

****All present are expected to conduct themselves in accordance with the City's Core Values****



OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or sub-unit thereof.

Meeting of the: **PUBLIC HEALTH & SAFETY COMMITTEE**
Date/Time: **Monday, March 17, 2014 @ 5:15 pm**
Location: **City Hall (407 Grant Street) - Council Chambers**
Members: Lisa Rasmussen {c}, Gary Gisselman, Karen Kellbach, Romey Wagner, Keene Winters

AGENDA ITEMS FOR CONSIDERATION (All items listed may be acted upon)

- 1 Minutes of previous meeting(s). (2/17/14)
 - 2 Consider request for waiver of 3.06.010(a) Payment of taxes, claims forfeitures, judgments prior to issuance of license or permit, due to extraordinary financial hardship. (Johnathan Frost)
 - 3 Rent Abatement Hearing (Jennifer Maerz)
 - 4 Discussion and possible action on immediate enforcement of certain property violations including:
 - a. Amending, repealing and creating the following sections of the Wausau Municipal Code to implement enforcement program for certain minor, non-structural property code violations:
Amend Section 1.01.025(c)(1)(B) and (C) Issuance of citations, Section 2.20.010 Purpose, Section 2.20.040 Uniform ordinance violation citation, Section 6.44.040 Solid waste containers, Section 6.44.060 Location of waste and recycling containers for collection, Section 6.44.080 Noncollectible materials, Section 6.44.100 Enforcement, Section 6.48.010 Mowing required, Section 6.48.020 Mowing by city, Section 8.08.220 Removal of animal excreta, Section 15.04.010 Created, Section 15.48.030 Permit required, Section 16.04.010 Housing code adopted, Section 16.04.020 Enforcement of BOCA Code by Marathon County, Section 16.04.035 Vehicles, Section 23.12.130 Off-street parking in yards, Section 23.12.133 Storage of recreational equipment in yards; Create Section 6.48.040 Penalty; Repeal and recreate Section 6.44.090 Storing of refuse; Repeal Section 6.44.110 Penalties, Section 16.04.015 Section H-104.4 deleted, Section 16.04.016 Section H-301.7 A deleted.
 - b. Create Section 2.200.045, Enforcement of certain property violations.
 - 5 Discussion of domestic animal microchip identification, possible future ordinance requirements, microchip reader technology options for humane officer and related costs, and ideas to increase use of microchip ID technology by pet owners.
 - 6 Pet licensing sales update.
 - 7 Consider various license applications.
 - 8 Tavern Activities / Compliance Checks / Law Enforcement Activities
 - 9 Communications
- Adjournment

IMPORTANT: THREE (3) MEMBERS NEEDED FOR A QUORUM: If you are unable to attend the meeting, please notify Toni by calling (715)261-6620 or via email toni.rayala@ci.wausau.wi.us

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 3/14/2014 @ 2:30 p.m.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at (715) 261-6620.

Other Distribution: Media, Council (Nagle, Brezinski, Nutting, Oberbeck, Abitz, Mielke), Tipple, Jacobson, *Rayala, *Hardel, *Alfonso, Loy, Hebert, Duncanson, Werth, Wesolowski, Groat, Melissa Dotter, Joan Theurer, Tim Thomas, Dick Holster

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, February 17, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Rayala, Hardel, Barnes, Goede, and other interested parties in audience.

Minutes of previous meeting(s). (1/2014)

Motion by Gisselman, second by Winters to approve the minutes of the previous meeting (1/20/14). Motion carried 5-0.

Consider various license applications.

Rasmussen stated the list includes the event season applications for Wausau Area Events; a new event, Caribbean Marketplace; as well as Bull Falls Honor Flight Run. She noted the WSD Fun Run and Riverview Technology Run events are not permitted to paint on the streets. There are no denial recommendations for licenses this month.

Motion by Wagner, second by Kellbach to approve the licenses as recommended. Motion carried 5-0.

Review and discussion of report from Mayor's public meeting on February 10, 2014 pertaining to Restriction on Server Ordinance.

