

# CITY OF ONALASKA MEETING NOTICE

**COMMITTEE/BOARD:** Administrative & Judiciary Committee

**DATE OF MEETING:** March 6, 2019 (Wednesday)

**PLACE OF MEETING:** City Hall – 415 Main Street (Room 112)

**TIME OF MEETING:** 6:00 P.M.

## **PURPOSE OF MEETING**

1. Call to Order and roll call
2. Approval of minutes from the previous meeting(s)
3. Public Input: (limited to 3 minutes/individual)

### **Consideration and possible action on the following items:**

#### **Administrative**

4. Approval of Operator's Licenses as listed on report dated March 6, 2019
5. Approval of Special Events Permit for:
  - a. Fleis Nightfall Frolic, April 26, 2019 starting at Rowe Park, Onalaska, WI from approximately 5:30pm – 9pm
6. **Resolution 14-2019** – To Utilize Committee of the Whole
7. Appointment of agent for Kwik Trip 350, 9421 State Road 16, Onalaska to Sara Gilman
8. Miscellaneous licensing reporting

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the Committee may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

#### **NOTICES MAILED TO:**

Mayor Joe Chilsen  
Ald. Jerry Every  
Ald. Jim Olson  
\* Ald. Jim Binash - Chair Admin & Vice Chair Jud  
\* Ald. Diane Wulf -  
Ald. Kim Smith  
\* Ald. Ron Gjertsen - Chair Jud & Vice Chair Admin  
City Attorney    Dept Heads    City Administrator  
La Crosse Tribune    Coulee Courier  
WXOW WKTY WLXR WKBT WLAX FOX  
\*Committee Members

Tyler Ketterhagen  
  
  
  
  
  
  
  
  
Omni Center  
Onalaska Public Library

Date Notices Mailed and Posted: 2/27/19

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

## **Judiciary**

9. **Ordinance 1628-2019** to amend Article E of Chapter 1 of Title 10 of the Code of Ordinances of the City of Onalaska relating to Enforcement and Penalties (Third and Final Reading)
10. **Ordinance 1630-2019** to amend Section 10 of Chapter 2 of Title 11 of the Code of Ordinances of the City of Onalaska relating to Disorderly Conduct (Third and Final Reading)
11. **Ordinance 1631-2019** to amend Section 6 and 7 of Chapter 3 of Title 2 of the Code of Ordinances of the City of Onalaska relating to Police and Fire Chiefs (Third and Final Reading)
12. **Ordinance 1633-2019** to amend Title 10 Chapter 1 Section 18 of the Code of Ordinances of the City of Onalaska relating to one-way streets and alleys (First and Second Reading)
13. **Ordinance 1634-2019** to amend Title 10 Chapter 1 Section 37 of the Code of Ordinances of the City of Onalaska relating to school zone parking (First and Second Reading)
14. **Ordinance 1635-2019** to amend Title 11 Chapter 1 Section 1 of the City of Onalaska Code of Ordinances related to offenses against State Law subject to forfeiture (First and Second Reading)

Adjournment

PACKET: 02659 License Packet March Operators

SEQUENCE: License #



ID	PERIOD	-----NAME-----		LICENSE CODE
05570	2/07/19- 6/30/20	HITCHLER	JACOB	OPRATOR OPERATORS - 2 YEAR
05582	2/13/19- 6/30/20	HIERLMEIER	JACOB	OPRATOR OPERATORS - 2 YEAR
05590	2/22/19- 6/30/20	DOUGLAS	CASSANDRA	OPRATOR OPERATORS - 2 YEAR
05591	2/22/19- 6/30/20	PFAFF	ANDREW	OPRATOR OPERATORS - 2 YEAR
05592	2/22/19- 6/30/20	MCKEETH	GAVIN	OPRATOR OPERATORS - 2 YEAR
05595	3/01/19- 6/30/20	TROYER	DANICA	OPRATOR OPERATORS - 2 YEAR



# CITY OF ONALASKA

415 Main Street • Onalaska, WI 54650-2953 • (608) 781-9530 fax (608) 781-9534 • [www.cityofonalaska.com](http://www.cityofonalaska.com)

## SPECIAL EVENT PERMIT APPLICATION GENERAL EVENT INFORMATION

Official Name of Special Event: Fleis Nightfall Frolic

Start Date: 4-26-19

End Date: 4-26-19

	MON	TUES	WED	THURS	FRI	SAT	SUN
Setup					4:30pm		
Start					5:30pm		
End					8:30pm		
Cleanup					9:00pm		

Location of Event:  Park/Public Property Rowe Park  
 Public Street/Sidewalk/Alley/Right of Way  
 Private Property 415 Main Street  
 Other \_\_\_\_\_

Please List Streets (and include map) That May be Closed or Otherwise Affected by the Event:

Location of Event Parking: Rowe Park/ Onalaska High School

Estimated Attendance Per Day:  
 0-299     300-499     500-999     1,000-4999     5,000+

Estimated Attendance Entire Event:  
 0-299     300-499     500-999     1,000-4999     5,000+

Number of Booths:  
 0-24     25-49     50-74     75-100     100+

Advertising Will Consist of:  
 Pre-event advertising through yard or other signs  
 Temporary directional / other signage during the event (no more than 24 hrs in advance)  
 Promotional Brochure / Flyer – copy must be provided with application

Type of Event:

- |  |  |
|--|--|
| <input type="checkbox"/> Festival / Music Concert                    | <input type="checkbox"/> Religious / Educational         |
| <input type="checkbox"/> Rally / Memorial                            | <input type="checkbox"/> Street / Block Party            |
| <input type="checkbox"/> Parade                                      | <input type="checkbox"/> Fun Run / Walk A Thon           |
| <input checked="" type="checkbox"/> Run / Walk Greater than 5K       | <input type="checkbox"/> March Utilizing Public Property |
| <input type="checkbox"/> Public Assembly<br>(For political purposes) | <input type="checkbox"/> Sport (fishing, soccer, etc.)   |
| <input type="checkbox"/> Other _____                                 |  |

Event Will Have:

- |   |   |
|---|---|
| <input type="checkbox"/> Bounce House                   | <input type="checkbox"/> Bungee Jump    |
| <input type="checkbox"/> Rock Wall                      | <input type="checkbox"/> Dunk Tank      |
| <input checked="" type="checkbox"/> Amplified Sound     | <input type="checkbox"/> Marching Units |
| <input type="checkbox"/> Vehicles                       | <input type="checkbox"/> Water Slides   |
| <input type="checkbox"/> Animals                        |   |
| <input type="checkbox"/> Other high-risk activity _____ |   |

Permit & Other Requirements:

