

**CHAPTER 11**

**HEALTH AND SOCIAL SERVICES**

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## **HEALTH AND SOCIAL SERVICES 11.01**

**11.01 HEALTH OFFICER.** The director of Public Health Nursing Service shall be designated as the Health Officer for the purpose of communicable disease control as set forth in Ch. 143, Wis. Stats., and the Zoning Officer shall be designated as Assistant Health Officer for purposes of environmental sanitation and other public health problems not specifically designated by statute as functions of the public health nurse.

**11.02 ELDERLY ABUSE REPORTING PROGRAM.** The County Department of Social Services shall be delegated as the lead agency for the Elderly Abuse Reporting Program.

### **11.03 LONG-RANGE MISSION OF THE COUNTY AGING UNIT.**

(1) **PURPOSE.** The County Aging Unit is the policy, planning and community organizing group designated by a County to be the focal point for County aging activities. Its purpose is to assure that older people have the opportunity to realize their full potential and completely participate and have access to areas of community life. It shall be the body within a County which represents the views, interests and concerns of older people in County decisions. It shall be responsible for identifying and promoting ways in which older people can contribute to the community's general welfare. To assure that all the above activities are carried out in a comprehensive and coordinated fashion, it shall plan, develop, maintain and coordinate aging programs which focus on providing the aged with access to services, benefits and opportunities which are available in the community. In order for the County Aging Unit to best fulfill this mission, it shall develop a mutually supportive relationship with the area Agency on Aging.

(2) **COMPOSITION.** The County Aging Unit shall consist of the 5 members of the County Committee on Aging plus an advisory council of up to 15 persons who are not elected officials of the County and who are participants in the programs for the aging, if possible.

(3) **DUTIES.** The County Aging Unit shall:

(a) Provide information about interests, needs, circumstances and concerns of elderly people and about services available to them in the community. This information shall be distributed County-wide in order that the entire community is aware of the concerns, needs and potential of older citizens.

(b) Assist local service agencies in organizing, developing, modifying and expanding services which are available, accessible, appropriate and acceptable to older citizens.

(c) Provide leadership in the County in developing new services that address the carefully identified needs of the older people which are not being met by current resources and services.

(d) Provide information and personal support to individual older people and their families both in seeking the assistance and services they need and in taking advantage of opportunities available to them.

(e) Identify and encourage the development of opportunities which enable older people to fully contribute to the welfare of the community.

(f) Provide guidance to the staff of the County Aging Unit to enable them to carry out activities which are of assistance to the Unit in carrying out its mission.

(g) To assure that all the above activities are carried out in a comprehensive and coordinated manner, plan for, be authorized to receive, distribute, administer and help implement, monitor and evaluate aging programs using local, area agency, State and federal money.

(h) Work cooperatively with the area Agency on Aging and other governmental agencies for the most effective possible implementation of the County aging plan. Provide program, fiscal and other reports as required.

(i) The County Aging Unit aims to preserve and enrich the tradition of neighbor helping neighbor which is so important in community life. To that end, the Aging Unit will endeavor to seek out helping persons and organizations, recognize and respect the quality of their service and enable them to effectively assist older persons in need.

**11.04 DUMPING GROUNDS.** No person shall establish dumping grounds for the deposit of commercial junk, waste, refuse, land fill or garbage on any lands in the County or deposit such commercial junk, waste, refuse, land fill or garbage on lands in the County, except upon permit issued by the County Board after approval of the

Department of Natural Resources.

**11.05 STORAGE AND DISPOSAL OF JUNK.** (Ord. #3-94)

**(1) DEFINITIONS.** Unless specifically defined below, words or phrases used in this chapter shall be interpreted as having the same meaning as they have in common law, the Wisconsin Statutes or Wisconsin Administrative Code, to give this section its most reasonable application. Words used in the present tense include the future and vice-versa. Words used in the singular include the plural and vice-versa. The word shall is always mandatory, may is always permissive. The masculine gender includes the feminine.

(a) Junk.

1. Scrap metal, metal alloy, wood, concrete, or synthetic material including, but not limited to tanks, barrels, cages, pallets, wire/cable, furniture, culverts and bricks.
2. Twenty or more used tires.
3. Any junked, ruined, dismantled, wrecked, unlicensed, unregistered and inoperative motor vehicle, including but not limited to buses, trucks, cars and recreation vehicles.
4. Any junked, ruined, dismantled or wrecked machinery, including but not limited to farm equipment, construction equipment, campers' snowmobiles, boats and parts thereof.
5. Unusable appliances, or any part thereof.
6. All or parts of dismantled buildings or structures that were not originally parts of the land's principal or accessory buildings and have not been reconstructed within one year of their deposit on the land.
7. All or parts of dismantled buildings or structures that were originally part of the land's principal or accessory use which have been destroyed by act of man or nature and have been dismantled or destroyed for more than 18 months.
8. Farm equipment not in use and parts of farm equipment, except as provided in par. (2)(c)2. below.
9. Parts of buildings or other structures, including abandoned mobile homes or house trailers.

