

## **Chapter 25 CONSTRUCTION AND EFFECT OF ORDINANCES**

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#### **25.01 RULES OF CONSTRUCTION.**

In the construction of this Code, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the ordinance:

- (1) **WISCONSIN STATUTES.** (Am. MSC '93; ; #68-2008) All references to "Wisconsin Statutes" or "Wis. Stats." shall mean the Wisconsin Statutes for the years 2005-06 and any amendments made thereto.
- (2) **GENDER, SINGULAR AND PLURAL.** Every word in this Code and in any ordinance imparting the masculine gender may extend and be applied to females as well as males, and every word imparting the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided these rules of construction shall not be applied to any provision which contains any express language excluding such construction or when the subject matter or context of such provision may be repugnant thereto.
- (3) **PERSON.** The word "person" extends and applies to natural persons, firms, corporations, associations, partnerships or other bodies politic and to all entities capable of being sued, unless plainly inapplicable.
- (4) **ACTS OF AGENTS.** When a provision requires an act to be done which may by law as well be done by an agent as by the principal, such requirement shall be construed to include all such acts when done by an authorized agent.

#### **25.02 CONFLICT AND SEPARABILITY.**

- (1) **CONFLICT OF PROVISIONS.** If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter.
- (2) **SEPARABILITY OF CODE PROVISIONS.** If any section, subsection, sentence, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The Board hereby declares that it would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

**25.03 CLERK TO FILE DOCUMENTS INCORPORATED BY REFERENCE.**

Whenever in this Code any standard, code, rule, regulation or other written or printed matter is adopted by reference, it shall be deemed incorporated in this Code as if fully set forth herein and the County Clerk shall file, deposit and keep in his office a copy of the code, standard, rule, regulation or other written or printed matter as adopted. Materials so filed, deposited and kept shall be public records open for examination with proper care by any person during the County Clerk's office hours, subject to such orders or regulations which the County Clerk may prescribe for their preservation.

**25.04 PENALTY PROVISIONS.**

- (1) GENERAL PENALTY. (Am. #7-95) Unless otherwise specified in §25.04(4)(c), any person who shall violate any of the provisions of this Code shall upon conviction of such violation be subject to a penalty, which shall be as follows:
  - (a) *First offense.* Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$5 nor more than \$500, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.
  - (b) *Second offense.* Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than \$10 nor more than \$500 for each such offense, together with costs of prosecution, and in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.
- (2) CONTINUED VIOLATIONS. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the County from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
- (3) EXECUTION AGAINST DEFENDANT'S PROPERTY. Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any ordinance of the County, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.
- (4) CITATION METHOD OF ENFORCEMENT. (Am. #114-88; #55-99; #05-03; #61-2003; Rev. 02/14/06) Citations may be issued for violations of this general code including ordinances for which a statutory counterpart exists. The form of such citation shall comply with § 66.0113 Wis. Stats., as it may be amended from time to time.
  - (a) The issuance of citations is expressly limited to the following County officials and employees, and the authority delegated to a County official or employee to issue such citations may only be granted or revoked by the County Board:
    1. The Planning and Zoning Director, Assistant Planning and Zoning Director, Zoning Code Assistant, Planning Manager, Land Use Specialists, and Zoning Technicians are authorized to issue citations for violations of the provisions of Chapters 9, 13, 15, 22, and §§11.13(4) and 11.16 of the General Code. (Am. #31-80; #7-95; #05-03)
    2. The County Forest Administrator, the Assistant Forest Administrator, and the County Forester are authorized to issue citations for violations of the provisions of Chapter 14 of the General Code. (Am. #96-79; #7-95; #05-03)
    3. The designee of the Rhinelander-Oneida County Airport Commission.
    4. The Oneida County Sheriff and personnel deputized by the Oneida County Sheriff may issue citations for all violations of the General Code. (Am. #128-88; #7-95; #77-95)

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5. The Solid Waste Administrator, is authorized to issue citations for violations of the provisions of Chapters 8 and 22 of the General Code. (Am. #25-88; #7-95; #50-02)
  6. The Health Department Director and any public health nurse, are authorized to issue citations for violations of sections 10.18, 10.19, 11.13(4) and 11.16 of the General Code. (Am. #61-2003)
- (b) Cash deposits from citations issued shall be paid at the Sheriff's Department or at the office of the Clerk of Circuit Court or by mailing the deposit to the Office of the Clerk of Court, P. O. Box 400, Courthouse, Rhinelander, Wisconsin. The person receiving the deposit shall issue a receipt for the same. (Am. #28-83)
- (c) Cash deposits for the indicated ordinance violation as determined by the deposit schedule attached hereto and made a part hereof as Addendum A or as otherwise permitted by this Code pursuant to the deposit schedule established by the Wisconsin Judicial Conference shall be required and shall include any and all Court costs and applicable fees for Court support services, assessments and penalty assessments as permitted by Wisconsin Statutes, including, but not limited to §§814.63, 814.634, and 814.635, as may be amended from time to time. Amendments to the deposit schedule which are the result of amendments to the Wisconsin Statutes may be instituted upon review and approval of then Law Enforcement and Judiciary Committee. Any other amendments to the deposit schedule shall only be made after review and approval by the committee of jurisdiction and the County Board. Deposits for nonmoving traffic violations shall not include the penalty assessment.