<input type="checkbox"/> Alcohol will be served, sold, raffled, etc.	Class B Permit
<input type="checkbox"/> Food & Non Alcoholic Beverages	Health Permit
<input type="checkbox"/> Non-Food related sales and/or display booths	
<input type="checkbox"/> Tent and/or canopy	Fire Dept. Planning / Inspection Diggers Hotline must be contacted minimum of 3 days before digging
<input type="checkbox"/> Large Generator(s) requiring a separate Electric panel box to be wired off of it	Inspections permit
<input type="checkbox"/> Fires or candles	Fire Dept.
<input type="checkbox"/> Fireworks	Fire Dept.
<input type="checkbox"/> Activities in park outside normal operating hours	Waiver required by City Council
<input checked="" type="checkbox"/> Barricades / Detours (city streets, roads, etc.)	Approval by Police & Public Works
<input type="checkbox"/> State Hwy Closures	DOT permit required - organizer contracts with private company to install
<input type="checkbox"/> Cooking Equipment	Fire Dept.
<input type="checkbox"/> Solid Waste & Recycling	Disposal Containers & Haul Away

Arrangements Have Been Made For:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Restrooms & Hand Washing | <input type="checkbox"/> Tent Heating                            |
| <input checked="" type="checkbox"/> Event Insurance          | <input checked="" type="checkbox"/> Public Safety / EMS Services |
| <input checked="" type="checkbox"/> Fire Extinguishers       | <input checked="" type="checkbox"/> Advertising Banners/ / Signs |
| <input checked="" type="checkbox"/> Drinking Water           | <input type="checkbox"/> Grey Water & Grease Removal             |
| <input checked="" type="checkbox"/> Weather Contingencies    | <input type="checkbox"/> LP Gas                                  |

In the Event of Severe Weather:

Open and Available Shelter Locations Will Include:  
Rowe Park 1,2,3 and the park shop

Identify Who Will Cancel the Event if Necessary: (name, title, phone number, and e-mail)  
Tyler Ketterhagen Recreation Coordinator 608-781-9560 tketterhagen@onalaskawi.gov

Public Safety Site Plan:

Attach a schematic drawing of the event site location. The drawing must be legible and drawn to scale. The public safety plan must include the following items if they will be provided, or if they are required.

• Booths, stages and event structures
• First Aid Station(s)
• Information / Ticket Booths
• Fences
• Tents
• Boundaries of the Event
• Exits & Gates (gates must be numbered)
• Fire Extinguishers
• Severe Weather Shelters
• Fire / EMS access Road

• Security Staff
•
• Emergency Contact Event Personnel
• Assembly Area & Approximate Occupant Amounts
• Event Parking
• Barricades
• Generators
• Temporary Roadways
• Signed detour route per MUTCD

Provide any additional information the City should consider or may be relevant to a review of this application.

Organization(s) Sponsoring Event:

Name: Onalaska Park and Rec  
Address: 415 Main Street  
City: Onalaska State WI Zip 54650

Check this box if this organization is tax exempt and provide proof with this application and include a copy of your organization's WI Sales and Use Tax Exempt Certificate.

Check this box to send invoices to this organization.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Check this box if this organization is tax exempt and provide proof with this application and include a copy of your organization's WI Sales and Use Tax Exempt Certificate.

Check this box to send invoices to this organization.

#### CONTACT INFORMATION

**\*\*Primary and/or Secondary Contacts Must Be Onsite at All Times of the Event\*\***

**Primary Contact:** Tyler Ketterhagen  
Daytime Phone: 6087819560 Cell #: 6085180310  
Email: tketterhagen@onalaskawi.gov  
Address: 415 Main Street  
City: Onalaska State WI Zip 54650

**Secondary Contact:** Dan Wick  
Daytime Phone: 6087819560 Cell #: 6087697254  
Email: dwick@onalaskawi.gov  
Address: 415 Main Street  
City: Onalaska State WI Zip 54650

**EMERGENCY CONTACT INFORMATION**

The public will be notified of a safety and/or security issue(s) in the following manner:

- Contacting Local Police and Fire Services
- Local Radio Station
- Other \_\_\_\_\_
- Onsite PA System
- Word of Mouth

If a Private Security Firm has Been Contracted, List Their Information Below:

Security Provider: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Location of Provider at Event Site: \_\_\_\_\_

Location of Missing Persons Station: \_\_\_\_\_

**EVENTS PERMIT FEE SCHEDULE**

Permit fees shall be based upon the anticipated number of participants expected to attend the listed event, as determined by the City Clerk, and based upon the following fees. Permit fee is due when the application is submitted. Permit fee is nonrefundable if event is cancelled. If event is rescheduled for a date within 6-months, the permit fee would apply to the rescheduled date; if the event is rescheduled for a date later than 6-months of the original event date the permit fee is nonrefundable.

<u>PERMITTYPE</u>	<u>PERMIT FEE</u>
PARADES	\$0
SPECIAL EVENT	0 – 299 Participants = \$0 300 – 499 Participants* = \$250.00 500 – 999 Participants* = \$350.00 Over 1,000 Participants* = \$500.00 Events two (2) or more days: = \$100.00**

\*Attendance shall be based on the highest attendance over the last two years of the event. New events with no prior participation shall automatically fall under subsection (c) 300 to 499 people unless event organizers anticipate 1,000 or more people in attendance.

\*\*Multi day events (e) shall be in addition to the fee based on the number of attendees.

If the Event Takes Place on City Property (Parks, City Streets, or Other City Owned Facilities) in Whole or In Part:

I have reviewed the proposed location for the event and determined suitability for our proposed use.

There are no requested changes, upgrades or safety concerns identified  
OR

I am requesting the following changes or upgrades:

I understand and acknowledge that it is the event organizer's responsibility to inspect the area the event is to take place and notify the City's Inspection Department (608.781.9541) of any safety concerns.

I have reviewed and have considered the Contingency Plan information provided by the City of Onalaska along with this application.

I have reviewed and understand the City's Insurance Requirements for Special Events as described in this document.

I have enclosed the event's Public Safety Site Plan.

I have enclosed other information that we believe is necessary or helpful to describe the planned event.

SIGNATURE

I am allowed to sign this application on behalf of the event sponsor. The information contained in this application for a Special Event permit is true, correct, and complete to the best of my knowledge. If there are any changes to the Special Event, I agree that I will promptly notify the City of Onalaska of these changes and request approval of them.

1/16/19

\_\_\_\_\_  
(Sign Name)

\_\_\_\_\_  
(Date)

Tyler Ketterhagen

Recreation Coordinator

(Print Name)

(Print Title with Organization)

Return Completed Applications To:

Cari Burmaster, City Clerk

415 Main Street, Onalaska, WI 54650

(W) 608.781.9530 (F) 608.781.9534 [cburmaster@cityofonalaska.com](mailto:cburmaster@cityofonalaska.com)



**CITY OF ONALASKA**

**INDEMNIFICATION, HOLD HARMLESS and REIMBURSEMENT AGREEMENT  
(to be returned to City Clerk with Application Packet)**

Special Event Name: Fleis Nightfall Frolic

Special Event Location: Rowe Park

Event Organizer(s):  
Onalaska Park and Rec

The Event Organizer(s) (individually and collectively referred to as "Organizer") agree that said Organizer, not the City of Onalaska ("City"), shall be solely responsible for all incidents related to the Special Event, as named above. This responsibility of the Organizer to the City includes but is not limited to actions of the Organizer, its officers, employees, agents, and volunteers, along with event vendors, contractors, subcontractors, participants and visitors.