(b) Junk Yard. Any place which is maintained, owned, operated or used for the storage, keeping, processing, buying or selling of junk.

(c) Screened. Hidden from public view from any other property or public right-of-way in a manner that is compatible with the surrounding environment and permitted under the applicable regulations. Screening could include a solid fence or evergreen planting of a height not less than 8', behind buildings or in natural depressions. Covering junk with tarps or like materials is not considered screened.

**(2) PROHIBITED ACTIVITIES.**

(a) Enumerated. No person shall within the unincorporated areas of the County:

1. Store junk outside a building or within public view for a period in excess of 14 consecutive days over a period of one year except as provided by subpars. 2. and 3. below.
2. Store parts of or entire dismantled buildings or fixtures outside of buildings or within public view for a period in excess of one year.
3. Leave parts of or entire destroyed buildings or structures outside of buildings or within public view for a period in excess of 18 months.

(b) Public Nuisance Declared. Any activity prohibited by par. (a) above is declared a public nuisance.

(c) Exceptions. This chapter is not intended to:

1. Regulate or place limitations on any properly zoned junk yard, salvage dealer or other junk, waste disposal or storage activity for which a valid license from the State of Wisconsin or other necessary municipal issuing authority is required and has been issued and all such licenses are in full force and effect.
2. Prohibit the storage of idle but operable farm equipment on farms with greater than 35 contiguous acres or the storage of inoperative or abandoned farm equipment screened from public view or adjacent property owners by a natural or manmade visual barrier.
3. Prohibit the storage of idle but operable snow removal vehicles or equipment.
4. Prohibit the storage of wood for fuel.
5. Regulate unlicensed and operable stock cars or vehicles for active personal use up to a limit of 2 cars or vehicles.

**(3) ADMINISTRATION AND ENFORCEMENT.** The County Board hereby assigns the duties of administering this chapter as follows:

(a) The County Zoning Administrator or designee, shall have the duty, responsibility and authority to enforce this chapter along with the assistance of the County Sheriff and his deputies. The committee of jurisdiction for the County is the Water and Land Use Planning Committee.

(b) Persons shall allow access to the Zoning Administrator or designee to their property for purposes of enforcing this section.

(c) It is the intent of the County Board to have administration of this chapter originate with the town board of the town where the alleged violation is located. The complainant shall file a written complaint letter with the town clerk who will place the item on the town board regular meeting agenda. The board may invite the complainant, alleged violator and any other interested person to the town board meeting to discuss the alleged violation. Town officials may conduct a site visitation of the alleged violation. The board may resolve the complaint at the town meeting. Pursuant to formal town board action (such as resolution or motion in the board minutes the board may refer the results of their investigation and recommendation to the County Zoning Administrator in writing. The Zoning Administrator will further investigate the alleged violation and enforce the provisions of this chapter.

(d) If a town board refuses to act on a complaint as set forth in par. (c), the complainant may file a written compliant letter with the chairman of the County Water and Land Use Planning Committee who will place the item on the regular Committee meeting agenda. The Committee shall follow the town board procedure stipulated in par. (c) above.

**(4) VIOLATIONS AND PENALTIES.** In addition to the penalties provided in 25.04 of this General Code, whenever a violation of this section is found, any of the following may occur:

(a) The Zoning Administrator may take one or more of the following actions:

1. Order the violation corrected by the property owner by removal and proper disposal of the material within a specified period ranging from one to 30 days; or

2. Request the County Sheriff to issue a citation for violation of this section.

3. When violations are pursued by the County Sheriff's Department, legal actions shall occur through the District Attorney's Office, including injunctive relief and additional forfeiture actions through the process of summons and complaint or other proper legal recourse. When violations are initiated and pursued by the County Zoning Administrator, proper legal action shall be brought through the Corporation Counsel's Office, including injunctive relief and additional forfeiture actions through the process of summons and complaint or other proper legal recourse.

(b) The County may file a petition against the property owner in the Circuit Court for an order compelling compliance with this section. In addition, the Court may order removal of the violating junk, tires or similar materials at County expense. The County shall then invoice the property owner for all such costs incurred. If that invoice is not paid within 30 days, the County may place the amount of the invoice on the tax rolls as a special assessment against the property in question.

(c) Any person failing to comply with the provisions of this section shall upon conviction, forfeit not less than \$75 nor more than \$500, plus costs of the prosecution for each violation. Each day a violation occurs or continues constitutes a separate offense.

## **HEALTH AND SOCIAL SERVICES 11.10**

**11.10 PENALTY.** Except as otherwise provided, any person found in violation of any provision of this chapter or any order, rule or regulation made hereunder shall, upon conviction thereof, be subject to a penalty as provided in 25.04 of this Code of Ordinances.