

Town of Onalaska
Ordinance Committee Meeting

Chairman Gerald Monti called the Ordinance Committee Meeting to order at 6:04 pm on Tuesday, July 22, 2014 at the Town of Onalaska Town Hall, N5589 Commerce Road, Onalaska, WI. Members present included: Dan Hanson, Hubert Hoffman, Bill Reibel, Rolly Bogert, Gerald Monti and Sandy Thompson.

Agenda approved as presented.

Motion made to accept the June 29th, 2014 minutes, motion seconded and passed unanimously.

Rolly Bogert discussed feedback he had received from the attorneys that we could have generic ordinances and then seek board action to make it a resolution.

Sandy Thompson concurred that we needed some sort of an ordinance in place in order to make it enforceable. Recommendation was made that you will report to the board and the board will take an action.

There was a discrepancy on the agenda as to whether it reads "Discussion and Recommendation" or just "Discussion". Rolly Bogert was excused to get the agenda that the attorneys approved. Whatever is posted is the legal posting.

The Board can act on the Discussion that occurred and make any recommendations as to what occurred at the Ordinance Committee meeting.

Hubert Hoffman discussed that there is no requirement of a town to have an ordinance committee.
1: if you want to make a change, you would have to recommend it to the board.

Discussion as to whether the committee is 5 or 7 members.

The number matters less than the ability of the committee to function effectively, however, the more public input the better. The presiding chair and vice-chair must be citizens. Three citizens will be present on the committee who are not members of the board.

2-1-84: Sandy Thompson suggested adding, "subject to town board approval, the ordinance committee may request to employ the town's attorney".

Dan Hanson suggested making the changes evident by making the changes red or comparing original versus changed documents.

Geri Monti started a discussion of "penalties and provisions".

Hubert Hoffman suggested "a fee schedule as set by the town board".

4-149-B: We don't have a license committee and don't need one according to Sandy Thompson. This is in the section on liquor licenses. Anything that requires a license should go before the board. Change anywhere that references "town license committee" to town board per Sandy Thompson.

20: Everywhere it says "Holmen Area Fire Department" it should say "Fire Department". Use the word Fire Department Chief per Geri Monti.

20-43: Make all wording, Fire Department and Chief.

20-48: an exemption should be a reasonable amount of wood waste.

20:57: change to "The Fire Department"

20:58: Rolly Bogert brought up the issue of PSAC. We should issue the permits from here and inspect your own area and other areas should do the same. "All permits should be issued by the Town of Onalaska".

20:60: Change to "the fire department". You don't need a burning permit to have a campfire.

20:85: Rolly Bogert said that we as a town cannot authorize the use of fireworks. You can authorize licensed pyrotechnics but not individuals. Hubert Hoffman proposed to change numbers to the fee schedule. Fee schedule should include fees plus legal fees. An ad hoc committee will be assembled by plagiarizing a combination of other municipalities.

Sandy Thompson went back to #2 to say a presiding Chairman could be appointed as needed in the event the Chairman unexpectedly cannot make the meeting at the last minute. Based on an agenda item to appoint a presiding Chairman which should appear after approve agenda, this avoids the posting time limits.

Long Range Planning committee 2:15: Sandy Thompson suggested there is no need for the intergovernmental steering committee. Russell Kinetsker will be involved in the scope of Statewide planning.

Geri Monti asked for any comments on Amusement and Entertainment: No Changes

Animals: Sandy Thompson referred to 8:14 Section 8-132, Dog collar required. Sandy Thompson suggested that animals shouldn't have to be collared or tagged, just identified in some way such as a microchip.

Related to dog "doo-doo" or animal waste, Sandy Thompson recommended no changes to the ordinance should be made due to difficulty to enforce especially in the winter and especially in your own yard.

Rolly Bogert mentioned the Linda West situation which really could not be enforced. Hubert Hoffman recommended a letter to County Health and Human Services committee which Rolly and Sandy reminded the ordinance committee that this was already done.

Building Codes:

10-2-C Geri Monti addressed the ordinance that the town shall be permitted to tear down new construction in violation. Sandy Thompson recommended eliminating the ordinance completely. This should be left to the Building Inspector as the State licensed authority to do that. Removing it relinquishes the town of liability.

Swimming Pools: 10-128 -10-130 whether or not it is in violation depends on the size, depth and volume. Word the ordinance to specify permanent versus portable (>18 inches high). Suggestion was made to exempt private property. Sandy Thompson offered to re-word the swimming pool ordinance and send out a draft to all members. Also consider slides, ladders and hot tubs.

Business: only pertains to tobacco sales which require a license, but no action by the Town.

Chapter 14: Will contain Emergency Management when it is completed. Melissa and the Deputy are currently working on this.

Environment: relates to “eye-soars” and is well addressed under the County. Hubert Hoffman addressed that this is related to a fee. Sandy advised that the committee should not get further involved with this and leave it to the County. “Leave it to Mary Jo”.

16-66 Sandy Thompson suggested a change of “shall” to “may” obtain a permit from the town.

16-72 Sandy Thompson suggested a change of “shall” to “may” as it related to soil erosion permits and erosion control, or looked at more closely, and reviewed by the county. Sandy offered to review the ordinance with Tom Thompson and the county since the county would likely cover issues of this nature.

Health & Sanitation: what is covered that would not be a duplication of what the county already has? Hubert Hoffman explained that the headings or categories were derived from a template that was used by the contracted firm in Florida and doesn’t necessarily mean that it will apply to the town and in this case may again be covered completely by the county to avoid duplication or discrepancy.

Human Relations: no discussion

Law Enforcement: no discussion

Manufactured and Mobile Homes: We have mobile homes but no communities. What is considered a manufactured home? These issues would be covered by the Building Inspector.
30-51C Annual parking permit and one home per farm.

The rest of the ordinances will be discussed at the next meeting in time for the Board meeting.

Next meeting will be Wednesday August 6th, 2014 at 6:00 PM.

Motion made to adjourn, seconded, and motion passed unanimously the motion.

Respectfully submitted by Rolly Bogert.