

ORDINANCE #111 – 11/12

AN ORDINANCE TO AMEND SECTIONS IN CHAPTER 13 ENTITLED "LICENSES AND PERMITS" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The County Board of Supervisors of the County of La Crosse does ordain as follows:

Section 1. Chapter 13 entitled "Licenses and Permits" is amended to read:

13.01 LICENSES REQUIRED.

(1) A license shall be required for the conduct of the following businesses or activities at the license fees indicated throughout this chapter. Such fees shall be for a period of one year unless otherwise indicated.

(2) Local Regulations Not Precluded. Nothing in this chapter shall be construed to interfere with or take away from the municipalities in the County any of the powers which they now have to license and regulate the specific activities nor to prevent any municipality in the County from enacting more comprehensive or stringent regulations or greater license fees.

13.02 CANVASSERS, PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS.

(1) PERMIT REQUIRED. No person shall go in or upon any private residence, apartment or premises in the County to solicit from the occupants thereof or to canvass for orders for goods, wares, merchandise or services of any character or description, or for the purpose of offering to give or to furnish or giving or furnishing any goods, wares, merchandise or services to any such occupants to induce or invite such orders without a permit therefore from the County Sheriff's Department. Every individual person, even though representing a firm or corporation, who may be an applicant hereunder shall individually apply and hold the solicitor's permit as herein required.

(2) EXCEPTIONS. This section shall not apply to:

(a) Newspaper carriers.

(b) The acts of resident merchants, business persons, insurance agents or their employees residing in the County in taking orders in the houses of their customers for goods held by them in stock at established agencies. Nor the acts of such merchants, business persons and employees in delivering such goods, merchandise or insurance policies in the regular course of business.

(c) Solicitations or sales made by residents of the County for charitable, religious, civic or political purposes.

(d) Farmers or truck gardeners residing in the State who vend, sell or dispose of, or offer to sell, vend or dispose of, the products of the farm or garden occupied or cultivated by them.

(e) Those engaged in commercial fishing.

(f) Any sale required by statute, by ordinance of any municipal body of the County or by order of any court.

(g) Bona fide auction sales conducted pursuant to law.

(3) PERMIT APPLICATION. Any person desiring to secure a solicitor's permit shall apply therefor in person to the Sheriff's Department on forms provided by the County. Such application shall state:

- (a) The name and address of the applicant.
- (b) The name and address of the person, firm or corporation by whom employed.
- (c) The length of service of such applicant with such employee.
- (d) The place of residence and nature of the employment of the applicant during the last preceding year.
- (e) The nature or character of the goods, wares, merchandise or services to be offered by the applicant.
- (f) The personal description of the applicant.
- (g) The license numbers, make, year and color of all motor vehicles to be operated within the County by such applicant.
- (h) Such application shall be accompanied by such credentials and other evidence of the good moral character and identity of the applicant as may be reasonably required by the Sheriff's Department.
- (i) Before receiving a solicitor's permit under this section, the applicant shall in writing appoint the County Clerk his/her attorney to accept service of process in any action commenced against the applicant arising out of the transaction of business within the County.

(4) ISSUANCE. If the County Sheriff's Department determines after reasonable investigation that the applicant is of good moral character and proposes to engage in a lawful and legitimate commercial or professional enterprise, the Sheriff may then issue the permit.

(5) PERMIT FEE. There shall be an application fee for a solicitor's permit.

(6) REGULATIONS TO BE POSTED. County Roads and State Highways at the boundaries of surrounding counties may be posted at the County line stating that solicitors' permits are required within the County. Such signs shall be placed and be of such a design and lettering as designated by the Highway Committee.

13.03 REGULATION AND LICENSING OF LARGE ASSEMBLIES.

(1) Authority. This section is adopted pursuant to authority granted in ss. 59.02, 59.56(12)(b), and 175.20, Wis. Stats.

(2) Purpose. The purpose of this section is to regulate the assemblage of people in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in La Crosse County, in order that the health, safety and welfare of all persons in the County, residents and visitors alike, may be protected.

(3) Jurisdiction. The jurisdiction of this section shall apply to all unincorporated areas in the County except to any town that has adopted a similar regulation under s. 60.23(10), Wis. Stats. or has its own police department.

(4) Definitions.

