

**SAUK COUNTY BOARD OF SUPERVISORS
MEETING NOTICE/AGENDA**

COMMITTEE: SAUK COUNTY BOARD OF SUPERVISORS – REGULAR MEETING
DATE: TUESDAY, DECEMBER 16, 2014
TIME: 6:00 PM
PLACE: ROOM 326, WEST SQUARE BUILDING, 505 BROADWAY, BARABOO, WI

SPECIAL MEETINGS:

5:50 PM – FINANCE COMMITTEE in the Gallery of County Board Room, Room #326A to consider:

1. Approval of County vouchers.

REGULAR MEETING: SAUK COUNTY BOARD OF SUPERVISORS

- 1) Call to Order and Certify Compliance with Open Meeting Law.
- 2) Roll Call.
- 3) Invocation and Pledge of Allegiance.
- 4) Adopt Agenda.
- 5) Adopt Minutes of Previous Meeting.
- 6) Scheduled Appearances.
- 7) Public Comment – 3 minute limit: Registration form located on the table in gallery of County Board Room 326 – turn in to the County Board Chair.
- 8) Communications.
 - a. 12/04/14 Appointment Letter: John M. Deitrich to Vacant Seat – Supervisor Dist. 8 (Page 5)
- 9) Bills & Referrals.
- 10) Claims.
- 11) Appointments.
 - a. Board of Supervisors (addressing vacancy in Supervisor District)
John M. Deitrich, 800 Mary Avenue, Reedsburg, filling the unexpired term of former supervisor George Johnson.
 - b. Health Care Center Board of Trustees:
Mary Ellen Murray, PhD, RN, Citizen Member, re-appointment
William Higgins, Citizen Member, re-appointment
3- Year terms- 01/01/15 – 12/31/2017
 - c. Sauk County Library Board:
Sue Meise, Citizen Member, re-appointment
Cindy Shanks, Citizen Member, re-appointment
Barbara Morford, Citizen Member, new appointment (replacing Robert Wills)
3-Year terms- 01/01/2015 - 12/31/2017
Beverly Vaillancourt, Citizen Member, appointment extension
Term expiring 12/31/2015

- d. Veteran's Service Commission:
Jason Lane, Citizen Member, new appointment (replacing Harry Schutz)
3- Year term- 01/01/2015 - 12/31/2017
- e. Workforce Development Board of Southern Wisconsin:
Paul Dietmann, Citizen Member, re-appointment
Fred Hebert, Citizen Member, re-appointment
3- Year terms- 01/01/2015 - 12/31/2017

12) Unfinished Business.

13) Reports – informational, no action required.

- a. Rebecca A. DeMars, Sauk County Clerk – Rezoning petitions filed with the office of the Sauk County Clerk as a requirement of Wisconsin State Statutes 59.69(5)(e): None.
- b. Todd Liebman, Corporation Counsel, Summary of Ordinance Changes. (Pages 6 & 7)
- c. Supervisor Fordham, Vice Chair – Executive & Legislative Committee.
- d. Marty Krueger, County Board Chair
 - 11/11/14 Annual Meeting;
 - Ad Hoc Committee on Supervisor Compensation;
 - Board Christmas Party (Page 8)
- f. Kathryn Schauf, Administrative Coordinator.
 - CDBG Housing and RLF;
 - Comprehensive Plan update;
 - Annual Report

14) Consent Agenda:

SAUK COUNTY HEALTH CARE CENTER BOARD OF TRUSTEES:

Resolution 125 - 2014 Commending LaVerne Jones For 26 Years Of Faithful Service To The People Of Sauk County. (Page 9)

15) Resolutions & Ordinances:

BOARD OF HEALTH COMMITTEE:

Ordinance 9 - 2014 Repealing Chapter 28, Regulation Of Tattoo Artists, Tattoo Establishments, Body Piercers And Body Piercing Establishments; Repealing Chapter 29, Public Health Nuisance Ordinance; Repealing Chapter 44, Food Protection; Creating Chapter 28, Environmental Health; Amending Chapter 20, Uniform Citation Ordinance, Section 20.07(16); And Amending Chapter 30, Miscellaneous Provisions. (Pages 10 - 31)

CONSERVATION, PLANNING & ZONING COMMITTEE:

Ordinance 10 - 2014 Approving An Amendment Package Following The Recent Repeal And Recreation Of Chapter 7 Sauk County Zoning Ordinance. (Petition 16- 2014) (Pages 32 - 54)

Resolution 126 - 2014 Authorizing The Purchase Of A Truck For Conservation, Planning, And Zoning Department. (Pages 55 - 56)

EXECUTIVE & LEGISLATIVE COMMITTEE:

Resolution 127 - 2014 Establishing An Ad Hoc Committee On Supervisor Compensation.
(Page 57)

Ordinance 11 - 2014 Repealing And Recreating Chapter 42 Emergency Management Ordinance.
(Pages 58 - 61)

Ordinance 12 - 2014 Repealing Sauk Co. Code Ch. 37, Records Retention And Creating Sauk Co. Code Ch. 37, Information Practices And Repealing Sauk Co. Code §30.50. (Pages 62 - 69)

HIGHWAY AND PARKS COMMITTEE:

Ordinance 13 - 2014 Amending Chapter 15, All-Terrain Vehicle (ATV) And Utility-Terrain Vehicle (UTV) Crossings And Routes On County Trunk Highways. (Pages 70 – 71)

Resolution 128 - 2014 Request To Accept Proposal For One (1) Tractor And Roadside Mower From Scenic Bluffs Implement, Union Center, Wisconsin. (Pages 72 - 73)

Resolution 129 - 2014 Authorizing Reimbursement For Attendance At The Wisconsin County Highway Association Winter Road School. (Page 74)

Resolution 130 - 2014 Authorizing Highway Commissioner Of Sauk County To Enter Into An Agreement With The Village Of Prairie du Sac And The Sauk Prairie School District For Cost Share Of Traffic Signal Installation CTH PF. (Pages 75 - 76)

LAW ENFORCEMENT AND JUDICIARY COMMITTEE:

Resolution 131 - 2014 Resolution Restructuring The Fee Schedule Of Process Fees In the Sauk County Sheriff's Office Effective January 1, 2015. (Pages 77 - 78)

PROPERTY AND INSURANCE COMMITTEE:

Resolution 132 - 2014 Rescinding So Much Of Resolution No. 118-2014 Involving The Taking Of A Tax Deed On Parcel Number 018-0444-00000 In The Town Of Greenfield And More Particularly Described Below. (Page 79)

Resolution 133 - 2014 Rescinding So Much Of Resolution No. 118-2014 Involving The Taking Of A Tax Deed On Parcel Number 146-0790-20200 In The Village Of Lake Delton And More Particularly Described Below. (Page 80)

Resolution 134 - 2014 Rescinding So Much Of Resolution No. 118-2014 Involving The Taking Of A Tax Deed On Parcel Number 146-1053-70530 In The Village Of Lake Delton And More Particularly Described Below. (Page 81)

Resolution 135 - 2014 Accepting Bids On Tax-Delinquent Real Estate Acquired By Sauk County.
(Pages 82 - 83)

Adjournment to a date certain.

Respectfully,



Martin F. Krueger
County Board Chair

County Board Members, County staff & the public – Provide the County Clerk a copy of:

1. Informational handouts distributed to Board Members
2. Original letters and communications presented to the Board.

County Board Members:

Stop by the Office of the County Clerk prior to each Board Meeting to sign original resolutions and ordinances.

Any person who has a qualifying disability that requires the meeting or materials at the meetings to be in an accessible location or format should or format should contact Sauk County at 608-355-3269, or TTY at 608-355-3490, between the hours of 8:00 AM and 4:30 PM, Monday through Friday, exclusive of legal holidays, at least 48 hours in advance of the meeting so that reasonable arrangements can be made to accommodate each request.

www.co.sauk.wi.us

Agenda mail date via United States Postal Service: December 11, 2014

Agenda Preparation: Marty Krueger, County Board Chair, with the assistance of Kathryn Schauf, Administrative Coordinator and Rebecca A. DeMars, County Clerk

s:/admin/Co Bd Agendas/2014/ctybdagendDECEMBER162014



COUNTY BOARD CHAIRPERSON

SAUK COUNTY WEST SQUARE BUILDING
505 BROADWAY, ROOM 140
BARABOO, WI 53913
PH: (608) 355-3500

December 4, 2014

Rebecca A. DeMars, Sauk County Clerk
Sauk County West Square Building
505 Broadway, Room 141
Baraboo, WI 53913-9704

RECEIVED

DEC - 4 2014

SAUK COUNTY CLERK
BARABOO, WI

re: **Vacancy in Sauk County Supervisory District 8**

Madame Clerk:

Pursuant to State Statute 59.10 (3) (e) and Rule IV D. of the *Rules of the Sauk County Board*, I appoint **John M. Deitrich**, 800 Mary Avenue, Reedsburg, WI to fill the unexpired term of George Johnson. The vacancy exists due to former Supr. Johnson's resignation from the Sauk County Board of Supervisors, effective at 12:01 AM on December 1, 2014. Pursuant to the *Rules of the Sauk County Board*, Mr. Deitrich will assume the same committee assignments previously delegated to Supr. Johnson: Property & Insurance Committee; Law Enforcement & Judiciary Committee; the Sauk County Board representative on the Sauk County Housing Authority; and, one of the three regular commissioners on the Wisconsin River Rail Transit Commission. The appointee is a qualified elector of the district in which the vacancy exists, and the appointment becomes effective upon your receipt of this notice.

Mr. Deitrich will be entitled to all rights and compensation by rule. This appointment will be placed on the agenda of the December 16, 2014 meeting for consideration by the full Board of Supervisors. Pending Board approval, please be prepared to administer the Oath of Office to Mr. Deitrich so he may take his seat as the representative for Supervisory District 8.

Sincerely,
MARTIN F. KRUEGER

Sauk County Board Chairperson

cc: Corporation Counsel; Administrative Coordinator; Personnel; Accounting.

SUMMARY OF ORDINANCE CHANGES – DECEMBER 16, 2014 COUNTY BOARD

The following summarize the proposed changes to the Sauk Co. Code of Ordinances that have been recommended by various oversight committees for consideration by the county board:

CHAPTER 15 - ALL-TERRAIN VEHICLE (ATV) AND UTILITY-TERRAIN VEHICLE (UTV) CROSSINGS AND ROUTES ON HIGHWAYS IN SAUK COUNTY

The current version of Sauk Co. Code ch. 15 that regulates approval of ATV and UTV routes, does not include delegating approval of ATV and UTV routes on state highway bridges to the Highway and Parks Committee. In April 2014, the Wisconsin State Legislature enacted 2013 Act 313. This Act granted authority to counties and local governments to establish ATV routes on state trunk highway bridges. Pursuant to the Act, ch. 15 has been revised to include authority to the Highway and Parks Committee to designate ATV and UTV routes on state trunk highway bridges. Along with the delegation of this authority, ch. 15 has been revised to include rules and regulations pertaining to ATVs and UTVs operating on designated ATV and UTV routes on state trunk highways to cross a bridge. Additionally, the permit process section of ch. 15 has been revised to include state trunk highway bridges as well as county trunk highways. The speed that ATVs and UTVs can operate on a route has also been increased from 25 to 35 miles per hour, unless a reduced speed is otherwise required by law. Seasonal closure of routes has been removed to allow year around use of ATVs and UTVs. Other non-substantive changes have been made to ch. 15 that do not change its meaning.

CHAPTER 16 - AGING AND DISABILITY RESOURCE CENTER

The current version of Sauk Co. Code ch. 16 interchangeably refers to the Aging and Disability Resource Center (ADRC) Committee and Advisory Committee. The Wisconsin Statutes clarify the duties of these respective bodies and provide for an ADRC Committee of the county board and an Advisory Committee, two separate entities. The revised version of ch. 16 has been amended to reflect the proper usage of these names. Additionally, other non-substantive changes have been made to ch. 16 that improve the clarity of the ordinance.

CHAPTER 20 – UNIFORM CITATION

Sauk Co. Code ch. 20, Uniform Citation Ordinance, is amended to reflect changes made in ch. 28 and the repeal of chs. 29 and 44.

CHAPTER 28 - ENVIRONMENTAL HEALTH

Sauk Co. Code ch. 28 Tattoo Ordinance, ch. 29 Public Health Nuisance Ordinance, and ch. 44 Food Protection Ordinance are each individual ordinances. These ordinances have been consolidated and amended to become ch. 28 Environmental Health Ordinance. It is believed that other members of the environmental health consortium will adopt a similar code. Non-substantive changes have also been made.

CHAPTER 30 - MISCELLANEOUS PROVISIONS

Sauk Co. Code ch. 30 Miscellaneous Provisions is amended to include "electronic smoking" and "electronic smoking device" in the definition of "smoking." The definition of "smoking" in ch. 30 has been revised to include the carrying or holding of a lighted or activated pipe, cigar, cigarette, electronic smoking device, or any other lighted or activated smoking product or equipment used to burn any tobacco products, weed, plant, or any other combustible substance. Smoking includes emitting or exhaling the fumes or vapor of any pipe, cigar, cigarette, electronic smoking device, or any other lighted smoking equipment used for burning any tobacco product, weed, plant, or any other combustible substance. As the definition of "smoking" includes the term "electronic smoking device," it is necessary to include the definition of "electronic smoking device" in ch. 30, as well. The definition of "electronic smoking device" has been included to mean an electronic or battery-operated device that delivers vapor for inhalation. The term includes every variation and type of such devices including electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, electronic hookahs or any other similar product.

CHAPTER 37 - INFORMATION PRACTICES

Sauk Co. Code ch. 37 is currently the Records Retention ordinance. This ordinance is out of date and not in compliance with the Wisconsin Public Records Board's model retention schedule for counties. The current ordinance also does not address electronic data and differentiate what electronic data must be maintained as a public record and what does not. Currently, provisions related to the maintenance of public records and public records requests, are contained in Sauk Co. Code § 30.50 Miscellaneous Provisions. This proposed repeal and recreate creates a new ch. 37 Information Practices that places all code provisions dealing with records in one location. The two key new provisions are; first, the elimination of a detailed records retention schedule, and replacing it with a reference to the Public Records Board's schedule; and second, the provisions pertaining to electronic records. The other provisions of the ordinance relocate the current provisions pertaining county practices related to public records from Sauk Co. Code § 30.50 to the new ch. 37.

CHAPTER 42 - EMERGENCY MANAGEMENT

Sauk Co. Code ch. 42 is repealed and recreated to accurately reflect statutory authorities, organizational changes in the Emergency Management, Buildings & Safety Department and to ensure compliance with the National Incident Management Systems. The changes facilitate an effective and coordinated emergency management system in order to meet the needs of the community in a county-declared disaster in a timely manner. The changes also ensure that county guidelines for competitive purchasing, emergency bidding and hiring details are addressed.

Happy Holidays!

Please join the Sauk County Board of Supervisors
for a Celebration of the Season at their

Annual Christmas Party

Saturday, December 20, 2014

Trappers Turn Golf Club

2955 Wisconsin Dells Parkway

Wisconsin Dells WI

"The Mystic" Cocktail Hour 5:30pm to 7:00pm

Dinner following at 7:00pm

Deluxe Soup & Salad Bar, Top Sirloin and BBQ Bone-In Chicken,
Baby Red Potatoes, Vegetable, "Chef's Choice" Dessert, Beverage

\$25.00 per person

RSVP to Michelle Commings by December 16, 2014

(608)355-3286

In the Spirit of the Season, make a cash donation
to be entered into a drawing for a one night stay at the Kalahari Resort
and two passes for a couples round of golf.

Proceeds to benefit: Community Free Christmas Day Dinner;
Sauk County Children's Giving Tree; and the Baraboo Warming Center.

\$5.00 suggested donation...Participation is Optional.

RESOLUTION No. 125 - 14

Commending **LAVERNE JONES** for 26 Years of Faithful Service
To the People of Sauk County

WHEREAS, it is the custom of the Sauk County Board of Supervisors to recognize employees who have served the people of Sauk County with distinction; and

WHEREAS, **LAVERNE JONES** has faithfully served the people of Sauk County as a Human Services Economic Support worker and at the Sauk County Health Care Center as a Certified Nursing Assistant, Registered Nurse, Staff Development Coordinator and Assistant Director of Nursing for a total of 26 years; and

WHEREAS, **LAVERNE JONES** retired from the Health Care Center on November 3, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby expresses its appreciation and commends **LAVERNE JONES** for 26 faithful years of service to the people of Sauk County;

AND, BE IT FURTHER RESOLVED, that the Chairman of the Sauk County Board of Supervisors is hereby directed to present to **LAVERNE JONES** an appropriate certificate and commendation as a token of our esteem.

For consideration by the Sauk County Board of Supervisors on December 16 2014.

Respectfully submitted,

SAUK COUNTY HEALTH CARE CENTER BOARD OF TRUSTEES

Mary Ellen Murray, Chair

Joseph Fish, Vice-Chair

William Higgins

Terri Langer

Henry Netzing

Tut Gramling

Carol Held

No Fiscal Impact *PAS*
No Information System Impact

ORDINANCE NO. 9 - 2014

**REPEALING CHAPTER 28, REGULATION OF TATTOO ARTISTS, TATTOO ESTABLISHMENTS, BODY PIERCERS AND BODY PIERCING ESTABLISHMENTS;
REPEALING CHAPTER 29, PUBLIC HEALTH NUISANCE ORDINANCE;
REPEALING CHAPTER 44, FOOD PROTECTION;
CREATING CHAPTER 28, ENVIRONMENTAL HEALTH;
AMENDING CHAPTER 20, UNIFORM CITATION ORDINANCE, SECTION 20.07(16);
AND AMENDING CHAPTER 30, MISCELLANEOUS PROVISIONS**

The County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, ch. 28, Regulation of Tattoo Artists, Tattoo Establishments, Body Piercers and Body Piercing Establishments; ch. 29, Public Health Nuisance Ordinance; and ch. 44, Food Protection, have been consolidated into one chapter; and,

WHEREAS, it is necessary to repeal chs. 28, 29, and 44; and create ch. 28, Environmental Health; and,

WHEREAS, it is necessary to amend ch. 20, Uniform Citation Ordinance, to reflect changes made in ch. 28 of the Sauk Co. Code; and,

WHEREAS, it is necessary to amend ch. 30, Miscellaneous Provisions, to include "electronic smoking" in the definition of "smoking;" and,

WHEREAS, other non-substantive changes have been made to the attached ordinances, including the renumbering of sections, which do not substantially change their meaning; and,

WHEREAS, your undersigned Committee has considered the repeal of chs. 28, 29 and 44, and the creation of ch. 28, and the amendments to ch. 20 and ch. 30, and believe that adoption of these amendments is in the best interest of the people of Sauk County.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that chs. 28, 29 and 44 of the Sauk Co. Code are hereby repealed, and ch. 28, Environmental Health, is created to read as contained in the attached Appendix A and shall be effective upon passage; and,

BE IT FURTHER ORDAINED, that ch. 20.07(16) of the Sauk Co. Code is hereby amended to read as contained in the attached Appendix B, and shall be effective upon passage; and,

BE IT FURTHER ORDAINED, that ch. 30 of the Sauk Co. Code is hereby amended to read as contained in the attached Appendix C, and shall be effective upon passage.

For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Resolution No. 9 - 2014

REPEALING CHAPTER 28, REGULATION OF TATTOO ARTISTS, TATTOO ESTABLISHMENTS, BODY PIERCERS AND BODY PIERCING ESTABLISHMENTS; REPEALING CHAPTER 29, PUBLIC HEALTH NUISANCE ORDINANCE; REPEALING CHAPTER 44, FOOD PROTECTION; CREATING CHAPTER 28, ENVIRONMENTAL HEALTH; AMENDING CHAPTER 20, UNIFORM CITATION ORDINANCE, SECTION 20.07(16); AND AMENDING CHAPTER 30, MISCELLANEOUS PROVISIONS

Page 2

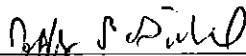
Respectfully submitted,

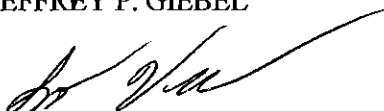
BOARD OF HEALTH COMMITTEE:

Supervisor Members


DONNA STEHLING, Chair

JOHN MILLER


JEFFREY P. GIEBEL


SCOTT VON ASTEN

Citizen Members

STACY CLEMENT ZOBEL


KENNETH R. CARLSON


AMY DELONG, MD

FISCAL NOTE: No fiscal impact. *KRB*

MIS IMPACT: No MIS impact.

s:/ccounsel/Ordindoc/Drafts&Notes/ch.28/Implimenting Ordn for chs. 20, 28 & 30

CHAPTER 20

UNIFORM CITATION ORDINANCE

20.07 Schedule of Forfeitures.

~~(16) CHAPTER TWENTY-EIGHT: TATTOO ORDINANCE; pursuant to Section 28.13, which authorizes penalties of not less than \$ 500.00 nor more than \$ 2000.00 and which authorizes the suspension of licenses a period of up to three (3) years:~~

~~FORFEITURE~~

- ~~(a) \$500 first violation by a tattoo practitioner, a body piercing practitioner, a tattoo establishment or a body piercing establishment in one (1) year~~
- ~~(b) \$1000 second violation by a tattoo practitioner, a body piercing practitioner, a tattoo establishment or a body piercing establishment in one (1) year~~
- ~~(c) \$2000* third and subsequent violations by a tattoo practitioner, a body piercing practitioner, a tattoo establishment or a body piercing establishment in three (3) years~~

~~*and suspension of permit for a period of three (3) years~~

~~(17) CHAPTER TWENTY-NINE: PUBLIC HEALTH NUISANCE ORDINANCE; pursuant to Section 29.10(2), which authorizes forfeitures of not less than \$ 50.00 nor more than \$ 200.00.~~

~~FORFEITURE~~

- ~~(a) \$50 first violation in one (1) year~~
- ~~(b) \$100 second violation in one (1) year~~
- ~~(c) \$150 third violation in two (2) years~~
- ~~(d) \$200 fourth and subsequent violations in three (3) years~~

~~(16) CHAPTER TWENTY-EIGHT: ENVIRONMENTAL HEALTH ORDINANCE.~~

~~(a) Authorizing forfeitures of not less than \$500 nor more than \$2,000 and which authorizes the suspension of licenses for up to a period of 3 years, pursuant to Sections 28.018, 28.019, and 28.020(4):~~

~~FORFEITURE~~

- ~~1. \$500 first violation by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in one year~~
- ~~2. \$1,000 second violation by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in one year~~
- ~~3. \$2,000* third and subsequent violations by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in 3 years~~

~~*and suspension of permit for a period of 3 years~~

~~(b) Authorizing forfeitures of not less than \$50 nor more than \$200, pursuant to Section 28.022(2);~~

~~FORFEITURE~~

- ~~1. \$50 first violation in one year~~
- ~~2. \$100 second violation in one year~~
- ~~3. \$150 third violation in 2 years~~
- ~~4. \$200 fourth and subsequent violations in 3 years~~

~~(c) Authorizing forfeitures of not less than \$25 nor more than \$200, pursuant to Section 28.020(4);~~

~~FORFEITURE~~

- ~~1. \$50 first violation within 12 months;~~
- ~~2. \$100 second and subsequent violations within 12 months;~~

~~(18) (17) CHAPTER THIRTY-ONE: ALCOHOLIC BEVERAGE CONTROL ORDINANCE;~~ pursuant to Section 31.09 which authorizes penalties of not less than \$100 nor more than \$10,000.

~~(49) (18) CHAPTER THIRTY-NINE: REGULATIONS OF FALSE ALARM.~~

~~(20) CHAPTER FORTY-FOUR: FOOD PROTECTION ORDINANCE;~~ pursuant to Section 44.14 which authorizes penalties of not less than \$25.00 nor more than \$200.00.-

~~FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS~~

- ~~(a) \$50 First violation within twelve (12) months.~~
- ~~(b) \$100 Second and subsequent violations within (12) months.~~

Chapter 20 of the Sauk County Code of Ordinances repealed and recreated, adopted by the Sauk County Board of Supervisors on November 10, 1992. Amended by the Sauk County Board of Supervisors on April 15, 1997. Amended by the Sauk County Board of Supervisors on April 18, 2000 - Ordinance No. 83-00. Amended by the Sauk County Board of Supervisors on June 19, 2001 - Ordinance No. 40-01. Amended by the Sauk County Board of Supervisors on June 18, 2002 - Ordinance No. 110-02. Chapter 15 repealed in its entirety by the Sauk County Board of Supervisors on December 19, 2006 - Ordinance No. 154-06. Amended by the Sauk County Board of Supervisors on April 17, 2007 - Ordinance No. 51-07. Amended by the Sauk County Board of Supervisors on May 19, 2009 - Ordinance No. 58-09. Amended by the Sauk County Board of Supervisors on July 21, 2009 - Ordinance No. 84-09. Amended by the Sauk County Board of Supervisors on August 18, 2009 - Ordinance No. 99-09. Amended by the Sauk County Board of Supervisors on October 19, 2010 - Ordinance Nos. 119-10 and 120-10. Amended by the Sauk County Board of Supervisors on February 20, 2012 - Ordinance No. 3-12.

Amended by the Sauk County Board of Supervisors on April 16, 2013 - Ordinance No. 06-13. Amended by the Sauk County Board of Supervisors on October 15, 2013 - Ordinance No. 64-13. Amended by the Sauk County Board of Supervisors on February 18, 2014 - Ordinance No. 2-14. Amended by the Sauk County Board of Supervisors on June 17, 2014 - Ordinance No. 3-2014. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance No. 14.