In consideration for the City's approval of the Special Event, except to the extent such claims arise from the negligence or misconduct of the City, the Organizer of the Special Event agrees to indemnify and hold harmless the City of Onalaska and its officers, council members, agents, employees and authorized volunteers, from, for, and against and agrees to defend the same from and against, any and all suits, claims, grievances, damages, costs, expenses, judgments and/or liabilities, including costs of defense and reasonable attorney fees, and further agrees to pay any settlement entered into or on behalf of, judgment entered against, the foregoing individuals and/or entities. The Organizer shall reimburse the City for costs incurred due to extraordinary damage to City property during the Special Event held by Organizer. Extraordinary damage shall be defined as damage to a City park or other City property in excess of normal wear and tear and which required repair in excess of routine maintenance. Request for Reimbursement for Extraordinary Damage shall be provided to the Organizer in the form of a detailed written accounting of the Extraordinary Damages and their repair cost as evidenced by written receipts or estimates. The accounting shall be submitted via first class mail, return receipt requested to the address Organizer provides on the Special Events Application. The Organizer shall remit payment no later than thirty (30) days from receipt of the accounting.

The Organizer shall abide by the City's insurance requirements for the event, including the addition of the City of Onalaska, and its officers, council members, agents, employees, and authorized volunteers as additional insured's for the event.

One or more waivers by either party of any provisions, terms or conditions of this Agreement shall not be construed by either party as a waiver of a subsequent breach of the same by the other party.

In the event any provisions of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding on the parties.

This Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin.

This Agreement constitutes the entire Indemnification, Hold Harmless and Reimbursement Agreement between the parties and any change, amendment or modification must be made in writing and executed by both parties.

The individual(s) signing this Agreement has the authority to enter into this Agreement on behalf of the Organizer of the Special Event and have read and understand the Agreement.

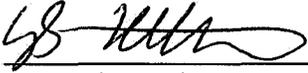
**EVENT ORGANIZER**

**CITY OF ONALASKA**

1/16/19

(date)

(date)



(signature)

City Clerk

Tyler Ketterhagen

(print name)

(title)

Mayor

(signature)

Dan Wick

(print name)

(title)

# SPECIAL EVENT CONTINGENCY PLAN

## For Review Only

Event sponsors should review and consider the following issues when they are planning or preparing for an event. Many of these issues are required by one or more regulations, or are components of larger regulations. Considering other issues which may not be required should contribute to the planning and operation of the event. Developing responses to these questions should result in more productive and fruitful discussions with the various departments with the City during their review of the Special Events Application.

Weather related issues: rain, snow, severe storms, tornadoes, etc.

If the weather forecast includes bad weather, will the event be cancelled? If so, how will attendees be notified?

Develop a plan for the sudden onset of severe weather. Where will the people go and who is designated to assist in their safe arrival at the safe refuge place?

Is there an area of safe refuge in case of tornado?

Medical issues

Where will ambulance access to the event be in case one is needed? Who will conduct crowd control in the event of a medical emergency?

Will a first aid station, with trained first aid provider, be provided at the event? Where?

If applicable, is there adequate shade to prevent heat stroke? Will water be provided? Where?

Crowd Control

Who will monitor the barricades?

Who will work the entry gates? Maintain egress and access?

Who will patrol the area to prevent incidents from getting out of control?

Develop a plan for those patrolling the crowd of what to do if they encounter unruly behavior. Have communication equipment.

Security

Will there be Police Officers providing security? If so, contact the Police Department for applicable requirements or guidelines relating to the number necessary.

If volunteers or private agencies provide security, will they have appropriate phone numbers for EMS, Fire, and Police?

If applicable, what will security officials do if non-paying attendees breach the gate/perimeter? If a complaint is received, for example, for loud music, how and who will handle the complaint? Provide communications equipment. Portable radios, cell phones, and access to land lines.

If applicable, secure monies in an area not accessible to the attendees.

Logistics

Where will there be, or will there be, a staging area for support staff? What time will the crowd be disbursed and by whom?

Who will conduct clean up?

Remember to maintain fire lanes and access roads.

Appoint one person to oversee and take responsibility for the event. Who? Will an adequate amount of restroom facilities be provided? Where?

Is there adequate safe parking provided? Where?



**CITY OF ONALASKA**  
**Special Event Insurance Requirements.**

(a) The applicant shall provide primary coverage insurance for the event. Any insurance or self-insurance maintained by the City of Onalaska, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss. The applicant shall, no later than five (5) days prior to the start of the event, provide proof of insurance as follows:

1. General Liability Coverage. Coverage shall be occurrence coverage. Claims-made coverage is prohibited.

a. Commercial General Liability.

- (i) \$1,000,000 general aggregate – per event;
- (ii) \$1,000,000 products – completed operations aggregate;
- (iii) \$1,000,000 personal injury and advertising injury;
- (iv) \$1,000,000 each occurrence limit.

b. Insurance must include:

- (i) Premises and operations liability;
- (ii) Contractual liability, including coverage for the joint negligence of the City of Onalaska, its officers, council members, agents, employees, authorized volunteers and the named insured;
- (iii) Personal injury;
- (iv) Explosion, collapse and underground coverage;
- (v) Products and completed operations;
- (vi) The general aggregate must apply separately to the event and location.

2. Business Automobile Coverage. Such coverage is required if motor vehicles are used in relation to and before, during or after the event. This requirement does not apply to cover personal vehicles used by attendees or event personnel to arrive or depart from the event. Coverage limits shall be no less than \$250,000 each person, \$500,000 each accident for bodily injury, \$100,000 for property damage or \$500,000 combined single limit for bodily injury and property damage each accident.

3. Worker's Compensation and Employers Liability. Proof of such coverage shall be required consistent with Wis. Stats. Chap. 102 or any applicable Worker's Compensation Statutes of a different state. Coverage limits shall be no less than \$100,000 each accident, \$500,000 disease policy limit and \$100,000 disease per employee.
4. Liquor Liability. If the event holder sells alcoholic beverages, liquor liability insurance with coverage limits of no less than \$500,000 each occurrence and \$500,000 aggregate.
5. Fireworks Liability. If the event includes a firework display, then the event holder shall carry an additional \$1,000,000 in coverage.

- (b) All insurance shall be in full force prior to commencing the event and remain in force throughout the entire event, including the cleanup period after the event.
- (c) The City of Onalaska, and its officers, council members, agents, employees, and authorized volunteers shall be additional insureds on general liability, business automobile and liquor liability policies. The additional insured policy endorsement must accompany the certificate of insurance.
- (d) All policies shall require 30 day written notice to the City of Onalaska of cancellation, non-renewal or material change in the insurance coverage.
- (e) Insurance must be provided by an insurances carrier with the "Best" rating of "A-VII" or better. All carriers shall be admitted carriers in the State of Wisconsin.
- (f) All insurance must be primary and non-contributory to any insurance or self-insurance carried by the City of Onalaska.