(a) "Assembly" shall mean a company of persons gathered together at any location at any single time for any purpose and for which an admission or other fee is charged or refreshments or other products are sold.

(b) "Extraordinary Services" shall mean those provided by La Crosse County above and beyond its normal capabilities and requirements of providing public safety that cause a measurable burden upon County personnel and material. Such services shall include extra police protection, traffic control or refuse collection, and the administration of this ordinance.

(c) "Person" shall mean any individual, corporation, firm, partnership, association, organization, university, school, or agent thereof, or any group acting as a unit as well as individually, and shall also mean an executor, administrator, trustee, receiver or other representative appointed according to law.

(5) License Required. No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to any actual or reasonably anticipated assembly of 1000 or more people which continues or can reasonably be expected to continue for 4 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the La Crosse County Sheriff, application for which must be made at least 45 days in advance of the assembly. A license to hold an assembly issued to 1 person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

(6) Regulations.

(a) A license shall be required for each day and each location in which 1000 or more people assemble or can reasonably be anticipated to assemble. The fee for an assembly of 1 or 2 days shall be determined by the County Board and shall be subject to change from time to time. An additional fee per day shall be charged for each day of an assembly in excess of 2 days as determined by the County Board.

(b) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.

(c) The licensee shall not permit the sound of the assembly to unreasonably carry beyond the enclosed boundaries of the location of the assembly.

(d) This section shall not apply to any regularly established, permanent place of worship, stadium, athletic field, auditorium, coliseum, race track or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.

(e) This section shall not apply to the following: government-sponsored fairs held on regularly established fairgrounds, assemblies required to be licensed by other County ordinances and regulations, and assemblies held in any city or village or in any town that has adopted a similar regulation.

(7) Conditions for Issuing License. No license hereunder shall be issued unless and until the applicant complies with the following conditions:

(a) The applicant shall indicate the maximum number of people who will be assembled or admitted to the location of the assembly, provided that the maximum number of people shall not exceed 1 person per 15 square feet of space in the spectator area located in the assembly grounds and provided that, where the assembly is to continue overnight, the maximum

number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or other ordinances of the County.

(b) The applicant shall provide proof that he/she will furnish the following at his/her own expense prior to the commencement of the proposed assembly:

1. Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of persons assembled. Drinking fountains shall be available or if faucets are used for dispensing drinking water, then single service drinking cups shall be available and dispensed in a sanitary manner. Reuse of single service drinking cups is prohibited.

2. Separate enclosed toilets for males and females shall meet federal, state, and local specifications, conveniently located throughout the grounds sufficient to provide facilities for the maximum number of people to be assembled. Each designated area shall have hand washing sinks with a continuous supply of soap and towels as required by federal, state, or local requirements.

3. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.

4. A registered nurse, emergency medical technician (EMT) or 1st Responder shall be on duty at all times during the assembly. There shall be provided an enclosed covered structure for medical treatment. When the number of persons exceeds 10,000, a minimum of 1 ambulance and 2 EMTs shall be provided by the applicant on site.

5. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least 5 foot-candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.

6. There shall be provided a controlled parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least 1 parking space for every 4 persons.

7. There shall be provided 1 licensed bartender for each separate beverage station that is serving alcohol.

8. If the assembly is to continue overnight, camping facilities shall be provided and shall be in compliance with all State and local requirements pursuant to the Wisconsin Administrative Code and this Code, sufficient to provide camping accommodations for the maximum number of people to be assembled.

9. Security guards shall be provided by the applicant at a ratio of 1 to 800 persons assembled. Peace officers may be provided at the discretion of the Sheriff and shall be certified law enforcement officers in the State of Wisconsin. Security personnel shall be either Wisconsin peace officers or private guards licensed in the State.

10. Fire protection, including alarms, extinguishing devices and fire lanes and escapes shall be provided and be sufficient to meet all state and local standards for the location of the assembly pursuant to the Wisconsin Administrative Code and this Code and sufficient emergency personnel to efficiently operate the required equipment.

11. All reasonably necessary precautions shall be provided to insure that the sound of the assembly will not unreasonably carry beyond the enclosed boundaries of the location of the assembly.