CHAPTER 30

MISCELLANEOUS PROVISIONS

30.20 Smoking prohibited in Sauk County buildings and within close proximity to building entrances. (1) **DEFINITIONS.** For the purposes of this section, certain words and terms are defined as follows:

(a) "Electronic smoking device" means an electronic or battery-operated device that delivers vapor for inhalation. The term includes every variation and type of such devices including electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, electronic hookahs, or any other similar product.

(b) "Smoking" means the carrying or holding of a lighted or activated pipe, cigar, cigarette, electronic smoking device, or any other lighted or activated smoking product or equipment used to burn any tobacco product, weed, plant, or any other combustible substance. Smoking includes emitting or exhaling the fumes or vapor of any pipe, cigar, cigarette, electronic smoking device, or any other lighted smoking equipment used for burning any tobacco product, weed, plant, or any other combustible substance.

(2) There shall be no smoking allowed in any building owned or leased by Sauk County except that smoking policies for residents of the Sauk county Health Care Center shall be established by the Sauk County Health Care Center Board of Trustees.

(3) Exposure by nonsmokers to secondhand smoke should be minimized, and therefore, smoking shall be discouraged adjacent to or within 15 feet to a public building entrance. Smokers should be directed to designated outdoor smoking areas.

(4) The property & insurance committee shall designate an outdoor area at the Sauk County Courthouse and the Sauk County West Square Building as a smoking area, shall furnish it appropriately, and clear signage should direct smokers to their location. The sheriff, highway commissioner, and superintendent of the Health Care Center are authorized to establish employee smoking areas that are not closer than 15 feet to any building entrance at the facilities

under their supervision. While smoking in outdoor areas is not prohibited, employees and visitors to Sauk County grounds shall be encouraged to smoke in designated areas.

(5) The property & insurance committee is authorized to adopt policies consistent with this section.

Section 30.04 was created and adopted by the Sauk County Board of Supervisors on November 12, 1991. Amended by the Sauk County Board of Supervisors on May 17, 2005 - Ordinance No. 62-05. Amended by the Sauk County Board of Supervisors on October 16, 2007 - Ordinance No. 129-07. Section 30.60 was created and adopted by the Sauk County Board of Supervisors on July 15, 2008 - Ordinance No. 67-08. Section 30.07 was created and adopted by the Sauk County Board of Supervisors on December 20, 2011 - Ordinance No. 122-11. Amended by the Sauk County Board of Supervisors on May 15, 2012 - Ordinance No. 10-2012. Amended by the Sauk County Board of Supervisors on November 20, 2012 - Ordinance No. 14-2012. Amended by the Sauk County Board of Supervisors on December 18, 2012 - Ordinance No. 16-2012. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance No. _____.

CHAPTER 28

ENVIRONMENTAL HEALTH

SUBCHAPTER I
GENERAL PROVISIONS

- 28.001 Title.
- 28.002 Effective date.
- 28.003 Purpose.
- 28.004 Administration.
- 28.005 Interpretation.
- 28.006 Authority.
- 28.007 Severability.
- 28.008 Jurisdiction.

SUBCHAPTER II
DEFINITIONS

- 28.009 Word usage.
- 28.010 Definitions.

SUBCHAPTER III
PROCEDURES AND ADMINISTRATION

- 28.011 Responsibilities and powers.
- 28.012 Administrative regulation.
- 28.013 Application.
- 28.014 Fees.
- 28.015 Licensing and permits.
- 28.016 Public display of permits.
- 28.017 Temporary orders.
- 28.018 Enforcement.

- 28.019 Denial, suspension, or revocation of license.
- 28.020 Violation and penalties.

SUBCHAPTER IV
PUBLIC HEALTH NUISANCE

- 28.021 Applicability.
- 28.022 Enforcement of public nuisances.

SUBCHAPTER V
FOOD PROTECTION

- 28.023 Applicability.
- 28.024 Regulations, rules, and laws adopted by reference.
- 28.025 Non-compliance.

SUBCHAPTER VI
REGULATION OF TATTOO ARTISTS,
TATTOO ESTABLISHMENTS, BODY PIERCERS,
AND BODY PIERCING ESTABLISHMENTS

- 28.026 Applicability.
- 28.027 Regulations, rules and laws adopted by reference.
- 28.028 Health and sanitary requirements.
- 28.029 Records maintained.
- 28.030 Non-compliance.

SUBCHAPTER I

GENERAL PROVISIONS

28.001 Title. This ordinance may be cited as the Sauk County Environmental Health Ordinance.

28.002 Effective date. This ordinance shall become effective upon its adoption by the Sauk County Board of Supervisors.

28.003 Purpose. The purpose of this ordinance is to protect the public health, safety, welfare, and environment for the people and communities of Sauk County, in cooperation with state and federal authorities and specifically the following:

(1) Define words, terms, and phrases contained in this ordinance which are essential to the understanding, administration, and enforcement of this ordinance.

(2) Authorize the Sauk County Health Department to become the designated agent of the State of Wisconsin Department of Agriculture, Trade, and Consumer Protection for the purpose of establishing permit fees, issuing permits, collecting samples, making investigations of retail food establishments, and enacting local regulations governing these establishments.

(3) Protect the public health by preventing the spread and transmission of disease through the processes of tattoo application, body piercing, or both.

(4) Provide for the administration and enforcement of this ordinance and establish penalties for its violation.

(5) Prevent the spread of communicable diseases.

(6) Prevent the continuance of public nuisances.

(7) Assure compliance with state and county air quality standards.

(8) Assure that insects and rodents do not create a public nuisance or health hazard.

(9) Assure that surface and ground water meet state and county regulatory standards.

(10) Assure that solid waste is handled, stored, and disposed of according to state and county regulatory standards.

(11) Assure that citizens are protected from hazardous, unhealthy, or unsafe substances.

(12) Assure protection against food borne illness.

(13) Assure that all public facilities that require a license or permit under this ordinance or Wisconsin Administrative Code, adopted by reference in this ordinance, comply with state and county regulations.

(14) Provide guidance to the health officer for enforcement of public facilities not in compliance with this ordinance and state regulations.

28.004 Administration. This ordinance shall be administered by the health department under the guidance of the board of health, in cooperation with state agencies. The Sauk County Health Officer shall have the power to ensure compliance with the intent and purpose of this ordinance by any means authorized by the law. The health officer may designate in writing other employees of the health department as designees to carry out the responsibilities of this ordinance. These designees shall have those powers designated by the health officer and may include any power or duty of the health officer.

28.005 Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Sauk County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes or other county ordinance.

28.006 Authority. This ordinance is adopted pursuant to the authority granted by law including Wis. Stat. §§59.70, 59.54, 66.0119, 66.0417, 66.115, 95.50(3), 97.41, 125.68(5), and 68, 75, 173, 250, 251, 252, 254, 66.122, 141.01(10), 143.03 146.14 Wis. Admin Code ch.

SPS 361 to SPS 365, 526, and 823, and as further updated or modified by law.

28.007 Severability. Each section, paragraph, sentence, clause, word, and provision of this ordinance is servable, and if any provisions shall be held unconstitutional or invalid by a decision of any court or other tribunal having jurisdiction for an reason, such decisions shall not affect the remainder of this ordinance nor any part, other than that clearly intended to be affected by such decision.

28.008 Jurisdiction. The jurisdiction of this ordinance shall include all air, land, and water; both surface and ground; within Sauk County.

SUBCHAPTER II

DEFINITIONS

28.009 Word usage. For the purposes of this ordinance, certain words and terms are used as follows:

(1) Words used in the present tense include the future.

(2) Words in the singular include the plural.

(3) Words in the plural include the singular.

(4) The word "shall" is mandatory and not permissive.

(5) Words and phrases not defined in this subchapter shall be construed according to common and approved usage, but technical words and phrases and others that have a peculiar meaning shall be construed according to the peculiar meaning unless such construction would produce a result inconsistent with the manifest intent of this ordinance.

(6) All definitions as set forth in Wis. Stat. chs. 68, 97, 125, and 251, Wis. Stat. § 66.0417, Wis. Admin Code ch. ATCP 75, DHS 140, and SPS 361 to SPS 365 are incorporated in this ordinance by reference and shall be construed, read, and interpreted as if fully set forth in this subchapter until amended, and then shall apply as amended.

28.010 Definitions. For the purposes of this ordinance, certain words and terms are defined as follows:

(1) "Annual food sales" means the total gross retail food sales at a retail food establishment for the previous 12 months.

(2) "Annual permit fee" means a fee for on-site inspection of the entire facility and one follow-up inspection to determine that establishments identified in subch. III are compliant with the statutes and administrative codes that govern their operation.

(3) "Antiseptic" means a chemical that kills or inhibits the growth of organisms on skin or living tissue.

(4) "Autoclave" means an apparatus that is registered and listed with the federal food and drug administration for sterilizing articles by using superheated steam under pressure.

(5) "Board of health" means the Sauk County Board of Health.

(6) "Body pierce" as a verb, means to perforate any human body part or tissue, except an ear, and to place a foreign object in the perforation to prevent the perforation from closing.

(7) "Body piercer" means a person who performs body piercing on another person at that person's request.

(8) "Body piercing" means perforating any human body part or tissue, except an ear, and placing a foreign object in the perforation to prevent the perforation from closing.

(9) "Body piercing establishment" means the premises where a body piercer performs body piercing.

(10) "Building or structure" means a building or structure having walls and a roof erected or set upon an individual foundation or slab constructed base designed or used for the housing, shelter, enclosure, or support of persons, animals or property of any kind. This definition includes mobile homes.

(11) "Combined tattoo and body piercing establishment" means the premises where a tattooist or body piercer performs a tattoo or body piercing.

(12) "Combined temporary tattoo and body piercing establishment" means the premises where a tattooist or body piercer

performs a tattoo or body piercing for a maximum of 7 days.

(13) "County" means Sauk County, Wisconsin.

(14) "Cleaning" means the removal of foreign material from objects, normally accomplished with detergent, water, and mechanical action.

(15) "Disinfectant" means a chemical that is capable of destroying disease-causing organisms on inanimate objects, with the exception of bacterial spores.

(16) "Duplicate permit fee" means a fee for the replacement of an original permit.

(17) "Health department" means the Sauk County Health Department.

(18) "Health director" means the director of the health department.

(19) "Health officer" means a public official charged with the administration, enforcement, and interpretation of the Sauk County Environmental Health Ordinance.

(20) "Food" means a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption, or chewing gum.

(21) "Food processing" means the manufacture or preparation of food sale through the process of canning, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, slicing cheese and lunch meat, popping popcorn, scooping ice cream, packing, bottling or packaging, or through any other treatment or preservation process.

(22) "Hot water" means water at a temperature of 110°F or higher.

(23) "Health hazard" means a substance, activity, or condition that is known to have the potential to cause acute or chronic illness or death if exposure to the substance, activity, or condition is not abated or removed.

(24) "Immediate health hazard" means a health hazard which should, in the opinion of the health officer, be abated or corrected immediately, or not later than within a 24-hour period, to prevent possible serve damage to human health or the environment.

(25) "Inspection fee" means the fee to conduct an inspection without the intent of licensing an establishment.

(26) "Late fee" means a fee that is charged for failure to comply with the time frame specified in the applicable statute and administrative code for completion and submission of the required application, renewal, or inspection of a permit to the health department.

(27) "Large processing, non-potentially hazardous establishment" means a retail food establishment where there is food processing of non-potentially hazardous (time/temperature control for food safety) food only present. Annual food sales for this establishment are greater than \$25,000.00.

(28) "Large processing, potentially hazardous establishment" means a retail food establishment where there is processing of food that is potentially hazardous because of time and temperature controls required for safe processing, and where the annual sales for the establishment are in excess of \$1,000,000.

(29) "Licensing year" means the 12-month period from July 1 through the next following June 30.

(30) "Limited food service," means the serving of only individually wrapped, hermetically sealed, single-food servings by a licensed processor with preparation on the premises limited to heating and serving with single-service articles.

(31) "Mobile retail food establishment vehicle" means a retail food establishment operating from a moveable vehicle, push cart, trailer or boat which periodically or continuously changes location and wherein retail food is sold to the consumer for consumption, excepting those vehicles used in delivery of pre-ordered food prepared in a licensed food establishment.

(32) "Mobile retail food establishment, not engaged in food processing" means a mobile retail food establishment that meets the requirements of a not-engaged-in-food-processing establishment.

(33) "Mobile retail food service base" means a service base for mobile retail food establishments to clean, store, and service.

(34) "Not engaged in food processing" means a retail food establishment where there is no food processing, and there is the sale of prepackaged potentially hazardous (time/temperature control for food safety) food to consumers.

(35) "Operator" means the owner, person responsible to the owner, or other person engaged in the management of a public facility.

(36) "Outdoor grilling" means the cooking of food on an outdoor grill on the premises of a retail food establishment. The purpose of outdoor cooking shall not increase the production capability of the restaurant kitchen by circumventing codes applicable to indoor cooking facilities. Hot holding shall be limited to what can be held on the cooking unit.

(37) "Patron" means a person receiving a tattoo or body piercing.

(38) "Permit" refers to a document issued by the environmental health division of the Sauk County Health Department to allow the operation of a public facility. Permit is synonymous with the term license.

(39) "Person" means any individual, firm, institution, corporation, society, or other entity.

(40) "Pollution" means the contaminating or rendering unclean or impure of the air, land, or waters of the county, or the introduction of any substance that causes injury to public health, is harmful to the commercial or recreational use of the air, land, or waters of the county, or is deleterious to fish, bird, animal, or plant life.

(41) "Potentially hazardous food (time/temperature control for food safety)" means:

(a) A food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation.

(b) "Potentially hazardous food (time/temperature control for food safety)" includes the following:

1. An animal food that is raw or heat-treated.

2. A plant food that is heat-treated or consists of raw seed sprouts.

3. Cut melons.

4. Cut leafy greens.

5. Cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that

they are unable to support pathogenic microorganism growth or toxin formation.

6. Garlic in oil mixtures that are not acidified or otherwise modified at a food processing plant in a way so that they are unable to support pathogenic microorganism growth or toxin formations.

7. Except as specified in subd. (c) 4. of this definition, food that, because of the interaction of its A_w and pH values, is designated as product assessment required in Tables A and B of this definition:

A. Interaction of pH and A_w for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged.

A_w values	pH values		
	4.6 or less	>4.6-5.6	> 5.6
< 0.92	Non-PHF*/non-TCS food **	Non-PHF/non-TCS food	Non-PHF/non-TCS food
> 0.92-.95	Non-PHF/non-TCS food	Non-PHF/non-TCS food	PA **
> .95	Non-PHF/non-TCS food	PA	PA

* PHF means potentially hazardous food
 ** TCS food means time/temperature control for safety food
 *** PA means product assessment required

B. Interaction of pH and A_w for control of vegetative cells and spores in food not heat-treated or heat-treated but not packaged.

A_w values	pH values			
	< 4.2	4.2-4.6	> 4.6 - 5.0	> 5.0
< 0.88	Non-PHF*/non-TCS food **	Non-PHF/non-TCS food	Non-PHF/non-TCS food	Non-PHF/non-TCS food
.88 - .90	Non-PHF/non-TCS food	Non-PHF/non-TCS food	Non-PHF/non-TCS food	PA **
> 90 - .92	Non-PHF/non-TCS food	Non-PHF/non-TCS food	PA	PA
>.92	Non-PHF/non-TCS food	PA	PA	PA

* PHF means potentially hazardous food
 ** TCS food means time/temperature control for safety food
 *** PA means product assessment required

(c) "Potentially hazardous food (time/temperature control for safety food)" does not include the following:

1. An air-cooled, hard-boiled egg with shell intact, or an egg with shell intact that is not hard-boiled but has been pasteurized to destroy all viable salmonellae.

2. A food in an unopened, hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution.

3. A food that because of its pH or A_w value, or interaction of A_w and pH values, is designated as a non-PHF/non-TCS food in Table A or B of this definition.

4. A food that is designated as product assessment required in Table A or B of this definition and has undergone a product assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in that food is precluded due to the following:

a. Intrinsic factors including added or natural characteristics of the food such as preservatives, antimicrobials, humectants, acidulants, or nutrients.

b. Extrinsic factor including environmental or operational factor that affect the food such as packaging, modified atmosphere such as reduced oxygen packaging, shelf life and use, or temperature range of storage and use.

c. A combination of intrinsic and extrinsic factors.

5. A food that doesn't support the growth or toxin formation of pathogenic microorganisms in accordance with any of the subds. (c)1. to 4. of this definition even though the food may contain a pathogenic microorganism, or chemical, or physical contaminant at a level sufficient to cause illness or injury.

(42) "Public" means affecting or having the potential to affect the people or environment outside the limits of an individual's personally occupied structure or all persons outside of an individual's personally owned or occupied structure.

(43) "Public building" means any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic,

occupancy, or use by the public. In most cases, anything other than a 1 or 2 family residence.

(44) "Public facility" means any facility used by the public that requires a license or permit under this ordinance or a state code adopted by reference in this ordinance.

(45) "Public health nuisance" or similar or related words used within this ordinance means:

(a) Whoever by their act or failure to perform a legal duty, intentionally maintains or permits a condition that unreasonably injures or endangers the safety or health of the public, and whoever causes or maintains any source of filth or sickness, has committed a public health nuisance.

(b) The following, except to the extent as incorporated into approved agricultural practices, it not being the intent of this ordinance to regulate approved agricultural practices, are hereby expressly declared to be public health nuisances without limitation by reason of such enumeration:

1. Failure to keep waste, refuse, or garbage in an enclosed building or properly contained in a closed container designed or reasonably adapted for such purpose.

2. Allowing any discharge into the environment of toxic or hazardous substances in any form in such concentrations or for such length of time as to endanger the public health.

3. Causing or allowing the pollution of any well, cistern, spring, ground water, lake, canal, or body of water by sewage or industrial wastes, fertilizers, toxic pesticides, or other substances harmful to human beings.

4. Causing or allowing any accumulation of carcasses of animals, birds, fish, or fowl not intended for human consumption which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death, in accordance with Wis. Stats. § 95.

5. Causing or allowing unreasonable accumulation of decayed animal or vegetable matter, trash, rubbish, garbage, rotting lumber, packing material, scrap metal, tires, or any other substances in which flies, mosquitoes, disease, carrying insects, rats, or other vermin can breed, live, nest, or seek shelter.

6. Maintaining a building or structure which is dilapidated, neglected, or out-of-repair so as to be dangerous, unsafe, unsanitary, or

otherwise unfit for use, and for which no appropriate precautions to prevent entry by persons, such as posting fencing or closure of entrance ways, have been taken.

7. Failing to comply with any law or regulation regarding sanitation and health including:

a. Water supplies, including wells and surface waters.

b. Waste disposal.

c. Storage of chemical pesticides or herbicides.

d. Public buildings.

8. Causing or allowing improper sewage disposal facilities to be operated, or causing or allowing the effluent from any cesspool, septic tank, drain field, or sewage disposal system to discharge upon the surface of the ground or into any body of water.

9. Maintaining a hole or opening caused by an improperly abandoned cistern, septic system, dug well, driven well, drilled well, foundation, mine shaft, or tunnel, including an improperly abandoned, sealed, barricaded, or backfilled excavation for which no proper precautions to prevent entry such as posting or fencing have been taken. In addition to direct hazard to human welfare, this subsection is intended to prevent contamination of ground water supplies.

(46) "Practitioner" means a tattooist or body piercer.

(47) "Pre-inspection fee" means the fee associated with the required inspection necessary to determine compliance at the time of starting a new business, change-in-operator, or major alterations of establishment or its processes.

(48) "Premises" means a building, structure, area, or location where tattooing or body piercing are performed or where a retail food establishment, either mobile or fixed, conducts its sale to its consumers.

(49) "Re-inspection fee" means a fee structure for the subsequent inspections needed to address compliance issues with the statutes and administrative codes that govern a respective establishment. The fee for a re-inspection shall be a set fee, determined by the board of health. Re-inspections are conducted due to one or more of the following:

(a) Uncorrected critical violations.

(b) More than 10 total violations.

(c) Repeat violations from previous inspections.

(d) A complaint investigation identifying unsatisfactory conditions that require later re-inspection.

(50) "Retail food establishment" means any of the following, but does not include a restaurant or the establishment holding a permit to the extent that the activities of the establishment are covered by that permit:

(a) A permanent or mobile food processing facility where food is processed primarily for direct retail sale to consumers at the facility.

(b) A mobile facility from which potentially hazardous food is sold to customers at retail.

(c) A permanent facility from which food is sold to consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing.

(51) "Sharps container" means rigid puncture-resistant labeled containers made of materials including metal or rigid plastic, designed to prevent the loss of the contents, labeled with visible bio-hazard emblem or with the visible words "bio-hazard", "sharps", or "infectious waste".

(52) "Sharps waste" means waste consisting of medical equipment or clinical laboratory articles that may cause punctures or cuts, including hypodermic needles, syringes with attached needles, and lancets, whether contaminated, unused, or disinfected.

(53) "Small processing, potentially hazardous establishment" means a retail food establishment where there is processing of food that is potentially hazardous because of time and temperature controls required for safe processing, and where the annual sales for the establishment are between \$25,000 and \$1,000,000.

(54) "Sterilization" means the killing of all organisms and spores through use of an autoclave operated at a minimum of 250°F (121°C) at pressure of at least 15 pounds per square inch for not less the 30 minutes or through the use of an autoclave approved by the health department that is operated at different temperature and pressure levels but is equally effective in killing all organisms and spores.

(55) "Tattoo" as a verb, means to insert pigment under the surface of the skin of a person by pricking with a needle or otherwise, so as to produce an indelible mark or figure through the skin.

(56) "Tattoo establishment" means the premises where a tattooist performs a tattoo.

(57) "Tattooist" means a person who performs tattoos on another person at that person's request.

(58) "Temporary tattoo establishment" means a single building structure, special event, area or location where a tattooist performs tattooing for a maximum of 7 days.

(59) "Temporary body piercing establishment" means a single building structure, special event, area or location where a body piercer performs body piercing for a maximum of 7 days.

(60) "Temporary retail food establishment" means a retail food establishment that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale, or occasional sales promotion for a period of no more than 14 consecutive days or less.

(61) "Toxic or hazardous substance" means any chemical or biological material that is, or has the potential to create, a public health hazard.

(62) "Very small processing, non-potentially hazardous establishment" means a retail food establishment where there is processing of food that is potentially hazardous because of time and temperature controls required for safe processing, and where the annual sales for the establishment are less than \$25,000.

(63) "Very small processing, potentially hazardous establishment" means a retail food establishment where there is processing of food that is potentially hazardous because of time and temperature controls required for safe processing, and where the annual sales for the establishment are less than \$25,000.

SUBCHAPTER III

PROCEDURES AND ADMINISTRATION

28.011 Responsibilities and powers. (1) **GENERAL PROVISIONS.** (a) If any city or village becomes an agent under Wis. Stat. § 254.69, then the provisions of this ordinance shall not apply in that jurisdiction.

(2) **RESPONSIBILITIES OF HEALTH OFFICERS OR DESIGNEES.** (a) To insure compliance with the purpose, requirements, and intent of this ordinance and of Wis. Stat. ch. 251.06.

(b) To issue and deny permits as provided by this ordinance.

(c) To maintain records of permits issued, inspections made, work approved, and other official actions.

(d) To enforce the provisions of this ordinance.

(3) **POWERS.** The health officer or designee shall have all the powers necessary to enforce the provisions of this ordinance without limitation by reason of enumeration including the following:

(a) To enter any structure or premises at a reasonable time for the purpose of performing necessary duties and to secure a court order to accomplish the purpose, if necessary.

(b) To order abatement or correction of any public nuisance or health hazard in compliance with this ordinance or state statutes.

(c) To issue a permit for any public facility as provided for in this ordinance.

(d) To withhold issuances of a permit pursuant to this ordinance where the applicant, owner, or licensed contractor is in violation of this ordinance and to prohibit the use of any public facility requiring a permit under this ordinance, until it has been inspected and approved.

(e) To revoke the permit of or prohibit the use of a public facility that has been determined to present a potential health hazard or is in non-compliance with this ordinance.

(f) To delegate the responsibilities of administration and enforcement of this ordinance to a registered environmental health sanitarian or another person qualified in the field of public health.

(g) Any other action authorized by law to ensure compliance with the purpose and intent of this ordinance.

28.012 Administrative regulation. The authority to implement policies consistent with this ordinance is vested with the board of health. Policies will be promulgated as follows:

(1) The health director shall prepare draft policies and present those policies at least 20 days prior to adoption at a meeting of the board of health. Public comment on the draft policies shall be accepted.

(2) The health director shall consider the comments submitted, report to the board of health regarding any comments received, report whether the comments were incorporated into the draft policy, and provide an explanation why they were or were not incorporated. The board of health may consider the policy for adoption at their next meeting following the expiration of the 20-day period.

28.013 Application. Application for permits shall be filed with the health department on forms developed and provided by the health department, stating the name and the address of the proposed applicant and operator, and the address and location of the proposed establishment, together with any such other information as may be required. The health department shall issue the permit only after an investigation or inspection of the premises is completed and certifies that the condition of the premises comply with the provision of this ordinance and the licensee demonstrates competence in the maintenance of sanitary conditions. The premises and equipment must be in compliance with the adopted state regulation and this ordinance before a permit will be issued. In accordance with s. 28.019 of this ordinance, the health department shall either approve or deny the application within 30 days after receipt of a complete application.

28.014 Fees. (1) Fees for permits required by this ordinance shall be authorized through a fee schedule approved and periodically reviewed by the board of health.