		Forfeiture	Total
<b>E9-1-1 VIOLATIONS</b>			
5.20(11)a	Use of E9-1-1 system for regular business or non-emergency	100.00	249.00
5.20(11)b	Intentional use of E9-1-1 system to report non-existent emergency	250.00	438.00
<b>PARKING VIOLATIONS</b>			
7.10	Abandoned vehicle	20.00	20.00
	Blocking private driveway	20.00	20.00
	Fail to remove after 24 hr. notice	20.00	20.00
	Handicapped zone	50.00	50.00
	Obstructing traffic lane	20.00	20.00
	Parked across lines	20.00	20.00

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	Parking on private property	20.00	20.00
	Prohibited area by sign	20.00	20.00
	Prohibited times	20.00	20.00
	Restricted zones	20.00	20.00
	All other	20.00	20.00
SOLID WASTE VIOLATIONS			
8.06(1)	Burn any waste at the county solid waste site	50.00	186.00
8.06(2)	Illegal dumping of solid waste		
	Under 10 gallons	100.00	249.00
	Over 10 gallons	500.00	753.00
8.06(3)	Litter any type of solid waste-vehicle	100.00	249.00
8.06(4)	Illegal transport-uncovered load	50.00	186.00
8.06(5)	Unauthorized salvage from county solid waste site	50.00	186.00
8.06(6)	Failure to follow solid waste site instructions deposit waste in unauthorized area of solid waste site	50.00	186.00
8.06(7)	Deposit yard waste at county transfer station	50.00	186.00
8.06(8)	Deposit waste at county solid waste site outside of operational hours	100.00	249.00
8.06(9)	Deposit live or hot coals at county solid waste site		
	1st offense	500.00	753.00
	2nd offense within 12 months	600.00	879.00

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8.06(10)	Deposit contaminated soil at county solid waste site without prior approval		
	1st offense	500.00	753.00
	2nd offense within 12 months	600.00	879.00
8.06(12)	Illegal dumping of hazardous waste in county waters, land, or solid waste site		
	1st offense	500.00	753.00
	2nd offense within 12 months	600.00	879.00
8.06(13)	Abandoned boats, vehicles, automobiles, and airplanes to be removed from waters of Oneida County		
	1st offense	500.00	753.00
	2nd offense within 12 months	600.00	879.00
8.07(1)	Solid waste from municipality without an established recycling program in accordance with NR 544 prohibited	200.00	375.00
8.07(2)	Owners, designated agents failing to aid in the collection of recyclable material	200.00	375.00
8.07(3)	Disposal of separated recyclables not in accordance with NR 544	200.00	375.00
8.07(4)	Failure of person to separate and properly prepare recyclable materials from their solid waste	50.00	186.00
PUBLIC PEACE AND GOOD ORDER			
10.01	Peddling and soliciting	175.00	343.50
10.03(5)(a)	Possession of drug paraphernalia	275.00	469.50

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10.03(5)(b)	Sale of drug paraphernalia	350.00	564.00
10.04(1)	Disorderly conduct-cause disturbance	175.00	343.50
10.04(2)	Disorderly conduct-phone harassment	175.00	343.50
10.04(3)	Disorderly conduct-phone harassment-no ID	175.00	343.50
10.04(4)	Disorderly conduct-motor vehicle	125.00	280.50
10.04(5)	Disorderly conduct-interference w/police dogs	250.00	438.00
10.045	Building Security Violation	50.00	186.00
10.06	Smoking in prohibited area	100.00	263.50
	2nd/Subsequent within 1 year	250.00	452.50
10.06(3)(a)	Smoking in county building/vehicle	25.00	154.50
10.07(3)A	Carrying weapon in County Building	150.00	312.00
10.07(3)B	Carrying weapon at Special event	150.00	312.00
10.08(6)	False alarm		
	1st and 2nd offense	Warning	
	3rd and 4th offense	70.00	211.20
	5th offense	175.00	343.50
	6th and subsequent offenses	650.00	942.00
10.13	Unauthorized person on school property		
	1st offense	75.00	217.50
	2nd and subsequent offenses	150.00	312.00

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10.16	Truancy		M/A
10.17	Habitual truancy		M/A
10.941.24	Possession of switchblade knife	225.00	406.50
10.941.35	Emergency telephone calls	150.00	312.00
10.941.36	Fraudulent tapping of electrical wires	200.00	375.00
10.943.01	Criminal damage to property	250.00	438.00
10.943.13	Trespass to land	150.00	312.00
10.943.14	Trespass to dwelling	250.00	438.00
10.943.20	Theft	150.00	312.00
10.943.22	Use of cheating token, Gas drive-offs	150.00	312.00
10.943.24	Issuance of worthless checks >\$1000.00	250.00	438.00
10.943.45	Obtaining telecommunications service by fraud >\$1000.00	250.00	438.00
10.943.50	Shoplifting >\$1000.00	250.00	438.00
10.943.55	Removal of shopping cart	150.00	312.00
10.946.41	Resisting/obstructing an Officer	250.00	438.00
10.947.047	Metal or glass debris in/on shoreline	150.00	312.00
10.948.45	Contributing to Truancy		
	First Offense	100.00	249.00
	Second and Subsequent Offenses	200.00	375.00
10.951.02	Mistreating animals	150.00	312.00