**FOR OFFICE USE ONLY**

City Clerk	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>1-31-19</u>
Fire Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>1-31-19</u>
Police Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>MUST work w/ SGT. BEAG For Any/all Traffic Control Needs</u>	Date: <u>2-4-19</u> <i>(initials)</i>
Public Works	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>2-5-19</u> <i>(initials)</i>
Planning	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>VA</u>	Date: <u>2-5-19</u>
Parks & Rec	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: <u>2/5/19</u>

Site Diagram Sketch Attached:  YES  NO

GIS Dept. Map Prepared: \_\_\_\_/\_\_\_\_/\_\_\_\_

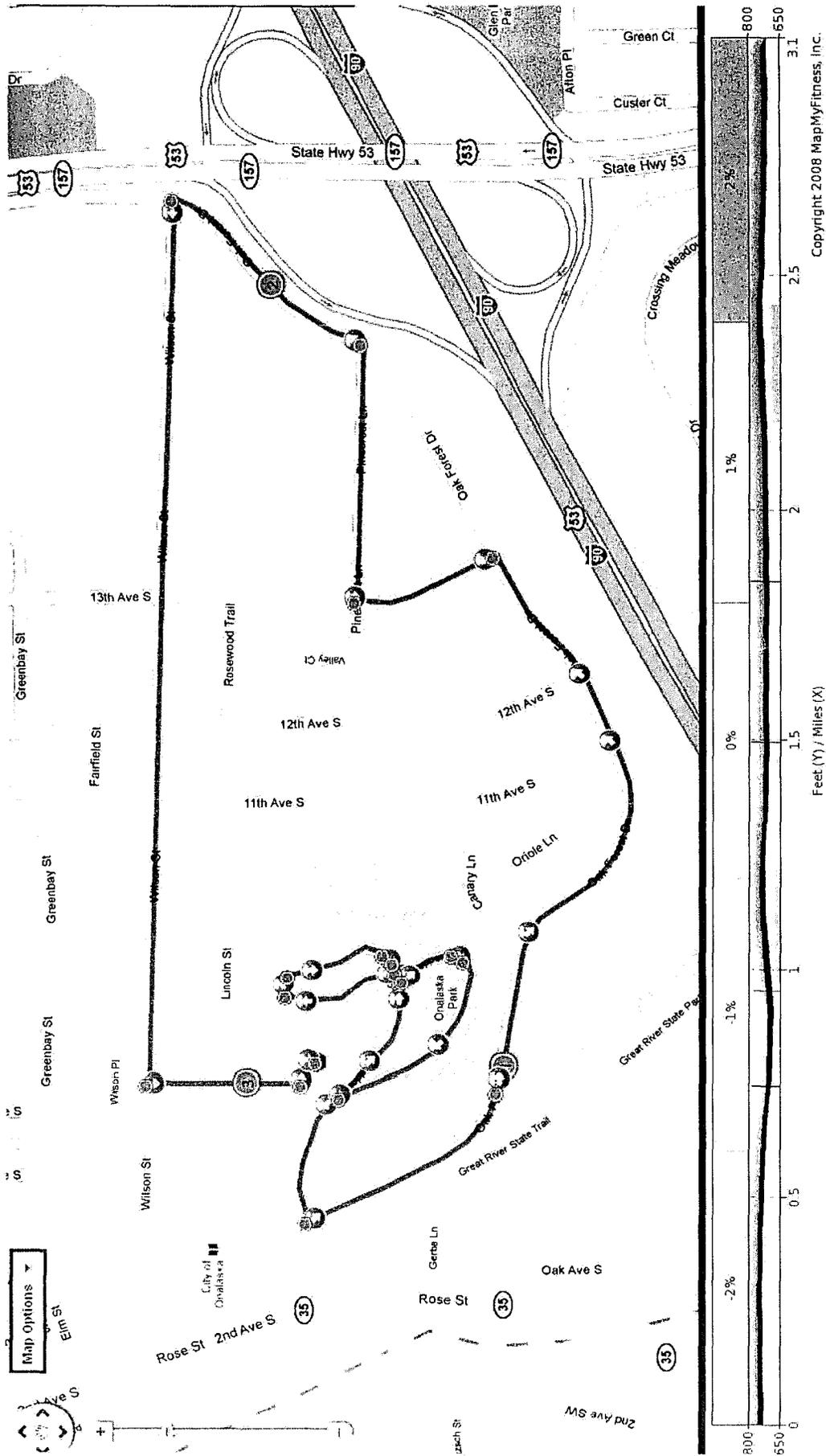
Insurance Required:  YES  NO Certificate of Insurance on File:  YES  NO COI Expires: \_\_\_\_/\_\_\_\_/\_\_\_\_

Special Class B License Required:  YES  NO Date of Special Class B Application: \_\_\_\_/\_\_\_\_/\_\_\_\_

Approved By A&J: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date License Issued: \_\_\_\_/\_\_\_\_/\_\_\_\_

License No: \_\_\_\_\_

# 5K Run/Walk Route



Copyright 2008 MapMyFitness, Inc.

**Resolution to Utilize Committee of the Whole**

TO: THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF ONALASKA, WI

**Whereas**, the public’s trust in the political process requires a transparent system ensuring that all procedures are open to public scrutiny and add credibility to all city decision making processes,

**And Whereas**, the discussion and decision making process of the Common Council should be an inclusive process,

**And Whereas**, the council members have a continuing need for information in a streamlined and informative manner to maximize their effectiveness,

**And Whereas**, that is the intent that the Common Council of the City of Onalaska consider a change in their meeting and deliberative process;

**Now then let it be Resolved**, the first Wednesday prior to the second Tuesday of the month, the standing committees will meet as the Committee of the Whole, requiring all alderpersons and appropriate staff to attend with the Council President presiding and the Chair of each committee presiding over their respective portion. The Committee shall be conducted within usual Roberts Rules of Order,

**Resolved**, The Committee of the Whole meeting will be open to the public and include public comment.

**Resolved**, required attendance at each meeting will be all alderpersons and appropriate staff only,

**Resolved**, all chairs will remain the same,

**Resolved**, no other committee or committees are affected.

Dated this        day of        , 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

#7

**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

KWIK TRIP #350 / SARA J GILMAN 10.00  
REVENUE ACCOUNT 10.00  
PAID BY: KWIK TRIP INC  
CK 10.00 REF: SW - La Crosse  
County of \_\_\_\_\_  
APPLIED 10.00  
KWIK TRIP, Inc. 10.00  
(registered name of corporation/organization or limited liability company)  
CHANGE 0.00

To the governing body of:  Town **City of Onalaska**  
 Village of \_\_\_\_\_  
 City \_\_\_\_\_

The undersigned duly authorized officer(s)/members/managers of **Kwik Trip, Inc.**  
(registered name of corporation/organization or limited liability company)  
a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

**Kwik Trip 350**  
(trade name)

located at **9421 State Rd. Hwy. 16, Onalaska, WI 54650**

appoints **Sara J. Gilman**  
(name of appointed agent)

**917 25<sup>th</sup> Street S., La Crosse, WI 54601**

(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes  No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course?  Yes  No **All my Life.**

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? \_\_\_\_\_

Place of residence last year **917 25<sup>th</sup> Street S., La Crosse, WI 54601**

For: **Kwik Trip, Inc.**  
(name of corporation/organization/limited liability company)

By: *Ronald P. [Signature]*  
(signature of Officer/Member/Manager)

And: *[Signature]*  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, **Sara J. Gilman**, hereby accept this appointment as agent for the  
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