(2) The following permit fees are established by the board of health and shall be

paid before any permit is issued. The required annual permit fees are as follows:

(a) Retail food establishments addressed in subch. V:

1. Not engaged in food processing establishment.
2. Very small processing, non-potentially hazardous establishment.
3. Large processing, non-potentially hazardous establishment.
4. Very small processing, potentially hazardous establishment.
5. Small processing, potentially hazardous establishment.
6. Large processing, potentially hazardous establishment.
7. Mobile retail food establishment.
8. Mobile retail food establishment, not engaged in food processing.
9. Mobile retail food establishment service base.
10. Temporary retail establishment, 7 day.

(b) Tattoo and body piercing establishments addressed in subch. VI.

1. Tattoo establishment.
2. Body piercing establishment.
3. Combined tattoo and body piercing establishment.
4. Temporary tattoo establishment.
5. Temporary body piercing establishment.
6. Temporary tattoo and body piercing establishment.

(c) There shall be a fee assessed for any duplicate permit applied for under the subchapter.

(3) The following fees are established by the board of health and must be paid before any permit is issued. The required fees are as follows:

(a) Retail food establishments addressed in subch. V:

1. The health department shall not issue a permit to a person intending to operate a new public facility or to a person intending to be the new permit holder of an existing public facility covered in s. 28.014(2)(a) 1. to 9. without a pre inspection fee. Pre inspection fees are not applicable to temporary retail food establishments.

2. Temporary retail establishments which conduct business in Sauk County that are

licensed outside of Sauk County are subject to the provision of this subsection, and will be inspected and charged an inspection fee to cover the cost of inspection. The fee charged shall not exceed the actual, direct costs incurred by the health department in conducting the inspection.

3. The health department shall issue a late fee to an existing public facility covered in s. 28.014(2)(b) 1. to 9. when the annual permit renewal payment is received after the end of the licensing year. Late fees are not applicable to temporary retail food establishments.

4. The health department shall issue a re-inspection fee to an existing public facility covered in s. 28.014(2)(a) 1. to 9. when necessary to determine compliance with repeating, excessive, or immediate health hazard violations. Re-inspection fees are not applicable to temporary retail food establishments.

(b) Tattoo and body piercing establishments addressed in subch. VI:

1. The health department shall not issue a permit to a person intending to operate a new public facility or to a person intending to be the new permit holder of an existing public facility covered in s. 28.014(2)(b) 1. to 3. without a pre inspection fee. Pre inspection fees are not applicable to temporary tattoo and body piercing establishments.

2. The health department shall issue a late fee to an existing public facility covered in s. 28.014(2)(b) 1. to 3. when the annual permit renewal payment is received after the end of the licensing year. Late fees are not applicable to temporary tattoo and body piercing establishments.

3. The health department shall issue a re-inspection fee to an existing public facility covered in s. 28.014(2)(b) 1. to 3. when necessary to determine compliance with repeating, excessive, or immediate health hazard violations. Re-inspection fees are not applicable to temporary tattoo and body piercing establishments.

(3) No annual permit will be renewed after the last day of the licensing year unless payment of the annual permit renewal and the late fee is received by the health department on or before September 1. No person may conduct, manage, maintain, or operate any of the public facilities requiring annual permits if the person

has not been issued a current permit; or, in the case of renewal of an annual permit, if the person has not renewed the permit on or before September 1.

28.015 Licensing and permits. (1) PERMITS.

(a) No permit shall be issued without compliance with this ordinance and applicable state regulations as adopted by reference. The person issued an annual health department permit for a public facility shall be responsible for compliance with this ordinance and subject to enforcement action for noncompliance with this ordinance.

(b) The issuance of a permit may be conditional upon the permit licensee correcting a violation of this ordinance within a specified period of time. If the condition is not met within the specified period of time, the permit shall be voided. Before a person may legally operate a public facility where the permit has been voided, the person must reapply for a permit and accompany the application with the appropriate permit and pre inspection fee, where applicable in accordance with this subchapter, and have the facility re-inspected and approved by the health department.

(c) Permits are not transferable and shall only apply to the named person and premises listed on the license.

(d) A permit may be issued or renewed upon payment of the required fees and a satisfactory inspection of the premises.

(e) A permit may not be issued until all annual permit fees and pre inspection fees have been paid, where applicable.

(f) Such permits issued for the licensing year shall expire as follows:

1. On June 30 of each year following their issuance, except that an initial permit may be issued beginning on April 1 for a maximum length of 15 months, expiring on the second June 30 following issuance.

2. Except for tattoo and body piercing permits, which shall be valid from a period of one year, from July 1 to June 30.

(g) The permit shall not be transferable to a location other than the one for which it was issued, nor shall a permit be transferred from one operator to another unless expressly authorized by this ordinance, state statute, or

administrative code. As to location, temporary permits may be transferred.

(2) **RETAIL FOOD ESTABLISHMENT.** (a) A person may not operate a retail food establishment without first obtaining a permit from the health department.

(b) Operators or permit licensees of temporary retail food establishment whom the health department has found to be uncooperative by evidence of failing to allow inspections, failure to remedy violations or other specific and documented violations, or operator or permit licensees who are habitual violators of this ordinance, may be denied a permit to operate.

(c) Temporary permits may be transferred to a premises other than that for which it was issued. The permit licensee must notify the health department prior to the transfer, and the transfer is subject to the approval of the new premises by the health department prior to operating at the new premises.

(d) With the exception of those establishments defined under this section as "temporary", no permits shall be granted to any person under this ordinance without a pre-inspection by the health department of the premises for which the permit shall be granted.

(3) **TATTOO AND BODY PIERCING ESTABLISHMENT.** (a) No person may tattoo or body pierce another person, use or assume the title of tattooist or body piercer, or designate or represent themselves as a tattooist or body piercer unless the person has obtained a practitioner license from the Wisconsin Department of Health Services. Application for the license shall be made pursuant to Wisconsin Department of Health Services regulation, and the applicable fee shall be paid when submitting the application.

(b) A person may not engage in the practice of tattooing or own or operate a tattoo establishment in Sauk County without first applying for and receiving a permit from the Sauk County Health Department.

28.016 Public display of permits. Every establishment required to obtain a permit pursuant to this ordinance shall prominently display the permit at all times in a conspicuous, public place.

28.017 Temporary orders. Whenever, as the result of an investigation or inspection, the health officer has reasonable cause to believe that an immediate health hazard exists on a premises covered by this ordinance, the health officer may issue a Temporary Order in accordance with Wis. Stat. §66.0417 (2).

28.018 Enforcement. (1) The provisions of this ordinance shall be enforced by employees of the Sauk County Sheriff's Department, the Sauk County Health Department, the designees of these departments, or other persons authorized by the board of supervisors. Non-compliance with the ordinance or with a temporary order from the health officer or designee shall be cause for enforcement action under this section of this ordinance.

(2) This ordinance may be enforced by citation or civil forfeiture and the Sauk County Corporation Counsel is authorized to prosecute violations of this ordinance. Any person, business, corporation, property owner, or other entity violating this ordinance may be issued a citation in which case punishment shall occur for forfeiture provided in Sauk Co. Code ch. 20. Failure to pay penalties in accordance with this ordinance may result in imprisonment in the Sauk County Jail.

(3) **ACCESS.** An authorized agent of the health department shall be permitted to enter the public facility at any time in order to ensure that the provisions of this ordinance are being met. If violations are found, an order to correct shall be given to the owner or operator, in writing, noting specific changes that must be made in order to bring the facility into compliance. The order shall set forth the time period by which corrections must take place. In accordance with s. 28.019 of this ordinance, failure to correct may result in suspension of the establishments permit to operate, and may invoke the penalty provisions of this ordinance.

28.019 Denial, suspension, or revocation of license. The health officer may deny any license application or suspend or revoke any license issued under this ordinance for noncompliance with this ordinance and regulations, rules, and laws adopted by reference under this ordinance. The following procedure

shall be followed in the denial, suspension, or revocation of any permit issued under this subchapter.

(1) A decision by the health officer or designee, to deny, suspend, or revoke a license shall be in writing and shall state, with specificity, the reasons for the health officer's decision and shall state any applicable statutes, ordinances, rules, regulations, or orders which may have been violated. The health officer shall send a copy of the written decision to the licensee or applicant by mail or by personal service within 30 days of receiving the initial application. The notice shall inform the licensee or applicant of the right to have this decision reviewed and the procedure for such review.

(2) Any licensee or applicant aggrieved by a decision of the health officer to deny, suspend, or revoke a license may have the decision reviewed and reconsidered by a written request mailed or delivered to the health officer within 30 working days of receipt of the notice of the health officer's or designee's decision. The written request for review and reconsideration shall state the grounds upon which the person aggrieved contends that the decision should be reversed or modified.

(3) Within 15 working days of receipt of the request for review and reconsideration, the health officer shall review the initial determination. The health officer may affirm, reverse, or modify the initial determination. The health officer shall mail or deliver to the licensee or applicant a copy of the officer's decision on review, and shall state the reasons for such decision. The decision shall advise the licensee or applicant of the right to an administrative appeal, the time within which appeal shall be taken, and the office or person with whom the appeal shall be filed.

(4) A licensee or applicant who wishes to appeal a decision made by the health officer on review must file a notice of appeal within 30 days of delivery of the notice of the health officer's decision on review. The administrative appeal shall be filed or mailed to the health officer. The health officer shall immediately file the notice of appeal with the board of health.

(5) A licensee or applicant shall be provided a hearing on appeal within 15 days of receipt of the request for an administrative

appeal. The health officer shall serve the licensee or applicant with notice of hearing by mail or personal service at least 10 days before the hearing.

(6) The hearing shall be conducted before the board of health and shall be conducted in accordance with the procedures outline in Wis. Stat. §68.11(2) and (3).

(7) Within 20 days of the hearing, the board of health shall mail or deliver to the licensee or applicant its written determination stating the reasons for the determination.

(8) A decision by the health officer upon a request for review and reconsideration which is not appealed to the board of health, or a decision by the board of health on an appeal of a decision by the health officer of a request for review and reconsideration, shall be a final determination under Wis. Stat. §68.12(2).

(9) Any party to a proceeding resulting in a final determination may seek review of the final determination by certiorari within 30 days of receipt of the final determination per Wis. Stat. § 68.13.

28.020 Violation and penalties. (1) Any person who violates and refuses to comply with any provision of this ordinance shall be subject to a citation and respective forfeiture as established in Sauk Co. Code ch. 20 for each offense. The health officer or authorized representative may issue citations using the standard citation form used by Sauk County. Citations may be served in person or sent by certified mail. The health officer may also, or alternatively, revoke or amend any applicable permit. Each day a violation exists or continues shall be considered a new and separate offense.

(2) The Sauk County Corporation Counsel may seek enforcement of violations of this ordinance in Sauk County Circuit Court or any other court of competent jurisdiction. A court may enforce this ordinance through injunctive relief.

(3) Any person or entity violating this ordinance, or any rule promulgated in this subchapter or incorporated by reference, shall forfeit according to sub. (4) described as follows:

(4) Forfeiture amounts for licensed public facilities.

Type of Penalty	Minimum forfeiture per day	Maximum forfeiture per day
Retail Food Establishment	\$25	\$200
Tattoo and Body Piercing	\$500	\$2,000

(5) Forfeitures are exclusive of any fees or costs imposed pursuant to the Wisconsin Statutes.

(6) Violations of this ordinance pertaining to a tattoo establishment, or a body-piercing establishment, are considered an immediate and present danger to the public health and welfare. Unpermitted or unsanitary operation of a tattoo or body piercing business shall be deemed to cause irreparable harm. Violations of this ordinance may be enjoined without prejudice to seek forfeiture for the violations involved. Upon conviction of a second or subsequent violation, the license of an establishment and practitioner may be suspended for up to a period of 3 years.

SUBCHAPTER IV

PUBLIC HEALTH NUISANCE

28.021 Applicability. This subsection shall apply to all unincorporated areas of Sauk County.

28.022 Enforcement of public nuisances. (1) Whenever, in the judgment of the director, it is determined upon investigation that a public health nuisance in violation of this ordinance is being maintained or exists within Sauk County, the director may issue a written order of abatement ordering the person committing or maintaining the nuisance to terminate and to abate it and to remove the conditions or remedy the defects creating the nuisance. The order of abatement shall be served upon the person committing or maintaining the nuisance in the manner set forth for service of a summons in Wis. Stat. ch. 801, or by certified mail if that person resides outside of Sauk County. If the premises are not occupied and the address of the

owner is unknown and cannot be determined with due diligence, service on the owner may be accomplished by positing a copy of the order of abatement in a prominent place on the premises. The order of abatement shall require the owner or occupant of such premises, or both, to take reasonable steps within a reasonable period of time, as specified by the director in the order, to abate and remove the nuisance. Except in cases of emergency, special inspection warrants shall be obtained from the Sauk County Circuit Court in accordance with Wis. Stat. § 66.0119, for inspection of personal or real properties which are not public buildings or for inspection of portions of public buildings which are not open to the public where consent to entry for inspection purposes is refused.

(2) When the order for abatement has not been complied with, the noncompliance shall be reported to the Sauk County Corporation Counsel, who is hereby delegated the duty of prosecuting violations of this ordinance referred in this subchapter. The Sauk County Corporation Counsel shall take steps as that officer deems appropriate, to enforce this ordinance and the order for abatement and to abate the nuisance and to enjoin the future continuation of the nuisance. All violations of the ordinance shall be subject to a forfeiture of not less than \$50 and not more than \$200 per offense, together with applicable penalty assessments and the taxable costs of prosecution, and the court may also grant injunctive relief. Failure to comply with an order of abatement issued under this ordinance shall constitute a violation of this ordinance, and each day of continued violation shall constitute a separate offense. Failure to pay any penalties imposed by the court in accordance with this ordinance, may result in imprisonment in the Sauk County Jail.

(3) In the case of a violation of this ordinance caused by improper sewage disposal facilities, Sauk County by its officers, agents, or employees may enter upon the property and abate or remove the nuisance or may contract to have the work performed in a manner approved by the Wisconsin Department of Industry, Labor and Human Relations, and the cost thereof may be recovered from the person causing or permitting the violation of this ordinance, or the cost may be paid by the Sauk County Treasurer

and the amount, after being paid by the treasurer, shall be filed with the municipal clerk, who shall enter the amount on the tax roll as special tax on the lands upon which such nuisance was abated and this tax shall be collected as are other taxes. As to any other violation of this ordinance, Sauk County may act to abate the nuisance and the county may recover the cost thereof in a suit of law.

SUBCHAPTER V

FOOD PROTECTION

28.023 Applicability. The provision of this subchapter shall apply to the owner and operator of any retail food establishment in both the incorporated or unincorporated areas of Sauk County, unless a city or village enters into a separate agreement pursuant to Wis. Stat. §97.41 with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection to become a designated agent for the purposes designated in subch. III.

28.024 Regulations, rules, and laws adopted by reference. (1) The applicable laws, rules, and regulations as set forth in Wis. Stat. chs. 68, 97, 125, 251, Wis. Stat. § 66.0417, Wis. Admin. Code ch. ATPC 75, ATPC 97, and SPS 361 to 365 are incorporated in this regulation by reference and they shall be construed, read, and interpreted as fully set forth in this ordinance until amended, and then shall apply as amended. The expressed provisions of this ordinance shall control where more restrictive.

(2) Parts of some of the State Administrative Code enumerated in sub. (1) of this section may not be incorporated in this ordinance. These exceptions may be specified in the beginning of the section of this ordinance that deals with the subject matter of the code in question.

28.025 Non-compliance. Non-compliance with the provision of this ordinance and Wis. Admin. code ATPC 75 and ATPC 97 will be cause for enforcement under subch. III of this ordinance.

SUBCHAPTER VI

REGULATION OF TATTOO ARTISTS,
TATTOO ESTABLISHMENTS, BODY
PIERCERS, AND BODY PIERCING
ESTABLISHMENTS

28.026 Applicability. The provisions of this subchapter shall apply to all tattooist, body piercers, tattoo establishments and body piercing establishments within the boundaries of Sauk County.

28.027 Regulations, rules, and laws adopted by reference. (1) The applicable laws, rules, and regulations as set forth in Wis. Stat. chs. 68 and 251, Wis. Stat. § 66.0417, and Wis. Admin. Code ch. DHS 173 and SPS 361 to 365 are incorporated in this regulation by reference and they shall be construed, read, and interpreted as fully set forth in this ordinance until amended, and then shall apply as amended. The expressed provisions of this ordinance shall control where more restrictive.

(2) Parts of some of the State Administrative Code enumerated in sub. (1) of this section may not be incorporated in this ordinance. These exceptions may be specified in the beginning of each section of this ordinance that deals with the subject matter of the code in question.

28.028 Health and sanitary requirements. (1) **ESTABLISHMENT.** (a) Tattooing and body piercing shall be performed by a practitioner in a business establishment that is completely separated from any living quarters by a solid, permanent partition. A solid door leading to the living quarters shall be permitted, provided it remains closed during business hours.

(b) The entire premises of the establishment, and all facilities used in connection with the establishment, shall be maintained in a clean, sanitary, vermin free condition and in good repair. Antiseptic procedures shall be followed to insure physical cleanliness and sanitation.

(c) The establishment shall have potable hot and cold water under pressure.

(d) The establishment shall be equipped with toilet and hand washing facilities which are

connected to water and sewage disposal systems. Hand washing lavatories shall be supplied with cleansing compound and single service towels. At least one additional hand washing facility shall be located within the immediate area of the procedure area.

(e) The establishment, including the immediate area where the procedure is to be performed, shall be adequately lighted and ventilated.

(f) Floors in the immediate area where the procedure is to be performed shall have nonporous, smooth, washable surfaces, and shall be maintained in a clean condition. Carpeting is prohibited.

(g) Approved waste containers with nonabsorbent, durable plastic liners shall be used for all tissues, towels, gauze pads, and other similar items used on the patron. Bio-hazardous waste shall be disposed of in an acceptable manner. Needles and razors shall be disposed of in a Sharps container. Other contaminated wastes should be incarcerated or autoclaved prior to disposal.

(h) No person other than the patron shall be present in the immediate vicinity of the area in which tattoos or body piercings are administered unless authorized by the practitioner to be there.

(i) Smoking or consumption of food or drink shall not be allowed in the immediate area where the procedure is being performed. The patron may consume a soft drink.

(j) No animals, except guide dogs for visually or hearing impaired persons, shall be permitted in an establishment.

(k) The health officer shall have the authority under the Sauk Co. Code, to inspect any establishment under the provision of this ordinance for the purpose of determining compliance with any of the terms of this ordinance.

(2) **EQUIPMENT.** (a) *General.* 1. All establishments shall be equipped with an autoclave approved for use in sterilizing instruments to be used on humans, and which is in good working order and which is manufactured with temperature and pressure gauges marked as visible on the outside of the unit. Sterilization tape, or similar indicator, shall be used with each batch autoclaved or dry

sterilized to monitor functioning of the sterilization unit.

2. All pigments, dyes, and instruments used in the practice of tattooing, if not sterilized by the manufacturer and maintained in a condition to prevent contamination, shall be sterilized before use by the establishment.

3. Any dye or ink in which needles were dipped shall not be used on another person. Ink cups shall be for single patron use.

4. Needles shall be used on only one customer and then properly discarded.

5. Needles may be reused during the same session on the same person by rinsing them under running tap water followed by rinsing them in 70% isopropyl alcohol or other method approved by the health officer.

6. All instruments shall be thoroughly cleaned before being sterilized. This may be done with an ultrasonic cleaner or with a probe, needle, or brush able to enter the smallest opening of the instrument. The cleaning of instruments shall be done with detergent and hot water or other methods approved by the health officer.

7. After sterilization, all needles and other instruments not individually wrapped shall be stored in a sterilized and covered glass container or in a stainless steel tray and submerged in an approved sterilizing and disinfection solution. The health officer shall supply all licensed establishments with a list of approved sterilizing and disinfection solutions.

8. Equipment or instruments requiring sterilization may be wrapped with an approved paper or plastic or placed in glass or plastic tubes. All packages of containers shall be marked with temperature recording tape or labels, and dated with the date of sterilization.

9. Engineering and work practice controls shall be utilized to eliminate or minimize exposure to blood and body fluids. Extraordinary care must be taken to avoid accidental wounds from sharp instruments contaminated with blood or body fluids and to avoid contact with open skin lesions. Used sharps shall be disposed of in a sharps container designed for this purposes. Needles shall not be broken, bent, or recapped.

(b) *Stencils.* 1. No stencil may be used unless it is sterile.

2. Plastic stencils shall be thoroughly cleaned after each used and sanitized by immersion for 10 minutes in a chlorine disinfectant solution prepared by mixing one tablespoon of household bleach containing 5% chlorine with one pint of water. A fresh solution of chlorine must be prepared for each stencil. After sanitizing, the stencils shall be rinsed in running tap water and air dried or blotted dry with a clean single service towel. Prior to use, each pre-cleaned stencil shall be rinsed in a 70% isopropyl alcohol solution.

3. Paper stencils shall only be used once. New paper stencils shall be used for every individual.

(c) *Ink and Pigments.* 1. All inks and pigments shall be obtained from sources recognized as safe. Information indicating the sources of all inks and pigments shall be available to the health department upon request.

2. Only sterile inks or pigments shall be used, and they shall be dispensed from sterile bottles and containers.

3. Immediately before applying a tattoo, the dye to be used for the tattoo shall be squeezed from the sterile dye bottles into sterile disposable cups. Upon the completion of the tattoo, the cups and unused dye shall be discarded. Any dye in which the needles were dipped shall not be used on another person.

(3) *SKIN PREPARATION.* (a) The following aseptic techniques shall be utilized in the practice of tattooing and body piercing:

1. Practitioners shall wash their hands thoroughly with hot water and soap before gloving prior to each patron. Hands shall be dried with individual paper towel. Practitioners shall wear single-use sterile gloves during the procedure and shall discard the gloves at the end of the procedure.

2. If the patron's skin is to be shaved, the skin shall be washed with a cleansing, medicated soap before shaving. A safety razor shall be used. A new blade shall be used for each customer. The blade shall be discarded in a sharps container after each use. If reusable blade holders are used, they may be used on only one customer and then must be discarded. Disposal of all regulated waste shall be in accordance with applicable federal, state, and local regulation.

3. The skin area to be tattooed or pierced shall be prepared by thoroughly washing the area with 70% isopropyl alcohol or other method approved by the health officer. The solutions shall be applied with sterile cotton or sterile gauze or sprayed on.

4. Single-use gauze pads, cloths, and towels shall be used in the skin cleaning and preparation process. Such materials shall be discarded after use.

5. Petroleum jelly used for applying stencils shall be dispensed from a single-use disposable container, or dispensed with a sterile tongue blade or sterile applicator stick which shall be discarded after each use.

6. After completing work on any patron, the tattooed area shall be washed with 70% isopropyl alcohol. A dry, sterile gauze dressing shall be used to cover the tattooed area. Pierced areas shall be treated to ensure the prevention of infection.

(b) Tattooed or pierced patrons shall be provided with printed instructions regarding care during the healing process.

(4) GENERAL SUPPLIES. (a) All establishments shall have clean laundered towels, washcloths, and disposable paper towels in sufficient quantity.

(b) A clean towel and washcloth shall be used for each customer.

(c) Clean towels and washcloths shall be stored in a closed, dust-proof container.

(d) Soiled towels and washcloths shall be stored in an approved covered container.

(e) All practitioners shall wear clean, washable outer clothing.

(f) The procedure table or chair and supply tables shall be constructed of materials capable of being easily and thoroughly cleaned.

(g) Any materials or supplies having made contact with the blood or body fluid of any person, or with an instrument which has had such contact, shall be deemed contaminated and must be disposed of unless it may be sterilized and reused under the specific provision of this ordinance.

(5) PRACTITIONER REQUIREMENTS. (a) Practitioners with open sores, rashes, lesions, boils, or skin infections shall not be permitted to engage in the practice of tattooing or body piercing.

(b) No tattooist or body piercer may work while under the influence of alcohol or any mind-altering drug. Tobacco products may not be used while performing an actual procedure.

(c) Practitioners shall wash their hands thoroughly with soap and water before any skin preparation or procedure; the hands shall be dried with individual single-service towels. Single-service disposable rubber gloves and a disposable single-service face mask shall be worn throughout the entire procedure.

(d) *Physical Examinations of Practitioners.*

1. The health officer shall have the power to require any practitioner to submit to a physician for a physical examination whenever the practitioner is suspected of having any infections or contagious disease. The expenses of the physical examination shall be paid by the practitioner.

2. Any practitioner notified to appear for a physical examination as may be required by the preceding subsection, shall immediately cease working as a tattooist or body piercer and shall not be allowed to work in that capacity until the practitioner has first received a certificate in writing from a practicing physician that states the practitioner is not afflicted with any infectious or contagious condition or disease that may be transmitted by the practice of tattooing or body piercing.

(6) PATRONS. (a) It shall be unlawful for any person to tattoo an individual under the age of 18 years.

(b) No person under 16 years of age may be body pierced.

(c) No person 16 or 17 years of age may be body pierced unless an informed consent form has been signed by their parent or legal guardian in the presence of the operator.

(d) Inquiry shall be made, and no tattooing shall be performed, on an individual who is suspected of having jaundice or hepatitis or who has recovered from jaundice or hepatitis within the preceding 6 months.

(e) Tattooing or body piercing shall not be performed on an individual in an area with an evident skin infection or other skin disease or condition, including rashes, pimples, boils or infections.

(f) Tattooing or body piercing shall not be performed on any patron who appears to be

under the influence of alcohol or any mind-altering drug.

