

**ORDINANCE NO. 2014-23**

**AN ORDINANCE AMENDING SECTIONS 7.12 AND 7.14B2 OF CHAPTER 7, PUBLIC NUISANCES, RELATING TO THE DEFINITION OF OFFICER OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE**

**THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SECTIONS 7.12 AND 7.14B2 BE AMENDED TO READ AS FOLLOWS:**

**SECTION 1.**

**7.12 ENFORCEMENT.** For the purposes of this Chapter, “officer” shall mean the Police, the Fire Chief, the Village Inspector, Code & Safety Enforcement Coordinator and their designees. These officers shall enforce the provisions of this chapter that come within the jurisdiction of their offices; and they shall make periodic inspections and inspections upon complaint to insure that such provisions are not violated. No action shall be taken under Sections 7.05 or 7.06, Village of Allouez Municipal Code, to abate a public nuisance unless the officer has inspected or caused to be inspected the premises where the nuisance is alleged to exist and is satisfied that a nuisance does in fact exist.

**7.14 CHRONIC NUISANCE PREMISES**

B. DEFINITIONS. The following terms shall be defined as follows in this subchapter.

- 2. Officer means Village of Allouez Police Officer, Zoning Inspector, Building Inspector, Code & Safety Enforcement Coordinator or Fire Chief or his or her designee

**SECTION 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 7<sup>th</sup> day of October, 2014.

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Steven VandenAvond, Village President

ATTEST:

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Debra M. Baenen, Village Clerk

DATE OF PUBLICATION:

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7.14 **CHRONIC NUISANCE PREMISES**

- A. **FINDINGS.** The Village Board finds that any premises that has three (3) or more contacts with police for nuisance activities has received more than the level of general and adequate police service and has placed an undue and inappropriate burden on the taxpayers of the Village. The Village Board therefore directs the Directed Enforcement Officer, as provided in this section, to charge the owners or such premises the costs associated with abating the violations at premises at which nuisance activities chronically occur.
- B. **DEFINITIONS.** The following terms shall be defined as follows in this subchapter.
1. “DEO” means the Directed Enforcement Officer or his or her designee.
  2. Officer means Village of Allouez Police Officer, Zoning Inspector, Building Inspector, Code & Safety Enforcement Coordinator or Fire Chief or his or her designee.
  3. Enforcement Action – Arrest, the issuance of a citation, or the issuance of a verbal or written warning.
  4. Nuisance Activity – Any of the follow activities, behaviors, or conduct whenever engaged in by premises owners, operators, occupants or persons associated with a premises occurring on premises.
    - a. An act of Harassment, as defined in §947.013, Wis. Stats.
    - b. Disorderly Conduct, as defined in §947.01, Wis. Stats.
    - c. Battery, Substantial Battery, or Aggravated Battery, as defined in §940.19, Wis. Stats.
    - d. Lewd and Lascivious Behavior, as defined in §944.20, Wis. Stats.
    - e. Prostitution, as defined in §944.30, Wis. Stats.
    - f. Indecent exposure as defined in §944.20(1)(b), Wis. Stats.
    - g. Keeping a place of prostitution as defined in s. 944.34, Wis. Stats.
    - h. Theft, as defined in §943.20, Wis. Stats.
    - i. Receiving Stolen Property, as defined in §943.34, Wis. Stats.
    - j. Arson, as defined in §943.02, Wis. Stats.
    - k. Possession, Manufacture, or Delivery of a Controlled Substance or related offenses, as defined in Ch. 961, Wis. Stats.
    - l. Gambling, as defined in §945.02, Wis. Stats.
    - m. Animal violations, as defined by Village of Allouez Municipal Code and WI statutes.
    - n. Trespassing, to land as defined in §943.13 Wis. Stats. or criminal trespass to dwelling as defined in and §943.14, Wis. Stats.
    - o. Weapons violations, as defined by Village of Allouez Municipal Code and WI statutes
    - p. Noise violations, as defined by Village of Allouez Municipal Code.
    - q. Misuse of emergency telephone numbers as defined in s.146.70, Wis. Stats.
    - r. Any conspiracy to commit, as defined in §939.31, Wis. Stats., or attempt to commit, as defined in §939.32, Wis. Stats., any of the activities, behaviors, or conduct enumerated in subdivisions 4. a. through r. above.
  5. Owner. The owner of the premises and his or her agents.