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10.951.13	Not provide proper food/shelter to confined animal	150.00	312.00
10.951.14	Not provide proper shelter	150.00	312.00
ALCOHOL BEVERAGE OFFENSES			
10.125.07(1)(a)(1)	Furnishing alcohol to underage person		M/A
10.125.07(1)(a)(3)	Fail to prevent underage consumption		M/A
10.125.07(1)(a)(4)	Contribute to violation of 125.07(4)(a & b)		M/A
10.125.07(1)(b)	Permit loitering on licensed premise		M/A
10.125.07(2)(a)(1)	Furnish to intoxicated person	175.00	343.50
10.125.07(2)(a)(2)	Furnish to intoxicated person by licensee	175.00	343.50
10.125.07(3)(a)	Loitering by underage persons		M/A
10.125.07(4)(a)(1)	Underage procurement/attempted procurement of alcohol		M/A
10.125.07(4)(a)(4)	Underage falsely represents age		M/A
10.125.07(4)(b)	Underage possession or consumption		M/A
	1st offense	100.00	249.00
	2nd offense	200.00	373.00
	3rd offense	300.00	501.00
	4th and subsequent offenses	500.00	753.00
10.14	Prohibited school activities (possess or consume alcohol/throw objects from stands, bleachers, or audience/body passing)	125.00	280.50
TOBACCO			



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10.15	Possession/utilization of tobacco products on school district property		M/A
10.18	Restrictions on sale or gift of cigarettes		M/A
10.19	Purchase or possession of cigarettes or tobacco products by person under 18		M/A
PUBLIC HEALTH			
11.13(4)	Creates any of the nuisances as listed in 11.13(4) of this Code	100.00	249.00
11.16	Lodging, food protection, recreational facilities, and tattoo and body piercing violation	125.00	280.50
FORESTRY AND OUTDOOR RECREATION			
14.07(1)(a)(2)	Transportation of wood past lock box without proper documentation	350.00	564.00
14.07(1)(a)(3)	Violation of treaty rights gathering permit	100.00	249.00
14.07(1)(b)(2)	Cutting or removal of wood from county land	100.00	249.00
14.07(1)(b)(3)	Cutting or removal of wood permit violations	100.00	249.00
14.07(1)(c)	Defacement of county property/trees	100.00	249.00
14.07(1)(d)	Collection of materials for resale or commercial purposes prohibited	100.00	249.00
14.07(1)(e)	Cutting or tapping trees prohibited	100.00	249.00
14.07(1)(f)	Removal of rocks, sand, gravel, topsoil, or clay prohibited except as provided in 14.01(2)(f)	100.00	249.00
14.07(2)(a)	Overnight camping prohibited	100.00	249.00
14.07(2)(b)	Motorized vehicles prohibited from the use of roads and trails	100.00	249.00

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	not authorized		
14.07(2)(c) 14.17(2)(j)	Damage, manipulation, or circumvention of a gate, sign, rock or earthen berm is prohibited	100.00	249.00
14.07(2)(d)	Motorized vehicles prohibited from traveling off-road, off-trail, or cross country	100.00	249.00
14.07(2)(e)	Dumping of litter, rubbish, debris. Posting of signs, handbills, markers, all prohibited	100.00	249.00
14.13(1)	County recreation area closing hours	100.00	249.00
14.13(3)	Disorderly conduct, intoxication on county-owned property	100.00	249.00
14.13(4)	Destruction/removal of personal property of another	100.00	249.00
14.13(5)	Unnecessary Noise	100.00	249.00
14.13(6)(a)	Destruction/removal of trees, shrubs, plants or natural growth	100.00	249.00
14.13(6)(b)	Carving on rocks, archeological features, signs or wall structures	100.00	249.00
14.13(6)(c)	Driving nails, placing screws, or other metal into trees	100.00	249.00
14.13(6)(d)	Destruction/removal of buildings, fences, tables, or any other county property	100.00	249.00
14.13(7)(a)	Entry of any building, installation or area under construction or closed to public use	100.00	249.00
14.13(7)(b)	Molest or manipulate any water control structure, dam, or culvert	100.00	249.00
14.13(7)(c)	Entry to any building, installation or area after the posted closing time or before the posted opening time	100.00	249.00
14.13(8)	Cleaning restricted-washing	100.00	249.00