28.029 Records maintained. Records shall be kept of all tattoos and piercings administered, including the name of customer, date, time, identification of tattoo if applicable, and practitioner's name. Records shall be kept on the premises of the establishment where administered. These records shall be available for inspection for a period of 5 years after the date of the procedure.

28.030 Non-compliance. Non-compliance with the provisions of this ordinance and Wis. Admin. code DHS 173 or NR 526 will be cause for enforcement under subch. III of this ordinance.

Previously Chapter 28 – As adopted by the Sauk County Board of Supervisors on February 20, 1996. Repealed and recreated by the Sauk County Board of Supervisors on January 19, 1999 – Ordinance No. 13-99. Amended by the Sauk County Board of Supervisors on June 16, 2009 – Ordinance No. 74-09. Amended by the Sauk County Board of Supervisors on March 20, 2012 – Ordinance No 5-2012. Previously Chapter 29 – Adopted by the Sauk county Board of Supervisors on May 15, 1990. Amended by the Sauk County Board of Supervisors on February 20, 2 1996. Previously Chapter 44 – As adopted by the Sauk County Board of Supervisors on April 17, 2007 – Ordinance No. 51-07. Amended by the Sauk County Board of Supervisors on April 16, 2013 – Ordinance No. 07-13. Chapter 28, 29, & 44 repealed and recreated as Ch. 28 by the Sauk County Board of Supervisors on December 16, 2014 – Ordinance No. ____ - 14.

s:\ccounsel\ordindoc\drafts¬es\ch.28/ch.28

ORDINANCE NO. 10 -2014

APPROVING AN AMENDMENT PACKAGE FOLLOWING THE RECENT REPEAL AND
RECREATION OF CHAPTER 7 SAUK COUNTY ZONING ORDINANCE.
(Petition 16-2014)

WHEREAS, the County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, Wis. Stat. § 50.69 allows the Sauk County Board of Supervisors, by ordinance, to establish districts of such number, shape, and area, and adopt such regulations for each such district as the Sauk County Board of Supervisors considers best suited to carry out the purposes of this section, including the purposes of promoting the public health, safety, and general welfare; and,

WHEREAS, the ordinance now in effect was originally passed on February 18, 2014, however because of the scale and complexity of drafting a new zoning ordinance, certain omissions, oversights, and incorrect references have been discovered; and

WHEREAS, the proposed amendment has the effect of correcting certain omissions, oversights, and incorrect references by changing allowable uses on certain property, correcting ambiguous language, establishing clear Americans with Disabilities Act requirements, zoning government owned property, and other sundry amendments; and

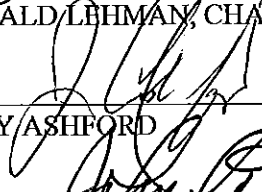
WHEREAS, your Committee has considered these amendments to Sauk Co. Code, Chapter 7 and believes that adoption of these amendments is in the best interest of the people of Sauk County.


NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that Sauk Co. Code, Chapter 7, is hereby amended to read as attached hereto as Appendix A, and shall be effective upon passage.

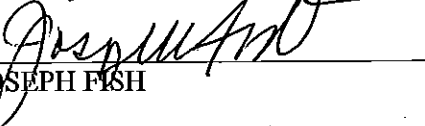
For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted,
CONSERVATION, PLANNING, AND ZONING COMMITTEE



GERALD LEHMAN, CHAIR


JUDY ASHFORD


JOHN DIETZ


JOSEPH FISH


NATHAN JOHNSON


ERIC PETERSON


DENNIS POLIVKA

Fiscal Note: No Impact
MIS Note: No Impact



CHAPTER 7

SAUK COUNTY ZONING ORDINANCE

SUBCHAPTER I GENERAL PROVISIONS

- 7.001 Authority.
- 7.002 Jurisdiction.
- 7.003 Purpose.
- 7.004 Relationship to the *Sauk County Comprehensive Plan*.
- 7.005 Zoning district boundaries.
- 7.006 Previous ordinance.
- 7.007 Minimum requirements and compliance with other applicable regulations.
- 7.008 Severability.

SUBCHAPTER II DEFINITIONS

- 7.009 Purpose.
- 7.010 Word usage.
- 7.011 Definitions.

SUBCHAPTER III ZONING DISTRICTS

- 7.012 Purpose.
- 7.013 Agriculture zoning district (AG).
- 7.014 Exclusive agriculture zoning district (EA).
- 7.015 Resource conservancy zoning district (RC).
- 7.016 Commercial zoning district (COM).
- 7.017 Industrial zoning district (IND).
- 7.018 Recreation commercial zoning district (RCOM).
- 7.019 Rural community zoning district (RUC).
- 7.020 Multiple family residential zoning district (MFR).
- 7.021 Single family residential zoning district (SFR).

SUBCHAPTER IV PERMITTED, CONDITIONAL, AND SPECIAL EXCEPTION USES

- 7.022 Purpose.
- 7.023 Land use categories and principal uses.
- 7.024 Uses not specifically listed and comparable uses.
- 7.025 Uses not permitted or comparable.
- 7.026 Use table key.
- 7.027 Agricultural uses.
- 7.028 Art uses.
- 7.029 Community uses.
- 7.030 Education uses.
- 7.031 Food business uses.
- 7.032 General uses.
- 7.033 Home business uses.
- 7.034 Industrial uses.
- 7.035 Recreational uses.
- 7.036 Recreational living uses.
- 7.037 Residential uses.
- 7.038 Resource uses.
- 7.039 Retail sales and service uses.
- 7.040 Storage and fabrication uses.
- 7.041 Waste uses.

SUBCHAPTER V SECONDARY STANDARDS

- 7.042 Vegetative buffer.
- 7.043 Vegetative screening.
- 7.044 Agricultural tourism: secondary standards.
- 7.045 Aquaculture facility: secondary standards.
- 7.046 Agriculture: secondary standards.
- 7.047 Poultry and egg production, beekeeping residential: secondary standards.
- 7.048 Sawmill: secondary standards.
- 7.049 Livestock harvest facility: secondary standards.
- 7.050 Art gallery and art studio: secondary standards.
- 7.051 Child care center: secondary standards.
- 7.052 Home-based business: secondary standards.
- 7.053 Recreation facility, outdoor: secondary standards.
- 7.054 Sport shooting range: secondary standards.
- 7.055 Camping: secondary standards.
- 7.056 Community living arrangements: secondary standards.
- 7.057 Dwelling used temporarily during construction: secondary standards.
- 7.058 Mobile home park and mobile homes: secondary standards.
- 7.059 Temporary secondary dwelling for dependency living arrangement or agricultural use: secondary standards.
- 7.060 Nonmetallic mining site, one acre or greater: secondary standards.
- 7.061 Nonmetallic mining site, less than one acre, not exceeding 24 months: secondary standards.
- 7.062 Nonmetallic mining site, between one acre and 15 acres, not exceeding 24 months: secondary standards.
- 7.063 Ponds: secondary standards.
- 7.064 Kennel: secondary standards.
- 7.065 Auto body, vehicle repair and maintenance: secondary standards.
- 7.066 Storage yard: secondary standards.
- 7.067 Warehousing, self-storage facility, or mini-warehousing: secondary standards.
- 7.068 Wholesale distribution facility: secondary standards.
- 7.069 Composting facility, recycling center, waste transfer station: secondary standards.
- 7.070 Junkyard: secondary standards.
- 7.071 Landfill, clean: secondary standards.
- 7.072 Landfill, sanitary: secondary standards.
- 7.073 Rendering plant facility: secondary standards.
- 7.074 Exclusive agriculture zoning district: secondary standards.
- 7.075 Accessory structures: secondary standards.
- 7.076 Roadside and farmer's market: secondary standards.
- 7.077 Animal sanctuary: secondary standards.

diverted primarily from off-site is processed by composting or processed for commercial purposes, or both. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, and marketing of compost.

(31) "Comprehensive plan" means a guide to physical, social, and economic development of a local unit of government as defined in Wis. Stat. § 66.1001(1)(a).

(32) "Conditional use" means a use approved by the agency pursuant to the provisions of this chapter.

(33) "Contractor's storage yard" means an area outside of a building utilized for the storage and maintenance of contractor's supplies, materials, and operational equipment.

(34) "Department" means Sauk County Department of Conservation, Planning and Zoning.

(35) "Dependency living arrangement" means a living situation which allows for a dependent person to live in an accessory dwelling while the owner and owner's family live in the principal dwelling or a dependent person lives in a principal dwelling while a caretaker lives in the accessory dwelling.

(36) "Dependent" as it pertains to dependency living arrangements, means an individual who requires assistance in the activities of daily living such as eating, dressing, bathing, and ambulation.

(37) "Dwelling" means a single-family dwelling or a multiple family dwelling:

(a) "Single family dwelling" means a building designed for and occupied exclusively as a residence for one family.

(b) "Multiple family dwelling" means a building designed or intended to be used by 2 or more families living independently of each other.

(38) "Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living sleeping, eating, cooking, and sanitation.

(39) "Family" means any number of individuals related by blood, adoption, foster care, or marriage, or not to exceed 5 persons not so related, living together on the premises as a single housekeeping unit.

(40) "Farm" means all land under common ownership that is primarily devoted to agricultural use. For purposes of this definition, land is primarily devoted to agricultural use if a majority of the land is in agricultural use.

(41) "Farm operator" means the owner or other persons engaged in the management of a farm.

(42) "Floor area" means the area, measured in square feet, within the outer lines of the exterior walls of a building at the top of the foundation or basement wall; provided that the floor area of a dwelling shall not include space not usable for living quarters, such as attics, utility or unfinished basement rooms, garages, breezeways or unheated porches, or terraces. Floor area includes all area regardless of ability to stand upon; or whether the surface is covered or contains a floor.

(43) "Floor space" means the floor area inside an establishment that is accessible to patrons.

(44) "Full-time equivalent" means a unit equal to 40 hours in any given 7-day week.

(44m) "Hazardous substance" means any material defined and regulated as a hazardous substance by the U.S. environmental protection agency, the U.S. occupational safety and health administration, the U.S. department of transportation, and the U.S. nuclear regulatory commission.

(45) "Home-based business" means any nonagricultural occupation or use which is conducted within a dwelling or an accessory structure. A home-based business must meet the definition of an accessory use.

(46) "Hotel" means a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all places used in connection therewith, and is not a bed and breakfast establishment or lodging house.

(47) "Human habitation" means the act of occupying a structure as a dwelling, living, or sleeping place; whether infrequently, intermittently, or as a principal residence.

(48) "Junk" means garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, any inoperable machinery, and any scrap material, such as metal, paper, rags, cans

chapter including the issuance of a land use permit by the zoning administrator when applicable, and any secondary standards in this subchapter as referenced in the use table key.

(1) **PERMITTED (P).** The use is permitted in the respective zoning district following the issuance of a land use permit by the zoning administrator, except as otherwise provided for in this chapter, and is subject to all applicable requirements in this chapter.

(2) **CONDITIONAL USE (C).** The use may be permitted in the respective zoning district only after approval by the agency in accordance with the standards of this chapter, and following the issuance of a land use permit by the zoning administrator.

(3) **BLANK CELL.** The use is not permitted in the respective zoning district.

(4) **SPECIAL EXCEPTION (S).** The use may be permitted in the respective zoning district only after approval by the board of adjustment in accordance with the standards of this chapter, and following the issuance of a land use permit by the zoning administrator.

(5) **PRIMARY STANDARDS.** All uses must meet applicable primary standards. Primary standards include those provisions in subchs. I to III and subchs. VI to XI.

(6) **SECONDARY STANDARDS.** All uses must meet applicable secondary standards. Secondary standards are those provisions in subch. V.

<p>P=Permitted. Blank Cell= Not Permitted. C= Conditional Use. S = Special Exception. P/C=Permitted or Conditional. P/S=Permitted or Special Exception. SFR = Single Family Residential. MFR = Multiple Family Residential. RUC = Rural Community. COM = Commercial. RCOM = Recreation Commercial. IND = Industrial. EA = Exclusive Agriculture. RC = Resource Conservancy. AG = Agriculture.</p>										
All uses must meet applicable primary and secondary standards.										
Principal Use	(a) SFR	(b) MFR	(c) RUC	(d) COM	(e) RCOM	(f) IND	(g) EA	(h) RC	(i) AG	Secondary standards
7.027 Agricultural uses.										
(1) Agriculture incubator.			P	P	P		P	P	P	
(2) Agriculture-related business.			C	P		P	C	C	P C	
(3) Agricultural tourism.			C	C	C		C	C	C	s. 7.044
(4) Aquaculture facility.				P			P	P	P	s. 7.045
(5) Food processing facility.						P	P	P	P	s. 7.084
(6) Agriculture.							P	P	P	s. 7.046
(7) Landscaping center.			C	P	P			C	C	
(8) Poultry and egg production, beekeeping residential.	P	P	P							s. 7.047
(9) Roadside stand and farmer's market.			P	P	P		P	P	P	s. 7.076
(10) Sawmill.				C	C	C	C	C	C	s. 7.048
(11) Livestock harvest facility.				C	C	C	C	C	C	s. 7.049

(3) Recreation facility, outdoor.			C	C	C					s. 7.053
(4) Sport shooting range.				C	C			C	C	s. 7.054

P=Permitted. Blank Cell= Not Permitted. C= Conditional Use. S = Special Exception. P/C=Permitted or Conditional.

P/S=Permitted or Special Exception. SFR = Single Family Residential. MFR = Multiple Family Residential. RUC = Rural Community. COM = Commercial. RCOM = Recreation Commercial. IND = Industrial. EA = Exclusive Agriculture.

RC = Resource Conservancy. AG = Agriculture.

All uses must meet applicable primary and secondary standards.

Principal Use	(a) SFR	(b) MFR	(c) RUC	(d) COM	(e) RCOM	(f) IND	(g) EA	(h) RC	(i) AG	Secondary standards
---------------	------------	------------	------------	------------	-------------	------------	-----------	-----------	-----------	------------------------

7.036 Recreational living uses.

(1) Bed and breakfast establishment.	C	C	C		C		C	C	C	s. 7.083
(2) Campground.					S C					s. 7.086
(3) Camping.					P		P	P	P	s. 7.055
(4) Hotel, motel.			C	P	P					
(5) Lodging house.	S	S	S		S		S	S	S	s. 7.083
(5) Resort.					C			C	C	s. 7.087

7.037 Residential uses.

(1) Community living arrangements.	P/C	P/C	P/C		P/C			P/C	P/C	s. 7.056
(2) Dwelling used temporarily during construction.	P	P	P	P	P		P	P	P	s. 7.057
(3) Mobile home park and mobile homes.		C								s. 7.058
(4) Multiple family dwelling, 2 units.		P	P	C	C		C	C	C	
(5) Multiple family dwelling, 3 or more units.		P	C							
(6) Single family dwelling.	P	P	P	P/C	P/C		P/C	P	P	s. 7.075 s. 7.074(3) Subch. IX
(7) Temporary secondary dwelling for dependency living arrangements or		C	C	C	C		C	C	C	s. 7.059

(6) Retail establishment, indoor.			P	P	P	P			
(7) Retail establishment, outdoor.			C	C	C	C		C	
(8) Tannery.				C		C			
(9) Auto body, vehicle repair and maintenance.			C	C	C	C		C	s. 7.065

P=Permitted. Blank Cell= Not Permitted. C= Conditional Use. S = Special Exception. P/C=Permitted or Conditional.

P/S=Permitted or Special Exception. SFR = Single Family Residential. MFR = Multiple Family Residential. RUC = Rural Community. COM = Commercial. RCOM = Recreation Commercial. IND = Industrial. EA = Exclusive Agriculture. RC = Resource Conservancy. AG = Agriculture.

All uses must meet applicable primary and secondary standards.

Principle Use	(a) SFR	(b) MFR	(c) RUC	(d) COM	(e) RCOM	(f) IND	(g) EA	(h) RC	(i) AG	Secondary standards
7.040 Storage and fabrication uses.										
(1) Bulk storage in excess of 50,000 gal.						C				
(2) Storage yard.			C	C		P		C	C	s. 7.066
(3) Metal and wood fabrication.				C		P			C	s. 7.079
(4) Warehousing, self-storage facility, or mini-warehousing.				C	C	C				s. 7.067
(5) Wholesale, distribution facility.				C		C				s. 7.068
(6) Seasonal storage of recreational equipment and motor vehicles.							P	P	P	s. 7.082
7.041 Waste uses.										
(1) Composting facility, recycling center, waste transfer station.						C				s. 7.069
(2) Junkyard.						C			C	s. 7.070
(3) Landfill, Clean.				C				C	C	s. 7.071
(4) Landfill, Sanitary.						C			C	s. 7.072
(5) Rendering plant facility.						C			C	s. 7.073

SUBCHAPTER V

shall be completed in a manner so as to maintain the shape or appearance of trees within the buffer area.

7.044 Agricultural tourism: secondary standards. (1) **SALES.** The sale of goods may only consist of those goods produced, raised, assembled, or provided on the premises. Sales of goods not produced on the premises are limited to 25% of floor space. Services must be directly related to the principal use of the property.

(2) **OVERNIGHT ACCOMMODATIONS.** Overnight and extended stay accommodations may be permitted as part of a conditional use provided that the accommodations are directly related to the principal use of the property.

7.045 Aquaculture facility: secondary standards. (1) **WASTE MANAGEMENT.** All wastewater and sludge shall follow a disposal plan approved by the department.

(2) **ESCAPE.** Aquaculture operations shall be designed and operated as closed systems that permit no escape of plant and animal organisms outside of the closed system.

7.046 Agriculture: secondary standards. Land uses associated with general agricultural use including crop or livestock production, grazing, and forest management shall not require the issuance of a land use permit by the zoning administrator. Structures may require a land use permit.

7.047 Poultry and egg production, beekeeping residential: secondary standards. These standards apply to poultry and egg production in single family residential, multiple family residential, and rural community zoning districts only and do not affect poultry and egg production as an agricultural use. (1) **NUMBER.** If less than 2 acres, the number of poultry kept shall not exceed 6 per lot on the same lot as the dwelling. If 2 acres or more, the number of poultry kept shall not exceed 12 per lot on the same lot as the dwelling.

(2) **DESCRIPTION.** A description of the poultry coop shall be provided with the land use permit application. Coops may be part of an accessory structure, but may not be a part of a dwelling.

(3) **NOISE.** Roosters and crowing cockerels shall not be kept.

(4) **TRESPASS.** Poultry shall be kept in fenced areas to prevent poultry from trespassing onto neighboring properties.

(5) **SETBACKS.** (a) Poultry related structures shall be located no less than 25 feet from any side or rear yard. The setback from the road right-of-way shall be as specified in s. 7.098.

(b) Beekeeping related structures shall be located no less than 100 feet from any side or rear yard. The setback from the road right-of-way shall be as specified in s. 7.098.

(6) Land uses associated with poultry and egg production in the SFR, MFR, and RUC and which are less than or equal to 120 square feet shall not require the issuance of a land use permit by the zoning administrator provided the standards of this chapter are met.

7.048 Sawmill: secondary standards. (1) **TIMEFRAME.** This standard applies to sawmills when located on the premises for more than 10 days in a 365-day period.

(2) **ON-SITE SALES.** There shall be no retail sales other than products produced on the premises.

(3) **WASTE DISPOSAL.** Deleterious materials such as accumulated slabs, decayed wood, sawdust, sawmill refuse, planing mill shavings, or waste material of any kind shall be handled according to a management plan submitted to the zoning administrator and approved by the agency. Operators must demonstrate that the material will be used or disposed of in a manner that does not endanger human health or environmental resources.

(4) **EMISSIONS.** No sawmill operation shall burn substances by open burning.

(5) **MATERIAL STORAGE.** No storage of logs, lumber, deleterious substances, or equipment of any kind shall be permitted within any building setback area, as specified by the applicable zoning district.

(6) **OPERATIONAL HOURS.** Hours of operation and days shall be limited to between 8:00 a.m. and 5:00 p.m. Hours or days of operation may be further limited specified as a condition of the conditional use by the agency.

7.049 Livestock harvest facility: secondary standards. (1) **ANIMAL CONTROL.** Harvest of animals shall take place in a confined area. Fencing shall be adequate to contain animals securely on the owner's property at all times.

(2) **WASTE DISPOSAL.** Deleterious materials such as sewage, processed and unprocessed animal parts, manure, entrails, blood, hides, bones, and waste material of any kind shall be handled according to a management plan submitted to the zoning administrator and approved by the agency as part of the permitting process. Operators must demonstrate that the material will be used, or disposed of, in a manner that does not endanger human health or environmental resources.

(3) **LOCATION.** Livestock harvest facilities may not be located less than 1,500 feet from any residential building and 300 feet from any lot line other than that of the owner of the premises or employees.

(4) **SCALE.** Livestock harvest facilities gross annual income may not exceed \$100,000 except those facilities located in the industrial zoning district.

7.050 Art gallery and art studio: secondary standards. Sales of products and goods shall be of products and goods produced on the premises. The sale of products and goods not produced on the premises are permitted provided these sales are incidental to, or part of, the art gallery or art studio use.

7.051 Child care center: secondary standards. (1) **OUTDOOR PLAY AREAS.** Play area boundaries shall be defined by the placement of a fence.

(2) **INCIDENTAL TO RESIDENTIAL USE.** Daycare centers, 8 or fewer people, shall be incidental to a residential use.

7.052 Home-based business: secondary standards. A land use permit for a home-based business may be issued by the zoning administrator where the standards of this chapter are satisfied, and where the applicant has received a conditional use in those instances where a conditional use is required by this chapter. If the home-based business does not

meet the standards for a land use permit in (1), then the home-based business must apply for a conditional use permit under (2) or (3). Any use that meets the standards of a home-based business does not need to ~~meet the primary standards under that stated use, but does need to meet the secondary~~ comply with the zoning requirement specific to that use but shall meet the primary and secondary standards of that use.

(1) **LAND USE PERMIT.** The zoning administrator may issue a land use permit for a home-based business that meets and does not exceed the, following standards:

(a) There shall be no more than one full-time equivalent employee that is not an occupant of the residential dwelling on the same lot or parcel of the home-based business.

(b) No more than 1,200 square feet of all accessory structures shall be used for the purpose of conducting a home-based business. There is no limit to the amount of square footage that may be used within the residential dwelling, provided the home-based business remains incidental to the residential use.

(c) Any structural addition to the home for the purposes of operating a home-based business shall be designed, and appear residential in character, so that the addition can readily be repurposed for residential uses at such time that the home-based business is no longer operating.

(d) Retail sales or services shall be of goods grown, produced, assembled, or for services rendered on the premises. Sales of products not produced on the premises are permitted only when these sales are incidental to, and part of, the principal function of the home-based business.

(e) There shall be no outdoor storage of equipment, materials, or stock.

(f) The home-based business shall not cause any odor, dust, smoke, vibration, or noise that can be detected beyond the property line.

(g) All mechanical equipment used in conjunction with the home-based business shall be operated within a structure.

(h) The home based business does not involve delivery services, other than those delivered by passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.

(i) Clients or customers visiting the home-based business shall not exceed 5 persons per day, or a maximum of 25 persons per week, whichever is greater.

(j) ~~No hazardous materials such as explosives, highly flammable, or extremely hazardous materials as defined by the U.S. Environmental Protection Agency, shall be stored on premises in relation to the function of the home-based business.~~ No hazardous substances shall be used or stored as part of a home-based business except normal use for household purposes.

(2) **CONDITIONAL USE STANDARDS FOR SINGLE FAMILY RESIDENTIAL (SFR), MULTIPLE FAMILY RESIDENTIAL (MFR), AND RURAL COMMUNITY (RUC) ZONING DISTRICTS.** A home-based business within a SFR, MFR or RUC zoning district shall be referred to the agency for consideration of a conditional use provided the home-based business first meets standards pursuant to s. 7.052(1), and does not exceed the following additional standards, when applicable.

(a) There shall be no more than 2 full-time equivalent employees that are not occupants of the residential dwelling, on the same lot or parcel of the home-based business.

(b) Clients or customers visiting the home-based business shall not exceed 10 persons per day, or a maximum of 50 persons per week, whichever is greater.

(3) **CONDITIONAL USE STANDARDS FOR EXCLUSIVE AGRICULTURE (EA), RESOURCE CONSERVANCY (RC), AGRICULTURE (AG) ZONING DISTRICTS.** A home-based business within an EA, RC or AG zoning district shall be referred to the agency for consideration of a conditional use provided the home-based business first meets standards pursuant to s. 7.052(1), and does not exceed the following additional standards, when applicable.

(a) No more than 2,400 square feet of all accessory structure shall be used for the purpose of conducting a home-based business.

(b) There shall be no more than 3 full-time equivalent employees that are not occupants of the residential dwelling on the same lot or parcel of the home-based business.

(c) The home-based business may utilize delivery services, including cartage, drayage, or

other services, that are not customarily utilized for residential delivery.

(d) Clients or customers visiting the home-based business shall not exceed 10 persons per day, or a maximum of 50 per week, whichever is greater

7.053 Recreation facility, outdoor: secondary standards. (1) **LIGHTING.**

Proposed lighting installations shall integrate every reasonable effort to mitigate the effects of light on surrounding properties.

(2) **OPERATION.** Hours of operation, including hours of night lighting, shall be specified as a condition of the conditional use.

7.054 Sport shooting range: secondary standards. (1) **FENCING AND SIGNAGE.**

All premises used for sport shooting ranges shall be completely fenced except for one point of entrance not more than 12 feet wide. Each such range shall be posted with warning signs, facing outward away from the range, not more than 100 feet apart, fastened level to the top of such fence, and not more than 6 feet above the ground. Such warning signs shall be at least 2 square feet in area and shall contain the words, "Danger Shooting Range" in red on a white background. The letters of such words shall be not less than 4 inches high and maintained in a legible condition at all times.