12. Bond. No license shall be issued unless the applicant deposits with the County Sheriff a bond, either in cash or underwritten by a surety company licensed to do business in the State, at the rate of \$2.00 per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless the County or any of its agents, officers, servants or employees from any liability or causes of action which might arise by reason of granting this license and for the legal fees incurred in the defense of such actions and from any costs, expenses or claims incurred by or against La Crosse County for extraordinary services required as a result of a licensed event.

13. Insurance. Prior to the issuance of the permit by the Sheriff, each applicant shall furnish evidence of a liability insurance policy in the amount of not less than \$500,000 per occurrence and \$1,000,000 annual aggregate, and such insurance shall be in force and effect at the time the event is to take place. Evidence of insurance shall include a Certificate of Insurance naming the County of La Crosse as an additional insured in connection with said event.

14. The applicant shall provide a method of informing the attending public of weather conditions by a loud speaker system that can be heard throughout the grounds, parking areas and campground. The applicant shall monitor the National Weather Service weather reports and the loud speaker and use the loud speaker to timely inform all persons attending of approaching weather.

(8) Application.

(a) Application for an event to be held in a county park requires the prior approval of the Public Works and Infrastructure Committee.

(b) At the time the application is submitted, the applicant shall provide the Sheriff with a certified copy of the town board resolution from the town wherein the event is to be held or a letter from the town clerk confirming that the applicant has met all town requirements and that the town has approved and authorized the event.

(c) Application for a license to hold an actual or anticipated assembly of 1,000 or more persons shall be made in writing to the La Crosse County Sheriff at least 45 days in advance of such assembly. The Sheriff or his/her designee will be responsible for conferring with the County Zoning and Health Departments to ensure that the large assembly complies with state and local codes and regulations.

(d) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there are no officers, by all members of such association, society or group.

(e) The application shall contain and disclose:

1. The name, age, residence and mailing address of all persons required to sign the application in sub. (8)(b) above and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding 10% or more of the stock of such corporation; also the name, age, residence and mailing address of the registered agent.

2. The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner of all such property.

3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner of all such property that the applicant has permission to use such property for an assembly of 1,000 or more persons.

4. The nature or purpose of the assembly.

5. The total number of days or hours during which the assembly is to last.

6. The maximum number of people which the applicant shall permit to assemble at any time, not to exceed 1 person per 15 square feet of space in the spectator area of the assembly grounds, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the County, if the assembly is to continue overnight.

7. The maximum number of tickets to be sold, if any.

8. The plans of the applicant to limit the maximum number of people permitted to assemble.

9. If applicable, the plans for fencing the location of the assembly and the gates contained in such fence.

10. The plans for supplying potable water including the source, amount available and location of outlets.

11. The plans for providing toilet and lavatory facilities including the source, number and location, type and the means of disposing of waste deposited.

12. The plans for holding, collecting and disposing of solid waste material.

13. The plans to provide for medical facilities including the location and construction of a medical structure.

14. The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps.

15. The plans for parking vehicles including the size and location of lots, the points of highway access and the interior roads including routes between highway access and parking lots.

16. The plans for camping facilities, if any, including facilities available and their location.

17. The plans for security including the number of guards, the name of the security company or person in charge of security and the name and phone number of the contact person.

18. Prior to submitting an application, the plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers and the number of emergency fire personnel available to operate the equipment shall be submitted to the local fire department. This information shall be included with the application including the date it was submitted to the local fire department.

19. The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.

20. The plans for food concessions and concessioners who will be allowed to operate on the grounds, including the names and addresses of all concessioners and their license or permit numbers.

(f) The application shall include the bond required in sub. (7)(b)12, the Certificate of Insurance required in sub. (7)(b)13, and the license fee required in sub. (6)(a).

(9) Issuance. The license shall be issued within 20 days of receipt of the application, provided all conditions of this section have been met and the plan is presented setting forth all the requirements of this section.

(10) Expenses for Extraordinary Services.

(a) In order to recoup the expenses for extraordinary services of La Crosse County for the administration of this ordinance, as well as the extra costs incurred for police protection, traffic control and refuse collection at a facility conducting an event, the Sheriff shall submit a bill for such services to the event licensee following the end of the event.

(b) The event licensee shall be responsible for reimbursing La Crosse County for the extraordinary expenses within 30 days after each event. Failure by the licensee to pay the bill submitted by the Sheriff within such time shall result in the forfeiture of the cash or surety bond required in sub. (7)(b)12 in the amount of the bill for the extraordinary services.

