

County of Bayfield Ordinance No. _____

AN ORDINANCE AMENDING SECTION 15-1-23, CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN AND REGARDING THE ADMINISTRATION AND ENFORCEMENT OF THE SANITARY AND PRIVATE SEWAGE CODE

WHEREAS, Wisconsin Statutes §59.69(11) authorizes the Bayfield County Board of Supervisors to prescribe rules, regulations, and administrative procedures for the enforcement of Bayfield County's zoning ordinances; and

WHEREAS, Section 15-1-23 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Title 15, Chapter 1 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield to amend Section 15-1-23 Code of Ordinances, Bayfield County, Wisconsin to clarify that noncompliance with inspection requirements constitutes a violation of Chapter 1 of this Title and to allow for a voluntary settlement agreement in lieu of prosecution; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

Section 1. Section 15-1-23 [Violations and Penalties.] of Article F [Administration and Enforcement] of Chapter 1 [Sanitary and Private Sewage Code] of Title 15 [Sanitary and Private Sewage Code] of the Code of Ordinances, Bayfield County, Wisconsin is hereby amended to read as follows, with additions highlighted by the double underline feature (additions) and deletions highlighted by the strike out feature (~~deletions~~):

Sec. 15-1-23 Violations and Penalties.

- (a) Violations of the provisions of this ordinance are subject to the terms of Section 1-1-6, Chapter 1-2 and Section 13-1-103 of the Bayfield County Code of Ordinance. Noncompliance with the inspection requirements set forth in this ordinance constitutes a violation of Chapter 1 of this Title.
- (b) Any construction which is in violation of this ordinance shall cease upon written order from the County of the placement of a notification of violation at the site.
- (c) All construction shall remain stopped until the order is released by the County.
- (d) Violations of this ordinance shall be prosecuted by the Corporation Counsel.
- (e) In lieu of the prosecution of a violation by the Corporation Counsel, the property owner and the Bayfield County Planning and Zoning Department may enter into a voluntary settlement agreement. The settlement agreement may include a provision imposing a settlement fee to be paid by the property owner.

Section 2. Except as specifically modified and amended by this ordinance, the Bayfield County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 3. SEVERABILITY. If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

Section 4. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage.

Adopted by the Board of Supervisors of the County of Bayfield on the ____ day of _____
20__.

By: _____

Date Published: _____

Attest: _____