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14.13(9)	Disposal of refuse	100.00	249.00
14.13(10)	Glass containers prohibited in county recreation areas	100.00	249.00
14.13(11)(a)	Excessive speed prohibited	100.00	249.00
14.13(11)(b)	Reckless driving prohibited	100.00	249.00
14.13(11)(c)	Operation/parking of motor vehicle restrictions	100.00	249.00
14.13(11)(d)	Use of motor boats restricted (Buck Lake, Town of Pelican, and Perch Lake, Town of Woodboro)	100.00	249.00
14.13(11)(e)1,2,3,4	Parking restrictions	20.00	148.20
14.13(12)	Unauthorized/unattended fires	100.00	249.00
14.13(13)	Illegal fireworks prohibited	100.00	249.00
14.13(14)	Firearms prohibited in county recreation area	100.00	249.00
14.13(15)	Pets prohibited in county recreation areas except as authorized	100.00	249.00
14.13(16)	Horses prohibited in county recreation areas and on silent sports trails	50.00	186.00
14.13(17)	Bicycles only in established area of county recreation facility	20.00	148.20
14.13(18)	Athletics prohibited in county recreation area	100.00	249.00
14.13(19)(a)	Bathing dress in county recreation area	100.00	249.00
14.13(19)(b)	Bathing, changing clothes only in beach house or enclosed area	100.00	249.00
14.13(20)(a)	Motorized vehicle prohibited on ski-trail network	100.00	249.00
14.13(20)(b)	Damage to groomed portion of ski trail is prohibited	100.00	249.00
14.13(20)(c)	Crossing ski trail in a non-authorized manner.	20.00	148.20

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14.13(20)(d)	Non-authorized activities on the Enterprise Winter Silent Sports Trail.	50.00	186.00
14.13(20)(e)	Skiing contrary to sign directions	50.00	186.00
14.13(20)(f)	Trail pass required	50.00	186.00
14.13(20)(g)	Pets on ski trail prohibited	50.00	186.00
14.13(21)(a), (b), (c)	Elevated platform, nails, lag screws, screw steps prohibited. Violation of portable tree stand removal requirements	100.00	249.00
14.13(22)(a), (b), (c)	Violation of ground blind construction, use and removal requirements	100.00	249.00
14.14(1)	Permits for use of county recreation facility structures	100.00	249.00
14.14(2)	Peddling or soliciting, or using county land as a base, is prohibited	100.00	249.00
14.15(2)(a)	Restricted use of snowmobiles-driving past gate or posting	100.00	249.00
14.15(2)(b)	Restricted use of snowmobiles-speed in excess of 10 mph in area posted slow, steep hill, dip, turn, or other caution	100.00	249.00
14.15(2)(c)	Restricted use of snowmobiles-must stop at stop signs	100.00	249.00
14.15(3)(a)	Restricted use of snowmobile trails-other motorized vehicle traffic prohibited unless authorized	100.00	249.00
14.15(3)(b)	Restricted use of snowmobile trails-riding before trails are open	100.00	249.00
14.15(3)(c)	Restricted use of snowmobile trails-riding after trails are closed	100.00	249.00
14.15(3)(d)	Restricted use of snowmobile trails-destroying of signs prohibited	100.00	249.00
14.15(3)(e)	Restricted use of snowmobile trails-posting of unauthorized signs on trail is prohibited	100.00	249.00

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14.15(3)(f)	Restricted use of snowmobile trails-unattended vehicles or obstructions on the trail prohibited	100.00	249.00
14.15(3)(g)	Restricted use of snowmobile trails-pedestrian, skiers must yield to snowmobiles	100.00	249.00
14.15(3)(h)	Restricted use of snowmobiles-youthful operation only in accordance with state law	100.00	249.00
14.15(3)(i)	Restricted use of snowmobile trails-careless and reckless operation, speed, prohibited	100.00	249.00
14.15(3)(j)	Restricted use of snowmobile trails-riding off the leased right of way prohibited	100.00	249.00
14.15(3)(k)	Restricted use of snowmobile trails-no person shall operate contrary to state laws	100.00	249.00
14.17(2)(a)	Restricted use of ATV/UTV - no other motorized traffic on designated ATV/UTV trail	100.00	249.00
14.17(2)(b)	Restricted use of ATV/UTV speed faster than 10 mph in area of yellow caution sign	100.00	249.00
14.17(2)(c)	Restricted use of ATV/UTV -must stop at stop sign	100.00	249.00
14.17(2)(d)	Restricted use of ATV/UTV -studded tires, chains prohibited on county forest law land and special use designation lands	100.00	249.00
14.17(2)(e)	Restricted use of ATV/UTV -travel on snowmobile/ ATV/UTV trail prohibited by ATV/UTV when >28 degree F	100.00	249.00
14.17(2)(f)	Restricted use of ATV/UTV -removal, destruction, or defacement of ATV/UTV trail sign prohibited	100.00	249.00
14.17(2)(g)	Restricted use of ATV/UTV -unreasonable or improper speed, careless driving prohibited	100.00	249.00
14.17(2)(h)	Restricted use of ATV/UTV -operation of mechanically altered ATV/UTV prohibited	100.00	249.00