(2) **VEGETATIVE BUFFER** All sport shooting ranges shall meet the vegetative buffer requirements of s. 7.042.

(3) **BARRIER.** Ranges where solid projectile ammunition is used shall be arranged in a manner that provides for a sod-faced barrier of earth or sand, impenetrable by any solid projectile fired on such ranges. For sport shooting ranges where all targets are 100 yards or less in distance, such barrier shall be at least 20 feet in height, measured from the base of the targets, and shall not be less than 50 feet in width. For those sport-shooting ranges where targets are greater than 100 yards, such barrier shall not be less than 30 feet in height, measured from the base of the targets, and shall not be less than 100 feet in width. If an eyebrow ricochet catcher or similar device is used, the aforementioned height and width standards may be decreased by 10%. The target area shall be

(3) **CAMPING WITHOUT A LAND USE CAMPING PERMIT.** Camping on a lot with an existing residential dwelling shall not require a land use camping permit. All of the provisions in s. 7.055 (1) shall be met.

7.056 Community living arrangements: secondary standards. (1) All community living arrangements shall meet the following standards:

(a) No community living arrangement may be placed within 2,500 feet of any other community living arrangement.

(b) The community living arrangement must be licensed, operated, or permitted under the authority of the Wisconsin Department of Human Services or the Wisconsin Department of Children and Families.

(2) Community living arrangements with 8 or fewer persons being served by the program shall be permitted in single family residential, multiple family residential, rural community, and recreation commercial, resource conservancy, and agriculture zoning districts.

(3) Community living arrangements with 9 to 15 persons being served by the program shall be permitted in multiple family residential, rural community, and recreation commercial zoning districts. A conditional use shall be required prior to locating in the single family residential, resource conservancy, and agriculture zoning districts.

(4) Community living arrangements with 16 or more persons being served by the program shall require a conditional use prior to locating in single family residential, multiple family residential, rural community, and recreation commercial, resource conservancy, and agriculture zoning districts.

7.057 Dwelling used temporarily during construction: secondary standards. (1) **LAND USE PERMIT.** Occupancy of a temporary dwelling during the construction of a new dwelling on the same lot or parcel requires the issuance of a land use permit as a principal residence during the construction of a permanent residential dwelling. The land use permit shall be filed with the zoning administrator. The land use permit shall expire within 365 days. The temporary home shall be removed within 30

days of taking occupancy of the permanent residential dwelling.

(2) **PLACEMENT DURING HOME CONSTRUCTION.** A temporary dwelling may be located on the same lot during the construction of a single family or multiple family dwelling provided that the dwelling is only occupied for residential uses, and by the same family who will occupy the permanent residential dwelling.

7.058 Mobile home park and mobile homes: secondary standards. (1) **MOBILE HOME SPACE PARKING.** Mobile home spaces parking shall be provided at a rate of one parking space for each mobile home. Parking Spaces shall consist of an all-weather surface.

The space shall be provided with 6 tie-down anchors. Each mobile home parking space shall be not less than 10 feet wide, nor of less length than the length of the mobile home to be parked placed therein plus 5 feet.

(2) **DRIVEWAYS.** There shall be a system of driveways providing access to each mobile home, and to off-road parking areas within the mobile home park. This system of driveways shall connect to a road.

(3) **COMMON OPEN SPACE.** Each mobile home park shall set aside 5% of the total area for a contiguous, common open space. The common, open space area shall be in addition to yard open spaces. The area may be provided with children's playgrounds, picnic areas, game courts, and gardens, furnished and maintained by the mobile home park owner, or the plots shall be available to park inhabitants for personal garden plots.

(4) **CONSTRUCTION STANDARDS.** All mobile homes shall meet the construction standards of the Mobile Home Manufacturers Association and all federal, state, and local codes.

(5) Mobile homes shall only be permitted in mobile home parks except as provided under s. 7.059.

7.059 Temporary secondary dwelling for dependency living arrangement or agricultural use: secondary standards. (1) **CONDITIONAL USE, LAND USE PERMIT, AND NOTICE OF TEMPORARY PERMIT.** The arrangement shall require the issuance of a land

to expire, a new conditional use shall be applied for and approved by the agency provided that the junkyard is in compliance with the conditions set forth in the original conditional use.

(8) **ANNUAL INSPECTION FEE.** An annual inspection fee shall be established by the agency and shall be payable to the zoning administrator by June 1 of each year.

7.071 Landfill, clean: secondary standards.

(1) **RECORDS.** The landowner shall maintain written records regarding the type, amount, and dates that materials are deposited into the landfill, and shall include written documentation of the source of the material claimed to be deposited into the landfill. Such records shall be made available to the zoning administrator on request.

(2) **CONDITIONAL USE TERM LIMIT.** A conditional use shall be in effect for a period not to exceed 5 years. At the time the conditional use is set to expire it may be renewed for a period of not more than 5 years by the zoning administrator provided that the landfill is in compliance with the conditions set forth in the original conditional use.

(3) **ANNUAL INSPECTION AND FEE.** The zoning administrator shall inspect the landfill annually and review the conditional use to assure continued compliance. An annual inspection fee will be charged and review shall be good for a period of one calendar year, or portion of a year, beginning on January 1 through December 31. The fee is due on January 1, and becomes delinquent on February 1. If the annual inspection fee becomes delinquent, the conditional use shall become null and void.

7.072 Landfill, sanitary: secondary standards.

(1) **RECORDS.** The landowner shall maintain written records regarding type, amount and dates materials are deposited into the landfill and shall include a written documentation of the source of the material claimed to be deposited into the landfill. Such records shall be made available to the zoning administrator on request

(2) **VEGETATIVE BUFFER.** All sanitary landfills shall meet the vegetative buffer requirements of s. 7.042.

7.073 Rendering plant facility: secondary standards.

(1) **REDUCTION ACTIVITIES.** Reduction activities shall take place in a confined area.

(2) **WASTE DISPOSAL.** Deleterious materials such as sewage, processed and unprocessed animal parts, manure, entrails, blood, hides, bones or waste material of any kind, shall be handled according to a management plan submitted to the zoning administrator and approved by the agency as part of the permitting process. Operators must demonstrate that the material will be used, or disposed of, in a manner that does not endanger human health or environmental resources.

(3) **SETBACKS.** (a) All rendering plant facilities shall be no closer than 1,000 feet from any residential dwelling, other than the owner, agent or employee of such facility.

(b) It shall be in violation of this chapter for a person, corporation or other legal entity to operate, or cause to be operated, any rendering plant within 1,500 feet of:

1. A duly organized and recognized place of worship.

2. A public or private elementary or secondary school.

3. A public or private day care facility or kindergarten.

4. A residential dwelling other than a dwelling for the owner, proprietor, commercial tenant, employee or caretaker.

5. Boundary of a platted area for residential development.

6. A public park.

7.074 Exclusive agriculture zoning district, secondary standards.

These standards apply to uses in the exclusive agriculture district.

(1) These standards apply to the uses stated in ss. 7.029, 7.030, and 7.038(7). The uses may be located in the exclusive agriculture zone if it is determined that all of the following apply:

(a) The use and its location in the exclusive agriculture zoning district are consistent with the purposes of the district.

(b) The use and its location in the exclusive agriculture zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(2) These standards apply to the uses stated in s. 7.038 (5) and (6). The uses may be located in the exclusive agriculture zone if it is determined that all of the following apply:

(a) The operation complies with subch. I of ch. 295 and rules promulgated under that subchapter, with applicable provisions of the local ordinance under Wis. Stats. 295.13 or 295.14, and with any applicable requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

(b) The operation and its location in the exclusive agriculture zoning district are consistent with the purposes of the exclusive agriculture zoning district.

(c) The operation and its location in the exclusive agriculture zoning district are reasonable and appropriate, considering alternative locations outside the exclusive agriculture zoning district, or are specifically approved under state or federal law.

(d) The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use.

(e) The operation does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(f) The owner shall restore the land to agricultural use, consistent with any required approved reclamation plan, when extraction is completed.

(3) The construction of a dwelling in areas zoned exclusive agriculture shall require

the issuance of a conditional use permit pursuant to the standards in Wis. Stat. § 91.46(2)(c). ~~except that dwellings may be established on a PRD development area established pursuant to Subchapter IX.~~ Conditional use permits are not required for the following:

(a) A dwelling may be established pursuant to subch. IX; or

(b) Single family dwellings shall be a permitted use on a lot of record as that term is defined in s. 7.011(61).

7.075 Single family dwelling and accessory structures: secondary standards.

(1) ACCESSORY STRUCTURE NUMBER AND FLOOR AREA. Accessory structures in the Single Family Residential District shall comply with all building setback requirements and be limited to one principal accessory structure and one secondary accessory structure per lot. The dimensional standards for the principal accessory structure shall be as follows:

Lot Area (sq. feet)	1. Maximum Floor Area (sq. feet)
(a) 0-19,999 sq. ft.	600 sq. ft.
(b) 20,000-43,559 sq. ft.	900 sq. ft.
(c) 43,560 sq. ft. and greater	1,200 sq. ft.

(2) ACCESSORY STRUCTURE FLOOR AREA FOR THE SINGLE FAMILY RESIDENTIAL ZONING DISTRICT. The secondary accessory structure shall have a maximum floor area of 120 square feet.

(3) SINGLE FAMILY DWELLINGS IN COMMERCIAL AND RECREATION COMMERCIAL. Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker may be located on the same lot as the business, not to exceed one single family dwelling. Residential quarters in excess of one single family dwelling may be approved by the agency as a conditional use.

7.076 Roadside stand and farmer's market: secondary standards.

(1) LOCATION. All

goods shall be of products and goods produced on the premises.

7.080 Government facilities, buildings and uses: secondary standards. Government uses shall be those uses conducted by a governmental entity on government owned property.

7.081 Accessible element: secondary standards. The addition of an accessible element to any structure may project into the road setback, front, or rear yard setback by up to 10 feet and into the side yard setback by up to 5 feet. There shall be only one accessible element per building. Prior to any accessible element projecting into a setback, the applicant must show that the element cannot be built outside of the setback.

7.082 Seasonal storage of recreational equipment and motor vehicles: secondary standards. Recreational equipment and motor vehicles may be stored on the premises provided the equipment is owned by private individuals other than those residing on the premises and the storage is located within an existing farm building and completely enclosed therein. The storage of a dealer's inventory or construction of any new buildings for storage shall be a commercial use. In the exclusive agricultural district, the storage must meet the definition of an accessory use.

7.083 Bed and breakfast establishment, lodging houses: secondary standards. (1) A septic verification and/or a sanitary permit shall be required from Sauk County for any building that results in any change in use of the structure from the original use that results in an increased volume of wastewater above that for which the system was originally designed. Where cases of doubt exist as to the need of a sanitary permit, Sauk County shall be contacted before the change in use is made and the zoning administrator shall determine the need for a sanitary permit.

(2) The property must obtain all federal, state, and local permits. ~~Property meets all applicable State of Wisconsin regulations and all applicable licenses have been issued to said~~

~~property, prior to application for said special exception permit.~~

(3) The permit shall be issued to the owner(s) of the residence and would not be transferable.

(4) An annual inspection fee shall be established by the agency and be payable to Sauk County by June 1st of each year.

7.084 Food processing facility and grocery store, confectionary, bakery, deli, and meat market: secondary standards. Food processing facilities and grocery stores, confectionaries, bakeries, delis, and meat markets shall only be permitted in the exclusive agriculture, rural community, or agriculture zoning districts if they have an annual gross income of less than \$100,000. Food processing facilities and grocery stores, confectionaries, bakeries, delis, and meat markets must meet the definition of an accessory use to be permitted in the exclusive agricultural zoning district. If a food processing facility's annual gross income is greater than said number, it shall only be permitted in the industrial zoning district. If a grocery store, confectionary, bakery, deli, or meat market's gross annual income is greater than said number, it shall only be permitted in rural community, commercial, or recreation commercial districts.

7.085 Animal grooming, veterinary clinic: secondary standards. In the exclusive agricultural district, this use is only allowed to care primarily for livestock.

7.086 Campground. (1) A camping unit may not be ~~used for more than 8 months in any 12-month period~~ occupied for more than 240 days in a calendar year. The stay does not need to be continuous, and all separate stays shall be combined in determining the 240-day period.

(2) ~~The camping units shall be 10 feet from the camping line as shown on the survey.~~ All camping units shall comply with applicable setbacks that apply to structures.

(3) Only permanent non-habitable structures ~~will~~ shall be allowed in the campground. The only allowed structures allowed shall be sheds, gazebos, picnic shelters, porches, decks, or garages.

(4) The campground must obtain all federal, state and local permits. ~~and be in compliance with Chapter HSS 178 of the Wisconsin Administrative Code.~~

(5) Occupancy of a camping unit on a continuous, year-round basis or utilization of a camping unit as a permanent abode or legal place of residence is prohibited.

7.087 Resort. (1) A septic verification and/or a sanitary permit shall be required from Sauk County for any building that results in any change in use of the structure from the original use that results in an increased volume of wastewater above that for which the system was originally designed. Where cases of doubt exist as to the need of a sanitary permit, Sauk County shall be contacted before the change in use is made and the zoning administrator shall determine the need for a sanitary permit.

~~(2) Property meets all applicable State of Wisconsin regulations and all applicable licenses have been issued to said property, prior to application for said special exception permit.~~

~~(3)~~ (2) The permit shall be issued to the owner(s) of the residence and would not be transferable.

~~(4)~~ (3) In areas zoned, agriculture and resource conservancy only two dwelling units shall be allowed in any resort. If more than two dwellings units are desired, the area must be rezoned.

SUBCHAPTER VI

PARKING AND LOADING

7.088 Purpose. The purpose of this subchapter is to provide vehicle parking, loading, and circulation standards sufficient to prevent congestion of public rights-of-way and provide safe, efficient public access to properties while minimizing the impact of parking areas on nearby properties.

7.089 Applicability. This subchapter applies to all zoning districts and uses. The requirements of this subchapter apply when any new structure is erected, any use of a structure or land is enlarged or increased in intensity, or any other

use or change of use is established that requires a land use permit.

7.090 Permit requirements. (1) **SITE PLAN.** A site plan drawn to a scale, showing the location of the parking spaces relative to structures, roads, setbacks, other parking spaces, vision clearance areas, and any other dominate land features located within and adjacent to the proposed parking area.

(2) **PARKING AND LOADING.** When multiple uses are located on one property, or parking areas are shared between different lots to meet the requirements of this section, adequate parking and loading areas shall be identified on a land use permit application.

(3) **ASSURANCE.** The zoning administrator may require additional information to assure compliance with this subchapter and all other applicable provisions of this chapter.

7.091 General standards. (1) **ACCESS.** Adequate ingress and egress to parking and loading areas by clearly limited and defined driveways shall be provided. Driveways shall be perpendicular to the public right-of-way wherever possible. Driveways shall be spaced a safe distance from road intersections, and each other, shall not be located within any vision clearance triangle, and may be limited in number and location according to federal, state, and local standards.

(2) **SURFACING.** All driveways and parking, loading, and circulation areas shall be paved with an all-weather surface. Grass surfacing may be used for special events only.

(3) **DIMENSIONS OF LANES AND PARKING AREAS.** Dimensions of parking lanes and spaces shall be in accordance with the following table. Parking for people with disabilities shall be provided as specified by federal and state regulations.

(4) **CIRCULATION.** Minimum width of internal aisles providing traffic access to parking spaces shall be 12 feet for each direction of travel. Directional marking or signage, or both, shall be provided where required to facilitate safe, efficient circulation. Uses with drive-through facilities shall provide sufficient space on-site for all vehicles being served. Vehicles queuing to be served shall not utilize any road.

the district in which such building is to be located.

(13) Structures for agricultural uses may be erected to a height exceeding 75 feet provided the front, side, and rear yards in the district in which the structure is to be located are increased at least 1.5 feet from the minimum setback requirement for each additional one foot of height greater than 75 feet in height of any agriculture structure that exceeds 75 feet in height.

(14) Nonconforming structures may be expanded within a setback to become compliant with the Americans with Disabilities Act including the addition of accessible elements.

(15) For purposes of subch. VII, if a lot was originally created by certified survey map or subdivision plat, lot lines may only be dissolved by a new certified survey map or subdivision plat.

7.095 Multiple family zoning: lot area. Multiple family dwellings shall meet lot area and floor area in accordance with the following:

(1) **SEWERED.** Buildings served by public sewer:

Number of Dwellings	1. Minimum Floor Area (sq. feet)	2. Minimum Lot Area (sq. feet)
(a) 2	500 sq. ft. per dwelling (1,000 sq. ft. total)	8,000 sq. ft.
(b) 3	1,500 sq. ft.	13,000 sq. ft.
(c) 4	1,900 sq. ft.	15,000 sq. ft.
(d) 5	2,300 sq. ft.	17,000 sq. ft.
(e) 6	2,700 sq. ft.	18,000 sq. ft.
(f) Each addition over 6	Plus 400 sq. ft. for each additional dwelling	18,000 sq. ft. plus 1,000 sq. ft. for each additional dwelling

(2) **UNSEWERED.** Buildings served by a private on-site wastewater treatment system:

Number of Dwellings	1. Minimum Floor Area (sq. ft.)	2. Minimum Lot Area (sq. ft.)
(a) 2	500 sq. ft. per dwelling (1,000 sq. ft. total)	20,000 sq. ft. or
(b) 3	1,500 sq. ft.	25,000 sq. ft.

(c) 4	1,900 sq. ft.	30,000 sq. ft.
(d) 5	2,300 sq. ft.	35,000 sq. ft.
(e) 6	2,700 sq. ft.	40,000 sq. ft.
(f) Each addition over 6	Plus 400 sq. ft. for each additional dwelling	40,000 sq. ft. plus 5,000 for each additional dwelling

7.096 Industrial zoning: setbacks and height. The minimum setback for any principal building and accessory structure shall be 10 feet from any side yard and 10 feet from any rear yard. Side and rear yards shall be increased in depth by 1.5 feet from the minimum setback requirement for each additional one foot of height greater than 35 feet in height of any structure that exceeds 35 feet in height.

7.097 Livestock related and manure storage structure setbacks. Livestock facilities, livestock structures, manure storage structures, and any additions to such structures, shall maintain the following setbacks pursuant to Wis. Admin. Code § ATCP 51.12. (1) **LIVESTOCK STRUCTURE SETBACKS.**

(a) Livestock structures with fewer than 1,000 animal units shall be 100 feet from any property line or road right-of-way.

(b) Livestock structures 1,000 animal units or more shall be 150 feet from any public road right-of-way or 200 feet from any property line.

(c) Livestock structures located within the setback area may be expanded provided the area to be expanded meets required setbacks.

(2) **MANURE STORAGE SETBACKS.** (a) Manure storage structures shall be 350 feet from any property line or road right-of-way.

(b) Manure storage structures located within the setback area may be expanded provided the area to be expanded meets required setbacks.

7.098 Road setbacks. Roads are divided into the following categories for the purpose of determining the distance buildings and other structures shall be set back from roads.

(1) **STATE AND FEDERAL HIGHWAYS.** The setback line for state and federal highways shall be 50 feet from the right-of-way line. The right-of-way shall be as shown on the highway plans.

(2) **COUNTY ROADS.** The setback line for county roads shall be 42 feet from the right-of-

7.102 Authority to continue. Any lawfully existing nonconforming use or nonconforming structure, may be continued so long as it remains otherwise lawful, subject to the provisions of this chapter.

7.103 Nonconforming uses. (1) In this subsection "nonconforming use" means a use of land, a dwelling, or a building that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform to the use restrictions in the current ordinance.

(2) **ORDINARY REPAIR AND MAINTENANCE.** Maintenance and incidental repair or replacement, and installation or relocation of non-load-bearing walls, non-load-bearing partitions, fixtures, wiring or plumbing, may be performed on any structure that is devoted in whole, or in part, to a nonconforming use.

(3) **TEMPORARY STRUCTURE.** The continuance of the nonconforming use of a temporary structure is hereby prohibited.

(4) **EXPANSION, RELOCATION, DAMAGE OR DESTRUCTION.** The alteration of, or addition to, or repair in excess of 50% of its assessed value of any existing building, premises, structure, or fixture, for the purpose of carrying on any prohibited trade or new industry within the zoning district where such buildings, premises, structures, or fixtures are located, is prohibited. The continuance of a nonconforming use may continue if any expansion, relocation, maintenance, repair, or other restoration of any nonconforming use is less than 50% of the assessed value of any existing building, premises, structure, or fixture used for the purpose of carrying on the nonconforming use provided that such repair or reconstruction is commenced and completed within 365 consecutive days of the date of such damage or destruction. A land use permit is required prior to starting any construction.

(5) **CHANGE IN USE.** A nonconforming use of land or of a structure shall not be changed to any use other than a use permitted by this zoning ordinance. When such nonconforming use has been changed to a permitted use, it shall only be used thereafter for a use permitted by this chapter. For purposes of the section, a use

shall be deemed to have been changed when an existing nonconforming use has been terminated and a new use has been permitted.

(6) **ABANDONMENT OR DISCONTINUANCE.** When a nonconforming use of land, or a nonconforming use of part or all of a structure is discontinued or abandoned for a period of 365 days, such use shall not be reestablished or resumed. Any subsequent use or occupancy of such land or structure shall comply with this chapter.

(7) **DAMAGE OR DESTRUCTION.** (a) In the event that any structure that is devoted in whole, or in part, to a nonconforming use is damaged or destroyed by any means, to the extent that the damage exceeds 50% of the equalized assessed value of such structure immediately prior to such damage, such structure shall not be restored unless the structure and the use will conform to all regulations of this chapter.

(b) When such damage or destruction is 50% or less of the equalized assessed value of the structure immediately prior to the damage, the structure may be repaired and reconstructed and used for the same purposes as it was before the damage or destruction.

7.104 Nonconforming structures. (1) In this section, "nonconforming structure" means a dwelling, or other building, that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform to one or more of the development regulations in the current zoning ordinance.

(2) **AUTHORITY TO CONTINUE.** Any nonconforming structure which is devoted to a use which is permitted in the zoning district in which the structure is located, may continue so long as it remains otherwise lawful.

(3) **ENLARGEMENT, REPAIR, AND ALTERATIONS.** Any nonconforming structure may be enlarged, maintained, repaired, or altered ~~provided that the enlargement, maintenance, repair, or alteration~~ repaired, maintained, altered, renovated, or remodeled. Enlargement of any nonconforming structure shall meet the requirements of this chapter. In instances in which other applicable ordinances are more restrictive, the more restrictive ordinance shall apply.

(6) Farm Identification	1 per parcel to which the sign pertains.	32 sq. ft.	15 ft.
(7) Ground	1 sign per road frontage.	75 sq. ft.	10 ft.
(8) Notification		4 sq. ft.	
(9) Wall	2 per parcel.	15% of the building wall that the sign is affixed to, not to exceed 300 sq. ft. The area of the wall shall be calculated as wall height (not to exceed 15 feet) times wall length.	The maximum projection shall not exceed 12 inches from the wall on which it is mounted.

7.130 Off-premises sign standards. The following off-premises signs are allowed in the commercial, recreational commercial, and industrial zoning districts with the exception of

wayfinding signs, which are allowed under any zoning district. Each type of sign shall be subject to the provisions of this chapter, including:

Off Premises Sign Type	(a) Maximum Number	(b) Maximum Copy Area (sq. ft.)	(c) Maximum Height (ft.)	(d) Spacing (ft.)
(1) Ground	1 per mile per side of road facing each direction of travel.	U.S. Highway/State Road: 75sq. ft. per sign County Road: 32 sq. ft. per sign Town, Village or City Road: Not permitted	18 ft.	Not located closer than 5,280 feet from any other off-premises or on-premises permanent signs and shall be placed no closer than 1,000 feet from any road intersection and from any exit or entrance ramps.
(2) Wall	2 per parcel regardless of the number of buildings located on the parcel.	U.S. Highway/State Road: 75 sq. ft. per sign County Road: 32 sq. ft. per sign Town, Village, or City Road: Not permitted	The maximum projection shall not exceed 1 ft. from the wall on which it is mounted.	Not located closer than 5,280 feet from any other off-premises permanent sign and shall be placed no closer than 1,000 feet from any road intersection and from any exit or entrance ramps.
(2) (3) Wayfinding	a. Limit of 1 sign installation between road intersections, facing each direction of travel. b. Collocation shall be required for any wayfinding sign located within 1 mile of any other wayfinding sign facing the same direction of travel.	8 sq. ft. per sign if located in the road right-of-way or 12 sq. ft. per sign if set back not less than 5 feet from any road right-of-way.	12 ft.	Not located closer than 5,280 feet per road, direction of travel from any other wayfinding sign conveying the same location.
(3) (4) Banner	2 per parcel	32 sq. ft. per sign	6 ft.	

7.131 Temporary on-premises or off-premises sign standards. The following temporary signs are allowed in all zoning

districts. Each type of sign shall be subject to the provisions of this chapter, including:

Temporary Sign Type	1. Maximum Number	2. Maximum Copy Area (sq. ft.)	3. Maximum Height (ft.)
(a) Farm Crop Identification		6 sq. ft. per sign	10 ft.
(b) Real Estate	2 per parcel on the same lot to which the sign pertains.	64 sq. ft. per sign	12 ft.
(c) Rummage Sale		6 sq. ft. per sign	6 ft.

must be made not more than 30 days from the date of the decision. The appeal shall be initiated by an application to the zoning administrator and shall be heard by the board of adjustment. The board of adjustment shall review whether the agency followed the standards and criteria in this chapter, rather than conducting a de novo review of the conditional use application.