*Sara J. Gilman*  
(signature of agent)

**02-11-19**  
(date)

Agent's age **30**

**917 25<sup>th</sup> Street S., La Crosse, WI 54601**

(home address of agent)

Date of birth **11/7/1988**

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY  
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(date) (signature of proper local official) (town chair, village president, police chief)

3/06/2019 1:54 PM

L I C E N S E M A S T E R R E P O R T

LICENSES: ALL

SORTED BY: LICENSE NUMBER

EFFECTIVE

LICENSE CODES: Include: RECBURN-O

EXPIRATIC

CLASSES: All

COMMENT:

STATUS: ACTIVE

PAY STATU

CITY LIMITS: INSIDE, OUTSIDE



ID	CODE	NAME/ PROPERTY ADDRESS	STATUS	CLASS/ REPORT	ORIG/ RENEW	TERM/ PRINTED
01149	RECBURN-O	LUEBKER 2117 CRAIG LN W	JOHN & ACTIVE	REC BURN REC BURN	4/09/2015	2/08/2019
05043	RECBURN-O	MALLADY 1233 MAIN ST	HEATHE ACTIVE	REC BURN REC BURN	6/02/2017	2/27/2019
05581	RECBURN-O	GROTH 415 MAIN ST	TOM ACTIVE	REC BURN REC BURN	2/13/2019	2/20/2019
05589	RECBURN-O	HENRIKSEN 323 3RD AVE N	TRACY ACTIVE	REC BURN REC BURN	2/19/2019	2/22/2019

REPORT TOTALS: 4 LICENSES

## ORDINANCE NO. 1628 - 2019

AN ORDINANCE TO AMEND ARTICLE E OF CHAPTER 1 OF TITLE 10  
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO  
ENFORCEMENT AND PENALTIES

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS  
FOLLOWS:

SECTION I. Article E of Chapter 1 of Title 10 of the City of Onalaska Code of  
Ordinances related to Enforcement and Penalties is hereby deleted in its entirety and replaced as  
follows:

**Article E: Enforcement and Penalties****Sec. 10-1-60 Penalties.**

- (a) **Forfeiture Penalty.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Section 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefore and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.
- (b) **Other Sanctions.**
- (1) **By Court.** Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu or imprisonment.
  - (2) **By Municipality.** No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the City Clerk, except dog and cat license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **Forfeitures For Violation of Uniform Moving Traffic Regulations.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 10-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this Subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters

341 to 348, Wis. Stats., for which an imprisonment penalty or fine may be imposed upon the defendant.

(d) **Forfeitures For Parking Violations.**

(1) **Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses.**

Minimum and maximum forfeiture for violation of non-moving traffic violations adopted by reference in Section 10-1-1 as described in Chapters 341 to 348, Wis. Stats., shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule and also set forth on the City's Parking Violation Penalty Chart available on the City of Onalaska website, and at the City Clerk's office and Joint Municipal Court's office

(2) **Penalty for Other Parking Violations.** Shall be as set forth on the City's Parking Violation Penalty Chart available on the City of Onalaska website, and at the City Clerk's office and Joint Municipal Clerk's Office.

(3) **Winter Alternate Parking.** The forfeiture for violation of the provisions of Section 10-1-29 (a) of this Chapter relating to overnight parking from November 15 through April 1 and snow removal from public parking lots shall be as set forth on the City's Parking Violation Penalty Chart available on the City of Onalaska website and at the City Clerk's office and Joint Municipal Clerk's office. In the event the forfeiture is not paid within forty five (45) days of the date of violation, the City reserves the right to suspend the operating privileges of the owner or the registration of the vehicle involved in such violation until the penalty is paid in full along with incurring a \$10 fee for the processing of the paperwork. If the vehicle is towed it will be at the owner's expense. If a vehicle is determined by the City Engineer or their designee to be a hindrance to the snow plowing/removal, they can order the tow of the vehicle. If a vehicle has received more than nine (9) parking tickets in a season, that vehicle will be towed at the direction of the police each time it is in violation during the remainder of the season.

(e) **Other Violations.** Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00).

**Sec. 10-1-61 Enforcement.**

(a) **Enforcement Procedures.**

(1) **How Enforced.** This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.

(2) **Applicable Court Procedures.** Except where otherwise specifically provided by the laws of the State of Wisconsin or this Code, the traffic regulations in this Code shall be enforced in the Circuit Court for La Crosse County or in Municipal Court.

(b) **Citations.be enforced**

(1) **Uniform Citation and Complaint.** The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Chapter except those provisions which describe or define non-moving traffic violations and violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.

(2) **Parking Citations.** The Chief of Police shall recommend a citation for use in enforcing the non-moving traffic offenses in this Chapter. Such citation shall be used

for enforcement of non-moving traffic regulations created or adopted by this Chapter, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in Section 10-1-1, and all provisions regarding non-moving traffic violations in this Chapter. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

(c) **Deposits**

(1) **Uniform Traffic Offenses.**

- a. **Who May Make.** Persons arrested or cited for violation of moving traffic offenses created by this Chapter and allowed to dispense of their citation by a deposit under 345.26(1)(a) shall be permitted to make deposits and discharge their forfeiture with a plea of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Sections 66.0111 and 345.26 of the Wisconsin Statutes whenever the provisions of Section 345.27 of the Wisconsin Statutes are inapplicable to such violations. Forfeitures may be discharged by making payment online or as set forth in subsection (b) below.
- b. **Delivery or Mailing of Deposit.** Any person stipulating guilt or no contest under the preceding Subsection may make the deposit required under Section 345.26 of the Wisconsin Statutes or, if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Common Council. Deposits may be brought or mailed to the City Finance Department before the scheduled court appearance in lieu of court appearance.
- c. **Receipt Required.** The official or person receiving the deposit on behalf of the Municipal Court shall furnish and deliver or mail an original receipt for such deposit to the alleged violator within two business (2) days of receipt.

(2) **Non-moving Traffic Offenses.**

- a. **Direct Payment of Penalty Permitted.** Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or bringing the applicable forfeiture to the City of Onalaska Finance Department on or before their scheduled initial appearance date or within the applicable time frame as set forth on their parking citation.
- b. **Registration Suspension.** If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a non-moving traffic violation on the date specified in the citation or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the City may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., and the City's Registration Suspension Program outlined in section (3) below.

(3) **Registration Suspension Program.**

- a. The City shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128 and all amendments or changes thereto.