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14.17(2)(i)	ATVs/UTVs, off-road motorcycles, minibikes, go-carts, and other non-street vehicles prohibited	100.00	249.00
14.17(2)(j)	Damage, manipulation, or circumvention of a gate, sign, rock or earthen berm is prohibited	100.00	249.00
CAMPGROUNDS			
14.18(2)(b) through (f)	Campsite Registration	20.00	148.20
14.18(3)(a) through (j)	Campsite Occupancy	50.00	186.00
14.18(4)(a)1	Quiet Hours	100.00	249.00
14.18(4)(a)2	Non-registered person in campground between 10:00pm and 7:00am	20.00	148.20
14.18(4)(a)3	Disruptive, lewd behavior and destructive acts	100.00	249.00
14.18(4)(a)4	Removal of trees or wood products from campground	100.00	249.00
14.18(4)(a)5	Washing within 50' of water source	20.00	148.20
14.18(4)(a)6	Cleaning/field dressing of fish and game	100.00	249.00
14.18(4)(a)7	Dumping of sewage and wastewater	100.00	249.00
14.18(4)(a)8	Picnicking by non-registered person	20.00	148.20
14.18(4)(a)9	Removal/destruction of live plants	100.00	249.00
14.18(4)(a)10 & 11	Depositing refuse	100.00	249.00
14.18(4)(a)12	Screws, nails, spikes in trees	100.00	249.00
14.18(4)(a)13	Horses prohibited	50.00	186.00

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14.18(4)(b)4 & 5	Firewood gathering	100.00	249.00
14.18(4)(b)3 & 5	Campfires	100.00	249.00
14.18(4)(c)1 through 8	Pets	50.00	186.00
14.18(4)(d)	Firearms and fireworks prohibited	100.00	249.00
14.18(4)(e)1	Injure, kill, pursue, hunt, trap wildlife prohibited	100.00	249.00
14.18(4)(e)2	Feeding/baiting wildlife prohibited	100.00	249.00
14.18(4)(f)1 & 5	Parking	20.00	148.20
14.18(4)(f)2 & 3	Reckless operation, speeding motor vehicle	100.00	249.00
14.18(4)(f)4	ATV/UTV use restricted	100.00	249.00
NON-METALLIC MINING			
22.05(1)	Not fulfilling the requirements of an approved reclamation plan	50.00	186.00
22.06(1)	Not maintaining required financial assurances	50.00	186.00
22.08(1)	Not obtaining a nonmetallic mining permit before opening or removing material from a nonmetallic mine	100.00	249.00
MUNICIPAL UTILITIES			
13.20(1)	Occupying a structure that is not served by a non-plumbing sanitation system or a Private Onsite Wastewater Treatment System	100.00	249.00
13.23(2)	Installing indoor plumbing into a structure that is served by a non-plumbing sanitation system	100.00	249.00
13.23(5)(a)	Failing to correct a failing Private Onsite Wastewater Treatment System or non-plumbing sanitation system	100.00	249.00

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13.26(1)	Failing to abandon a Private Onsite Wastewater Treatment System	100.00	249.00
13.27(1)	Failing to construct a non-plumbing sanitation system in accordance with Comm 91	100.00	249.00
13.27(2)	Failing to construct and maintain a non-plumbing sanitary system in a clean and healthful condition	100.00	249.00
13.31(1)(b)	Construction of a structure intended for permanent or temporary habitation without first obtaining an Oneida County or state sanitary permit	100.00	249.00
13.31(1)(c)	Installation of a Private Onsite Wastewater Treatment System by a property owner, his agent or contractor without a sanitary permit	100.00	249.00
13.31(1)(d)	Installation of a non-plumbing sanitary system without a county sanitary permit	100.00	249.00
13.31(1)(e)	Performing soil remediation or sanitary system renovation without a county sanitary permit	100.00	249.00
13.32(2)(c)	Failing to properly display the sanitary permit card	100.00	249.00
13.32(3)	Failing to renew a sanitary permit prior to installation	100.00	249.00
13.32(4)or(5)	Failing to transfer a sanitary permit when the owner or plumber changes	100.00	249.00
13.33(1)	Failing to obtain town permission to cross a town road or encroach the right-of-way with a portion of a Private Onsite Wastewater Treatment System	100.00	249.00
13.34(1)	Failing to obtain a county reconnection permit	100.00	249.00
13.40(1)	Failing to notify Oneida County for inspection of a Private Onsite Wastewater Treatment System	100.00	249.00
13.40(4)	Backfilling a Private Onsite Wastewater Treatment System prior	100.00	249.00



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	to inspection		
13.43(1)	Failing to notify Oneida County prior to conducting a test of a Private Onsite Wastewater Treatment System component	100.00	249.00
13.50(1)	Failing to maintain a Private Onsite Wastewater Treatment System in accordance with the approved Management Plan	100.00	249.00
13.50(2)	Failing to report an inspection, maintenance or servicing event in accordance with Comm 83 and the approved management plan	100.00	249.00
13.51(2)	Failing to inspect and maintain a septic tank	100.00	249.00
SUBDIVISION & PLATTING			
15.16	Recording a subdivision or laying out streets or improvement without complying with this chapter	200.00	375.00
15.18	Building, dividing, conveying, recording or monumenting land in violation of this chapter	200.00	375.00
15.23(1-6)	Failure to conform to public street and easement road standards	200.00	375.00
15.24	Failure to install survey monuments	200.00	375.00
15.25	Failure to conduct soil and site evaluation test as required by Chapter 13	200.00	375.00
15.26	Failure to notify land purchaser in writing that said parcel is accessed via private road and is not required to be maintained by town or county	200.00	375.00
15.27(1&3)	Failure to follow required procedures and include all necessary information	200.00	375.00
15.28	Failure to submit a preliminary plat or provide all necessary information	200.00	375.00