(11) Enforcement.

(a) Injunction. The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction.

(b) Public Nuisance. The holding of an assembly in violation of any provision or condition contained in this ordinance shall be deemed a public nuisance and may be abated as such.

(c) Penalty. Any person who violates this section or who violated any condition upon which he/she is granted a license may be subject to a forfeiture of not less than \$500 nor more than \$1,000. Each day of violation shall be considered a separate offense. In addition, the court may revoke the license or licenses of the person or persons convicted and order restitution for any extraordinary expenses for services provided by La Crosse County where appropriate.

13.04 PROCESSIONS, PARADES, RUNS, WALKS, BICYCLE RACES, MARATHONS, ETC.: PERMIT REQUIRED.

(1) PURPOSE. The highways of La Crosse County are primarily for the use of vehicular travel, however, it is recognized there is a need to use these public needs for processions, parades, runs, walks, bicycle races, marathons, etc., which do not substantially interfere with the public's right to travel on such highways. This is intended to regulate and control non-vehicular use of the highway and for protecting the general welfare and safety of the persons using the highways within La Crosse County. Said authority to regulate is contained in Wisconsin Statutes, Section 349.185 and related sections.

(2) DEFINITIONS. As used in this Section:

(a) Processions, parades, runs, walks, marathons, bicycle races, etc., means their usual and customary usage.

(b) A highway has the meaning set forth in Wisconsin Statutes s. 340.01(22) and also includes areas owned by La Crosse County which are used primarily for pedestrian or vehicular traffic.

(3) PERMIT REQUIRED. No person shall form, direct, lead or participate in any procession, parade, run, walk, marathon, bicycle race, etc., on any highway under the jurisdiction of La Crosse County unless a permit has been obtained in advance as provided in this section.

(4) EXEMPTIONS FROM PERMIT REQUIREMENT. A permit is not required for assembling or movement of a funeral procession or Military Convoy. Any parade, etc., sponsored by any agency of the Federal or State government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit; however, shall be exempt from the parade permit fee and insurance requirements contained herein. A permit is not required for any procession, parade, run, walk, marathon, race, etc., solely within the corporate limits of a city or a village within La Crosse County if the city or village has passed its own parade ordinance, or has provided evidence to the County Clerk that such event is covered by liability insurance in amounts equal to or exceeding that required by Section 13.04(18) of this Code.

(5) WHEN APPLICATION MUST BE MADE. A written application for a permit for any above described function on the highways under the jurisdiction of La Crosse County shall be made by one of the organizers or officers to the County Clerk on a form provided by said Clerk no less than 15 days prior to the usage. Application made less than 45 days prior to the day of the proposed usage must be made in person.

(6) INFORMATION REQUIRED IN APPLICATION. The application shall set forth the following information regarding the proposed usage:

(a) The name, address and telephone number of the applicant.

(b) If the usage is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.

(c) The name, address and telephone number of the person who will be responsible for conducting the usage.

(d) The date when the usage is to be conducted and its duration.

(e) The assembly area, the starting point, the route to be traveled and the termination point.

(f) The number and size of participants or units comprising the usage.

(g) If the usage is to be conducted by or for any person other than the applicant, the applicant for such permit shall file with the Clerk a communication in writing from the person proposing to hold the usage authorizing the applicant to apply for the permit on its behalf.

(h) Any additional information which the Clerk finds reasonably necessary for a fair determination as to whether a permit should be issued.

(7) RECOMMENDATIONS OF GOVERNMENTAL AGENCIES. The Clerk shall submit a copy of the application to the Sheriff's Department and the Highway Department and the Director of the Facilities Department.

(8) BASIS FOR DISCRETIONARY DENIAL OF PERMIT. The application may be denied:

(a) If it is for a usage that is to be held on a work day during hours when and at places where, in addition to the proposed usage, the flow of vehicular traffic is usually delayed by its own volume; or

(b) If it is for a usage that is to be commenced between the hours of 9:00 p.m. and 9:00 a.m.

(c) If sufficient usage marshals are not provided as to reasonably assure the orderly conduct of the usage.

(d) If proposed route for conducting usage involves a street or highway under construction or detour route.