- b. The City of Onalaska Treasurer is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128. The City of Treasurer's department is authorized to perform, on behalf of the City, all functions required of a local authority under said Statutes and Code including, but not limited to:
  - 1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for non-moving traffic violations;
  - 2. Specifying whether the registration of vehicles involved in unpaid citations for non-moving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for non-moving traffic violations;
  - 3. Determining the method by which the City will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
  - 4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
- c. The City Treasurer is hereby authorized to assign designee(s) to perform such acts as are necessary to effectuate this Subsection.
- d. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The City of Onalaska may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.
- e. This Subsection shall not be interpreted as requiring that all unpaid citations for non-moving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The City's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

*State Law Reference:* Sec. 345.28, Wis. Stats.; Chapter Trans. 128, Wis. Adm. Code. as may be amended.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

FISCAL IMPACT OF ORDINANCE 1628 – 2019

Please route in this order

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

Eric Rindfleisch  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

Jarrold Holter  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

Troy Miller 12-21-18  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 12-27-18  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

ORDINANCE NO. 1630-2019

AN ORDINANCE TO AMEND SECTION 10 OF CHAPTER 2 OF TITLE 11 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO DISORDERLY CONDUCT

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 11, Chapter 2, Section 10 of the City of Onalaska Code of Ordinances related to Disorderly Conduct is hereby deleted in its entirety and replaced as follows:

Sec. 11-2-10 Defecating or Urinating in Public Places

It shall be unlawful for any person to defecate or urinate outside of designed sanitary facilities, upon any sidewalk, street, alley, public parking lot, park, playground, cemetery or other public area within the City, or upon any private property in open view of the public, or in the halls, rooms without restroom facilities, stairways or elevators of public or commercial buildings, or to indecently expose his person.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

Eric Rindfleisch  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

Jarrold Holter 1-14-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

Troy Miller 1-15-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 1-17-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

ORDINANCE NO. 1631-2019

AN ORDINANCE TO AMEND SECTIONS 6 AND 7 OF CHAPTER 3 OF TITLE 2 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO POLICE AND FIRE CHIEFS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 2, Chapter 3, Sections 6 and 7 of the City of Onalaska Code of Ordinances related to the Police Chief and Fire Chief hereby deleted in their entirety and replaced as follows:

Sec. 2-3-6 Chief of Police

- (a) **Appointment.**
  - (1) The Chief of Police shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal by the Police and Fire Commission for cause. The Chief of Police shall within six (6) months after commencement of employment, or following any required probationary period, whichever is later, establish and maintain residence at a distance not greater than 15 miles from the nearest corporate boundary of the City.
  - (2) The compensation to be paid the Chief of Police for their services, the hours of active duty, rest days, vacation periods and any such similar benefits shall be determined by the Common Council from time to time.
- (b) **Duties.** The Chief of Police shall be responsible for performing the duties required under State law and the job description for the position of Chief of Police adopted by Common Council and as may be amended by the Common Council.

Sec. 2-3-7 Fire Chief

- (a) **Appointment.**
  - (1) The Fire Chief shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal by the Police and Fire Commission for cause. The Fire Chief shall within six (6) months after commencement of employment, or following any required probationary period, whichever is later, establish and maintain residence at a distance not greater than 15 miles from the nearest corporate boundary of the City.
  - (2) The compensation to be paid the Fire Chief for their services, the hours of active duty, rest days, vacation periods and any such similar benefits shall be determined by the Common Council from time to time.

(b) **Duties.** The Fire Chief shall be responsible for performing the duties required under State law and the job description for the position of Fire Chief adopted by Common Council and as may be amended by the Common Council

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

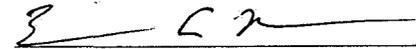
By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1631 – 2019

Please route in this order

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Billy Hayes, Fire Chief

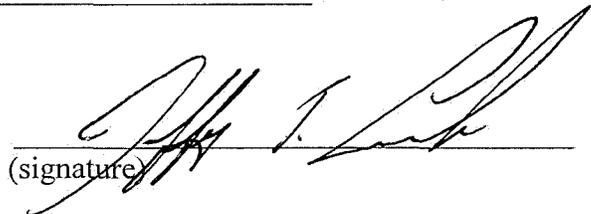
  
(signature) Troy Gudie

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Hope Burchell, Human Resources Director

  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

**AN ORDINANCE TO AMEND TITLE 10 CHAPTER 1 SECTION 18 OF THE CODE  
OF ORDINANCES OF THE CITY OF ONALASKA RELATING  
TO ONE-WAY STREETS AND ALLEYS**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Subsection (d) of Section 18 of Chapter 1 of Title 10 is hereby created as follows:

(d) Irvin Street shall be a one-way street from 2<sup>nd</sup> Avenue South to 3<sup>rd</sup> Avenue South.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA, BY:

\_\_\_\_\_  
Joe Chilsen, Mayor

\_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1633 – 2019

Please route in this order

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

ER  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

CJH 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item \$100 FOR SIGNS

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

T Miller 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

**AN ORDINANCE TO AMEND TITLE 10 CHAPTER 1 SECTION 37 OF THE CODE  
OF ORDINANCES OF THE CITY OF ONALASKA RELATING  
TO SCHOOL ZONE PARKING**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Subsubsection (11) of Subsection (f) of Section 37 of Chapter 1 of Title 10 is hereby created as follows:

(11) There shall be two-hour parking from 7:30 a.m. until 4:30 p.m. on days when school is in session on the north side of Irvin Street from the east right of way of 4<sup>th</sup> Avenue South to 141 feet east.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA, BY:

\_\_\_\_\_  
Joe Chilsen, Mayor

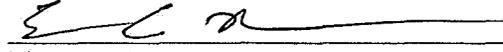
\_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1634 – 2019

Please route in this order

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

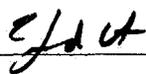
  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item **#100 FOR SIGNS**

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

ORDINANCE NO 1635 - 2019

AN ORDINANCE TO AMEND TITLE 11 CHAPTER 1 SECTION 1 OF THE CITY OF ONALASKA  
CODE OF ORDINANCES RELATED TO OFFENSES AGAINST STATE LAW SUBJECT TO  
FORFEITURE

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Section 1 of Chapter 1 of Title 11 of the Code of Ordinances of the City of

Onalaska is hereby deleted in its entirety and replaced with:

**Sec. 11-1-1 Offenses Against State Laws Subject to Forfeiture.**

The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the City of Onalaska. With the exception of Sec. 938.342, Wis. Stats., the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code of Ordinances. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code. The penalty for truancy and high school dropouts shall be governed by the provisions of Sec. 938.342, Wis. Stats., as adopted herein.

- 118.07 Healthy & Safety Requirements
- 118.08 School Zones; Crossings
- 118.09 Safety Zones
- 118.10 School Safety Patrols
- 118.105 Control of Traffic on School Premises
- 118.11 School Fences
- 118.123 Reports and Records
- 118.163 Municipal Truancy and School Dropout Violations
- 125.07(4)(a) Underage Drinking-Procures or Attempts to Procure
- 125.07(4)(1b) Underage Drinking-Possess or Consume
- 125.085(3)(b) Identification Card Violations
- 125.09(2) School Related Possession of Alcohol
- 134.65 Cigarette and Tobacco Products Retailer License
- 134.66 Restrictions on Sale or Gift of Cigarettes or Tobacco Products
- 167.10 Fireworks Regulated
- 167.32 Safety at Sporting Events
- 173.10 Investigation of Animal Cruelty Complaints
- 173.24 Reimbursement for Expenses
- 175.25 Illegal Storage of Junked Vehicles
- 254.92 Purchase or Possession of Tobacco Products by Person under 18 Prohibited
- 256.35(10)(a) False 911 Calls