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15.29(1)	Failure to submit a final plat as approved	200.00	375.00
15.29(2)	Offering lots for sale prior to submittal of a preliminary or final plat	200.00	375.00
15.36(1)	Any person who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter	200.00	375.00
15.37	Violation of this chapter is subject to the provisions of Wis. Stats. 66.119 and 165.87 and Section 25.04 of this general code. The cash deposit schedule shall be \$200 for any violation of this chapter.	200.00	375.00
15.38	Failure to pay review fee pursuant to the county fee schedule	200.00	375.00
<b>ZONING &amp; SHORELAND PROTECTION ORDINANCE</b>			
9.12	Failure to comply with this ordinance and obtain all necessary permits	100.00	249.00
9.13	The use of land or premises, a building or structure erected, altered, moved, occupied, or used, or activities undertaken not in conformity with this ordinance	100.00	249.00
9.15(B)	Establish an Administrative Review Permit type activity without permit approval	250.00	438.00
9.15(C)	Create/establish a Conditional Use Permit activity without permit approval	250.00	438.00
9.18	The prohibited use of vehicles for human habitation	100.00	249.00
9.20(D)	A permitted use(s), administrative use(s) or conditional use(s) prohibited within the zoning district	100.00	249.00
9.20(E)	Creating an accessory use or erecting an accessory structure prior to the construction of a principal structure	100.00	249.00

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9.20(F)	Create or establish a prohibited unclassified or unspecified use	250.00	438.00
9.21(A)(2)	Prohibited establishment of a year-round dwelling, principal residence or residence requiring year-round dwelling	250.00	438.00
9.21(A)(6)	Failure to meet the minimum lot size requirements for permitted, administrative review or conditional uses for Forestry 1-A	100.00	249.00
9.21(B)(6)	Failure to meet the minimum lot size requirements for permitted, administrative review or conditional uses for Forestry 1-B	100.00	249.00
9.22(F)	Failure to meet the minimum lot size requirements for permitted, administrative review or conditional uses for Single Family Residential	100.00	249.00
9.23(E)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Multiple Family Residential	100.00	249.00
9.24(A)(5)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for District 4-A Residential and Farming	100.00	249.00
9.24(C)(5)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Residential and Retail	100.00	249.00
9.25(E)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Recreational	100.00	249.00
9.26(A)(5)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Business B-1	100.00	249.00
9.26(B)(4)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Business B-2	100.00	249.00

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9.27(F)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Manufacturing and Industrial	100.00	249.00
9.28(C)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for General Use	100.00	249.00
9.29((E)	Failure to meet the minimum lot size requirements for permitted, administrative review, or conditional uses for Rural Residential	100.00	249.00
9.32(A)	Build, enlarge, alter, erect or move any building, structure or mobile home prior to obtaining a permit	100.00	249.00
9.32(D)	Failure to obtain a zoning permit prior to the change of the use of a structure or property	100.00	249.00
9.32(E)	Failure to obtain a zoning permit prior to initiating work on a legal pre-existing structure	100.00	249.00
9.33(A)	Failure to obtain a zoning permit for a new structure that cost more than \$1,000.00 or is greater than 200 square feet	100.00	249.00
9.33(B)	Failure to obtain a zoning permit for work that cost greater than \$5,000.00 over the lifetime of an existing structure	100.00	249.00
9.33(F)(1)	Placement of a recreational vehicle on a property where there is no permanent dwelling	100.00	249.00
9.33(F)(2)	Placement and use of a recreational vehicle for greater than two weeks where a permanent dwelling exists	100.00	249.00
9.33(F)(3)	Use of a recreational vehicle for longer than one year as a construction trailer	100.00	249.00
9.35(A)	Failure to obtain an Administrative Review Permit for the alteration and or addition of more than 25% of an existing permitted use or building space	100.00	249.00

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9.35(B)	Failure to obtain an Administrative Review Permit when there is a change in or expansion of daily wastewater generation, solid waste or garbage generation, number of customers or employees, use of yard space, storage of commercial vehicles, outdoor operations or noise, air emission or odors, or exterior lighting	100.00	249.00
9.35(D)	Failure to obtain an Administrative Review Permit when proper approval has not been received for expansion of a building in the road setback area	100.00	249.00
9.37(E)	Failure to post a permit during construction	100.00	249.00
9.38(A)	Failure to obtain a sanitary permit prior to the installation or enlargement of a sanitary system	100.00	249.00
9.38(B)	Beginning work on or changing the use of a structure or facility prior to obtaining a sanitary permit from Oneida County	100.00	249.00
9.40(B)	Create/establish a conditional use prior to issuance of a Conditional Use Permit	250.00	438.00
9.42(H)	Create/establish a Conditional Use Permit type activity with alapsed Conditional Use Permit	250.00	438.00
9.50(C)(1)	Prohibited expansion or enlargement of a legal pre-existing structure	100.00	249.00
9.50(C)(2)	The legal pre-existing use of a structure or property has been discontinued for greater than 12 months. The new use must conform to the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.50(D)(3)	Prohibited structural improvements to the external walls, roof, and interior structural members to a structure that encroaches over the lot line	100.00	249.00
9.50(D)(4)(b)	Expansion of a legal pre-existing structure that encroaches into the road right-of-way or setback area without obtaining a written statement from the government entity that has	100.00	249.00