(9) MANDATORY DENIAL OF PERMIT. The application shall be denied:

(a) If it is made less than 15 days in advance of the time the usage is scheduled to commence; or

(b) If it is for a usage that is primarily for private or commercial economic gain; or

(c) If it is for a usage which would involve violation of federal, state, or local laws relating to use of highways or of other applicable regulations of the County of La Crosse; or

(d) If the granting of the permit would conflict with another permit already granted or for which application is already pending; or

(e) If the application does not contain the information required by sub. (6); or

(f) If more than 1 assembly area or more than 1 dispersal area is proposed; or

(g) Failure to receive permit under s. 84.07(4), Wis. Stats.

(10) PERMIT ISSUED UNLESS THREAT TO PUBLIC SAFETY. The County Clerk shall issue a permit to the applicant subject to the foregoing paragraphs of this Section, unless the Clerk concludes that:

(a) The policing of the usage will require so large a number of persons and vehicles, including ambulances, as to prevent adequate service of the needs of the rest of the municipality; or

(b) The usage will so substantially hinder the movement of police and fire and other emergency vehicles as to create a substantial risk to persons and property; or

(c) The conduct of the usage will substantially interrupt the safe and orderly movement of other traffic contiguous to its route; or

(d) The usage is so poorly organized that participants are likely to engage in aggressive or destructive activity.

(11) GRANT OR DENIAL OF PERMIT.

(a) Time When Required. The Clerk shall act as promptly as he or she reasonably can on all applications for permits after consulting with other government agencies directly affected and after consulting with the applicant, if necessary. All applications filed 45 days or more in advance shall be granted or denied not less than 30 days before the date of the usage stated in the application. Action on applications filed less than 45 days in advance shall be taken within 15 days after the application is filed, but in no case later than 48 hours in advance of the time applied for. The Clerk shall immediately, by the most reasonable means of communication, notify the applicant of such action and, if the application is denied, the reasons for denial of the permit.

(b) Modification of Requested Permit. In lieu of denying a permit, the Clerk may authorize the changing of assembly areas or dispersal areas or the conducting of the usage at a date or time or over a route different than as applied for in the permit. The applicant or permittee may accept such modification by immediately notifying the Clerk in writing, of such acceptance.

(12) FEE. A fee shall be paid at the time of filing the application for a usage permit.

(13) CHARGE FOR INCREASED COSTS. Where the County Clerk determines that the cost of County services incident to the staging of the usage will be increased because of the usage, the Clerk may require the permittee to make an additional payment into the general fund of the county in an amount equal to the increased costs.

(14) EMERGENCY REVOCATION. The County Clerk, County Board Chair, or County Administrator may revoke a permit already issued, if he or she deems that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis of the standards of issuance. In lieu of revoking a permit the County Clerk, County Board Chair or County Administrator may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the County of La Crosse and such third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the holding of the usage sufficient to indemnify the County and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

(15) USAGE PERMIT CONTENTS. Each usage permit shall state such information as the Clerk shall find necessary to the enforcement of this Section.

(16) COPIES OF USAGE PERMIT DISTRIBUTED. Immediately upon the issuance of a usage permit, the Clerk shall send a copy thereof to the following:

(a) Each public transportation utility whose regular service will be affected by the usage.

(b) County Board Chair, Sheriff's Department, County Administrator, and Director of the Facilities Department.

(17) COMPLIANCE WITH REGULATIONS.

(a) Permittee. A permittee under this Section shall comply with all permit directions and conditions and with all applicable laws, ordinances and other regulations of the state and County of La Crosse.

(b) Participants. No person who leads or participates in any usage shall disobey, or encourage others to disobey, this Section after a law enforcement officer has directly and presently informed him or her of any of the provisions of this Section or the terms of the applicable usage permit.

(c) No candy, gum, balloons or other objects shall be thrown or disbursed from parade floats or vehicles.

(18) INSURANCE REQUIRED. Prior to issuance of the permit by the Clerk, each permittee shall furnish evidence of a liability insurance policy in amounts of not less than \$500,000 per occurrence and \$1,000,000 annual aggregate, and shall be in force and effect at the time such usage is to take place. Said evidence of insurance shall include a certificate of insurance naming the County of La Crosse as additional insured in connection with said usage.

13.05 LICENSES AND PERMITS.

(1) PERMITS AND FEES.