287.81	Littering
938.125	Jurisdiction -- Juveniles Alleged to Have Violated Civil Laws or Ordinances
938.17	Jurisdiction -- Juveniles -- Traffic, Boating, Snowmobile and All-Terrain Vehicle Violations and Over Civil Law and Ordinance Violations
938.342	Disposition - Truancy and School Dropout Ordinance Violations
938.343	Disposition -- Juvenile Adjudged to Have Violated a Civil Law or an Ordinance
938.344	Disposition -- Certain Intoxicating Liquor, Beer and Drug Violations
938.345	Disposition -- Juvenile Adjudged in Need of Protection or Services
939.05(2)(b)	Aiding and Abetting
939.22	Words and Phrases Defined
940.19(1)	Battery
940.291	Failure of a Police Officer to Render Aid
940.32	Stalking
940.34	Duty to Aid Victim or Report Crime
940.42	Misdemeanor Intimidation of Witness's
940.44	Intimidation of Victims
941.01	Negligent Operation of a Vehicle
941.10	Negligent Handling of Burning Materials
941.12(2),(3)	Interfering With or Failing to Assist in Firefighting
941.13	False Alarms and Interference with Firefighting
941.20(1)	Reckless Use of Weapon
941.23	Carrying Concealed Weapon
941.231	Carrying a Concealed Knife
941.235	Carrying a Firearm in a Public Building
941.299	Restrictions on the Use of Laser Pointers
941.315(2)	Possession of Nitrous Oxide
941.316	Possession and Abuse of Hazardous Substance
941.35	Emergency Telephone Calls
941.36	Fraudulent Tapping of Electric Wires or Gas or Water Meters or Pipes
941.37(1),(2)	Obstructing Emergency or Rescue Personnel
942.01	Defamation
942.03	Giving False Information for Publication
942.05	Opening Letters
942.08	Invasion of Privacy
942.10	Use of a Drone
943.01(1)	Criminal Damage to Property
943.11	Entry Into Locked Vehicle
943.125	Entry Into Locked Coin Box
943.13	Trespass to Land
943.14	Trespass to Dwellings

943.145	Criminal Trespass to a Medical Facility
943.15	Entry Into Locked Site
943.017(1)	Graffiti
943.20(3)(a)	Theft
943.21(3)	Fraud on Innkeeper or Restaurant Keeper
943.22	Cheating Tokens
943.225	Refusal to Pay for a Motor Bus Ride
943.23(1)(4)(5)	Operating Vehicle Without Owner's Consent
943.24	Issuance of Worthless Checks
943.34(1)(a)	Receiving Stolen Property
943.37	Alteration of Property Identification Marks
943.38(3)	Forgery
943.392	Fraudulent Data Alteration
943.41	Credit Card Crimes
943.45	Theft of Telecommunication Services
943.46	Theft of Video Services
943.47	Theft of Satellite Cable Programming
943.50(1)-(3), (4)(a)	Retail Theft
943.55	Removal of a Shopping Cart
943.70	Computer Crimes
944.15	Public Fornication
944.17	Sexual Gratification
944.20	Lewd and Lascivious Behavior
944.21	Obscene Material or Performance
944.23	Making Lewd, Obscene or Indecent Drawings
944.25	Sending Obscene or Sexually Explicit Electronic Messages
944.30	Prostitution
944.31	Patronizing Prostitutes
944.33	Pandering
944.36	Solicitation of Drinks Prohibited
945.01	Definitions Relating to Gambling
945.02	Gambling
945.04	Permitting Premises to be Used for Commercial Gambling
946.40	Refusing to Aid Officer
946.41	Resisting or Obstructing Officer
946.42(2)	Escape
946.46	Encouraging Violation of Probation or Parole
946.66	False Complaints of Police Misconduct
946.67	Compounding Crimes
946.69	Falsely Assuming to Act as Public Officer or Employee
946.70	Impersonating Peace Officer, Fire Fighters or other Emergency Personnel
946.71	Unlawful use of License for Carrying Concealed Weapon
946.72(2)	Tampering with Public Records and Notices
947.01	Disorderly Conduct
947.011	Disrupting a Funeral or Memorial Service

947.012	Unlawful Use of Telephone
947.0125	Unlawful use of Computerized Communication System
947.013	Harassment
947.02	Vagrancy
947.06	Unlawful Assemblies
947.07	Drinking in Common Carriers
947.20	Right to Work
948.01	Definitions Relating to Crimes Against Children
948.09	Sexual Intercourse With a Child Age 16 or Older
948.10	Exposing Genitals, Pubic Area or Intimate Parts
948.11(1)(b), (2)(b)	Exposing a Child to Harmful Material
948.21	Neglecting a Child
948.40	Contributing to the Delinquency of a Child
948.45	Contributing to Truancy
948.50	Strip Search by School Employee
948.51(1),(2), (3)(a)	Hazing
948.60	Possession of a Dangerous Weapon by a Child
948.61(1),(2)	Dangerous Weapons on School Premises
948.63	Receiving Property From a Child
948.70	Tattooing of Children
951.01	Definitions Relating to Crimes Against Animals
951.015	Construction and Application
951.02	Mistreating Animals
951.03	Dognapping or Catnapping
951.04	Leading Animal from Motor Vehicle
951.05	Transportation of Animals
951.06	Use of Poisonous and Controlled Substances
951.07	Use of Certain Devices Prohibited
951.08	Fights between Animals
951.09	Shooting at Caged or Staked Animals
951.095	Harassment of Police and Fire Animals
951.097	Harassment of Service Dogs
951.10	Sale of Baby Rabbits, Chicks and Other Fowl
951.11	Artificially Colored Animals; Sale
951.13	Providing Proper Food and Drink to Confined Animals
951.14	Providing Proper Shelter
951.15	Abandoning Animals
961	Uniform Controlled Substances Act
961.003	Uniformity of Interpretation
961.573(1)(2)	Possession of drug paraphernalia.
961.574(1)(2)	Manufacture or delivery of drug paraphernalia.
961.575(1)(2)	Delivery of drug paraphernalia to a minor.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

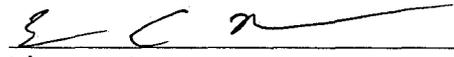
By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1635 – 2019**

Please route in this order

Eric Rindfleisch, Administrator  
(let Caitlin review all annexation ordinances)

  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

 2-20-19  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

1635  
ORDINANCE NO. \_\_\_ - 20197

**AN ORDINANCE TO AMEND TITLE 11 CHAPTER 1 SECTION 1 OF THE CITY OF ONALASKA  
CODE OF ORDINANCES RELATED TO OFFENSES AGAINST STATE LAW SUBJECT TO  
FORFEITURE**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 1,) of Chapter 1 of Title 11 of the Code of Ordinances of the City of

Onalaska is hereby deleted in its entirety and replaced with:

**Sec. 11-1-1 Offenses Against State Laws Subject to Forfeiture.**

The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the City of Onalaska. With the exception of Sec. 938.342, Wis. Stats., the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code of Ordinances. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code. The penalty for truancy and high school dropouts shall be governed by the provisions of Sec. 938.342, Wis. Stats., as adopted herein.