(8) APPLICATION, RECORDING, AND ADHERENCE TO CONDITIONS. The agency shall have the authority to attach such conditions and restrictions on the establishment, location, maintenance, and operation of the conditional use as it deems necessary to ensure the conditional use adheres to the purpose and review criteria of this chapter. If applicable, prior to commencing the authorized activity on the site and obtaining any necessary land use permits, the zoning administrator may require the property owner to record notice against the property of the approved use, applicable plans, and conditions of approval with the county register of deeds.

(9) TIME LIMITS ASSOCIATED WITH CONDITIONAL USE. If the conditional use is not initiated by securing a land use permit within 365 days of the date of the approval, the conditional use shall be considered void. The applicant may apply, without a fee, and the agency may grant a one-time 365-day extension provided that a written request for extension is submitted to the zoning administrator before the original expiration date. If a use or activity associated with a previously approved conditional use ceases for 365 days or more after first being established on the property, the use will be deemed to have been terminated and the property owner or authorizing agent must reapply and obtain another conditional use before recommencing the use or activity.

(10) EFFECT OF DENIAL. No application that has been denied under this section may be resubmitted for a period of 365 days from the date of final agency action, except on grounds of new evidence or proof of changes of factors found valid by the agency.

(11) MONITORING AND POTENTIAL REVOCATION OF A CONDITIONAL USE. The agency or zoning administrator may require evidence and guarantees as either may deem necessary as

proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for conditional use at all times. If the agency finds that the review criteria of this section or the conditions attached to the permit are not complied with, the agency, after a public hearing, may revoke or alter the conditional use.

(12) EXPANSION OF CONDITIONAL USE. The expansion of any use approved by a conditional use shall require an application and review by the agency. Expansion of use shall be determined by the zoning administrator.

7.143 Special exceptions: review procedure and standards.

(1) PURPOSE. To provide the procedures and standards for the granting of special exceptions and amendments to special exceptions previously granted. Lawful uses existing at the time of adoption of this chapter that would require a special exception under this chapter may continue as a nonconforming use.

(2) AUTHORITY. The board of adjustment, after a public hearing, shall within a reasonable time, grant or deny any application for a special exception. Prior to granting or denying a special exception, the board of adjustment shall make findings of fact based on the evidence presented and issue a determination indicating whether the standards prescribed in the ordinance are met. No special exception may be granted if the board of adjustment determines the standards have not been met, nor may a special exception be denied if the board of adjustment determines that the standards are met. The standards include the applicable primary and secondary standards, the standards found in pars. (5) and (6) below, or any other standards found in this ordinance.

(3) APPLICATION AND NOTICE OF HEARING. Application for approval of a special exception shall be made to the zoning administrator on forms furnished by the zoning administrator and shall include the following:

(a) Names and addresses of the applicant, owner of the property, architect, and professional engineer, as applicable.

(b) A narrative of the proposed special exception indicating a description of the subject property by lot, block, and recorded subdivision

vegetative cover and mitigation of erosion potential.

(b) The prevention and control of water pollution, including sedimentation, and the potential impacts on floodplain and wetlands.

(c) Whether the site has adequate utilities including, if necessary, acceptable disposal systems.

(d) Whether the site has access to roads and highways.

(e) Whether the site has suitable, ingress and egress.

(f) Whether the site is designed to minimize traffic congestion, and the potential effect on traffic flow.

(7) APPLICATION, RECORDING, AND ADHERENCE TO CONDITIONS. The board of adjustment shall have the authority to attach such conditions and restrictions on the establishment, location, maintenance, and operation of the special exception as it deems necessary to ensure the special exception adheres to the purpose and review criteria of this chapter. If applicable, prior to commencing the authorized activity on the site and obtaining any necessary land use permits, the zoning administrator may require the property owner to record notice against the property of the approved use, applicable plans, and conditions of approval with the county register of deeds.

(8) TIME LIMITS ASSOCIATED WITH SPECIAL EXCEPTIONS. If the special exception is not initiated by securing a land use permit within 365 days of the decision letter, the special exception approval shall be considered void. The applicant may apply without fee, and the board of adjustment may grant, a one-time, 365-day extension provided that a written request for extension is submitted before the original expiration date. If a use or activity associated with a previously approved special exception ceases for 365 days or more after first being established on the property, the use will be deemed to have been terminated and the property owner or authorizing agent must reapply and obtain approval of another special exception before recommencing the use or activity.

(9) EFFECT OF DENIAL. No application that has been denied under this section may be resubmitted for a period of 365 days from the

date of the decision letter, except on grounds of new evidence or proof of changes of factors found valid by the board of adjustment.

(10) MONITORING AND POTENTIAL REVOCATION OF A SPECIAL EXCEPTION. The board of adjustment or zoning administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for special exceptions at all times. If the board of adjustment finds that the review criteria of this subsection or the conditions attached to the use are not complied with, the board of adjustment, after a public hearing, may revoke or alter the special exception.

(11) EXPANSION OF SPECIAL EXCEPTION USE. The expansion of any use approved by a special exception shall require an application and review by the board of adjustment. Expansion of use shall be determined by the zoning administrator.

7.144 Land use permits: review procedure and standards. (1) PURPOSE. The purpose of this section is to specify the requirements and procedures for the issuance of land use permits. Land use permits are issued by the zoning administrator for structures and uses specified in this chapter in order to verify compliance with the provisions of this chapter. A land use permit is not a substitute for a building permit, which is instead issued by the affected town. In certain cases, other land use approvals including but not limited to rezoning, conditional use, special exception, or variance approval, are required before a land use permit may be issued.

(2) APPLICABILITY. Except as exempted under this subsection, a land use permit is required from the zoning administrator in the following instances:

(a) Before a structure is erected, affixed, moved, or structurally altered.

(b) Before the construction of any foundation.

(c) Before any substantial alteration in the heating plant, sanitary facilities, or mechanical equipment which would affect or change the use of an existing site or structure.

continue the activity authorized by the permit, and the permit is considered voidable.

(3) Any building or structure erected, moved or structurally altered or any use established in violation of the provisions of this chapter by any person, firm, association, corporation, including building contractors or their agents, shall be an unlawful structure or use.

(4) The corporation counsel may bring an action to enforce this chapter and seek any remedy, legal or equitable, subject to prosecutorial discretion. The corporation counsel may seek an order to enjoin, remove, or vacate any violation of this chapter; or any use, erection, moving or structural alteration of any building, or use in violation of this chapter and seek fines as provided herein.

(5) The provisions of this chapter shall be enforced under the direction of the Sauk County Board of Supervisors, through the agency, the zoning administrator, law enforcement officers, and the corporation counsel. Any person, firm, company, or corporation who violates, disobeys, omits, neglects, or refuses to comply with; or who resists the enforcement of any of the provisions of this chapter; shall be subject to a fine of not less than \$50 or more than \$200 per day as long as the violation exists; together with the costs of action. This chapter may be enforced by any remedy, legal or equitable. Actions may be brought by the corporation counsel or by the owner of land within the zoning district affected by the regulations of this chapter.

the Sauk County Board of Supervisors on February 19, 2002 - Ordinance No. 31-02. Amended by the Sauk County Board of Supervisors on March 19, 2002 - Ordinance No. 55-02. Amended by the Sauk County Board of Supervisors on August 20, 2002 - Ordinance No. 146-02. Amended by the Sauk County Board of Supervisors on September 23, 2003 - Ordinance No. 136-03. Amended by the Sauk County Board of Supervisors on February 19, 2004 - Ordinance No. 28-04. Amended by the Sauk County Board of Supervisors on May 16, 2006 - Ordinance No. 54-06. Amended by the Sauk County Board of Supervisors on March 17, 2009 - Ordinance No. 35-09. Amended by the Sauk County Board of Supervisors on August 18, 2009 - Ordinance No. 105-09. Amended by the Sauk County Board of Supervisors on October 20, 2009 - Ordinance No. 137-09. Amended by the Sauk County Board of Supervisors on June 15, 2010 - Ordinance No. 72-10. Amended by the Sauk County Board of Supervisors on March 15, 2011 - Ordinance No. 31-11. Amended by the Sauk County Board of Supervisors on January 17, 2012 - Ordinance No. 128-11. Amended by the Sauk County Board of Supervisors on August 21, 2012 - Ordinance No. 12-12. Repealed and recreated by the Sauk County Board of Supervisors on February 18, 2014 - Ordinance No. 2-2014. Amended by the Sauk County Board of Supervisors on _____, 2014 - Ordinance No. ____-14.

Amended May 11, 1971; amended June 15, 1971; amended May 15, 1973; revised March 5, 1975; recodified March 22, 1977; amended May 15, 1979; amended July 21, 1981; amended January 19, 1982; amended March 15, 1983; amended February 21, 1984; amended June 19, 1984; amended July 18, 1984; amended August 21, 1984; amended April 15, 1986; amended June 17, 1986; amended July 8, 1986; amended November 12, 1986; amended December 16, 1986; amended July 26, 1987; amended April 19, 1988; amended August 16, 1988; amended September 10, 1991; amended August 18, 1992; amended July 20, 1993; amended June 20, 1995; amended October 17, 1995; amended April 16, 1996; amended November 11, 1997; amended December 15, 1998; amended July 20, 1999. Amended by the Sauk County Board of Supervisors on October 16, 2001 - Ordinance No. 119-01. Amended by



Staff Report
Conservation, Planning, and Zoning Committee
Conservation, Planning, and Zoning Department, applicant
Ordinance Amendment Petition 16-2014

Hearing Date: November 13, 2014

Applicant:

Sauk County Conservation, Planning
and Zoning Department

Staff:

Brian Simmert, CPZ
355-4834
bsimmert@co.sauk.wi.us

Current Zone:

NA

Proposed Zone:

NA

Applicable Zoning Regulations:

NA

Notification:

(by U.S. mail, except newspaper)
October 21, 2014: Newspaper
October 21, 2014: CPZ Committee
October 21, 2014: Town Clerks
October 21, 2014: Airports

Town Board Approval:

Pending, Independent Town decision
for the Towns of LaValle and Ironton

Effective following County Board
Approval for all other towns except
Delton, Fairfield, Merrimac and
Washington

Exhibits:

- A. Chapter 7 Sauk County Zoning
Ordinance Amendment Package
(PH version dated 11/13/14)
- B. DRAFT Oct, 23, 2014 Chapter 7
Sauk County Zoning (just the pages
with changes)
- C. Electronic zoning map on Sauk
County's GIS website.

Request

A request by the Sauk County Conservation, Planning and
Zoning Department to approve a zoning ordinance
amendment package following the recent repeal and
recreation of Chapter 7 Sauk County Zoning Ordinance.

Areas Affected by the New Ordinance

As determined by towns that have previously adopted or
intend to adopt the new Ordinance.

Background

The County Board of Supervisors approved the repeal and
recreation of the Sauk County Zoning Ordinance on February
18, 2014. The newly adopted zoning ordinance accounts for
policy direction provided in each town comprehensive plans,
the *Sauk County Comprehensive Plan*, the joint
comprehensive plan for the Sauk Prairie area and the recently
adopted *Sauk County Farmland Preservation Plan*. The
ordinance has been certified by DATCP for a period of 10-
years, the maximum allowed, as meeting *Chapter 91*
Farmland Preservation of state statutes.

Because of the project scale and complexity of drafting a new
zoning ordinance, and despite best intentions otherwise, it is
difficult to develop an ordinance that does not include some
omissions, oversights, and incorrect references. Going into
the rewrite process, the CPZ Department made it clear to the
towns and County Board that an amendment package would
be introduced in late 2014 to address any oversights.

The amendment package, as show in Exhibit A, does not make
any substantive changes to the ordinance that would
otherwise need to be vetted with the towns affected by the
ordinance, however every affected town was given an
opportunity to provide comments and suggestions. In
addition to the changes noted in Exhibit A, the amendment
package will reinstate zoning on public lands which were
inadvertently unzoned on February 18, 2014.

As with any zoning ordinance, this zoning ordinance is a
dynamic document that can and will likely be amended from
time to time to address changing conditions. This
amendment package, in part, also accounts for changing
conditions since the date of adoption by the County Board.

Committee Action Options

Approve Petition 16-2014, based on the facts of the request presented at the public hearing, that the amendment package is necessary to correct omissions, oversights, and incorrect references since the original date of ordinance adoption by the County Board. Not Recommended.

Disapprove Petition 16-2014, based on the facts of the request presented at the public hearing. Not Recommended.

Modify and Approve Petition 16-2014, based on the facts of the request presented at the public hearing, that the amendment package is necessary to correct omissions, oversights, and incorrect references since the original date of ordinance adoption by the County Board. Recommended.

OFFICE OF
SAUK COUNTY CONSERVATION, PLANNING AND ZONING
SAUK COUNTY WEST SQUARE BUILDING
505 BROADWAY
BARABOO, WI 53913
Telephone: (608) 355-3245

NOTICE

PLEASE TAKE NOTICE, that the Conservation, Planning and Zoning Committee of the Sauk County Board of Supervisors will hold a public hearing on November 13, 2014, at 10:00 a.m., or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 16-2014 Ordinance Amendment. A petition to consider an amendment package following the recent repeal and recreation of Chapter 7 of the Sauk County Zoning Ordinance.
- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. The proposed ordinance has the effect of changing the allowable use of certain property, corrects ambiguous language, establishes clear ADA requirements, zones government owned property, and other sundry amendments. Property affected by the ordinance amendment includes all unincorporated lands within Sauk County except lands subject to respective extraterritorial zoning jurisdiction and areas identified as unzoned. A zoning map may be obtained from the Sauk County Conservation, Planning and Zoning Office at the below phone number and address.
- B. Any person desiring more information or to request copies of the proposed ordinance the Sauk County Conservation, Planning, and Zoning Office, Brian Simmert, at the Sauk County West Square Building (Telephone 608/355-3245). Copies of the proposed ordinance may also be obtained from the Sauk County Clerk.

Date: October 22, 2014

SAUK COUNTY CONSERVATION, PLANNING AND ZONING COMMITTEE

BY: BRIAN SIMMERT
Sauk County Department of Conservation, Planning and Zoning
Sauk County West Square Building
505 Broadway Street
Baraboo, WI 53913

To be published October 30, 2014 and November 6, 2014

For office use only: Pet. No. 16-2014

If you have a disability and need help, reasonable accommodations can be made for those so requesting provided that a 48 hour notice is given. Please call 608-355-3285 or TDD 608-355-3490.

RESOLUTION NO. 126 - 14

**AUTHORIZING THE PURCHASE OF A TRUCK
FOR CONSERVATION, PLANNING, AND ZONING DEPARTMENT**

WHEREAS, the 2015 Sauk County Budget authorized the expenditure of \$25,000 for the purchase of a vehicle for use by the Conservation, Planning, and Zoning Department to replace a vehicle; and,

WHEREAS, notice was distributed to all Sauk County car dealers and a bid notice provided on the County's website for all dealers, requesting bids for a vehicle to meet the Department's needs; and

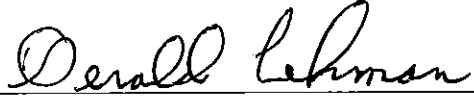
WHEREAS, the bid from Ewald Chevy of Oconomowoc was found to best meet the needs and requirements put forth in the bid solicitation notice and was selected by the Conservation, Planning, and Zoning Committee as the most advantageous bid for the vehicle required;

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the bid of Ewald Chevy of Oconomowoc for a 2015 Chevy Colorado Extended Cab WT for \$25,557.00 hereby be accepted with delivery to be made after January 1, 2015.

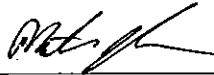
For consideration by the Sauk County Board of Supervisors on December 16, 2014.


Respectfully submitted,

SAUK COUNTY CONSERVATION, PLANNING AND ZONING COMMITTEE


Gerald Lehman, Chair



John Dietz



Nathan Johnson


Dennis Polivka


Judy Ashford, Vice Chair


Joe Fish


Eric Peterson


Randy Puttkamer

Fiscal Note: The 2015 adopted budget includes \$25,000 for the purchase of a vehicle in the Conservation, Planning, and Zoning Department Outlay Account, the \$557 over can be absorbed in the department's budget. *AMH*

MIS Note: No impact.

Bid quotes received were as follows:

2015 Conservation, Planning and Zoning Vehicle Acquisition		
Received From	Vehicle	Price
Ewald Chevy of Oconomowoc, WI	Chevy Colorado Extended Cab WT	\$25,557
Holz Motors of Hales Corners, WI	Chevy Colorado Extended Cab WT	\$26,161
Whiteside Chevrolet of Saint Clairsville, IL	Chevy Colorado Extended Cab WT	\$27,900
Whiteside Chevrolet of Saint Clairsville, IL	GMC Canyon Extended Cab	\$28,900

Note: All Vehicles are four wheel drive

127
RESOLUTION NO. - 2014

ESTABLISHING AN AD HOC COMMITTEE ON SUPERVISOR COMPENSATION

WHEREAS, Wis. Stat. § 59.10(3)(f), (g), (i) and (j) provide that the county board may, at its annual meeting, with a two-thirds vote, establish the compensation for board members subsequently elected, and for the term beginning in April of 2016, the annual meeting at which to establish this compensation will be the November 2015 meeting; and,

WHEREAS, the Executive & Legislative Committee is charged with matters pertaining to board operation, and may sponsor a resolution at the above referenced annual meeting regarding changes to supervisor compensation; and,

WHEREAS, it is desirable to create an Ad Hoc Committee on supervisor compensation to make recommendations consistent with Wis. Stat. § 59.10(3)(f), (g), (i) and (j), regarding the appropriate compensation for the supervisors next elected, with said Ad Hoc Committee charged with investigating the compensation of supervisors in other counties, consideration of the rate of inflation and the costs associated with serving on the county board, and such other matters as should practically be considered in making a sound recommendation to the Executive & Legislative Committee.

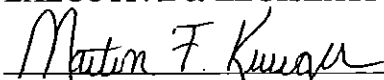
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that an Ad Hoc Committee on Supervisor Compensation is hereby created to consist of three county board supervisors, to be appointed by the chairperson as provided in Rule IV Q of the Rules of the Board to prepare a recommendation to the Executive & Legislative Committee regarding the appropriate compensation to be provided to board supervisors elected in 2016, with said Ad Hoc Committee to consider the factors identified above, and other appropriate factors deemed relevant; and,

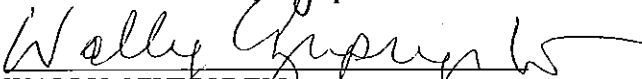
BE IT FURTHER RESOLVED, that the Ad Hoc Committee is authorized per diem and mileage for not more than four meetings, and shall make its recommendation to the Executive & Legislative Committee not later than the regular meeting of that committee in July of 2015 after which time the work of the Ad Hoc Committee is completed, and the committee shall be dissolved.


For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted,


EXECUTIVE & LEGISLATIVE COMMITTEE


MARTY KRUEGER, Chairperson


WALLY CZUPRYNSKI


DENNIS POLIVKA


JOAN FORDHAM, Vice-Chairperson


JOSEPH FISH

Fiscal Note: Passage of this resolution will cause the payment of per diem and mileage for three supervisors for a maximum of four meetings, the cost of which should be approximately \$700.00. Future impact based on committee recommendations cannot be determined at this time.

MIS Note: No MIS impact.

KPB

ORDINANCE NO. 11 - 2014

**REPEALING AND RECREATING CHAPTER 42
EMERGENCY MANAGEMENT ORDINANCE**

The County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, Sauk Co. Code ch. 42, Emergency Management is in need of revision to reflect changes in position responsibilities, the County's compliance with the National Incident Management System, and to provide current guidance in the event of a county-declared disaster, while meeting the county guidelines for competitive purchasing, emergency bidding and hiring; and,

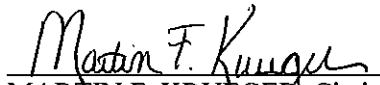
WHEREAS, other non-substantive changes were desirable to improve the clarity of the ordinance, and your undersigned Committee has considered these revisions and does recommend to the board that these changes be adopted.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that Sauk Co. Code ch. 42 is hereby repealed and recreated to read as contained in the attached Appendix and shall be effective upon passage.

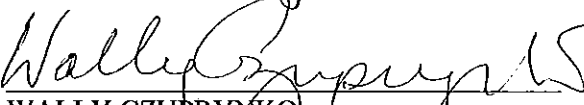
For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted,

EXECUTIVE AND LEGISLATIVE COMMITTEE


MARTIN F. KRUEGER, Chair


JOAN FORDHAM


WALLY CZUPRYNSKI


JOSEPH FISH


DENNIS POLIVKA

FISCAL NOTE: No fiscal impact. *KRB*

MIS IMPACT: No MIS impact.

CHAPTER 42

EMERGENCY MANAGEMENT

42.01	Purpose and intent.	42.07	Issuing authorities who may declare an emergency.
42.02	Definitions.	42.08	Emergency ordinances.
42.03	Emergency management staffing.	42.09	National incident management system and incident command system.
42.04	Emergency management committee.	42.10	Emergency bidding and hiring.
42.05	Sauk County Emergency Operations Plan.		
42.06	Utilization of existing services and facilities.		

42.01 Purpose and intent. (1) The purpose of this ordinance is to prescribe, in accordance with Wis. Stat. § 323.14(3), the operations and authority of the department and to establish the procedure for the declaration of an emergency in Sauk County to ensure that the county will be prepared to address emergencies resulting from enemy action, natural disaster, or technological emergency.

(2) It is the intent of the county board that all sections and provisions of this ordinance have an independent existence, and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the county board that any section or provision so declared shall be severable from, and shall not affect the validity of, the remainder of this ordinance.

(3) This ordinance shall be effective in all unincorporated areas of Sauk County and any incorporated municipality that has not passed an emergency management ordinance in accordance with Wis. Stat. ch. 323.

(4) Nothing in this ordinance shall prohibit or discourage the cities, towns, and villages, or the department from entering into any intergovernmental agreement regarding emergency management pursuant to Wis. Stat. § 66.0301.

42.02 Definitions. Unless specifically defined under this section, words and phrases used in this ordinance shall have the same meaning as they have at common law and to give this ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary. The terms "emergency

management," "emergency government," and "emergency operations" shall be interchangeable and given the same meaning throughout this ordinance.

(1) "Civil defense" means all measures taken by or on behalf of the State of Wisconsin and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.

(2) "County board" means the Sauk County Board of Supervisors.

(3) "Department" means the Sauk County Department of Emergency Management.

(4) "Emergency" means any event that inflicts damage or threatens to inflict damage to property or people.

(5) "Emergency management" means all measures undertaken by, or on behalf of, the county and includes "civil defense" as follows:

(a) To prepare for, and minimize, the effect of enemy action and natural or human-induced disasters upon persons and property;

(b) To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by action or disaster.

(6) "Emergency operations plan" means the *Sauk County Emergency Operations Plan* that identifies the various county functions to be performed during an emergency.

(7) "Enemy action" means any hostile action taken by a foreign power or a foreign or domestic terrorist organization, or both, which threatens the security of Sauk County or a portion of Sauk County.

(8) "Governor" means the Governor of the State of Wisconsin.

(9) "Natural disaster" means all other extraordinary misfortunes affecting the county whether natural, technological, or human induced and that are not included in the term "enemy action."

42.03 Emergency management staffing. (1) DIRECTOR OF EMERGENCY MANAGEMENT.

(a) The director of emergency management shall control, supervise, organize, and direct all operations of the emergency management program and department.

(b) The director of emergency management shall have all powers and duties necessary to effectuate the *Sauk County Emergency Operations Plan* and any future powers delegated by the county board.

(2) **DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT.** The safety and risk manager, in addition to duties assigned within the safety risk management program, shall assist the emergency management director in effectuating the *Sauk County Emergency Operations Plan* and emergency management program as directed, and assume any future powers delegated by the county board.

(3) **PROGRAM SPECIALIST.** The program specialist shall assist the emergency management director and deputy director in all aspects of the emergency management program and department.

42.04 Emergency management committee. (1) The executive and legislative committee is designated as the emergency management committee, pursuant to Wis. Stat. § 323.14. The chairperson of the county board is the chairperson of the committee.

(2) The emergency management committee is delegated policy-making and rule-making authority for the implementation of Wis. Stat. ch. 323. The emergency management committee shall plan and execute activities in accordance with applicable legal authority. The emergency management committee shall be subject to the powers of the county board and shall comply with the personnel, purchasing, and budgeting rules established by the county board. The emergency management committee shall utilize the services of the administrative coordinator who shall exercise general supervision and control over the director and deputy director of emergency management.

42.05 Sauk County Emergency Operations Plan. The department shall prepare and maintain an emergency management plan entitled the "*Sauk County Emergency Operations Plan*" that is consistent with the principals stated in Wis. Stat. ch. 323 and approved by the county board.

42.06 Utilization of existing services and facilities. In preparing and executing the emergency management program, the services, equipment, supplies and facilities of the existing departments and agencies of the county shall be utilized to the maximum extent practicable, and the officers and personnel of all departments and agencies are directed to cooperate with the emergency management director and to provide services and facilities as needed.

42.07 Issuing authorities who may declare an emergency. (1) WHO MAY DECLARE AN EMERGENCY.

(a) An emergency may be declared in Sauk County by the Governor in accordance with Wis. Stat. § 323.10, the governing bodies of the cities, towns, and villages in accordance with Wis. Stat. § 323.11, or by a majority of the county board.