(a) Modification of the license or permit structure of this section shall rest in the authority of the Health & Human Services Board subject to approval by the County Board.

(b) Permits shall not be transferable from person to person or place to place.

(c) All fees for permits or licenses required by this section shall be determined from time to time by the County Board without the requirement of an amendment to this Code.

(2) LICENSES, PERMITS OR INSPECTION FEES.

(a) Licenses, permits, or inspection fees shall be issued for the time period from July 1 to June 30 by the County Health Department for its responsibilities assumed pursuant to ss. 11.32 through 11.45 and Chapter 12 of this Code. The applicant seeking a license or permit under these sections shall apply to the County Health Department and shall be charged the appropriate fees as determined by the County Board. A license issued by the State of Wisconsin shall be honored but an inspection fee will be charged before the establishment can operate.

1. Restaurants.

- a. Additional Food Handling, Serving, Preparation Area.
- b. Prepackaged
- c. Simple
- d. Moderate
- e. Complex
- f. Mobile Base
- g. Temporary Restaurants
- h. Temporary Restaurant Advanced Purchase

2. Taverns.

3. Retail Food Establishments.

a. Less than \$25,000 annual sales, processing or not processing food.

- processing.
 - potentially hazardous food.
 - hazardous food.
 - potentially hazardous food.
- b. Greater than or equals \$25,000 annual sales, no food
 - c. Greater than \$25,000 annual sales, processing non-
 - d. Less than \$1,000,000 and processing potentially
 - e. Greater than or equals \$1,000,000 and processing
4. Hotel/Motel/TRH and B & B.
 - a. 5-30 rooms
 - b. 31-100 rooms
 - c. 101-200 rooms
 - d. 201 or more rooms
 - e. Tourist rooming house
 - f. Bed and Breakfast
 5. Swimming Pool, Whirlpool, Water Attractions.
 - a. Outdoor seasonal
 - b. Each additional outdoor seasonal
 - c. Indoor
 - d. Each additional indoor
 6. Recreational & Educational Camps.
 7. Campgrounds.
 - a. 1-25 sites
 - b. 26-50 sites
 - c. 51-100 sites
 - d. 100-199 sites
 - e. 200 or more sites
 8. Manufactured Home Communities.
 - a. 1-20 units
 - b. 21-50 units
 - c. 51-100 units
 - d. 101-175 units
 - e. Over 176 units
 9. Indoor/Outdoor Foodstands or Farmers Market.
 - a. Farmers Market.
 - b. Farmers Market Advanced Purchase
 - c. Farmers Market additional parking space
 10. Temporary Inspection Fee.
 11. Pre-inspection Fee.
 - a. Existing establishments with a change of licensee
 - b. New establishments under 25,000 square feet

- c. New establishments over 25,000 square feet
 - d. Limited
- 12. Public Beach.
 - 13. Tattooing and Body Piercing Permits.
 - a. Body Piercing Establishment
 - b. Tattoo Establishment
 - c. Combined Tattoo and Body Piercing Establishment
 - d. Temporary Body Piercing Establishment
 - e. Temporary Tattoo Establishment
 - 14. Second Re-Inspection, Additional Re-Inspections
 - 15. Schools
 - a. Satellite Food Service
 - b. Full Service Kitchens

(b) It will be necessary to pay the appropriate permit fees as determined by the County Board in order to legally operate the establishments herein.

(c) Permits shall expire on June 30 on each license year. An additional penalty fee shall be required whenever the annual fee for renewal is not paid prior to the expiration of the license. A duplicate permit may be obtained upon payment of a replacement fee. The amount of such fees shall be determined by the County Board.

(d) Permits shall not be transferable from person to person or place to place. Each premises or operating unit shall have a license.