- ~~29.288~~ ~~Throwing Refuse in Waters~~
- ~~48.983~~ ~~Purchase or Possession of Tobacco Products Prohibited~~
- ~~50.58~~ ~~Careless Smoking~~
- 118.07 Healthy & Safety Requirements
- 118.08 School Zones; Crossings
- 1 18.09 Safety Zones
- 118.10 School Safety Patrols
- 118.105 Control of Traffic on School Premises
- 118.11 School Fences
- 118.123 Reports and Records
- 118.163 Municipal Truancy and School Dropout Violations
- ~~125.07(4)(a)~~ ~~Underage Drinking-Procures or Attempts to Procure~~
- ~~125.07(4)(1b)~~ ~~Underage Drinking-Possess or Consume~~
- ~~125.085(3)(b)~~ ~~Identification Card Violations~~
- ~~125.09(2)~~ ~~School Related Possession of Alcohol~~
- 134.65 Cigarette and Tobacco Products Retailer License
- 134.66 Restrictions on Sale or Gift of Cigarettes or Tobacco Products
- 167.10 Fireworks Regulated
- ~~167.32~~ ~~Safety at Sporting Events~~
- 173.10 Investigation of Animal Cruelty Complaints
- 173.24 Reimbursement for Expenses
- 175.25 Illegal Storage of Junked Vehicles
- ~~254.92~~ ~~Purchase or Possession of Tobacco Products by Person under 18~~  
Prohibited
- ~~256.35(10)(a)~~ ~~False 911 Calls~~

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287.81            Littering  
 938.125          Jurisdiction -- Juveniles Alleged to Have Violated Civil Laws  
                          or Ordinances  
 938.17            Jurisdiction -- Juveniles -- Traffic, Boating, Snowmobile and  
                          All-Terrain Vehicle Violations and Over Civil Law and  
                          Ordinance Violations  
 938.342          Disposition - Truancy and School Dropout Ordinance Violations  
 938.343          Disposition -- Juvenile Adjudged to Have Violated a Civil Law  
                          or an Ordinance  
 938.344          Disposition -- Certain Intoxicating Liquor, Beer and Drug  
                          Violations  
 938.345          Disposition -- Juvenile Adjudged in Need of Protection or  
                          Services  
 939.05(2)(b)    Aiding and Abetting  
 939.22            Words and Phrases Defined  
 940.19(1)        Battery  
 940.291          Failure of a Police Officer to Render Aid  
940.32            Stalking  
940.34            Duty to Aid Victim or Report Crime  
 940.42            Misdemeanor Intimidation of Witness's  
 940.44            Intimidation of Victims  
 941.01            Negligent Operation of a Vehicle  
 941.10            Negligent Handling of Burning Materials  
 941.12(2),(3)    Interfering With or Failing to Assist in Firefighting  
 941.13            False Alarms and Interference with Firefighting  
 941.20(1)        Reckless Use of Weapon  
 941.23            Carrying Concealed Weapon  
941.231          Carrying a Concealed Knife  
 941.235          Carrying a Firearm in a Public Building  
941.24            Possession of Switchblade Knife  
941.299          Restrictions on the Use of Laser Pointers  
941.315(2)        Possession of Nitrous Oxide  
941.316          Possession and Abuse of Hazardous Substance  
 941.35            Emergency Telephone Calls  
 941.36            Fraudulent Tapping of Electric Wires or Gas or Water Meters  
                          or Pipes  
 941.37(1),(2)    Obstructing Emergency or Rescue Personnel  
 942.01            Defamation  
 942.03            Giving False Information for Publication  
 942.05            Opening Letters  
942.08            Invasion of Privacy  
942.10            Use of a Drone  
942.20(1),(2)    Theft  
 943.01(1)        Criminal Damage to Property  
 943.11            Entry Into Locked Vehicle  
 943.125          Entry Into Locked Coin Box  
 943.13            Trespass to Land  
 943.14            Trespass to Dwellings  
 943.145          Criminal Trespass to a Medical Facility  
 943.15            Entry Into Locked Site

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943.017(1) Graffiti  
943.20(3)(a) Theft ~~of Property~~  
943.21(3) Fraud on Innkeeper or Restaurant Keeper  
943.22 Cheating Tokens  
943.225 Refusal to Pay for a Motor Bus Ride  
943.23(1)(4)(5) Operating Vehicle Without Owner's Consent  
943.24 I.O.W.C. ssuance of Worthless Checks

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- 943.34(1)(a) —Receiving Stolen Property
- 943.37 Alteration of Property Identification Marks
- 943.38(3) Forgery
- 943.392 Fraudulent Data Alteration
- 943.41 Credit Card Crimes
- 943.45 Theft of Telecommunication Services
- 943.46 Theft of ~~Cable-Video~~ Services
- 943.47 Theft of Satellite Cable Programming
- 943.50(1)-(3),  
  - (4)(a) Retail Theft
- 943.55 Removal of a Shopping Cart
- 943.70 Computer ~~Theft~~Crimes
- 944.15 Public Fornication
- 944.17 Sexual Gratification
- 944.20 Lewd and Lascivious Behavior
- 944.21 Obscene Material or Performance
- 944.23 Making Lewd, Obscene or Indecent Drawings
- 944.25 Sending Obscene or Sexually Explicit Electronic Messages
- 944.30 Prostitution
- 944.31 Patronizing Prostitutes
- 944.33 Pandering
- 944.36 Solicitation of Drinks Prohibited
- 945.01 Definitions Relating to Gambling
- 945.02 Gambling
- 945.04 Permitting Premises to be Used for Commercial Gambling
- 946.40 Refusing to Aid Officer
- 946.41 Resisting or Obstructing Officer
- 946.42(2) Escape
- 946.46 Encouraging Violation of Probation or Parole
- 946.66 False Complaints of Police Misconduct
- 946.67 Compounding Crimes
- 946.69 Falsely Assuming to Act as Public Officer or Employee
- 946.70 Impersonating Peace Officer, Fire Fighters or other Emergency Personnel
- 946.71 Unlawful use of License for Carrying Concealed Weapon
- 946.72(2) Tampering with Public Records and Notices
- 947.01 Disorderly Conduct
- 947.011 Disrupting a Funeral or Memorial Service
- 947.012 Unlawful Use of Telephone
- 947.0125 Unlawful use of Computerized Communication System
- 947.013 Harassment
  
- 947.02 Vagrancy~~947.047~~ Littering Shores
- 947.06 Unlawful Assemblies
- 947.07 Drinking in Common Carriers
- 947.20 Right to Work
- 948.01 Definitions Relating to Crimes Against Children
- 948.09 Sexual Intercourse With a Child Age 16 or Older
- 948.10 Exposing Genitals, Pubic Area or Intimate Parts~~a Sex Organ~~

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948.11(1)(b), (2)(b)	Exposing a Child to Harmful Material
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- ~~951.16~~            Investigation of Animal Cruelty Complaints
- ~~951.17~~            Reimbursement for Expenses
- ~~961.01-~~           Uniform Controlled Substances Act
- ~~961.00364~~        Uniformity of Interpretation
- 961.573(1)(2)    Possession of drug paraphernalia.
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- 961.575(1)(2)    Delivery of drug paraphernalia to a minor.

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Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED: