far as trailers, he recommends to add a section in the code on abandoned motor vehicles. Gebert stated this can be discussed at the next meeting. Trailers would be handled as abandoned vehicles.

Hunt stated how if a resident or a contractor contacted their office to get permission to park a trailer for a certain amount of time, they would usually make an exception there.

Motion by Lopes-Serrao, second by Olson: to defer action on on-street parking until next meeting.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| <u>Member (PC)</u> | <u>Voting</u> |
|--------------------------------|---------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | ----- |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

10. Discussion and/or action on carbon monoxide detectors in existing multi-family structures.

[0:36:00 Zoom Meeting Recording]

Maguire stated when it comes to commercial buildings and carbon monoxide, how they refer to State Code SPS360 - 365. Maguire read the section in the State Code.

Maguire stated we would need to know which apartment buildings have attached garages and which apartment buildings have sealed combustion units in them. Maguire stated out adoption of SPS360 – 365 is contingent on having a commercial building inspector to enforce those. He stated once the Village has their commercial building inspector, this section could be adopted in our code and enforced. He stated a Fire Inspector can do those inspections too.

Finke explained the different situations occurring in the Village. He stated that while the risk of these places is not high, he is concerned that if there was a carbon monoxide issue in an apartment building that no one will hear an alarm going off.

Gebert confirmed we cannot write code that is more strict than the State's code, when we have a licensed commercial building inspector. Maguire clarified that we could adopt an ordinance that allows us to enforce the State's code, but we can't make it more restrictive than the State's. Maguire explained the exceptions found in the State code. He pointed out the rooms where people are supposed to have the detectors. Maguire stated in summary we need to adopt the State Commercial Building Code.

Gebert questioned if we have had any kind of community campaign where we distribute CO detectors. Finke stated we have not had one. He stated that there are grants for smoke detectors, but not carbon monoxide. Maguire stated we could do a push for replacements during building safety month. Gebert stated we could do it as reminders during Daylight Saving Time.

Gebert stated once we have a commercial building inspector we would adopt the State code within our code.

Motion by Czerwonka, second by Ermeling, to defer action until further notice.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| <u>Member (PC)</u> | <u>Voting</u> |
|--------------------------------|---------------|
| Pinsonneault, Jim {Chair} | YES |
| Ermeling, Barbara {Vice Chair} | YES |
| Alstad, Andrea | ----- |
| Czerwonka, John | YES |
| Foss, Kim | YES |
| Lopes-Serrao, Luis | YES |
| Olson, Brent | YES |

11. Discussion and/or action on proposed amendments to Chapter 38 Health & Sanitation

[0:51:35 Zoom Meeting Recording]

Czerwonka questioned if there was anything in here for compost piles. Parker stated Chapter 66 covers home composting. Pinsonneault commented composting should be referenced in Chapter 38.

Gebert questioned why we have the section in Chapter 38 on Solid Waste, along with the entire Chapter 66. This could be cross-referenced.

There was discussion on Sec. 38.102, Rat Control and Extermination. Wodalski suggested that references to rats could be changed to "rodents". Gebert stated the code handles extermination in Chapter 10. Lopes-Serrao suggested to remove this section of Chapter 38.

Olson agreed with using the term rodent.

It was pointed out that some people have rats as pets, and how you can purchase a pet rat from Ace Hardware.

Gebert stated we could create a subsection in under Sec. 10.109 for 38.102. Wodalski feels that perhaps this was placed under Health and Sanitation back in 1982, because of the chances of rats spreading disease.

It was discussed we could cross reference Chapter 50.100. Gebert stated we will research what other communities have for their rodent ordinances and will bring this back.

Pinsonneault read Sec. 38.103(5)(b), and how he does not think our yard waste site would meet those guidelines as far as crushing that may create dust. Wodalski stated crushing would not fall under disposal. He stated would be covered under mining. He stated the spreading of manure is not a realistic issue, as it would

not cross property lines. Gebert stated we could include verbiage to “use every effort to minimize”. Wodalski stated we could add verbiage “to utilize best management practices to minimize or reduce...”.

Motion by Lopes-Serrao, second by Foss, to defer until February meeting.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

| | <u>Member (PC)</u> | <u>Voting</u> | |
|------------------------|--------------------------------|---------------|------------------------------|
| | Pinsonneault, Jim {Chair} | YES | |
| | Ermeling, Barbara {Vice Chair} | YES | |
| ANNOUNCEMENTS | Alstad, Andrea | ----- | <i>[1:09:00 Zoom Meeting</i> |
| <i>Recording]</i> | Czerwonka, John | YES | |
| Pinsonneault commented | Foss, Kim | YES | about RSVP’s to Parker |
| on the Employee Winter | Lopes-Serrao, Luis | YES | Party. |
| | Olson, Brent | YES | |

Gebert stated she appreciates the opportunity to be looking at and discussing these ordinances.

REMARKS FROM COMMITTEE MEMBERS

None.

ITEMS FOR NEXT AGENDA *[1:10:25 Zoom Meeting Recording]*

Gebert stated will bring back abandoned vehicles.

a. Next Regular Meeting Date – Monday, February 3, 2025, at 5:00 p.m.

ADJOURNMENT

Motion by Lopes-Serrao, second by Olson: to adjourn at 6:11 p.m.

Jim Pinsonneault, Village Trustee and CLPS Chair
Jami Gebert, Village Administrator
Valerie Parker, Recording Secretary

Village of Weston

4747 Camp Phillips Road, Weston, WI 54476 / 715-359-6114

Q winter

Municipal Code



Exact Matches:

1. [Sec 82.107 Parking Regulations](#)
2. [Sec 94.4.10 Temporary Land Use Types](#)
3. [Sec 94.17.04 Definitions](#)

- Sec 82.100 Official Traffic Signs And Signals
- Sec 82.107 Parking Regulations
- Sec 82.108 Accident Reports
- Sec 82.109 Traffic And Parking Regulations On School G
- Sec 82.110 Railroad Grade Crossing Stops
- Sec 82.111 Regulation Of Nondealership Motor Vehicle S
- Sec 82.112 Truck Idling Near A School Or Residence
- Sec 82.113 Operator's License Required.
- ARTICLE 82-II SNOWMOBILES
- ARTICLE 82-III BICYCLES
- ARTICLE 82-IV MINIBIKES AND SELF-PROPELLED DEVIC
- ARTICLE 82-V ALL-TERRAIN VEHICLE AND UTILITY TEI
- ARTICLE 82-VI SPEED LIMITS
- CHAPTER 86 UTILITIES
- CHAPTER 90 VEGETATION
- CHAPTER 94 ZONING
- CHAPTER 100 CHARTER ORDINANCE, CLERK
- Rezone

Sec 82.107 Parking Regulations

1. **Winter parking regulated.** When signs have been erected at or reasonably near th hours of 4:00 a.m. and 4:00 p.m. of any day from October 31 to May 1. All vehicles odd side of the street on odd-numbered calendar days, unless otherwise posted or
2. **Official signs.** No person shall park, stop or leave standing any vehicle on any put parking at such place, except in conformity with such official signs.
3. **Snow removal emergency.** When circumstances warrant, the village may declar purpose of permitting the official removal of snow and ice; provided that:
 - a. Notice of such declaration shall be given by either the president or the dire Wausau, Wisconsin, area.
 - b. After notice is given, during the period of such snow removal emergency a
 - c. If any vehicle shall be found standing, stopped or parked upon any public such vehicle to be towed away. The owner of such vehicle shall not be er the village clerk/treasurer or chief of police and his receipt exhibited. All c

(Ord. of 11-11-1985, § 1)

HISTORY

Amended by Ord. 15-016 (<https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/w>)

Amended by Ord. 15-027 (<https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/w>)

Amended by Ord. 15-029 (<https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/w>)

Chapter 520. Vehicles, Abandoned and Junked

§ 520-2. Abandoned motor vehicles.

- A. No person shall leave any motor vehicle, trailer, semitrailer, or travel trailer unattended on any Village street or private or public property for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned.
- B. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under Subsection **C**, except that if a duly authorized Village representative determines that the cost of towing and service charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the Village prior to expiration of the impoundment upon determination by the Chief of Police of the Village that the vehicle is not wanted for evidence or other reason.
- C. Any Village police officer who discovers any motor vehicle, trailer, semitrailer or travel trailer on any Village street or private or public property that has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
 - (1) The owner of an abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the Village against the owner.
 - (2) Any abandoned vehicle that is determined by a duly authorized municipal representative to have a value in excess of \$100 shall be retained in storage for a period of 14 days after certified mail notice has been sent to the owner and lienholders of record, if the name and whereabouts of the owner or lienholder can be readily ascertained, to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model, and serial number of the abandoned motor vehicle and the place where the vehicle is being held and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The Village may dispose of the vehicle by sale at public auction. A Class 2 notice of the auction shall be published. It may be conducted by any Village employee. The purchaser shall have 10 days to remove the vehicle from the storage area but shall pay a storage fee set by the Village Board for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and the vehicle may be sold again.
 - (3) Any abandoned vehicle that is determined by a duly authorized Village representative to have a value of less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.
 - (4) Within five days after the sale or disposal of the vehicle, as provided in Subsection **C(3)** and **(4)**, the Village shall advise the Division of Motor Vehicles for the State of Wisconsin, of the sale or disposition, on the form supplied by the division.

§ 520-3. Junked motor vehicles.

- A. No disassembled, partially disassembled, inoperable, unlicensed, junked or wrecked motor vehicle, truck body, tractor, trailer or travel trailer shall be stored or allowed to remain upon public or private property within the Village for a period exceeding 48 hours if upon public property or for a period exceeding 14 days if upon private property.
- B. Whenever the Police Department shall find any such vehicle placed or stored in the open upon public property within the Village, it may cause such vehicle to be removed by a junk or salvage yard and stored in such junk or salvage yard. The vehicle shall be disposed of pursuant to the provisions of § **520-2C(2)** and **(3)** of this chapter.
- C. Whenever the Police Department shall find any vehicle described herein placed or stored in the open upon private property within the Village, it shall notify the owner of property on which said vehicle is stored of the violation of this section. If the vehicle is not removed within five days, the Police Department may cause such vehicle to be removed to a junk or salvage yard. The vehicle shall be disposed of pursuant to the provisions of § **520-2C(2)** and **(3)** of this chapter.
- D. Any person who shall be adjudicated to have violated any of the provisions of this section shall be subject to a forfeiture of not less than \$10 nor more than \$50, plus costs of the prosecution, and upon default of payment of such forfeiture and costs shall be imprisoned in the Marathon County jail until such forfeiture and costs are paid, but not to exceed 10 days. Each day that a violation of this section continues shall be deemed a separate offense.

Chapter 524. Vehicles and Traffic

§ 524-13. No parking during snow removal emergency.

[Added 7-28-1997 (Sec. 6.14 of the 1967 Code)]

- A. The Village President or, in his absence, the Public Works Administrator or Police Chief may, when circumstances warrant it, declare a snow removal emergency and specify the duration thereof, during which emergency the streets shall be cleared for the purpose of permitting official removal of snow and ice therefrom.
- B. Notice may be given of the snow removal emergency by any reasonable means, including newspaper publication, radio and/or television broadcast, or temporary signs.
- C. No vehicles shall be parked, stopped, or left standing on any street or alley in the Village during the period of a declared snow removal emergency.
- D. If any vehicle is found stopped, standing or parked upon any public street or alley within the Village during the period of a snow removal emergency, the Police Department may cause said vehicle to be towed from the street or alley. The owner of the vehicle shall not be entitled to recover possession of such vehicle until the expense and towing surcharge as set by the Village Board are paid to the Village Treasurer or the Police Department. Said surcharge shall be in addition to any other penalty imposed by law or ordinance.
- E. Parking of vehicles is allowed off or alongside the driveway on the opposite side of the livable portion of the residence during the months of November 1 through April 1. Parking is prohibited at any time in the front yard of the livable portion of the residence. For exterior storage in residential and commercial districts, refer to Ordinance § 590-96.

[Added 10-26-2015^[1]]

[1] *Editor's Note: This ordinance also redesignated former Subsection E as Subsection F.*

- F. Any person violating this section shall, in addition to and not in lieu of any other legal remedy, upon conviction thereof, pay a forfeiture of not less than \$20 nor more than \$100.

Schofield

Sec. 29-380. - Abandoned vehicles.

Any motor vehicle remaining on property more than 48 hours which is not titled to the owner of the property as shown by the city's tax records or as may be determined by other reasonable means, shall be deemed abandoned and dealt with as provided in Wis. Stats. § 342.40.

(Code 1986, § 8.15(3))

Sec. 49-180. - Winter parking regulations.

No person shall park any vehicle on any public street or highway in the city between the hours of 2:00 a.m. and 6:00 a.m. from November 1 through March 31, inclusive, except under circumstances prescribed in Wis. Stats. § 346.50. Official traffic signs in compliance with Wis. Stats. § 349.13 shall be placed or erected at or reasonably near the corporate limits of the city on all state and county trunk highways and connecting highways informing motorists of the parking regulations.

(Code 1986, § 6.12(2)(a))

Sec. 49-181. - Prohibited stopping, standing, and parking, and enforcement.

- (a) No person shall park, stop or leave standing any vehicle on any public street or alley in the city when and where official traffic signs, pavement markings, or parking meters have been erected or are displayed, prohibiting or limiting parking at such place, except in conformity with such official signs, and as provided in this division.
- (b) For purposes of this section, "parking enforcer" means a person who is employed by the city, or is employed to provide the city services, and whose job duties include the enforcement of nonmoving traffic violations.
- (c) Whenever any parking enforcer finds a vehicle standing upon a highway in violation of a prohibition, limitation or restriction on stopping, standing or parking imposed under Wis. Stats. ch. 346 or this division, or a disabled vehicle that obstructs the roadway of a freeway or expressway, as defined in Wis. Stats. § 346.57(1)(ag), the parking enforcer is authorized to move the vehicle or to require the operator in charge thereof to move the vehicle to a position where parking is permitted or to either private or public parking or storage premises. The removal may be performed by, or under the direction of, the parking enforcer or may be contracted for by the city. The operator or owner of the vehicle removed shall pay the reasonable charges for moving, towing, and/or any storage involved.

(Code 1986, § 6.12(2)(f); Ord. of 11-14-2017, § 2)

Editor's note— An ordinance adopted Nov. 14, 2017, § 2, changed the title of § 49-181 from "Official signs prohibiting parking, standing" to read as herein set out.

Sec. 49-182. - Streets where parking, stopping prohibited.

No person shall park, stop or leave standing any vehicle on the following streets:

Cawley Street, both sides, for its entire length.

Clarberth Street, east side, from the intersection of Country Club Road and Clarberth Street, thence running southerly 200 feet.

Se Hofstad

Clark Street, south side, for its entire length.

Country Club Road, north side, from its intersection Clarberth Street easterly to its intersection with Grand Avenue.

Country Club Road, south side, from Edgewood Drive westerly to the west side of the last culvert on said street, a point being approximately 2,600 feet westerly from the intersection of Country Club Road and Pine Island Lane.

County Highway SS (Grand Avenue), east side of that part extending north from the north line of Kort Street 200 feet.

Delmar Street, both sides, for its entire length.

Depot Street, north side, from its intersection with Ross Street southerly to its intersection with U.S. Highway 51 and State Highway 29.

Discher Street, both sides, for its entire length.

East of Drott Street in the city from the intersection of Drott Street with Ross Avenue, thence running northerly 190 feet.

Eau Claire Street, either side, from its intersection with Grand Avenue, easterly, to its intersection with State Trunk Highway 29.

Eau Claire Street, north side, from its intersection with the east side of Grand Avenue, and east for a distance of 100 feet.

Grace Street, both sides, from the intersection of Grand Avenue with Grace Street thence running westerly 300 feet.

Grand Avenue, either side, from the bridge over the Eau Claire River northerly to the northerly city limits of the city.

Grand Avenue, either side, from the north end of the bridge over the Eau Claire River southerly to the south line of Eau Claire Street (extended westerly).

Grand Avenue, west side, from the intersection of Country Club Road and Grand Avenue, thence running southerly 70 feet.

Grand Avenue, west side, 20 feet in either direction from its intersection with Park Street.

Holt Street, north side, west from its intersection with Grand Avenue to the end of the street.

- Jacoby Street, either side, from its intersection with Shingle Avenue southerly and westerly to its intersection with Grand Avenue.
- Lakeview Drive, southerly one-half, from the intersection of Grand Avenue easterly to the city limits.
- Landon Street, east side, for its entire length.
- Lawrence Street, either side, from its intersection with Grand Avenue for a distance of 145 feet.
- Maryland Avenue, at its intersection with Radtke Street for 100 feet northerly, both sides.
- Metro Drive, both sides, from its intersection with Schofield Avenue (U.S. Business Highway 51) northeasterly until Ross Avenue.
- Moreland Avenue, either side, west from its intersection with Grand Avenue to the first turn, being 170 feet on the north side and 145 feet on the south side.
- Park Drive, from the south end of the City Hall parking lot 545 feet on the west side of the street.
- Park Street, either side, west from its intersection with Grand Avenue for its entire length.
- Pearl Street, south side, for its entire length.
- Pine Street, east and west sides, extending from Ross Avenue north 1,000 feet.
- Radtke Street, north side, for its entire length.
- Ross Avenue, the northerly and southerly sides, west of Alderson Street to Metro Drive.
- Ross Street the north or south side from its intersection with Schofield Avenue east to the railroad tracks.
- Ross Street, south side, from the intersection of Ross Street with U.S. Highway 51, Business (State Highway 29) easterly to the railroad tracks.
- School Street, both sides, for its entire length.
- Skelly Street, north side, from its intersection Maryland Avenue easterly until its intersection with Grand Avenue (U.S. Business Highway 51).

(Code 1986, § 6.12(2)(b), (c), (g)—(o), (q)—(s), (u)—(ff); Ord. No. 6.12-3A, § 1(6.12(2)(cc), (dd)), 8-13-2002; Ord. No. 6.12-4A, §§ 1(6.12(2)(ee), (ff)), 2(6.12(2)(n)), 10-14-2003; Ord. of 7-21-2009, § 1; Ord. of 11-9-2010(1), § 1; Ord. of 8-9-2011, § 1; Ord. of 3-11-2014(4), § 1; Ord. of 11-14-2017, § 3; Ord. of 10-13-2020(1), § 1; Ord. of 11-17-2020(1), § 1; Ord. of 9-13-2022(1), § 1)

REQUEST FOR CONSIDERATION

| | |
|-------------------------|---|
| Public Mtg/Date: | Board of Trustees, January 20, 2025 CLPS, February 3, 2025 |
| Description: | Monthly Code Enforcement Report |
| From: | Jennifer Higgins, Planning & Development Director/Zoning Administrator Roman Maguire, Building Inspector Travis Meverden, Building Inspector/Property Inspector Mountain Bay Metro Police Department |
| Question: | Item is on the agenda for informational purposes only as an update to Code enforcement case progress over the past month. |

BACKGROUND

As of 1/15/25 there were 41 open and active code enforcement violations. In December 2024, 13 cases were created and 17 total cases closed. 6 of the 41 active cases have been referred to Mountain Bay Metro PD and are in various stages of enforcement proceedings (Citations/Municipal Court/Circuit Court).

| | |
|--------------------------|---|
| Attached Docs: | 1/15/25 Active Enforcement Case List |
| Committee Action: | None |
| Fiscal Impact: | TBD. |
| Recommendation: | Staff recommend the BOT/Committee acknowledge the report and place on file. |

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

I acknowledge the report as presented and direct staff to place the report on file.

ADDITIONAL ACTION: None

Active Enforcement Case List as 1/15/2025

| ID | Complaint Date | Case Address | Case Number | Type | Status | Assigned To | Created On | Created By |
|------|----------------|----------------------------------|--------------|----------------------------------|--------------|-----------------|------------|------------------|
| 6431 | 1/2/2025 | 2714 ROSS AV, WESTON | CV-202500001 | Zoning-Signs | In Violation | CodeEnforcement | 1/2/2025 | Code Enforcement |
| 6430 | 12/31/2024 | 4717 MESKER ST, WESTON | CV-202400208 | Nuisances | Pending | rmaguire | 12/31/2024 | vparker |
| 6426 | 12/18/2024 | 4002 SCHOFIELD AV, WESTON | CV-202400204 | Refuse and Recycling | In Violation | vparker | 12/18/2024 | vparker |
| 6425 | 12/18/2024 | 3806 SCHOFIELD AV, WESTON | CV-202400203 | Refuse and Recycling | In Violation | vparker | 12/18/2024 | vparker |
| 6424 | 12/18/2024 | 3910 SCHOFIELD AV, WESTON | CV-202400202 | Refuse and Recycling | In Violation | vparker | 12/18/2024 | vparker |
| 6423 | 11/22/2024 | 8211 SCHOFIELD AV, WESTON | CV-202400201 | Building Code | In Violation | rmaguire | 12/17/2024 | rmaguire |
| 6422 | 12/13/2024 | 6406 HUBERT AV, WESTON | CV-202400200 | Nuisances | Pending | CodeEnforcement | 12/13/2024 | Code Enforcement |
| 6415 | 11/18/2024 | 4911 ASPEN ST, WESTON | CV-202400193 | Building Code | In Violation | rmaguire | 12/11/2024 | rmaguire |
| 6414 | 12/11/2024 | 5003 ASPEN ST, WESTON | CV-202400192 | Building Code | In Violation | rmaguire | 12/11/2024 | rmaguire |
| 6413 | 11/18/2024 | 5007 ASPEN ST, WESTON | CV-202400191 | Building Code | In Violation | rmaguire | 12/11/2024 | rmaguire |
| 6412 | 11/18/2024 | 5011 ASPEN ST, WESTON | CV-202400190 | Building Code | In Violation | rmaguire | 12/11/2024 | rmaguire |
| 6411 | 11/18/2024 | 5103 ASPEN ST, WESTON | CV-202400189 | Building Code | In Violation | rmaguire | 12/10/2024 | rmaguire |
| 6410 | 11/18/2024 | 5107 ASPEN ST, WESTON | CV-202400188 | Building Code | In Violation | rmaguire | 12/10/2024 | rmaguire |
| 6407 | 11/21/2024 | 5011 ASPEN ST, WESTON | CV-202400185 | Building Code | Pending | rmaguire | 11/21/2024 | Code Enforcement |
| 6405 | 11/15/2024 | 4020 SCHOFIELD AV, WESTON | CV-202400183 | Refuse and Recycling | In Violation | vparker | 11/15/2024 | Code Enforcement |
| 6401 | 11/11/2024 | 6104 BIRCH ST, WESTON | CV-202400179 | Zoning-Motorized Vehicle Storage | In Violation | tmeverden | 11/11/2024 | tmeverden |
| 6400 | 11/11/2024 | 3404 STERNBERG AV, WESTON | CV-202400178 | Zoning-Accessory Buildings | In Violation | tmeverden | 11/11/2024 | tmeverden |
| 6397 | 11/1/2024 | 5912 BUSINESS HIGHWAY 51, WESTON | CV-202400175 | Building Code | Pending | rmaguire | 11/6/2024 | rmaguire |
| 6396 | 11/4/2024 | 5310 JACOB ST, WESTON | CV-202400174 | Building Code | In Violation | tmeverden | 11/4/2024 | cedmondson |
| 6370 | 9/18/2024 | 3703 PAT ST, WESTON | CV-202400148 | Zoning-Motorized Vehicle Storage | In Violation | mloveless | 9/18/2024 | Code Enforcement |
| 6355 | 8/28/2024 | 5105 LINDA ST, WESTON | CV-202400133 | Zoning-Motorized Vehicle Storage | In Violation | jzwicky | 8/28/2024 | Code Enforcement |
| 6350 | 8/16/2024 | 1310 Post Avenue | CV-202400128 | Nuisances | In Violation | jzwicky | 8/16/2024 | Code Enforcement |
| 6313 | 7/16/2024 | 4501 RIVER BEND RD, WESTON | CV-202400091 | Right-of-Way | In Violation | tmeverden | 7/16/2024 | tmeverden |
| 6287 | 6/20/2024 | 3913 ROSS AV, WESTON | CV-202400065 | Building Code | In Violation | tmeverden | 6/20/2024 | jhiggins |
| 6286 | 6/20/2024 | 7804 SERVICE LN, WESTON | CV-202400064 | Zoning-Parking Lot | In Violation | tmeverden | 6/20/2024 | cedmondson |
| 6284 | 6/18/2024 | 5707 MOYER AV, WESTON | CV-202400062 | Parking | In Violation | jzwicky | 6/18/2024 | Code Enforcement |
| 6264 | 6/4/2024 | 4506 HOLLY AV, WESTON | CV-202400042 | Zoning-Driveways | In Violation | tmeverden | 6/4/2024 | tmeverden |
| 6255 | 5/17/2024 | 9840 SANDHILL DR, WESTON | CV-202400033 | Building Code | In Violation | tmeverden | 5/17/2024 | Code Enforcement |
| 6240 | 3/28/2024 | 1323 EVEREST AV, WESTON | CV-202400018 | Zoning-Permits/Approvals | In Violation | rmaguire | 3/28/2024 | aanklam |
| 6223 | 1/4/2024 | 4104 SHOREY AV, WESTON | CV-202400001 | Building Code | In Violation | rmaguire | 1/4/2024 | aanklam |
| 6217 | 12/5/2023 | 3609 WESTON AV, WESTON | CV-202300157 | Zoning-Motorized Vehicle Storage | In Violation | tmeverden | 12/5/2023 | aanklam |
| 6158 | 8/18/2023 | 3910 SCHOFIELD AV, WESTON | CV-202300098 | Refuse and Recycling | In Violation | vparker | 8/18/2023 | vparker |
| 6157 | 8/18/2023 | 3806 SCHOFIELD AV, WESTON | CV-202300097 | Refuse and Recycling | In Violation | vparker | 8/18/2023 | vparker |
| 6123 | 6/27/2023 | 5902 STELLA AV, WESTON | CV-202300063 | Zoning-Permits/Approvals | In Violation | jhiggins | 6/27/2023 | aanklam |
| 6118 | 6/16/2023 | 5810 BUSINESS HIGHWAY 51, WESTON | CV-202300058 | Building Code | In Violation | tmeverden | 6/16/2023 | aanklam |
| 6067 | 2/14/2023 | 1710 ROSSENBACH AV, WESTON | CV-202300007 | Nuisances | In Violation | tmeverden | 2/14/2023 | aanklam |
| 6058 | 11/29/2022 | 6306 HUNT ST, WESTON | CV-202200066 | Zoning-Land Use | In Violation | mloveless | 11/30/2022 | jhiggins |
| 5983 | 10/14/2021 | 3707 POWERS ST, WESTON | CV-202100096 | Nuisances | In Violation | mloveless | 10/14/2021 | rmaguire |
| 5971 | 9/8/2021 | 6202 ROSS AV, WESTON | CV-202100084 | Nuisances | In Violation | tmeverden | 9/8/2021 | Code Enforcement |
| 5934 | 5/27/2021 | 4506 HOLLY AV, WESTON | CV-202100047 | Nuisances | In Violation | rmaguire | 5/27/2021 | statro |
| 216 | 12/6/2018 | 3022 NORTHWESTERN AV, WESTON | CV-201800224 | Nuisances | In Violation | rmaguire | 12/6/2018 | sflory |

REQUEST FOR CONSIDERATION

| | |
|-------------------------|---|
| Public Mtg/Date: | CLPS, February 3, 2025 |
| Description: | Discussion and/or action on proposed amendments to Chapter 34 Fire Prevention and Protection |
| From: | Jami Gebert, Administrator |
| Question: | Continued discussion regarding amendments to Chapter 34 Fire Prevention and Protection. |

Background

Following discussions from our prior meetings, please find attached a draft amendment to Chapter 34 Fire Prevention and Protection, Sec. 214 General Fire Safety Requirements.

| | |
|--------------------------|---|
| Attached Docs: | Draft amendment to Section 34.214 General Fire Safety Requirements |
| Committee Action: | TBD. |
| FISCAL IMPACT: | None. |
| Recommendation: | None. |

Recommended Language for Official Action

I move to recommend [approval/denial] of the ordinance amendment to Chapter 34 Fire Prevention and Protection, Section 214 General Fire Safety Requirements to the Board of Trustees.

VILLAGE OF WESTON
ORDINANCE NO. 25 –

AN ORDINANCE AMENDING CHAPTER 34 FIRE PREVENTION AND PROTECTION,
ARTICLE II FIRE PREVENTION, SECTION 34.214 GENERAL FIRE SAFETY
REQUIREMENTS OF THE MUNICIPAL CODE FOR THE VILLAGE OF WESTON,
MARATHON COUNTY, WISCONSIN

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: AMENDMENT “Sec 34.214 General Fire Safety Requirements” of the Village of Weston Municipal Code is hereby amended as follows:

AMENDMENT

Sec 34.214 General Fire Safety Requirements

1. **Tents.**

1. **Permit required.** No tent exceeding two hundred forty square feet in area shall be erected, maintained, operated, or used without a permit when erected, maintained, operated, or used in or on a commercial property.
2. **Fire watchers to be employed.** One or more qualified persons to serve as fire watchers shall be employed by all circuses, carnivals, or other exhibitions where large crowds assemble. They shall familiarize themselves with all fire protection facilities, fire prevention features and with the conditions of exits, and shall patrol the entire tent area during the time of occupancy. They shall see that aisles and exit ways are kept open and that “No Smoking” rules are enforced.
3. **Tents for assembly to conform to recognized safe practices.** The design, construction, flame proofing, location, maintenance, and use of tents for assembly shall be in accordance with Wisconsin Administrative Code, SPS 314. Compliance with the American Standard of Outdoor Assembly, Grandstands and Tents, as adopted by the National Fire Protection Association, shall be considered prima facie evidence of compliance with such recognized safe practices.

2. **Access boxes.**

1. Access boxes of the fire department-approved type (Knox® brand) shall be installed in an approved accessible location for all structures or areas that have fire alarm systems, automatic fire suppression systems, or ~~where access is difficult because of security~~ multifamily residential complexes that have a common area. It is the fire department’s recommendation that access boxes be installed on all commercial structures.
2. Elevator key boxes shall be of fire department-approved type (Knox® brand) and shall be installed in a fire department-approved location as required by Wisconsin Administrative Code, SPS 318.1702(10)(b)3.b.

SECTION 2: REPEALER CLAUSE. All ordinance or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

Dated the ___ day of _____ 2025.

By: VILLAGE OF WESTON
Mark F. Maloney, President

ATTEST:
By: _____
Pamela S. Brehm, Clerk

Adopted: _____
Published: _____

DRAFT

REQUEST FOR CONSIDERATION

Public Mtg/Date: CLPS, February 3, 2025

Description: Discussion and/or action on proposed amendments to Chapter 38 Health & Sanitation

From: Jami Gebert, Administrator

Question: Review of draft amendments to Chapter 38 Health & Sanitation.

Background

Please find attached a draft amendment to Chapter 38 Health & Sanitation. At January's meeting there was discussion regarding the necessity for Sec. 38.102. In discussion with Planning & Development, we would like to leave Sec. 38.102 in the municipal code but broaden to 'rodent' instead of 'rat.'

Additionally, in review of Sec. 38.103 Solid Waste, the purpose is for the disposal of waste, garbage, refuse, and sludge requiring a permit. Likely this code was put into place and updated due to the landfill location in the Village. Although the landfill is capped and a permit hasn't been given in some time, as the site is not able to accept additional waste, the ordinance should likely remain in municipal code. Two additional cross references were added to Chapter 66 to clarify residential waste and recyclables are in a different chapter.

Attached Docs: Chapter 38 Health & Sanitation

Committee Action: TBD.

FISCAL IMPACT: None.

Recommendation: None.

Recommended Language for Official Action

I move to recommend [approval/denial] of the ordinance amendments to Chapter 38 Health & Sanitation to the Board of Trustees.

VILLAGE OF WESTON
ORDINANCE NO. 25 –

AN ORDINANCE AMENDING CHAPTER 38 HEALTH AND SANITATION OF THE
MUNICIPAL CODE FOR THE VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: AMENDMENT “Chapter 38 Health and Sanitation” of the Village of Weston Municipal Code is hereby amended as follows:

AMENDMENT

Sec 38.100 Exposure Prohibited

No person shall place, throw, permit to flow or leave any slops, dirty water or other liquid of offensive smell or otherwise nauseous or unwholesome, or any dead carcass, carrion, meat, fish, entrails, manure or other rubbish, or any ashes, garbage, dirt, paper or refuse of any kind or description in or upon any street, gutter, sidewalk, alley, public ground or upon any private lot or lands in the village; nor shall any putrid or decaying matter be kept in a house, cellar or adjoining outbuilding for more than 24 hours, except in receptacles and in the manner provided in section 66.403115. (Code 1982, § 6.07(3))

HISTORY

Amended by Ord. 15-027 on 11/18/2015

Sec 38.101 Vehicles Giving Off Offensive Odor Or Noise Or Spilling Loads

1. **Parking or stopping.** No operator of any vehicle carrying any livestock, fertilizer or other commodity or material that gives off any offensive or unusual odor or noise shall park, stop or leave such vehicle standing, whether attended or unattended, upon the streets or alleys or upon any public or private property in any inhabited residence or business district in the village for a longer period than five minutes, except for the necessary and lawful loading or unloading of such vehicle or in case such vehicle is disabled in such a manner or as to such an extent that it is impossible to avoid stopping or temporarily leaving such vehicle in such position or place.
2. **Escape of contents.** No vehicle shall be operated, moved, parked or left standing in the streets of the village unless such vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping.
3. **Penalty.** Any person violating any of the provisions of this section shall be assessed a forfeiture of not less than \$10.00 nor more than \$200.00 and in default of payment shall be confined in the county jail for not exceeding 30 days.

(Code 1982, § 6.10)

Cross References—Solid Waste, Chapter 66; Traffic and Vehicles, Chapter 82.

HISTORY

Amended by Ord. 15-027 on 11/18/2015

Sec 38.102 Rat-Rodent Control And Extermination

1. **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Hardware cloth means wire screen of such thickness and spacing as to afford reasonable protection against the entrance of ~~rats and micerodents~~.

Owner or manager includes any person having actual possession, charge, care or control of any property or premises in the village.

RatRodent harborage means any place where ~~rodentsrats~~ can live and nest without fear of frequent molestation or disturbance.

RatRodent proof container means a container constructed of concrete or metal or the container shall be lined with metal or other material that is impervious to ~~ratsrodents~~; and openings into the container, such as doors, shall be tight fitting to prevent the entrance of ~~ratsrodents~~.

RatRodent proofing means closing openings in buildings, foundations and openings under and around doors, windows, vents and other places that could provide means of entry for ~~ratsrodents~~ with concrete, sheet iron, hardware cloth or other types of rat proofing material approved by the health officer.

2. **Elimination of ~~ratrodent~~ harborages.** Whenever accumulations of rubbish, boxes, lumber, scrap metal, car bodies or any other materials provide ~~ratrodent~~ harborage, the person owning or in control of such materials shall cause the materials to be removed or the materials stored as to eliminate the ~~ratrodent~~ harborage. Lumber boxes and similar materials shall be neatly piled. These piles shall be raised at least a foot above the ground. When the owner of the materials cannot be found after reasonable search, the owner or manager of the premises on which the materials are stored shall be responsible for the disposal or proper piling of the materials.
3. **Elimination of ~~ratrodent~~ feeding places.** No person shall place or allow to accumulate any materials that may serve as a food for ~~ratsrodents~~ in a site accessible to ~~ratsrodents~~. Any waste material that may serve as food for ~~ratsrodents~~ shall be stored in ~~ratrodent~~ proof containers. Feed for birds shall be placed on raised platforms, or such feed shall be placed where it is not accessible to ~~ratsrodents~~.
4. **Extermination.** Whenever ~~ratrodent~~ holes, burrows or other evidence of ~~ratrodent~~ infestation is found on any premises or in any building within the village, it shall be the duty of the owner or manager of such property to exterminate the ~~ratsrodents~~ or to cause the ~~ratsrodents~~ to be exterminated. Within ten days after extermination, the owner or manager shall cause all of the ~~ratrodent~~ holes or burrows in the ground to be filled with earth, ashes or other suitable material.
5. **RatRodent proofing.** It shall be the duty of the owner or manager of any building in the village to make such building reasonably ~~ratrodent~~ proof, to replace broken basement windows and, when necessary, to cover the basement window openings with hardware cloth or other suitable material for preventing ~~ratsrodents~~ from entering the building through such window openings. The owner or manager of any premises upon which sheds, barns, coops or similar buildings are located shall eliminate the ~~ratrodent~~ harborages from within and under such buildings by ~~ratrodent~~ proofing, raising the buildings above the ground, or by some other suitable method; or such sheds, barns, coops or other buildings shall be razed.

(Code 1982, § 6.08) **Cross References**—Animals, Chapter 10.

HISTORY

Amended by Ord. 15-027 on 11/18/2015

Sec 38.103 Solid Waste Disposal

1. **Purpose.** The purpose of this ordinance is to regulate the disposal of waste, garbage, refuse, and sludge by individuals, corporations, and municipalities within the Village of

Weston. Because of the possible danger to the health, safety, and welfare of the public, such disposal within the village shall be permitted only under the terms and conditions of this section.

2. Definitions.

- a. **Disposal.** Disposal includes, but is not limited to, unloading, throwing away, discarding, emptying, abandoning, discharging, burning, spreading onto open fields, or burying waste, garbage, refuse, or sludge on, into, or under any property or lands, whether publicly or privately owned within the Village of Weston.
- b. **Waste.** Waste is garbage, refuse, and all other discarded or salvageable material, including materials resulting from industrial, commercial, and agricultural operations and from domestic use and public service activities.
- c. **Garbage.** Garbage is discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.
- d. **Refuse.** Refuse is combustible and non-combustible discarded material including, but not limited to, trash, rubbish, paper, wood, metal, glass, plastic, rubber, cloth, ashes, litter, and street rubbish, industrial waste, dead animal tissue, blood or parts, mine tailings, gravel pit and quarry spoils, and materials and debris resulting from construction or demolition.
- e. **Sludge.** Sludge is sewage treatment residue or residue which represents waste material generated from the industrial or commercial slaughtering of farm animals which residue is in any form whatsoever, whether solid or semisolid, or liquid. This definition includes septage as defined by Wis. Stat. § 281.48(2)(d).
- f. **Municipality.** Municipality is any city, ~~village~~, village, or county.
- g. **Farm.** Land owned, rented, or leased that is used for agricultural purposes.

3. **Permit required.** Except as expressly permitted in subsection (4), no person, corporation, or municipality shall dispose of waste, garbage, refuse, or sludge within the Village of Weston unless a permit to engage in such dumping or disposal is first obtained from the village under the conditions prescribed herein.

4. **Exceptions.** The following are not within the scope or meaning of this section:

- a. Sites used for the disposal of waste, garbage, or refuse from a single family or household, a member of which is the owner, occupant, or lessee of the property, provided, however, that such waste, garbage, or refuse is placed in suitable containers or stored in such other way as not to cause a public or private nuisance. **Cross References – Chapter 66 Solid Waste**
- b. The use of sanitary privies and what are commonly known as seepage beds or septic tanks, which conform to applicable ordinances of the village, or the discharge of human waste products into any public sewerage system located within the village.
- c. A farm on which only animal waste resulting from the operation of the farm is disposed of.
- d. Any waste disposal operation under the direction and control of the village.

5. **General regulations.** Persons or municipalities permitted to engage in disposal operations in the village are subject to the following regulations:

- a. The disposal operations must be conducted in such a way as not to constitute a public or private nuisance.
- b. Persons or municipalities engaged in dumping or disposal operations must conduct the operations in such a way that dust, dirt, debris, or other materials or substances will not be carried by wind or water across the boundary of the parcel of land being used for the operations.

- c. A covering, which meets standards established by the Wisconsin Department of Natural Resources, shall be placed over all of the area used for the disposal operation within a reasonable time, not to exceed two days, after the disposal occurs. The covering must be done so as to make the area covered compatible with the surrounding and adjacent property in such a way as not substantially to depreciate property values within the immediate area unless property owners have been previously compensated for the loss.
 - d. All permits and licenses required by the State of Wisconsin must be obtained prior to any application having been filed with the Village of Weston.
6. **Application.** An application shall be filed with the village clerk at least 30 days before a public hearing is held. The application and accompanying information shall be followed by a sworn statement that they are true and factual. The information to be provided shall include:
 - a. Name, address, and telephone number of the applicant.
 - b. Location, current owners, and legal description of the proposed facility.
 - c. Names, addresses, and telephone numbers of any persons who will represent the applicant.
 - d. Copies of available site reports, feasibility reports, engineering plans, or other documents filed or to be filed with the department of natural resources, or the U.S. EPA, that are related to the proposed facility.
 - e. A plan for construction, operation, maintenance, closure, and long term care of the proposed facility that describes the size, capacity, and other features of the site and its proposed future.
 - f. A plan for financial, legal, and environmental protection of the village government, its employees and agents, for current and future residents living within one mile of the facility.
 - g. Proposed traffic patterns to and from the proposed facility and for roadway usage for access to the site.
 - h. Copies of current financial statements or other financial information.
7. **Public hearing.** A public hearing will be held at which the village board will invite all interested parties from the village and the applicant to provide information as to (1) the need for the permit; (2) positive and negative potential effects of the proposed facility on the village and its residents; and (3) the probability of reasonable compliance by the applicant with the general regulations of this section. The hearing will be of an informational nature for the village board. The hearing will be held under the following conditions:
 - a. A Class 3 notice as prescribed by statute will be given.
 - b. The cost of the publication of such notice will be deposited in advance by the applicant.
 - c. The hearing will be held on the date specified in the notice or on any adjourned date.
8. **Application fee and costs.** An application for a permit for a solid waste facility shall be filed with the village clerk in writing. The initial application fee of \$5,000.00 shall accompany the application, unless waived or reduced by the village board. In addition, the village board may charge the applicant an additional fee to reimburse the village for appropriate and necessary costs and expenses incurred by the village for attorneys' fees and experts' fees related to the application process. The total application fees, both initial and subsequent, shall not exceed \$20,000.00 for any application.
9. **Bond and revocation of permit.** A permit under this section shall not be effective unless here is on file with the village clerk a cash bond or a bond with a corporate surety duly licensed in the state of Wisconsin in the penal amount of \$500,000.00. This bond

must be maintained for a period of 20 years after the operation or facility is terminated. This bond is to assure that the applicant will comply with all the provisions of this ordinance and will save harmless, indemnify, and defend the village, its officers, its representatives, and its agents from any expenses or costs incurred through action of the applicant with regard to the facility. If the ordinance is violated or if the disposal plan is not carried out, the village shall have the right to revoke the disposal permit after a public hearing and, if necessary, to obtain a court order terminating such operation. If the owner of the land does not cover the disposal area in accordance with the disposal plan, the village board shall have the right to correct the violation and to charge the expense against the bond. The applicant for a disposal permit, in making the application, grants to the village the right to go on the land for necessary inspections at any time and to carry out the disposal plan if the owner or occupant of the land fails to do so after reasonable notice is given.

10. **Issuance.** The application for a permit shall be processed within 90 days of the receipt of a completed application accompanied by full documentation and required bond. It shall be issued if the village board is satisfied that there has been and will be reasonable compliance with the conditions of this section.
11. **Revocation.** The permit, once issued, may be revoked after public hearing upon a published Class 1 notice by the village at any time if any of the conditions upon which it was issued or any terms of the ordinance are violated.
12. **State law also applies.** Nothing contained herein shall be deemed to limit or restrict the application of any state law or administrative regulation of any state agency regulating the subject of this section.
13. **References.** References to the term "person", or "anyone", or like references shall be deemed to refer to a person, a sole proprietorship, a partnership, a corporation, a municipal corporation, and also a responsible officer or a responsible managing agent of any single proprietorship, partnership, or corporation unless the context clearly indicates otherwise.
14. **Severability and conflict.** If any section, subsection, sentence, clause, phrase, or word of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.
15. **Penalty.** Any person violating this section shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Each day of violation shall constitute a separate offense under this section. Imprisonment in the county jail can be ordered only for failure to pay the fine that may be imposed. If imprisonment is ordered for failure to pay the fine, it shall be limited to one day of confinement for each \$10.00 of fine or fraction thereof.

(Ord. of 1-21-2002, § 1)

[Cross References—Solid Waste, Chapter 66](#)

HISTORY

Adopted by Ord. Chapter 38(39) Solid Waste Sec 38.103 on 1/24/2002

Amended by Ord. 15-027 on 11/18/2015

SECTION 14: REPEALER CLAUSE. All ordinance or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 15: SEVERABILITY CLAUSE. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity

of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 16: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

Dated the ___ day of _____ 2025.

VILLAGE OF WESTON

By:

Mark F. Maloney, President

ATTEST:

By: _____
Pamela S. Brehm, Clerk

Adopted: _____

Published: _____

DRAFT

REQUEST FOR CONSIDERATION

| | |
|-------------------------|--|
| Public Mtg/Date: | CLPS – February 3, 2025 |
| Description: | Discussion and/or action on Class “B” Fermented Malt Beverage & “Class B” Intoxicating Liquor License for SBG Taco Weston LLC d/b/a Fuzzy’s Taco Shop |
| From: | Pamela Brehm, Clerk |
| Question: | Should the CLPS committee acknowledge the inoperative Class “B” Fermented Malt Beverage & “Class B” Intoxicating Liquor License of SBG Taco Weston LLC d/b/a Fuzzy’s Taco Shop and recommend the non-reserve “Class B” Intoxicating Liquor” license be offered to current reserve “Class B” Intoxicating Liquor License holders? |

Background

As of December 1, 2024, SBG Taco Weston LLC d/b/a Fuzzy’s Taco Shop had ceased operation of its business in the Village of Weston. SBG Taco Weston LLC d/b/a Fuzzy’s Taco Shop renewed its Class “B” Fermented Malt Beverage & “Class B” Intoxicating Liquor License on July 1, 2024.

Pursuant to Section 6.102 entitled *License Restrictions; Delinquent Taxes, Assessments, Other Claims*, paragraph 3 states as follows:

Inoperative Licenses. Any license that has not been in continuous use in a manner indicating an ongoing business for a period more than sixty (60) days shall be subject to revocation or nonrenewal unless otherwise authorized by the Village Board.

At the Board of Trustees meeting on October 16, 2023, the Board reviewed the process when a non-reserve “Class B” Intoxicating Liquor License would become available. The following motion was made:

43. Discussion and/or action on Procedure for Available “Class B” Non-Reserve Liquor Licenses (on recording <https://youtu.be/jv6PUVjh1y4?t=7178>)

Motion by Ermeling, second by Cronin to approve procedure for available “Class B” non-reserve liquor licenses in that if a non-reserve liquor license should become available, a letter will be sent to all reserve liquor license holders for applications for the non-reserve license with a random drawing of applications at the Board level.

Yes Vote: 6 No Votes:1 Abstain:0 Not Voting: 0 Result: Pass

| <u>Trustee</u> | <u>Present</u> |
|--------------------|----------------|
| Cronin, Steve | YES |
| Ermeling, Barb | YES |
| Hartinger, Jasper | YES |
| Maloney, Mark | YES |
| Pinsonneault, Jim | NO |
| Weiland, Jamie | YES |
| Zeyghami, Hooshang | YES |

Pursuant to Village Ordinances, the non-reserve “Class B” Intoxicating Liquor License issued to SGB Taco Weston LLC d/b/a Fuzzy’s Taco Shop would be available as of January 30, 2025.

REQUEST FOR CONSIDERATION

Attached Docs: Section 6.102 License Restrictions; Delinquent Taxes, Assessments, Other Claims.

Committee Action: Recommendation to Board of Trustees to acknowledge availability of “Class B” Intoxicating Liquor License.

FISCAL IMPACT: TBD

Recommendation: Clerk recommends

Recommended Language for Official Action

I move to recommend to Board of Trustees acknowledgement of availability of “Class B” Intoxicating Liquor License and that staff move forward with procedure when “Class B” Intoxicating Liquor License becomes available.

Or

Something else...

Additional action: To be placed on February 17, 2025, Board Agenda

Sec 6.102 License Restrictions; Delinquent Taxes, Assessments, Other Claims

1. **Premises.** No initial or renewal alcohol beverage license shall be granted for any premises for which taxes, assessments or other claims of the village are delinquent and unpaid.

2. **Required Period Open for Business.** Any establishment for which a Class “A” or Class “B” fermented malt beverage, “Class A” or “Class B” intoxicating liquor or “Class C” wine license has been granted shall be open for business and in full operation within 6 months of granting of such license. In the event any such business is not open and in full operation within 6 months of granting said license it shall be deemed revoked.

3. **Inoperative Licenses.** Any license that has not been in continuous use in a manner indicating an ongoing business for a period more than sixty (60) days shall be subject to revocation or nonrenewal unless otherwise authorized by the Village Board.

(Ord. No. 562, § 1, 6-13-1983)

HISTORY

Amended by Ord. [6.102 License Restrictions; Other Claims](#) on 6/28/2006

Amended by Ord. [6.102 - 6.105 Alcohol Beverages](#) on 9/24/2010

Amended by Ord. [15-027](#) on 11/18/2015

Amended by Ord. [21-034](#) on 12/20/2021

Amended by Ord. [24-025](#) on 12/16/2024

REQUEST FOR CONSIDERATION

| | |
|-------------------------|--|
| Public Mtg/Date: | Community Life & Public Safety Committee, February 3, 2025 |
| Description: | Ordinance No. 25-002 An Ordinance to Create Section 82.114 Vehicles, Abandoned and Junked. |
| From: | Jeremy Hunt, Chief of Police, MBMPD Jennifer Higgins, Planning & Development Director/Zoning Administrator |
| Question: | Should the CLPS Committee recommend to the Board of Trustees a new ordinance creating regulations for disposal of abandoned and junked vehicles? |

BACKGROUND

Chief Hunt would like the Village to approve an ordinance regulating the disposal of abandoned and junked vehicles in the Village and Town of Weston. The Village of Rothschild adopted similar regulations and they would like to have uniform regulations.

I chose to place this under Chapter 82 Traffic and Vehicles as it had similar regulations that the MBMPD already enforces. This ordinance is verbatim of the ordinance that Rothschild adopted. My only suggestion/question would be if we wanted to reference our street privilege permit in (2)(a). If someone has a job trailer or needs to park a travel trailer on the road for any period of time, they can apply with the Village for a Street Privilege Permit and the Public Works Department issues those.

| | |
|--------------------------|--|
| Attached Docs: | Draft Ordinance |
| Committee Action: | None. |
| Fiscal Impact: | TBD. |
| Recommendation: | Police Chief and Director recommends approval. |

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

- 1) I recommend to the Board of Trustees the creation of regulations for junked and abandoned vehicles by adopting Ordinance No. 25-002 to Create Section 82.114 Vehicles, Abandoned and Junked in the Village Code of Ordinances.
- 2) Something else....

| | |
|---------------------------|---|
| ADDITIONAL ACTION: | Board of Trustee Review Publication of Ordinance upon approval. (Staff) Notify Town of Weston of new ordinance and request them to also add to theirs during their updates. (Staff) |
|---------------------------|---|

**VILLAGE OF WESTON
ORDINANCE 25-002**

**AN ORDINANCE TO CREATE SEC. 82.114 VEHICLES, ABANDONED AND
JUNKED.**

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: **ADOPTION** “Sec. 82.114 Vehicles, Abandoned And Junked” of the Weston Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

Sec. 82.114 Vehicles, Abandoned And Junked (Non-existent)

AFTER ADOPTION

Sec. 82.114 Vehicles, Abandoned And Junked(*Added*)

1. Definitions.

- a. Abandoned Motor Vehicle. Any vehicle left unattended for more than 48 hours on any public street or grounds, or for more than 30 days on private property, is deemed abandoned and constitutes a public nuisance after notification thereof by the Police Department. Should the vehicle not be deemed abandoned under this chapter by the Police Department, if left attended on private property, it shall be out of public view, by permission on the owner or lessee.
- b. Junked Motor Vehicle. Any motor vehicle that has been wrecked or damaged in such a manner that it cannot be safely or legally operated is a junked motor vehicle.
- c. Motor Vehicle. A vehicle which is self-propelled, a trailer or semitrailer designed for use with such vehicle, and including a snowmobile.

2. Abandoned motor vehicles.

- a. No person shall leave any motor vehicle, trailer, semitrailer, or travel trailer unattended on any Village street or private or public property for such time and under circumstances as to cause the vehicle to reasonably appear to have been abandoned.
- b. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of under subsection c, except that if a duly authorized Village representative determines that the cost of towing and service charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the Village prior to expiration of the impoundment upon

determination by the Chief of Police of the Village that the vehicle is not wanted for evidence or other reason.

c. Any Village police officer who discovers any motor vehicle, trailer, semitrailer or travel trailer on any Village street or private or public property that has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.

i. The owner of an abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the Village against the owner.

ii. Any abandoned vehicle that is determined by a duly authorized municipal representative to have a value in excess of \$100 shall be retained in storage for a period of 14 days after certified mail notice has been sent to the owner and lienholders of record, if the name and whereabouts of the owner or lienholder can be readily ascertained, to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model, and serial number of the abandoned motor vehicle and the place where the vehicle is being held and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lien holders to exercise their right to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The Village may dispose of the vehicle by sale at public auction. A Class 2 notice of the auction shall be published. It may be conducted by any Village employee. The purchaser shall have 10 days to remove the vehicle from the storage area but shall pay a storage fee set by the Village Board for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and the vehicle may be sold again.

d. Any abandoned vehicle that is determined by a duly authorized Village representative to have a value of less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

e. Within five days after the sale or disposal of the vehicle, as provided in Subsection (2)(c) and (d), the Village shall advise the Division of Motor Vehicles for the State of Wisconsin, of the sale or disposition, on the form supplied by the division.

3. Junked motor vehicles.

a. No disassembled, partially disassembled, inoperable, unlicensed, junked or wrecked motor vehicle, truck body, tractor, trailer or travel trailer shall be

stored or allowed to remain upon public or private property within the Village for a period exceeding 48 hours if upon public property or for a period exceeding 14 days if upon private property.

- b. Whenever the Police Department shall find any such vehicle placed or stored in the open upon public property within the Village, it may cause such vehicle to be removed by a junk or salvage yard and stored in such junk or salvage yard. The vehicle shall be disposed of pursuant to the provisions of Sec. 82.114(2)(c) and (d) of this chapter.
- c. Whenever the Police Department shall find any vehicle described herein placed or stored in the open upon private property within the Village, it shall notify the owner of property on which said vehicle is stored of the violation of this section. If the vehicle is not removed within five days, the Police Department may cause such vehicle to be removed to a junk or salvage yard. The vehicle shall be disposed of pursuant to the provisions of Sec. 82.114(2) (c) and (d) of this Chapter.
- d. Any person who shall be adjudicated to have violated any of the provisions of this section shall be subject to a forfeiture of not less than \$10 nor more than \$50, plus costs of the prosecution, and upon default of payment of such forfeiture and costs shall be imprisoned in the Marathon County jail until such forfeiture and costs are paid, but not to exceed 10 days. Each day that a violation of this section continues shall be deemed a separate offense.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VILLAGE OF WESTON BOARD OF TRUSTEES

_____.

| | AYE | NAY | ABSENT | ABSTAIN |
|-------------------|------------|------------|---------------|----------------|
| Mark Maloney | _____ | _____ | _____ | _____ |
| Barbara Ermeling | _____ | _____ | _____ | _____ |
| Hooshang Zeyghami | _____ | _____ | _____ | _____ |
| Steve Cronin | _____ | _____ | _____ | _____ |
| Jamie Weiland | _____ | _____ | _____ | _____ |
| Jim Pinsonneault | _____ | _____ | _____ | _____ |
| Joseph Jordan | _____ | _____ | _____ | _____ |

Presiding Officer

Attest

Mark Maloney, Village President,
Village of Weston

Pamela Brehm, Village Clerk, Village
of Weston

REQUEST FOR CONSIDERATION

| | |
|-------------------------|--|
| Public Mtg/Date: | CLPS, February 3, 2025 |
| Description: | Discussion and/or action on proposed amendments to Chapter 42 Law Enforcement |
| From: | Jami Gebert, Administrator |
| Question: | Review of necessary amendments to Chapter 42 Law Enforcement? |

Background

Continuing discussion on the ordinances that the CLPS committee has some oversight and responsibility with, attached is **Chapter 42 Law Enforcement** for your review. The Law Enforcement chapter needs several revisions due to the creation of the Mountain Bay Metro Police Department and the Village joining the Rothschild Area Municipal Court. It's timely to be reviewing now to bring back these necessary updates in the near future.

| | |
|--------------------------|-----------------------------------|
| Attached Docs: | Chapter 42 Law Enforcement |
| Committee Action: | TBD. |
| FISCAL IMPACT: | None. |
| Recommendation: | None. |

Recommended Language for Official Action

I move to

CHAPTER 42 LAW ENFORCEMENT

ARTICLE 42-I IN GENERAL

ARTICLE 42-II COMMENCEMENT OF ACTION AND FORM OF CITATION IN MUNICIPAL ORDINANCE VIOLATION CASES

Cross References—Administration, Chapter 2; Emergency Alarm Systems, § 18.115 et seq.; Civil Emergencies, Chapter 22; Offenses and Miscellaneous Provisions, Chapter 54; Traffic and Vehicles, Chapter 82.

ARTICLE 42-I IN GENERAL

Sec 42.100 Establishment Of Joint Police Department

Sec 42.100 Establishment Of Joint Police Department

There shall be a joint police department operated by the Village, the Town of Weston and the City of Schofield. It shall be organized in accordance with joint agreements made from time to time between the three municipalities, or as set forth by mutual resolution by the three municipalities in accordance with state law and the ordinances of the municipalities.

(Ord. of 11-1-1993, § 1)

HISTORY

Amended by Ord. [15-026](#) on 11/7/2015

ARTICLE 42-II COMMENCEMENT OF ACTION AND FORM OF CITATION IN MUNICIPAL ORDINANCE VIOLATION CASES

Sec 42.101 Commencement Of Action

Sec 42.102 Form Of Citation

Sec 42.103 Amended Citation

Sec 42.104 Plea Of No Contest Prior To Initial Appearance

Sec 42.105 State Statutes Adopted By Reference

Sec 42.101 Commencement Of Action

1. In Village of Weston municipal ordinance violation cases personal jurisdiction is obtained when the Defendant is served with a Citation, and the Citation is filed with or transmitted to the Municipal Court, or when the Defendant is arrested and brought before the Court personally, or voluntarily appears before a Municipal Judge.
2. Service of the Citation shall be as provided in Wis. Stats. §§ 801.11 or 968.04(3)(b)2. Or by personal service by an adult who is a resident of the state where the service is made, but who is not a party to the action. If the Citation is personally served, the law enforcement officer or municipal employee serving the Citation shall sign a statement of personal service on the Citation. The signature required herein does not apply to a traffic citation issued under Wis. Stat. § 345.11.
3. Upon the commencement of an action by a Citation, a deposit may be taken from the Defendant. The Defendant may be released on his or her own recognizance. A nonresident Defendant who does not make a deposit may be detained in jail to be brought before the Court at the earliest opportunity.

(Ord. of 11-1-1993, and 01-16-06 § 1)

HISTORY

Adopted by Ord. [Chapter 42 Art II Action and Form of Cit in Municipal Court](#) on 1/21/2006

Amended by Ord. [Chapter 42 Art II Action and Form of Cit in Municipal Court](#) on 8/6/2010

Amended by Ord. [15-026](#) on 11/7/2015

Sec 42.102 Form Of Citation

1. **Action.** An action in Municipal Court for violation of a municipal ordinance is a civil action and the forfeiture or penalty imposed by any ordinance of the Village of Weston may be collected in an action in the name of the VILLAGE OF WESTON.
2. **Citation Form.** The Citation shall be signed by a peace officer or endorsed by the municipal attorney, or by the Village Administrator, Director of Public Works, Zoning Administrator, Building Inspector, Parks Superintendent, Humane Officer, S.A.F.E.R Fire Chief, S.A.F.E.R. Deputy Fire Chief, S.A.F.E.R. Captain of Inspections or by the Planning and Development Director. Officials granted the authority to issue citations may delegate, with the approval of the Village Board, the authority to employees. The Citation shall contain substantially the following information:
 - a. The name, address and date of birth of the Defendant.
 - b. The name and department of the issuing officer.
 - c. The violation alleged, the time and place of occurrence, a statement that the Defendant committed the violation, the ordinance violated, and a designation of the violation in language, which can be readily understood.
 - d. A date and place for the Court appearance, and a notice to appear.
 - e. Provisions for amount of deposit and stipulation in lieu of Court appearances, if applicable.
 - f. Notice that the Defendant may make a deposit and thereby obtain release if an arrest has been made.
 - g. Notice that the Defendant may by mail, prior to the Court appearance, enter a plea of Not Guilty and may within 10 days after entry of the plea request a jury trial.
 - h. Notice that, if the Defendant makes a deposit and fails to appear in Court at the time fixed in the citation, the Defendant is deemed to have tendered a plea of No Contest and submits to a forfeiture plus costs, fees, and surcharges imposed under Wis. Stats. Chapter 814, not to exceed the amount of the deposit. The notice shall also state that the Court may decide to summon the Defendant rather than accept the deposit and plea.
 - i. Notice that if the Court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the Defendant, the Court may summon the Defendant into Court to determine if restitution shall be ordered under Wis. Stat. § 800.093.
 - j. Notice that if the Defendant does not make a deposit and fails to appear in Court at the time fixed in the Citation, the Court may issue a summons or a warrant for the Defendant's arrest or may enter a default judgment against the Defendant.
 - k. Any other pertinent information.
3. Except for parking violations, in traffic regulation actions, in Municipal Court, the Uniform Traffic Citation specified in Wis. Stat. § 345.11, shall be used in lieu of the Citation form specified in subparagraph hereinabove. In actions for violations of local ordinances enacted in accordance

with Wis. Stats. § 23.33 (11)(am) or Wis. Stat. § 30.77, the Citation form specified in Wis. Stat. § 23.54 shall be used in lieu of the Citation form specified in subparagraph (b) hereinabove.

(Ord. of 11-1-1993, Ord. of 01-16-06 § 1, Ord. of 8-6-10, Ord. of 3-6-14)

HISTORY

Amended by Ord. [Chapter 42 Art II Law Enforcement Form Of Citation Sec 42.102](#) on 3/6/2014

Amended by Ord. [15-026](#) on 11/7/2015

Sec 42.103 Amended Citation

The Citation may be amended once as a matter of course prior to the initial appearance of the Defendant. Otherwise the Citation may be amended only by leave of the Court or by written consent of the Defendant.

(Ord. of 11-1-1993, and 01-16-06 § 1)

HISTORY

Amended by Ord. [15-026](#) on 11/7/2015

Sec 42.104 Plea Of No Contest Prior To Initial Appearance

1. If a person is issued a Citation, the person may make a plea of No Contest and deposit as follows:
 - a. traffic regulation cases, as provided in Wis. Stat. § 345.26.
 - b. In boating violations, as provided in sec. Wis. Stat. § 23.67.
 - c. In other violations, the person may make such a plea and deposit only if the Village Board has approved a deposit schedule. The person may make the plea of No Contest and deposit to the Municipal Court at any time prior to the initial appearance.
2. The person who has made a plea and deposit under sub. (1) may appear in Court, in such case, the Court shall allow the person to withdraw his or her plea of No Contest. The person need not appear in Court.
3. The amount of the deposit shall be set by the Municipal Judge, but shall not be effective until approved by the Village Board. The amount shall not exceed the maximum penalty for the offence, plus costs, fees, and surcharges imposed under ch. Wis. Stat. § 814.
4. Notwithstanding the provisions of subsection (1) hereinabove, a Court appearance may be required by a representative of the Village for a violation of a local ordinance in conformity with Wis. Stat. § 346.63(1). If a person fails to make a required appearance under this subsection and the Judge issues an arrest warrant, the law enforcement agency, which filed or transmitted the Uniform Citation shall file a detailed description of the warrant with the Department of Justice.
5. Notwithstanding subsection (1) hereinabove, a Court appearance may be required if the Court finds that the violation involves an ordinance that prohibits conduct that is the same or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to property of or physical injury to a person other than the alleged violator.

(Ord. of 11-1-1993, and 01-16-06 § 1)

HISTORY

Amended by Ord. [15-026](#) on 11/7/2015

Sec 42.105 State Statutes Adopted By Reference

All of the provisions of Chapter 800 of the Wisconsin Statutes entitled "Municipal Court Procedure," including any subsequent amendments thereto, are hereby adopted by reference as if fully set forth herein at length, including sections 800.01 (Commencement of Action), 800.02 (Form of Citation, Complaint, Summons and Warrant in Municipal Ordinance Violation Cases), 800.025 (Amended Citation and Complaint), 800.035(2)(d) (Plea of No Contest Prior to Initial Appearance), 800.035(2)(d) (Initial Appearance; Stipulation of Guilt; Deposit), 800.05 (Substitution of Municipal Judge), 800.06 (Illness, Absence or Vacancy; Pending Actions Triable by Court which Received Papers; Continuance on Vacancy and Notice of Trial), 800.065 (Temporary Reserve Judges; Service), 800.07 (Discovery in Municipal Court), 800.08 (Procedure at Trial), 800.09 (Judgment; Failure to Appear; Plea of Guilty), 800.095 (Nonpayment of Judgment or Noncompliance with Work Order; Further Proceedings), 800.10 (Fees and Costs in Municipal Court), 800.11 (Municipal Court Record and Transcript Entries), 800.115 (Relief From Judgment), 800.12 (Municipal Court Contempt Procedure), 800.13 (Recording in Municipal Court), and 800.14 (Appeal From Municipal Court Decision).

(Ord. of 11-1-1993, and 01-16-06 § 1)

HISTORY

Amended by Ord. [15-026](#) on 11/7/2015