(3) ON SITE WASTE PERMITS. The following permits shall be regulated under Chapter 12 of this Code and the applicant shall be charged the appropriate fee as determined by the County Board:

- (a) Site Evaluation
- (b) On Site Inspection
 - 1. Soil Pits Open
 - 2. Soil Pits Covered
- (c) Return Onsite Inspection
- (d) Sanitary Permit
- (e) Compliance Certificate
- (f) Sanitary Permit Transfer
- (g) Sanitary Permit Renewal
- (h) Sanitary Permit Revision
- (i) Return System Installation Inspection
- (j) Mound System Inspection Plus Sanitary Permit and Compliance

Certificate

- (k) In-ground Non-Pressure System Inspection plus Sanitary Permit and Compliance Certificate
- (l) In-ground Pressure System Inspection plus Sanitary Permit and Compliance Certificate
- (m) At-grade Inspection plus Sanitary Permit and Compliance Certificate
- (n) Holding Tank Inspection plus Sanitary Permit and Compliance Certificate
- (o) Tank Replacement Inspection plus Sanitary Permit and Compliance Certificate
- (p) Addition Inspection plus Sanitary Permit and Compliance Certificate
- (q) Remediation or Renovation Permit
- (r) Monitoring Wells – each site
- (s) Wisconsin Fund Grant Review
- (t) Private On-Site Wastewater Treatment System (POWTS) Management Fee and Late Fee
- (u) Well Permit
- (v) Well Permit Transfer
- (w) Reconnection/Repair County Permit
- (x) Privy County Permit
- (y) Large System Surcharge
(1500 to 3000 gal./day)
(3000 gal./day or more)

(4) ANIMAL LICENSES AND PERMITS.

(a) Dog Licenses. The following licenses shall be regulated under s. 11.31 of this Code and the applicant shall be charged the appropriate fee as determined by the County Board:

1. Neutered Male and Spayed Female Dog.
2. Non-neutered Male and Non-spayed Female Dog.
3. If the dog becomes 5 months of age after July 1 of the license year, the license fee shall be one-half of the amount determined by the County Board.
4. Veterinarian certification of Neutered Male and Spayed Female is required for reduced license fee.
5. Proof of current rabies vaccination certificate as defined in s. 11.31(2)(v) is required for annual dog license purchase.

6. Multiple Dog License Option. Any person who keeps 12 or fewer dogs may apply for a multiple dog license at a fee to be determined by the County Board. An additional fee shall be charged for each dog in excess of 12. All of the monies collected for this license are due the County.

7. The following business permits are issued by the Health Department:

- a. Commercial Animal Establishment
- b. Pet Shop
- c. Grooming Shop
- d. Training School
- e. Horse Boarding and Stables

(b) Term. All licenses shall be issued for a term of 1 year commencing with the first day of January of each year, and terminating as of midnight December 31 of each licensing year. If not revoked, licenses for the keeping of dogs shall be for a period of 1 calendar year.

13.06 BEEKEEPING.

(1) PURPOSE. The purpose of this section is to help insure that adequate bees are present to insure proper crop pollination and to protect beekeepers of the County by establishing the location of colonies of bees for the purpose of preventing over saturation of colonies of bees, protecting colonies of bees from insect and crop spraying, registration for the purpose of taxation and bee inspection for honey bee diseases and to establish the locations of colonies of bees for proper control of bee diseases.

(2) DEFINITIONS. As used in this section, certain words and phrases shall be defined as follows:

(a) Colony of Bees. The colony is made up of bees, queen, young bees in all states of development, plus the equipment in which they are hived or housed.

(b) Apiary. A place where 1 or more colonies of bees are kept, also called a bee yard.

(c) Heavy Saturation Pollination. The concentration of colonies of bees at a location to insure pollination of a specific field, garden or orchard crop, to assure crop production.

(d) Inspection. Examination of colonies of bees by removal of frames of brood and through examination.

(3) REGISTRATION REQUIRED. Anyone possessing or moving colonies of bees into or within the County shall register with the Agriculture and Extension Education Office of the County.

(4) APPLICATION. The registration application shall contain the following before bee colonies are placed:

(a) A detailed list of locations in the County where the colonies of bees will be placed (including the number to be kept at each location).

(b) A signed statement from the landowner granting permission to locate colonies of bees at that location.

(5) CERTIFICATE OF INSPECTION. At the time of registration, anyone moving colonies of bees into the County shall supply a certificate of inspection showing the colonies free of disease taken within the last 30 days in the State or County of origin. Lacking this certificate, they shall be inspected within 10 days of placement by a Bee Inspector. These inspection fees shall be paid by the owner of the colonies of bees.

(6) REGISTRATION FEE. There shall be a one-time registration fee of \$3 per apiary location paid at the time of registration. These fees shall be appropriated for bee inspection and enforcing this section. Anyone failing to register an apiary location will have no protection from another apiary locating near them.