(b) In the event an emergency occurs within Sauk County at a time when the county board is unable to meet for the purpose of making a declaration of an emergency, in order to access state emergency resources, fix liability for emergency response costs, or authorize emergency repairs to county facilities, the following persons may declare a state of emergency:

1. In the event the county board is unavailable, the chairperson of the county board may declare a state of emergency.

2. In the event the chairperson of the county board is unavailable, the director of emergency management may declare a state of emergency.

(2) A declaration of an emergency shall be confirmed by resolution of the county board at its next regularly scheduled or special meeting.

(3) The issuing authority shall issue all necessary proclamations regarding the existence of a state of emergency and shall issue disaster warnings or alerts as shall be required in the *Sauk County Emergency Operations Plan*.

(4) If any city, town, or village in Sauk County declares an emergency and Sauk County does not, the department may, upon request, assist

the requesting city, town, or village as necessary. Any expenditures for services rendered in response to an assist request shall be paid by the requesting municipalities unless other mutual aid agreements, contracts, or other binding documents dictate differently.

(5) A state of emergency shall continue until terminated by the issuing authority, except that any declaration not issued by the Governor may be terminated at the discretion of the county board by a majority vote.

(6) In the event that the Governor, the county board, the chairperson of the county board, or the director of emergency management determines that an emergency exists growing out of natural or human-induced disasters, expenditures for services rendered in participating municipalities shall be paid by participating municipalities unless other mutual aid agreements, contracts, or other binding documents dictate differently.

42.08 Emergency ordinances. Whenever necessary to meet an emergency for which insufficient ordinances are in place, the chairperson of the county board and, in the chairperson's absence, the director of emergency management may proclaim, promulgate, and enforce orders, rules, and ordinances relating to the conduct of persons and the use of property which are necessary and expedient for the safety, welfare, and good order of the county and to protect public peace, health, and safety, and preserve lives and property, and to ensure cooperation in emergency management activities. The proclamation shall be posted in 3 public places, and it may be rescinded by resolution of the county board.

42.09 National incident management system and incident command systems. Sauk County shall comply with the National Incident Management System requirements in all phases of its emergency management program as detailed by the federal and state government. This compliance is in order to facilitate an effective and coordinated emergency management system and in order to remain eligible for funding. As part of becoming compliant with the national incident management system, Sauk County, in this section, adopts the approved incident command system for use in all emergency operations. The Sauk County Emergency Management Office will provide

county and municipal agencies with the information necessary to aid each entity with complying with the national incident management system requirements.

42.10 Emergency bidding and hiring. In order to meet the needs of the community in a county-declared disaster in a timely manner while still meeting the county guidelines for competitive purchasing, requests for contractors may be released in the most expeditious form of legal notice and the open period may close no less than 3 days after the request is publically released. The county will review the submissions for both price and quality to select a bidder. In order to achieve economies of scale or to simplify the bidding process, municipalities may, at the time of disaster, submit a written letter requesting that the county hire contractors on the municipality's behalf. The municipality will remain responsible for the costs of their portion of the contract unless other arrangements are detailed in writing beforehand. The county may also implement an expedited hiring process. The intent of this process is to bring into county service temporary employees that may be needed on a limited-term basis specifically to aid in the recovery from a county declared disaster. In a formally declared county disaster, this provision of the ordinance would supersede existing county policy, resolution, or ordinance in order to expedite the hiring and bidding process only during this specifically declared event. If the county board is not available for approval, the chairperson of the county board, county administrative coordinator, or the county emergency management director may approve the implementation of this process.

As adopted by the Sauk County Board of Supervisors on February 19, 2004 - Ordinance No. 20-04. Repealed and Recreated by the Sauk County Board of Supervisors on Dec. 16, 2014 - Ordinance No. ____ -14.

ORDINANCE NO. 12-2014

**REPEALING SAUK CO. CODE CH. 37, RECORDS RETENTION
AND CREATING SAUK CO. CODE CH. 37, INFORMATION PRACTICES
AND REPEALING SAUK CO. CODE § 30.50**

The County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, Sauk Co. Code ch. 37 Records Retention is out of date and in need of revision, the existing provisions related to public records in the ordinances do not address electronic records, and other provisions of the ordinances addressing records are contained in miscellaneous provisions making them difficult to locate; and,

WHEREAS, the corporation counsel has done considerable research regarding the lawful handling of requests for electronic records and has drafted changes pertaining to these records as well as updating the ordinance to refer to the State of Wisconsin Public Records Board schedule for records retention, and relocated existing provisions related to public records from Sauk Co. Code § 30.50 to the new chapter; and,

WHEREAS, the attached appendix containing the proposed Sauk Co. Code ch. 37 entitled Information Practices is intended to be the single chapter dealing with records to provide both officials, employees and the public a single point of reference for all provisions of the ordinances pertaining to the general records of the county; and,

WHEREAS, other non-substantive changes have been made to improve the clarity of the ordinance, and your undersigned Committee has considered the changes and does recommend their adoption.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that ch. 37 of the Sauk Co. Code of Ordinances is hereby repealed and recreated to read as contained in the attached Appendix and shall be effective upon passage; and,


BE IT FURTHER ORDAINED, that in the event that the State of Wisconsin Public Records Board amends the General Schedules for County Governments, Sauk Co. Code ch. 37.12 will encompass the amended schedule as if set forth therein.

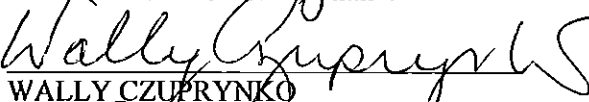
For consideration by the Sauk County Board of Supervisors on December 16, 2014

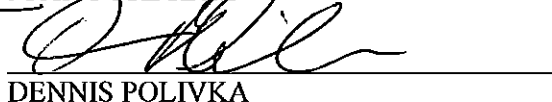
Respectfully submitted,


EXECUTIVE AND LEGISLATIVE COMMITTEE


MARTIN F. KRUEGER, Chair J


JOAN FORDHAM


WALLY CZUPRYNSKI


DENNIS POLIVKA


JOE FISH

FISCAL NOTE: Fees associated with responding to public records requests are calculated to represent only the actual cost of duplicating, locating, and mailing the record(s). A locating fee will only be charged if the cost to locate a record is \$50.00 or more.

MIS IMPACT: No direct impact.

YRB
s:/ccounsel/Ordindoc/Drafts&Notes/ch.37/Implementing Ordinance for ch. 37

CHAPTER 37

INFORMATION PRACTICES

37.01	Purpose.	37.08	Fees.
37.02	Historical records.	37.09	Separation of information.
37.03	Definitions.	37.10	Disposition.
37.04	Procedural information and notice to public.	37.11	Microfilming of optical disk storage of department records.
37.05	Treatment of certain data as records.	37.12	Retention schedule.
37.06	Access to public records.		
37.07	Form of request.		

37.01 Purpose. (1) This ordinance is intended to provide access to public records and to establish a retention schedule that authorizes the destruction of county records. This ordinance establishes procedures required to access public records and establishes minimum retention periods. This ordinance shall be construed with a presumption of public access, consistent with the conduct of governmental business. Denying access to records is contrary to the public interest unless exceptional reasons support denial. Sauk County adopts and incorporates the provisions of Wisconsin's Public Records Laws, Wis. Stats. §§ 19.21 to 19.39, inclusive of all future amendments and revisions.

(2) Records custodians may destroy a record prior to the time set forth in the schedule only if such a record has been reproduced as an original record in accordance with Wis. Stats. §§ 16.61(7) and 16.612. Storage of public records in electronic format shall comply with the requirements, standards, and guidelines set forth in Wis. Adm. Code § Adm 12.05. Any record not covered by this ordinance or any other regulation of law shall be maintained 7 years in accordance with Wis. Stat. § 19.21(5)(c). Records custodians are instructed to destroy non-records when they are no longer needed or useful. The following is intended to supplement, not to replace or supplant, the Wisconsin Public Records Law.

37.02 Historical records. The State Historical Society of Wisconsin has waived the required statutory 60-day notice under Wis. Stat. § 19.21(5)(d), for any record marked "Waived," waived notice, on the State of Wisconsin Public

Records Board's General Schedules for County Governments. The State Historical Society of Wisconsin must be notified prior to destruction of a record marked "Notify," non-waived. Notice is also required for any record not listed in this ordinance. "N/A" or "P" indicates not applicable and applies to any county record designated for permanent retention.

37.03 Definitions. For the purposes of this ordinance, certain words and terms are defined as follows:

(1) "Authority" means any of the following entities having custody of a record and constituting a part of Sauk County government, or being attached for administrative purposes to Sauk County government: an office, elected official, agency, department of a public body corporate and politic created by constitutional law, ordinance, rule, or order; or a formally constituted subunit of the foregoing.

(2) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes all items identified in Wis. Stat. § 19.32(2). "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to the custodian's office; materials to which access is limited by copyright, patent, or bequests; and

published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(3) "Legal Custodian" means:

(a) An elected official who is elected to a county office that oversees a department of the county. The official may designate an employee of the office to act as the legal custodian for records pursuant to Wis. Stat. § 19.33(1).

(b) Unless otherwise specifically provided, the county clerk or the clerk's designee shall act as legal custodian for the county board and for any committees, commission, boards, or authorities created by ordinance or resolution of the county board. In general, the county clerk will act as legal custodian with respect to notices and minutes of the county board, its committees and commissions, boards, or authorities; other records concerning the departments or activities within the jurisdiction of committees, commissions, or authorities, shall generally be maintained by the elected official, department head, or chief administrative officer of the departments or activities.

(c) For every authority not specified in pars. (a) or (b), supra, the authority's chief administrative officer is the legal custodian for the authority; the administrative officer may designate an employee of the officer's staff to act as the legal custodian.

(d) The legal custodian shall be vested by the authority with full legal power to render decisions and carry out the duties of the authority under this ordinance. Each authority shall provide the name of the legal custodian and a description of the nature of the legal custodian's duties under this subchapter to all employees of the authority entrusted with records subject to the legal custodian's supervision. Each legal custodian shall name a person to act as legal custodian in the legal custodian's absence or the absence of the legal custodian's designee. This subsection does not apply to members of the county board.

37.04 Procedural information and notice to public. (1) Each authority, in accordance with Wis. Stat. § 19.34; shall adopt, prominently display, and make available for inspection and copying at its offices for the guidance of the

public; a notice containing a description of its organization and the established times and places at which, the legal custodian from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records and the costs thereof. This subsection does not apply to members of the county board.

(2) Each authority, as defined in sub. 37.03(1), supra, shall promulgate the notice required under this subsection, file a copy of its notice with the county clerk, and display a copy of the notice at its own offices. This subsection does not apply to members of the county board.

37.05 Treatment of certain data as records. The Wisconsin Public Records Law provides limited guidance as to whether the raw and perishable data of the following technologies qualify as records that must be maintained. This ordinance provides the following status of these technologies:

(1) **E-MAIL.** The data in an e-mail message may constitute a public record and is subject to maintenance as a public record. The data in an e-mail is subject to the same analysis under the public records statutes as an equivalent paper or hard copy record. Management information systems is responsible for ensuring that all e-mails are properly preserved for analysis.

(2) **VOICE-MAIL.** A voice-mail message is not a public record and voice-mail messages do not have to be maintained as public records. These messages are the functional equivalent of phone conversations. Phone conversations are not public records. Additionally, voice-mail messages share many of the attributes of "personal notes" which are not public records. Voice-mail messages cannot be indexed or maintained in any manner that would allow for their easy classification, searching, or retrieval making retention impractical.

(3) **INSTANT MESSAGING AND TEXT MESSAGING.** Except as set forth in this paragraph and in sub. 37.05(10), infra, the data involved in instant messaging and text messaging communications is not subject to maintenance as a public record. Instant messaging and text messaging have all of the attributes of instantaneous exchange of ideas as does a

regular telephone conversation. The data exchange has the same technological issues regarding capturing and storage of data that is present with voice-mail. An additional concern is that the raw data is often briefly stored or not stored at all by third party vendors or hosts that provide these services. This technology is closer to a true telephone conversation than are voice-mails. County employees and officials shall refrain from using instant messaging and text messaging for official communication purposes, or for matters that would result in a public record if another format such as e-mail or written communication were employed, unless the employee or official preserves a copy of the instant messaging or text messaging communication by any of the following means:

(a) Copying the communication to their email account.

(b) Downloading the communication to a county computer.

(c) Making a computer file of the communication.

(d) Printing and retaining a copy of the communication.

(4) VOICE OVER THE INTERNET PROTOCOL. The county does not monitor nor record the data associated with the conversations that occur over voice over the internet protocol. These conversations are the same real time voice communications as standard telephone conversations that are not public records. The only difference between these communications is the medium employed in transmitting the voice communications from one participant in the conversation to all others involved in the conversation.

(5) AUDIO, VIDEO, DATA TRANSMISSIONS, AND COMMUNICATIONS. The county does not routinely copy the data, nor maintain records of audio, video, data and radio transmissions and communications that may be processed through county computer. When the county copies, records, or maintains copies or recordings of such communications or transmissions, those copies may constitute public records that are subject to records requests and must be maintained according to the appropriate records retention schedule. The Sauk County 9-1-1 center is the custodian for police and fire radio communications.

(6) AUDIO AND VIDEO RECORDINGS. Unless otherwise provided in this ordinance, public records are subject to requests and must be maintained according to the retention schedules published in this ordinance.

(a) *Rewritable Recording Systems*. Those systems where the recordings are routinely overwritten by newer recordings, such as in continuous loop videotape or digital video written to a camera's hard drive or memory, do not constitute a record unless the recordings are further downloaded, printed, or separately preserved to memorialize some event or proceeding. Until such time as these recordings are downloaded, printed, or separately preserved, these recordings do not have to be preserved and, as the recording equipment programs or protocols may dictate, can be overwritten, erased, or otherwise destroyed. If such data is downloaded, printed, or separately preserved, it shall be treated as a record and shall be retained in accordance with the retention schedules.

(b) *Recordings Made for Preparing Minutes of Meetings*. In accordance with Wis. Stat. § 19.21(7), any tape recording of a meeting, as defined in Wis. Stat. § 19.82(2), by any government body as defined by Wis. Stat. § 19.82(1), may be destroyed, overwritten, or recorded over no sooner than 90 days after the minutes have been approved and published if the purpose of the recording was to take minutes of the meeting.

(7) ELECTRONIC DOCUMENT FILES. Where records, as that term is defined in Wis. Stat. § 19.32(2), exist only in an electronic format, the electronic records shall be maintained according to the appropriate retention schedule. Where both hard copy and electronic copies of a record exist, they shall each be subject to public records requests. When the custodian has designated electronic records as the official records, only an electronic copy shall be retained and made available for inspection under the public records laws. Where the custodian has not made such a designation, only the hard copy shall be subject to inspection as a public record and the electronic copies shall be treated and disposed of as draft documents that do not need to be maintained beyond creation of the final hard copy.

(8) **ELECTRONIC LOGS AND TEMPORARY DATA FILES.** Electronic logs and temporary data files provide detailed information about the design and functionality of the county's computer network. These logs are routinely overwritten on a daily basis due to the high volume of traffic that is being logged. Unrestricted access to these logs and files would constitute a breach of system security and leave the system vulnerable to exploitation and hacking. In order to ensure network security, these logs are available to the MIS coordinator's authorized staff only. These determinations apply to the following types of logs and data files:

(a) *Syslogs for Network Electronic Devices.* All logs created by network devices such as firewalls, routers, and switches, which are used for monitoring and trending computer network traffic patterns or detecting unauthorized network traffic, or both.

(b) *Network Server Security, Application, and Event Logs.* These logs are used to monitor activity on county network servers including successful and unsuccessful login attempts, file system access, and hardware performance. These logs provide detailed information about county network account ID's, file system structure, and hardware profiles.

(c) *Network Security Appliance Logs.* All logs created by network security devices such as the anti-virus appliance, anti-SPAM appliance, and content filtering appliance, which are used to monitor specific types of unauthorized or malicious traffic on the county network. These logs identify specific network traffic patterns and protocols that are allowed or disallowed on the county network.

(d) *Application Logs.* These logs are used to monitor activity on various database applications; they do not contain specific audits of database transactions. These logs may contain version information, program variables, and programming logic.

(9) **EMERGING TECHNOLOGIES AND RECORDS RETENTION.** (a) As new information technologies emerge, the management information systems coordinator (MIS coordinator) shall evaluate these technologies and their benefit to county operations. The MIS coordinator shall consider whether any of these

technologies provide the capacity to archive public records created by these technologies. Whenever it is economically and practically feasible to archive records created by emerging technologies, archiving shall be incorporated into any deployment of the technologies.

(b) Whenever the technologies do not provide for such archiving capabilities, the MIS coordinator shall consider whether the benefits of employing such technologies outweigh the risks that some public records may not be retained by deployment of the technologies. Where benefits outweigh the risks, county employees shall refrain from using new technologies for official communication purposes or for matters that would result in a public record if another format such as e-mail or written communication were employed. In the event that newly emerging technologies are used for communication purposes, the employee shall preserve a copies of these communications by any of the following means:

1. Copying communications to their email account.
2. Downloading communications to a county computer.
3. Making a computer file of the communications.
4. Printing and retaining copies of the communications.

The MIS coordinator shall also ensure that, as soon as practical and economically feasible, archiving systems are obtained for any information technology that is deployed without an archiving system.

(10) **USE OF TECHNOLOGIES TO AVOID THE DUTY TO PRESERVE PUBLIC RECORDS IS PROHIBITED.** No employee shall use or employ any form of communication or information technology with the intent or design to circumvent the records retention requirements of this ordinance. Text Messaging shall not be used in lieu of e-mail to share or create a public record unless the employee complies with the provisions of sub. 37.05(3), *supra*.

37.06 Access to public records. (1) The rights of any person who requests inspection or copies of a record are governed by the provisions of Wis. Stat. § 19.35(1).

(2) Each authority shall provide any person who lawfully requests to inspect or copy a record which appears in written form, or who requests to photograph a record that is only available in a form that does not permit copying, with facilities comparable to those used by its employees in order for the requesting person to inspect, copy, abstract, or photograph the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic, or other equipment or to provide a separate room for the inspection, copying, abstracting, or photographing of records.

(3) Each authority, upon request for any record, shall as soon as practicable and without delay, either fill the request or notify the requestor of the authority's determination to deny the request in whole or in part and the reason for denial of the request. An oral request may be denied orally unless a demand for a written statement of the reasons denying the request is made by the requestor within 5 business days of the oral denial. If an authority denies a written request in whole or in part, the requestor shall receive from the authority a written statement of the reasons for denying the written request. Every written denial of a request by an authority shall inform the requestor that if the request for the record was made in writing, then the determination is subject to review upon petition for a writ of mandamus under Wis. Stat. § 19.37(1), or upon application to the attorney general or a district attorney.

(4) **FORMAT FOR DELIVERY OF RECORDS.**

(a) Except as otherwise provided by law, any requestor may receive or inspect a record in the same format in which the county maintains the record. Whenever it is necessary to redact or excise portions of a record in order to comply with the Wisconsin Public Records Law, the redactions shall be made with the assistance of the MIS department. Whenever electronic redaction or excisions cannot be done in a secure manner that preserves such redactions and prevents the viewing of the redacted information, such redactions should be made by hand, not electronically, and the requestor shall only receive a hard copy, not an electronic copy, of the redacted record. A requestor may not be

charged for the time necessary to review a record or to redact or excise non-releasable materials.

(b) When practicable, records may be e-mailed to the requestor or provided by a media storage device. In order to ensure the integrity of county records, any e-mailed document shall be converted to a secure format prior to sending the document to anyone outside of the county government. There shall not be any reproduction charge for e-mailing records, however, such records may still be subject to payment of a location fee as established in Wis. Stat. § 19.35(3)(c).

(5) **SPECIAL RULES REGARDING REPRODUCTION OF E-MAIL RECORDS.** (a) E-mails dated January 1, 2011, or before were not stored in an archive. The restoration and location of these e-mails is difficult and labor intensive. Such requests often take more than 30 days to comply with due to labor and technical issues. Custodians who receive requests for these records should inform the requestor of these issues. Such requests must be immediately forwarded to the MIS coordinator who may prepare an estimate of the actual, necessary, and direct cost of locating such records and the MIS coordinator shall provide technical assistance to the custodian.

(b) All Sauk County e-mail transactions dated January 1, 2011, or later have been preserved in a searchable data archive, subject to retention as provided in this ordinance. When requests are made for such records, custodians shall clarify with the requestor, the various search terms and e-mail boxes that the requestor would have the county search. Once the requestor has specified search terms, the custodian shall contact the MIS coordinator for technical assistance in fulfilling the request.

(c) E-mails are often sent to multiple recipients creating a chain. A requestor will be provided with one copy of an e-mail and all responses to that e-mail. Unless a requestor specifically requests otherwise, the requestor will not be provided with multiple copies of an e-mail showing receipt by each of the designated e-mail recipients.

(6) **TIME FOR COMPLIANCE AND PROCEDURES.** (a) The fulfillment of public records requests is a high priority for the county.

Each custodian, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requestor of the custodian's determination to deny the request in whole or in part and the reason for the denial. If a request may take more than 10 business days to process, then the custodian must respond to the requestor within those 10 days with an estimate of when the processing will be completed and with an explanation of the reason supporting that estimate.

(b) Before any custodian may deny access to any records or portion of a record, the custodian must consult with the corporation counsel. The consultation shall occur as soon as practicable after the custodian has assembled and reviewed the requested records. In any response to a requestor, the custodian shall include a statement that the corporation counsel was consulted regarding the denial of access to the requested records. Any denial of access made by a custodian without such consultation and statement is not considered a response from Sauk County.

(c) The county shall maintain a procedure whereby individuals may inform the county that their safety may be endangered by the release of otherwise available public records and whereby individuals may request that records be maintained as confidential records. The office of the corporation counsel and MIS shall work cooperatively to maintain the necessary procedures and policies to facilitate and respond appropriately to such communications.

(7) No custodian may destroy a record at any time after the receipt of a request for inspection or copying of a record until after the request is granted or until at least 60 days after the date that the request is denied. If any legal action is pending regarding or related to the record, the record may not be destroyed without the express authorization of the corporation counsel. No record that is the object of, or that has been produced in accordance with, a discovery order or a subpoena may be destroyed without the express consent of the corporation counsel.

37.07 Form of request. The Wisconsin Public Records Law dictates that certain actions must be taken regarding oral requests for records

and that certain more formal actions are taken in response to written requests for records. State law does not expressly explain how to respond to the following methods of communication. Therefore, requests made by the following means shall be responded to as follows:

(1) **E-MAIL.** A request made by e-mail may be responded to via e-mail or in writing and shall comply with all of the formalities as though the request was made in writing.

(2) **VOICE-MAIL.** A request made by voice-mail shall be responded to as though it were made orally.

(3) **INSTANT MESSAGING AND TEXT MESSAGING.** A request made in either such manner shall be treated as an oral request.

37.08 Fees. (1) Each authority shall impose a fee upon the requestor of a copy of a record. The imposed fee may not exceed the actual, necessary, and direct cost of reproduction and transcription of the record unless a fee is otherwise specifically established, or authorized to be established, by the law.

(2) Each authority shall impose a fee upon the requestor of a copy of a record for the actual, necessary, and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.

(3) Except as otherwise provided by law or as authorized to be prescribed by law, an authority shall impose a fee upon a requestor for locating a record, not exceeding the actual, necessary, and direct cost of location, if the cost is \$50 or more.

(4) Each authority shall impose a fee upon a requestor for the actual, necessary, and direct cost of mailing or shipping of any copy or photograph of a record that is mailed or shipped to a requestor.

(5) Each authority shall require prepayment by a requestor of any fee or fees imposed under this subsection if the total amount exceeds \$5. An authority may provide copies of a record without charge or at a reduced charge where the authority determines that waiver or reduction of the fee is in the public interest.

37.09 Separation of information. If a record contains information that may be made public and information that may not be made public, the authority having custody of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. Each authority shall consult with the corporation counsel before releasing any information requiring separation under this subsection.

37.10 Disposition. (1) Each custodian may dispose of records when the minimum retention period expires.

(2) Sixty days prior to the destruction of records, written notice of destruction must be given to the Wisconsin Historical Society in accordance with Wis. Stat. § 19.21(5)(d). This does not apply to any record listed in the schedule and designated “waived”.

(3) Prior to the destruction of records, the custodian must determine if there is litigation, an audit, or a public records request pending. If so, place a “hold” on records and cease all disposition activity until:

(a) After a public records request is granted, or 60 days after a request is denied pursuant to Wis. Stat. § 19.35(5); or,

(b) Until any litigation or audit is fully and finally resolved.

37.11 Microfilming of optical disk storage of department records. (1) Departments may keep and preserve public records through the use of microfilm or optical disk storage providing that the applicable standards established in Wis. Stats. §§ 16.61(7) and 16.612 are met.

(2) Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on optical disk. Paper records converted to either microfilm or optical disk storage should be destroyed. The retention periods identified in this ordinance apply to records in any media.

37.12 Retention schedule. Sauk County hereby adopts the State of Wisconsin Public Records Board’s General Schedules for County Governments. The retention schedule can be

found at the Wisconsin Public Record Board’s website.

Approved by the State of Wisconsin Public Records Board, August 16, 1995. Adopted by Sauk County Board of Supervisors, September 21, 1995. Amended by the Sauk County Board of Supervisors on October 21, 2003 – Ordinance No. 139-03. Repealed and Recreated by the Sauk County Board of Supervisors on December 16, 2014 – Ordinance No. ____ -14.