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	jurisdiction		
9.50(D)(5)(b)	Prohibited structural improvements to the external walls, roof, and interior structural members to a structure that exceeds the height restriction	100.00	249.00
9.51	Noncompliance with the condominium regulations	100.00	249.00
9.52	Noncompliance with the mobile home, manufactured home and house trailer park regulations	100.00	249.00
9.53	Noncompliance with the campground and recreational vehicle park regulations	100.00	249.00
9.54	Noncompliance with the communication structure regulations	100.00	249.00
9.60	Noncompliance with the non-metallic mining regulations	100.00	249.00
9.61	Noncompliance with the metallic mineral exploration, prospecting and mining regulations	100.00	249.00
9.70	Noncompliance with highway setbacks	100.00	249.00
9.71	Noncompliance with side and rear yard setbacks	100.00	249.00
9.72	Noncompliance with the building height restrictions	100.00	249.00
9.73(A-D)	Placing a structure that does not meet the Overlay District requirements	100.00	249.00
9.74	Placement of fence, wall or hedge that does not meet the requirements of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.76	Noncompliance with the waste disposal requirements of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.77	Noncompliance with the off-street parking and loading space regulations of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00

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9.78	Noncompliance with the sign regulations	100.00	249.00
9.82(C)	Failure to comply with permit conditions and requirements	250.00	438.00
9.91(D)	Commencing a project that is not a permitted use or commencing a project prior to obtaining the proper permits for the Shoreland-Wetland Zoning District	100.00	249.00
9.92(C)	Placement or construction of a structure closer than 25 feet to a wetland	100.00	249.00
9.93(H)	Create/convey/record a keyhole development	250.00	438.00
9.94(A)(1)	Placement of a structure closer than 75 feet to the OHWM	100.00	249.00
9.94(A)(2)(c)	Placement of a privy, dry well, or drainfield closer than 50 feet to the OHWM	100.00	249.00
9.94(A)(2)(d)	Construction of a boathouse that does not meet the requirements of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.94(A)(2)(e)	Construction of a boat shelter that does not meet the requirements of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.94(A)(3)	Improvements done that do not meet the requirements of the Oneida County Zoning and Shoreland Protection Ordinance	100.00	249.00
9.94(C)	Placement of a structure that does not comply with the requirements of special zoning permission	100.00	249.00
9.95	The prohibited removal of vegetation, excavating, filling or land disturbance activities within the shoreland vegetation protection area	100.00	249.00
9.96	Failure to comply with the requirements of shoreland mitigation	100.00	249.00
9.97	Failure to obtain a Shoreland Alteration permit and failure to	100.00	249.00

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	comply with the requirements of a Shoreland Alteration Permit		
9.98	Failure to comply with the pier and other berth structure regulations	100.00	249.00
9.99(C)(1)	Prohibited expansion or enlargement of a legal pre-existing use of a structure or premises	100.00	249.00
9.99(D)(2)(e)	Failure to obtain a Zoning Permit prior to initiating work on an existing legal pre-existing structure that involves structural alterations or replacement of structural members	100.00	249.00
9.99(D)(3)(a)	Prohibited structural alterations, improvements or expansion to a legal pre-existing accessory structure	100.00	249.00
9.99(D)(3)(c)	Failure to obtain a Zoning Permit prior to repairing a legal pre-existing boathouse that extends waterward beyond the OHWM	100.00	249.00
9.99(D)(4)(a)	Prohibited replacement of non-deteriorated structural members to a principal building located within 40' of the OHWM	100.00	249.00
9.99(D)(4)(a)(3)	Prohibited expansion of the footprint to a principal building located within 40' of the OHWM	100.00	249.00
9.99(D)(4)(a)(5)	Prohibited horizontal or vertical expansion to a principal building located within 40' of the OHWM	100.00	249.00
9.99(D)(4)(c)	Prohibited structural alterations, improvements or expansion to a building that encroaches over a lot line or road right-of-way	100.00	249.00
9.99(D)(4)(d)	Expansion of a legal pre-existing structure located in a road setback, side yard setback or rear yard setback without obtaining a written statement from the government entity that has jurisdiction	100.00	249.00
ANIMAL CONTROL			
23.07(1)	Failure to License Dog	100.00	249.00