(7) MOVING COLONIES. Anyone moving colonies of bees from a registered location shall automatically lose registration for that location. Landowners may place their own colonies of bees on property they own regardless of other registered locations.

(8) TEMPORARY LOCATION OF COLONIES. Special permission may be granted for temporary location of colonies of bees for the express purpose of heavy saturation pollination, for a period not to exceed 18 days.

(9) IDENTIFICATION. Each apiary shall have the owner's name and address legibly displayed in a prominent place in the apiary.

(10) DISTANCE BETWEEN APIARIES. The minimum distance between adjoining beekeepers shall be:

- (a) For 5 colonies or less, a radius of 1/2 mile.
- (b) For more than 5 colonies, but less than 20, a radius of 1 mile.
- (c) For 20 colonies or more, a radius of 2 miles.

(11) BEEKEEPING COMMITTEE. There shall be a 3 person beekeeping committee appointed by the Chairman of the County Board of Supervisors to serve for a term of 3 years as an Advisory Group to report and investigate possible violations of this section to the Agriculture and Extension Education Committee. The Beekeeping Committee may also serve as an Arbitration Board in cases of dispute. They shall serve at no cost to the County. The initial appointment shall provide for staggered terms.

(12) NOTIFICATION OF VIOLATION. A violator shall have 5 days after receiving notification of a violation, by certified mail or personal service, in which to move any colonies of bees located in violation of this section before prosecution may be commenced.

(13) AUTHORITY. This section is adopted under the authority granted by s. 59.07(69), Wis. Stats.

13.07 HAY RIDES, SLEIGH RIDES AND BOBSLEDS.

(1) LICENSE REQUIRED. The owner of a vehicle to be operated upon a highway for the purpose of transporting persons for hire in what is commonly known as a hayrack ride, a sleigh ride, bobsled or box sled, or a ride of similar nature, shall obtain a license from the County Clerk before so operating such vehicle.

(2) FORFEITURE. Any person operating any such vehicle under the circumstances described without first obtaining a license from the County Clerk shall upon conviction thereof, forfeit not less than \$10 nor more than \$100, 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, not exceeding 30 days.

(3) LICENSE REQUIREMENTS. No license shall be issued for any of the vehicles mentioned in sub.(1) until the applicant exhibits proof of good moral character and that the applicant will show a liability insurance policy for the protection of the passengers in the minimum amount of \$300,000 per occurrence and \$600,000 annual aggregate.

(4) FEE. The County Clerk shall charge a fee for each license issued.

(5) REVOCATION AND REFLECTORS. The other provisions of s. 349.25, Wis. Stats., are hereby incorporated with respect to revocation and required reflectors.

(6) CLERK TO ISSUE LICENSE. The County Clerk shall issue the license after finding compliance with this section of the Code.

13.08 MARRIAGE LICENSE WAIVER FEES. The County Clerk shall exercise discretion in waiving the 5 day waiting period for the issuance of a marriage license and charge a fee for this waiver.

13.09 ISSUANCE OF A MARRIAGE LICENSE. The County Clerk shall charge a fee for the issuance of a marriage license.

13.10 REISSUANCE OF A MARRIAGE LICENSE. In the event of defacement or improper completion of a marriage license resulting in its inability to be legally recorded in the office of the Register of Deeds, the County Clerk shall charge a fee for reissue of the marriage license.

13.11 CREMATION PERMIT FEE. There shall be a fee charged by the La Crosse County Medical Examiner for work performed on cremations.

13.12 DISINTERMENT PERMIT FEE. There shall be a fee charged by the La Crosse County Medical Examiner for work performed on disinterments.

13.13 MEDICAL CERTIFICATION. There shall be a fee charged by the La Crosse County Medical Examiner for a medical certification on the form for a certificate of death under s. 69.18(2), Wis. Stats., except a medical certification of the cause of death of an indigent.

13.15 PENALTY. Any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided in s. 25.04 of this Code; and in addition, the license of such violator may be revoked.

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

LA CROSSE COUNTY

By: /s/ Tara Johnson
Tara Johnson, County Board Chair

By: /s/ Ginny Dankmeyer
Ginny Dankmeyer, County Clerk

PASSED: 11/13/12
PUBLISHED: 11/24/12