ORDINANCE NO. 13 - 2014

**AMENDING CHAPTER 15, ALL-TERRAIN VEHICLE (ATV)
AND UTILITY-TERRAIN VEHICLE (UTV) CROSSINGS AND ROUTES
ON COUNTY TRUNK HIGHWAYS**

The County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, Sauk Co. Code ch. 15 regulates approval of ATV routes, and in April 2014, the Wisconsin State Legislature enacted 2013 Act 313, which granted authority to counties and local governments to establish ATV routes on state trunk highway bridges, and your undersigned committee does believe Sauk County should have the discretion to so designate such routes; and,

WHEREAS, the attached amendments to Sauk Co. Code ch. 15 provide authority to the Highway and Parks Committee to designate ATV and UTV routes on state trunk highway bridges and provide for rules and regulations pertaining to ATVs and UTVs; and,

WHEREAS, your committee has been advised that the speed that ATVs and UTVs can operate on a route should be increased from a maximum of 25 to 35 miles per hour unless a reduced speed is otherwise required by law, and that it is unnecessary to provide for the seasonal closure of routes; and,

WHEREAS, other non-substantive changes have been made to the attached ordinance which do not substantially change its meaning; and,

WHEREAS, your undersigned Committee has considered these amendments to ch. 15 and believes that adoption of these amendments is in the best interest of the people of Sauk County.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that ch. 15 of the Sauk Co. Code is hereby amended to read as provided on the attached Appendix.


For consideration by the Sauk County Board of Supervisors on December 16, 2014.

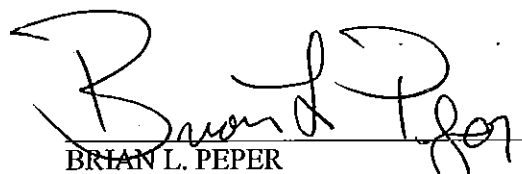
Respectfully submitted,

HIGHWAY & PARKS COMMITTEE:


TIM MEISTER, Chair


HENRY METZINGER


JOE FISH


BRIAN L. PEPPER


JERRY G. KAST

FISCAL NOTE: No fiscal impact. *VPB*
MIS IMPACT: No MIS impact.

CHAPTER 15

**ALL-TERRAIN VEHICLE (ATV)
AND UTILITY-TERRAIN VEHICLE (UTV) CROSSINGS AND ROUTES
ON COUNTY TRUNK HIGHWAYS IN SAUK COUNTY**

15.03 Designating ATV/UTV routes. (1) The county board has delegated its authority to designate ATV/UTV routes on county trunk highways and state trunk highway bridges to the highway and parks committee. Any modification to a designated ATV/UTV route must be approved by the highway and parks committee. A copy of designated ATV/UTV routes, along with a map showing their location, shall be kept on file at the highway department, provided to the sheriff's department, and posted on the Sauk County website. The highway commissioner shall have the authority to close or terminate any ATV/UTV route on a county trunk highway system or state trunk highway bridge and shall advise the highway and parks committee at its next regular meeting of any closure or termination. The highway and parks committee may reverse the decision of the highway commissioner, but the decision of the highway and parks committee on closure or termination shall be final.

(2) ATVs and UTVs operated on designated routes on county trunk highways shall operate on the roadway and not on the shoulder, ditch, or other parts of the highway right-of-way. ATVs and UTVs operated on designated ATV/UTV routes on a state trunk highway bridge shall:

(a) Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing;

(b) Stay as far to the right of the roadway or shoulder as practicable;

(c) Stop the vehicle prior to the crossing;

(d) Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder;

(e) Exit the highway as quickly and safely as practicable after crossing the bridge.

15.04 Permit process. (1) Any municipality or organization that desires a route along, or a crossing over, a county trunk highway or on a state trunk highway bridge may request a route or crossing permit. Anyone requesting a permit shall complete an application in compliance with this policy ordinance and the Wisconsin Statutes and file the application with the highway department. The highway department and highway and parks committee will review the application using the process in this ordinance. No person shall commence or continue using a county trunk highway or state trunk highway bridge, or request or allow others to commence or continue using a county trunk highway or state trunk highway bridge, unless a permit has been issued and remains in effect pursuant to this ordinance.

15.05 Regulations on operation and maintenance of crossings and routes. (1) The following restrictions shall apply to operation of ATVs and UTVs on designated routes:

(a) ATVs and UTVs shall not be operated on an approved route other than between one-half hour before sunrise and one-half hour after sunset, from April 15 through November 15 only;

(b) ATVs and UTVs shall be operated on a route at a safe speed not to exceed 25 35 miles per hour unless a reduced speed is otherwise required by law.

RESOLUTION 128-14

**Request To Accept Proposal For One (1) Tractor and Roadside Mower
From Scenic Bluffs Implement, Union Center, Wisconsin**

WHEREAS, your Highway Department is in need of one (1) Tractor and Roadside Mower, and in a planned program of replacement, having set minimum specification for same, and

WHEREAS, your Committee has agreed to accept the following proposal which met our specifications subject to County Board approval:

From: Scenic Bluffs Implement
Union Center, Wisconsin

One (1) New Holland TS6110 Tractor with Tiger Roadside Mower	\$ 73,036.00
---	--------------


Net Cost, F.O.B. Baraboo	\$ 73,036.00
--------------------------	--------------

NOW, THEREFORE BE IT RESOLVED, that the above bid be approved, it further being understood that this expenditure will be paid from Highway Department funds.

For Consideration by the Sauk County Board of Supervisors on December 16, 2014.

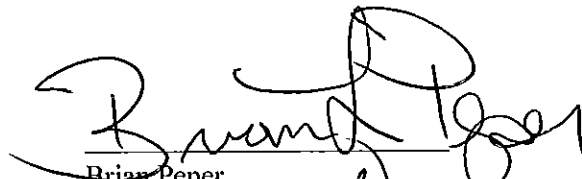
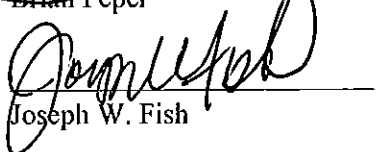
Respectfully submitted:


Sauk County Highway and Parks Committee


Martin (Tim) Meister, Chair


Henry Netzinger


Jerry G. Kast


Brian Peper

Joseph W. Fish

Fiscal Note: This Expenditure will be paid from Highway Fund Account #70-185010. 
MIS Note: No MIS Impact.

SUMMARY SHEET BID PROPOSAL

BID LETTING DATE: November 12, 2014 at 9:30 a.m.
FOR ONE (1) TRACTOR/ROADSIDE MOWER

FIRM NAME	ST. JOSEPH EQUIPMENT	MID STATE EQUIPMENT	MC FARLANE IMPLEMENT	HILLSBORO EQUIPMENT	SCENIC BUFFS EQUIPMENT	SIMPSON'S TRACTOR
MAKE & MODEL	RICHARDS CENTER CASE IH 110A TIGER MOWER	JOHN DEERE 6115 D TIGER MOWER	SAUK CITY KUBOTA M108SHDC2 <u>No Mower Bid</u>	HILLSBORO JOHN DEERE 6115 D DIAMOND MOWER	UNION CENTER NEW HOLLAND TS6.110 TIGER MOWER	RICHARDS CENTER NEW HOLLAND TS6.110 DIAMOND MOWER
TOTAL NET COST F.O.B. BARABOO	TRACTOR 52650 MOWER 27300 79,950	54,860 27,197 82,057	50,425	58,200 29,400 87,600	45,999 27,037 73,036	51,433 27,400 78,833
DELIVERY DATE	6/1/2015	4/20/2015			2/1/2015	2/1/2015
REMARKS			KUBOTA M100GXDTG 54,600 KUBOTA M126GXDTG 64,500		DIAMOND MOWER 27,400 OPTION	

* LOW BID

BID TRACTOR ONLY NO MOWER BID

RESOLUTION 129- 14

Authorizing Reimbursement For Attendance At The Wisconsin County Highway Association Winter Road School

WHEREAS, on January 12, 13, 14, 2015 the Wisconsin County Highway Association will be hosting a Winter Road School; and,

WHEREAS, this session will allow policy makers an opportunity to learn about a variety of issues that occur in field of study as well as the technological advances used in field of study today; and,

WHEREAS, the Rules of the Board stipulate that attendance of a school, institute or meeting which is not a part of regular committee meetings requires approval by the County Board of Supervisors (Rule V.A. of the Rules of the Sauk County Board of Supervisors).

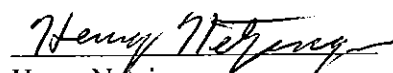
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, hereby approves compensating and reimbursing expenses of four Sauk County Highway Committee members for attendance at the Wisconsin County Highway Association Winter Road School at the Chula Vista in Wisconsin Dells, WI on January 12, 13, 14, 2015.

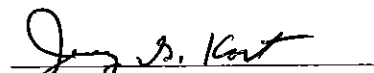
For consideration by the Sauk County Board of Supervisors on December 16, 2014.

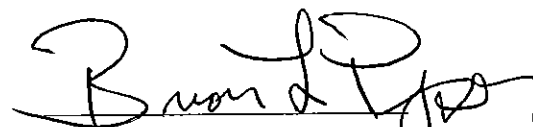
Respectfully submitted:

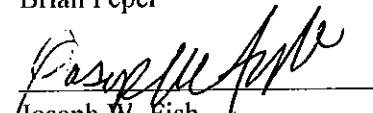
Sauk County Highway and Parks Committee


Martin (Tim) Meister, Chair


Henry Netzing


Jerry G. Kast


Brian Peper


Joseph W. Fish

Fiscal Note:

Estimated Costs	Cost per Person	Number of Persons	Total Estimated Cost
Registration	\$ 165.00	4	\$ 660.00
Meals and Expenses (i.e. hotel, parking, etc.)	\$ 0.00		\$ 0.00
Per Diem and Benefits	\$ 200.00	4	\$ 800.00
Mileage	\$ 50.00	4	\$ 200.00
Total Estimated Costs	\$415.00		\$ 1,660.00

MIS Note: No MIS Impact.

RESOLUTION 130 - 14

**Authorizing Highway Commissioner Of Sauk County To Enter Into An
Agreement With The Village Of Prairie du Sac And The Sauk Prairie School District
For Cost Share Of Traffic Signal Installation CTH PF.**

WHEREAS, the Sauk County Highway Department Mission is the development, maintenance, and safe operations of the Sauk County Transportation System; and

WHEREAS, the Sauk County Highway Department maintains the travel lanes of CTH PF in Village of Prairie du Sac; and

WHEREAS, the Village of Prairie du Sac and the Sauk Prairie School District has completed a traffic impact analysis for the proposed elementary school to be constructed at the intersection of CTH PF/13th Street; and

WHEREAS, the traffic impact analysis showed a need for improvements to the CTH PF/13th Street intersections to accommodate the additional school traffic; and

WHEREAS, an all-way stop-control and traffic signal-control alternatives were analyzed for CTH PF/13th Street intersection; and

WHEREAS, the traffic signal-control alternative is the preferred intersection treatment for the following reasons: additional right of way not needed, minimal or no impact to the multiuse path, provides signal-controlled push button-actuated pedestrian crossings, does not require CTH PF traffic to stop at the intersection at all times; and

WHEREAS, Sauk County, Village of Prairie du Sac and the Sauk Prairie School District have agreed to share the costs for construction and engineering of a two-phase actuated-control traffic signal; and

WHEREAS, the Village of Prairie du Sac is responsible for ownership and maintenance of the traffic control signal; and

WHEREAS, the Sauk County Highway and Parks Committee unanimously approved a motion on October 15, 2014 to fund one third of the estimated cost of \$165,000.00, not to exceed \$55,000.00 for the construction and engineering of a traffic control signal.

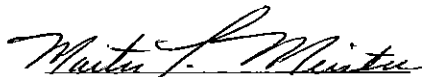
NOW, THEREFORE BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the Highway Commissioner is authorized to act on its behalf to sign an agreement for cost sharing of construction and engineering of a traffic control signal with the Village of Prairie du Sac and the Sauk Prairie School District.

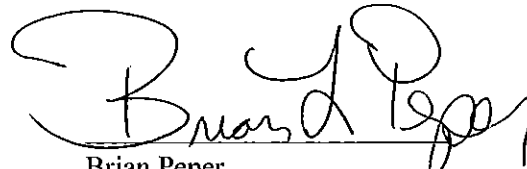
RESOLUTION NO. 130-14
Page 2


For Consideration by the Sauk County Board of Supervisors on December 16, 2014.

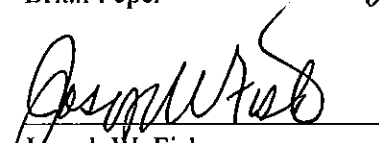
Respectfully submitted:

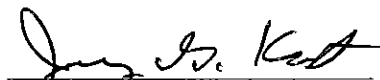
Sauk County Highway and Parks Committee



Martin (Tim) Meister


Brian Peper


Henry Netzing


Joseph W. Fish


Jerry G. Kast

Fiscal Note: This Expenditure will be paid from Highway Fund Acct#70030322-526100 

MIS Note: No MIS Impact.

**RESOLUTION RESTRUCTURING THE FEE SCHEDULE OF PROCESS FEES IN THE SAUK
COUNTY SHERIFF'S OFFICE EFFECTIVE JANUARY 1, 2015**

WHEREAS, Section 814.705 (1) (a), Wisconsin Statutes, authorizes the Sauk County Board of Supervisors to establish fees higher than the level set by state statute for various services performed by the Sauk County Sheriff's Office; and

WHEREAS, Section 814.70, Wisconsin Statutes, authorizes the Sauk County Sheriff's Office to collect necessary expenses incurred with respect to civil process; and

WHEREAS, the Sauk County Sheriff's Office currently charges \$30 per attempt for paper service, writs and executions, \$15 for the second paper served at the same address plus 55 cents per mile calculated from the County Seat; and

WHEREAS, the Sauk County Board of Supervisors revised service of process fees by Resolution No. 67-03 adopted on April 15, 2003; and

WHEREAS, a flat fee would create less billing calculations while maintaining the same overall fees charged for paper service; and

WHEREAS, a flat fee would allow for requiring prepayment of service fees and therefore eliminate past due and unpaid accounts and eliminate the additional efforts to recoup the money owed on those accounts; and

WHEREAS, the Sauk County Sheriff's Office recommends a flat fee of \$60 for paper service and \$90 for writs and executions, which may, in effect, increase the fees for service; and

WHEREAS, it is appropriate at this time to establish a new fee schedule for service of process by the Sheriff's Office to more closely reflects the actual cost of providing service

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session that the Sauk County Sheriff be and hereby is authorized and directed to base process fees on a flat fee for service, \$60 for paper service, and \$90 for writs and executions, plus additional officer hours and expenses when necessary effective January 1, 2015

For consideration by the Sauk County Board of Supervisors this 16th day of December, 2014

Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE

WILLIAM WENZEL, CHAIR

MICHELLE DENT

GERALD LEHMAN

DAVID MOORE

Resolution No. 131 -14

Page 2

Fiscal Note:

No anticipated changes in revenue in the 2015 budget. KAS

Service	Current Fee	Proposed Fee
Sheriff's Sale (post)	75.00	75.00 (No change)
Sheriff's Sale (held)	75.00	75.00 (No change)
Paper Service	30.00 per attempt	60.00 (includes mileage & 3 attempts)
Add'l Defendant/ Same address	15.00	60.00 (includes mileage & 3 attempts)
Add'l Defendant / Different address	30.00 per attempt	60.00 (includes mileage & 3 attempts)
Mileage	.55 a mile	(Now included in base charge)
Writs	30.00 attempt + mileage	\$90.00 plus \$50 per officer per hour & additional expenses if required
Executions	30.00 attempt & mileage	\$90.00 plus \$50 per officer per hour & additional expenses if required

MIS Note: No MIS impact.

RESOLUTION NO. 132-2014

**RESCINDING SO MUCH OF RESOLUTION NO. 118-2014
INVOLVING THE TAKING OF A TAX DEED ON PARCEL
NUMBER 018-0444-00000 IN THE TOWN OF GREENFIELD AND MORE
PARTICULARLY DESCRIBED BELOW**

WHEREAS, by Resolution No. 118-2014, the Honorable Sauk County Board of Supervisors authorized the taking of a tax deed on parcel number 018-0444-00000 more particularly described below:

TOWN OF GREENFIELD, S 15-11-7 PRT SWNE & SENE = CSM #1004, LOT 25 3.609 A, more particularly described in the Register of Deeds Office at Reel 626, Image 383; Reel 191, Image 473; Reel 128, Image 496; and Volume 366, Page 144

WHEREAS, Sauk Co. Code § 30.03(6) and Wis. Stat. § 75.35(3) authorizes Sauk County to give preference to a former owner in the sale of property taken by tax deed; and,

WHEREAS, your undersigned Committee has had this matter under advisement, and has determined that it is in the best interest of Sauk County to give preference to the former owner of this property because the funds received will compensate the County in full for the amounts due and owing.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that so much of Resolution No. 118-2014 as it pertains to the above described parcel of real property located in the Town of Greenfield is hereby rescinded; and,

BE IT FURTHER RESOLVED, that the County Clerk shall be and hereby is authorized to sign documents effectuating and providing notice of rescission of a portion of said tax deed.

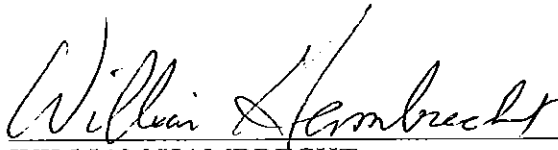
For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted:

PROPERTY & INSURANCE COMMITTEE



SCOTT VON ASTEN, Chairperson


NATHAN S. JOHNSON


WILLIAM HAMBRECHT


JEFFREY GIEBEL

VACANT

FISCAL NOTE: Funds received were \$4,580.97. This amount is sufficient to cover all previously owed Taxes (Years of 2010 thru 2013) in the amount of \$2,403.22; an estimated amount for the 2014 Taxes of \$900.00; Penalties and Interest in the amount of \$839.41; Tax Deed Service Charge in the amount of \$150.00; Service Charges pursuant to Sauk County Ordinance 30.03(6) (b) in the amount of \$258.34 and Recording Fee of \$30.00. 
MIS NOTE: No impact.

RESOLUTION NO. 133-2014

**RESCINDING SO MUCH OF RESOLUTION NO. 118-2014
INVOLVING THE TAKING OF A TAX DEED ON PARCEL
NUMBER 146-0790-20200 IN THE VILLAGE OF LAKE DELTON AND MORE
PARTICULARLY DESCRIBED BELOW**

WHEREAS, by Resolution No. 118-2014, the Honorable Sauk County Board of Supervisors authorized the taking of a tax deed on parcel number 146-0790-20200, more particularly described below:

VILLAGE OF LAKE DELTON, HIAWATHA SUB (PRT LTS 22-25 & 64-68) = LIGHTHOUSE COVE CONDO (PH 1) UNIT 202, more particularly described in the Register of Deeds Office at Document No. 854410; Document No. 749276; Document No. 740681; and Document No. 740680

WHEREAS, Sauk Co. Code § 30.03(6) and Wis. Stat. § 75.35(3) authorizes Sauk County to give preference to a former owner in the sale of property taken by tax deed; and,

WHEREAS, your undersigned Committee has had this matter under advisement, and has determined that it is in the best interest of Sauk County to give preference to the former owner of this property because the funds received will compensate the County in full for the amounts due and owing.

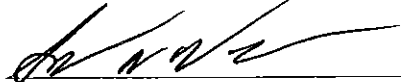
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that so much of Resolution No. 118-2014 as it pertains to the above described parcel of real property located in the Village of Lake Delton is hereby rescinded; and,

BE IT FURTHER RESOLVED, that the County Clerk shall be and hereby is authorized to sign documents effectuating and providing notice of rescission of a portion of said tax deed.

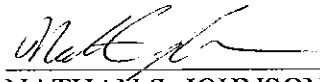
For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted:

PROPERTY & INSURANCE COMMITTEE



SCOTT VON ASTEN, Chairperson



NATHAN S. JOHNSON



WILLIAM HAMBRECHT



JEFFREY GIEBEL

VACANT

FISCAL NOTE: Funds received were \$8,764.80. This amount is sufficient to cover all previously owed Taxes (Years of 2010 thru 2013) in the amount of \$4,750.46; an estimated amount for the 2014 Taxes of \$1,400.00; Penalties and Interest in the amount of \$2,058.73; Tax Deed Service Charge in the amount of \$150.00; Service Charges pursuant to Sauk County Ordinance 30.03(6) (b) in the amount of \$375.61 and Recording Fee of \$30.00.

MIS NOTE: No impact.

RESOLUTION NO. 134-2014

**RESCINDING SO MUCH OF RESOLUTION NO. 118-2014
INVOLVING THE TAKING OF A TAX DEED ON PARCEL
NUMBER 146-1053-70530 IN THE VILLAGE OF LAKE DELTON AND MORE
PARTICULARLY DESCRIBED BELOW**

WHEREAS, by Resolution No. 118-2014, the Honorable Sauk County Board of Supervisors authorized the taking of a tax deed on parcel number 146-1053-70530 more particularly described below:

Village of Lake Delton, 1st Addition to Spring Brook Shores, Lot 53 0.28 A (Prt NW SW 17-13-6), more particularly described in the Register of Deeds Office at Document #930171; Document #716262; and Reel 430, Image 537

WHEREAS, Sauk Co. Code § 30.03(6) and Wis. Stat. § 75.35(3) authorizes Sauk County to give preference to a former owner in the sale of property taken by tax deed; and,

WHEREAS, your undersigned Committee has had this matter under advisement, and has determined that it is in the best interest of Sauk County to give preference to the former owner of this property because the funds received will compensate the County in full for the amounts due and owing.

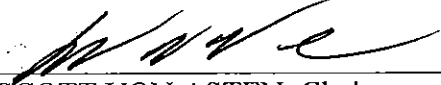
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that so much of Resolution No. 118-2014 as it pertains to the above described parcel of real property located in the Village of Lake Delton is hereby rescinded; and,


BE IT FURTHER RESOLVED, that the County Clerk shall be and hereby is authorized to sign documents effectuating and providing notice of rescission of a portion of said tax deed.

For consideration by the Sauk County Board of Supervisors on December 16, 2014.

Respectfully submitted:

PROPERTY & INSURANCE COMMITTEE


SCOTT VON ASTEN, Chairperson


NATHAN S. JOHNSON


WILLIAM HAMBRECHT


JEFFREY GIEBEL

VACANT

FISCAL NOTE: Funds received were \$9,081.72. This amount is sufficient to cover all previously owed Taxes (Years of 2010 thru 2013) in the amount of \$4,972.13; an estimated amount for the 2014 Taxes of \$1,400.00; Penalties and Interest in the amount of \$2,151.99; Tax Deed Service Charge in the amount of \$150.00; Service Charges pursuant to Sauk County Ordinance 30.03(6) (b) in the amount of \$377.60 and Recording Fee of \$30.00.

MIS NOTE: No impact.

RESOLUTION NO. 135 - 2014

**ACCEPTING BIDS ON TAX-DELINQUENT REAL ESTATE
ACQUIRED BY SAUK COUNTY**

WHEREAS, your Property and Insurance Committee has appraised certain property, acquired by Sauk County as tax-delinquent real estate, pursuant to the Wisconsin Statutes; and,

WHEREAS, the Sauk County Treasurer has advertised the sale and appraised value of such real estate in a Class 3 Notice under Chapter 985 of the Wisconsin Statutes; and,

WHEREAS, at 8:00 a.m. on November 21, 2014, the Sauk County Treasurer and the Sauk County Deputy Treasurer opened bids for said property, the successful bidder indicated, with all parcels not receiving sufficient bids being omitted; said properties receiving sufficient bids described below:

THE FOLLOWING PROPERTY IN THE TOWN/VILLAGE OR CITY:

TOWN OF WOODLAND

#044-1526-00000	STAGHORN ADD TO BRANIGAR'S DUTCH HOLLOW LAKE LOT 80
Appraised Value:	\$1,100.00
Bid:	\$1,327.00
Submitted by:	Norma J Hessling

VILLAGE OF LIME RIDGE

#148-0012-00000	VILLAGE OF LIME RIDGE ORIG PLAT E 87' OF N 25' OF LOT 6 BLK 1
Appraised Value:	\$500.00
Bid:	\$577.00
Submitted by:	David L. & Sandra K. Ewers

WHEREAS, Sauk County is now authorized by § 75.69 of the Wisconsin Statutes to accept the bids exceeding the appraised value of said property deemed most advantageous to it.


NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the Sauk County Clerk is hereby instructed to issue Quit Claim Deeds for the above described real property to the above-named successful bidders upon receipt in full of the amounts of said bids by the Sauk County Treasurer by December 5, 2014.

AND BE IT FURTHER RESOLVED that the Sauk County Clerk is also authorized to accept the next successful bid exceeding the appraised value of any parcel if the successful bidder on said property does not comply with all requirements as outlined in the Notice of Sale.

For consideration by the Sauk County Board of Supervisors on December 16, 2014.

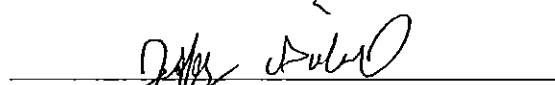
Respectfully submitted,

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE:



SCOTT VON ASTEN, Chairperson


NATHAN S. JOHNSON


WILLIAM HAMBRECHT


JEFFREY GIEBEL

VACANT

FISCAL NOTE: Funds received provide sufficient revenue to reimburse Sauk County for its costs invested in the property. 

MIS NOTE: No Impact.