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23.07(2)	Failure to Obtain Multiple Dog License	100.00	249.00
23.07(3)	Failure to Obtain Kennel License	100.00	249.00
23.07(5)	Failure to Attach License to Dog	100.00	249.00
23.08(2)	Failure to Obtain Rabies Vaccination	100.00	249.00
23.08(3)	Failure to Re-vaccinate	100.00	249.00
23.08(4)	Failure to provide Rabies Vaccination Tag	100.00	249.00
23.08(5)	Failure to Attach Vaccination Tag	100.00	249.00
23.09(2)(a)	Failure to quarantine	100.00	249.00
23.09(2)(d)	Failure to Sacrifice Rabid animal	100.00	249.00
23.10(1)	Animal Running at Large		
	1st Offense	50.00	186.00
	2nd Offense	100.00	249.00
23.10(2)	Animal Nuisance		
	1st Offense	50.00	186.00
	2nd Offense	100.00	249.00
23.10(4)	Failure to Secure Vicious Animal	100.00	249.00
23.10(5)	Failure to Muzzle Vicious Animal	100.00	249.00
23.10(6)	Failure to Post Vicious Animal Notice	100.00	249.00
23.10(7)	Sale of Vicious Animal without Notice	100.00	249.00
23.14(1)	Failure Dispose of Animal Waste	100.00	249.00

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23.14(2)	Failure to Provide Sanitary Conditions	100.00	249.00
23.15	Failure to Properly Dispose of Dead Animal	100.00	249.00
23.16(1)	Failure to Properly Exotic Animal	100.00	249.00
23.17(3)	Tampering with Sign	50.00	186.00
23.17(4)	Unauthorized Release	100.00	249.00

\* Mandatory appearance.

\*\* Use the Wisconsin Uniform Citation for underage alcohol offenses, but utilize the section "conforming local ordinance number" by filling in the appropriate ordinance number.

NOTE: Where indicated above by [none] and (stat. only), use only the Wisconsin Uniform Citation and do not fill in any ordinance number, since the County didn't adopt these statutes as ordinances. (Rep. & recr. #102-95; Am. #119-2007; #52-2010; #83-2011; #35-2013; #82-2013)

- (d) Whenever an arrest has been made or any violation has occurred, the Corporation Counsel or, unless he is unable to do so, the District Attorney shall prosecute as provided by law.
- (e) Officials or employees authorized to issue citations under this subsection are authorized to issue warning citations if, in their discretion, such action is deemed adequate. A record of the issuance of such warning citation shall be maintained in the department having appropriate jurisdiction under this subsection.

**25.05 REPEAL OF GENERAL ORDINANCES.**

All ordinances heretofore adopted by the County Board are hereby repealed.

**25.06 EFFECT OF REPEALS.**

The repeal or amendment of any section or provision of this Code or of any other ordinances or resolutions of the County Board shall not:

- (1) By implication be deemed to revive any ordinance not in force or existing at the time at which such repeal or amendment takes effect.
- (2) Affect any vested right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed or amended, unless the privilege of repealing such obligation or privilege has been reserved by the County.
- (3) Affect any offense committed or penalty or forfeiture incurred previous to the time when any ordinance shall be repealed or amended, except when any forfeiture or penalty shall have been mitigated by the provisions of any ordinance, such provisions shall apply to and control any judgment to be pronounced after such ordinance takes effect for any offense committed before that time.
- (4) Affect any prosecution for any offense or the levy of any penalty or forfeiture pending at the time when any ordinance aforesaid shall be repealed or amended, but the right of action shall continue and the offender shall be subject to the penalty as provided in such ordinance, and such prosecution

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shall proceed in all respects as if such ordinance or ordinances had not been repealed, except all such proceedings had after the time this Code shall take effect shall be conducted according to the provisions of this Code.

### **25.07 TITLE; EFFECTIVE DATE; CITATION.**

These ordinances shall be known as the "General Code of the County of Oneida" and shall take effect from and after passage and publication as provided in §66.035, Wis. Stats. All references thereto shall be cited by section number (example: §13.06, General Code of the County of Oneida).

### **25.08 REVISION AND PERPETUATION OF CODE. (Rep. & recr. #42-82)**

- (1) **PRINTING OF CODE BY REVISOR.** As each ordinance or resolution affecting the General Code becomes effective, the County Clerk shall forward such ordinance or resolution to the Revisor, who shall incorporate it into the General Code. The Revisor shall make no substantive changes to such ordinances and resolutions, but may renumber, rearrange and edit them without first submitting them to the County Board, and such rearranging, renumbering and editing shall not affect the validity of such ordinances and resolutions or the provisions of this General Code affected thereby.
- (2) **PROCEDURE FOR ADOPTION OF REVISIONS OF GENERAL CODE.** Upon receipt of printed revisions of the General Code from the Revisor, the County Clerk shall schedule a meeting of the Resolutions and Ordinances Committee. The Committee shall review the printed revisions to confirm they contain no substantive changes from such ordinances, resolutions or State law upon which they are based. Thereafter, an ordinance for their adoption shall be submitted by the Committee to the County Board for final approval pursuant to §§66.035, Wis. Stats., not less than 2 weeks after they have been open to public inspection in the office of the Clerk.