Rasmussen stated the committee received the minutes from the meeting on the 10th as well as the informational piece distributed by Chief Hardel answering questions. She opened the floor to allow members of the audience to speak.

- Joan Theurer, Health Officer, spoke regarding abuse of alcohol and in support of the ordinance.
- Jeffrey Sargent, NCCAP, representing the work of the LIFE Report, spoke in support of the ordinance.
- Sue Gantner, representing Healthy Marathon County, acknowledged the city for passing the ordinance.
- Robert Stasney, local business owner and recent Board Member for Healthy Marathon County, although he applauded their efforts, he felt the ordinance was overreaching and had too many unintended consequences.
- Aaron Ruff, County Public Health Educator, teaches Responsible Beverage Server training at NTC and the Law Enforcement Alcohol Server training. He reviewed a handout showing the difference between .04 and .08 BAC, using the DOT blood alcohol calculator. He supported the ordinance remaining at .04 BAC.
- Carolyn Bronston, citizen, spoke in support of the ordinance remaining at .04 BAC for the health and wellbeing of the public.
- Melissa Dotter, AOD Partnership Council, submitted personal written testimony and voiced the support by the AOD Partnership for the ordinance.
- Laura Scudiere, Executive Director of Bridge Community Health Clinic, spoke in favor of the ordinance remaining at .04 BAC.
- Tim Thomas, Marathon County Tavern League President, noted the Safe Ride Program has provided 15,000 rides in Marathon County this year and the calls for rides are usually made by the bartenders. He had questions with regard to the compliance checks by PD.
- Dan Maas, owner of Chatterbox and managing partner of Bunkers/Tribute Golf, expressed concerns with the agent/owner being on their own social time and on the property, but being held responsible for the bartender's actions.
- Roger Sydow, VFW, agreed with Maas that the ordinance needs clarification. He stated the ordinance was sold as a tool for the chief, but it appeared to him it was pushed by the Health Department like the smoking ordinance, which cost them a lot of money in lost business.
- Tyler Vogt, owner of Malarkey's/Townie's Grill, had concerns, one of which was the .04 BAC versus .08; being responsible for employees that may have been drinking prior to coming to work. He did not know how to determine if they were at .04; he asked them to consider amending it to .08.
- Nancy Cedar, employed by WSD and AOD Partnership Board Member, spoke in support of the ordinance.

Rasmussen opened the floor back up to the committee members for discussion. She commented she was looking for any evidence-based reason that someone could give her that a level above .04 BAC is safer and/or better.

Attorney Alfonso was asked to address the issue regarding events with a Temporary Class B Retailer's (picnic) License that has volunteer bartenders which obtain a Temporary Bartender's License. Rasmussen noted in some

cases, only one or two persons obtain the Temporary Operator's License and allow 30 other people to work under that license. Alfonso stated the people working as volunteers to an organization that *have not* obtained a license would not be liable under the ordinance; any person who is a *licensed* bartender would be held to the .04 standard. The licensee is responsible for themselves, not for the unlicensed persons because the volunteers are not employees of the organization. Chief Hardel stated that if the committee feels that this ordinance is important and creates a safer environment, then he felt it should be for all servers, whether it is at a bar, a church picnic or fair because their responsibility is the same.

Discussion and possible action on maximum blood alcohol content level for compliance with WMC Section 5.64.034 Restriction on servers.

Winters stated it was his understanding that originally this ordinance was created to be a tool for the Police Chief to use to affect a narrow group of combative bartenders, such as was dealt with at I.C. Willy's and Break Away. He felt it had now morphed into an attempt at social legislation and he was not on board with that. He believed the .04 BAC standard was just put it in to scare people into not drinking. Rasmussen questioned how the server can assess the ability of others if the server is at .08 and cannot drive home legally and safely themselves.

Motion by Winters, second by Wagner to amend the ordinance restriction on servers from .04 BAC to .08 BAC.

Winters commented combative bartenders make up less than 10% of the problem; most of the businesses are good and we are looking at only a couple of places. He pointed out the I.C. Willy's case went all the way to the Supreme Court and he just wanted to provide the tools to deal with bars such as this. He did not want to try to change the culture of central Wisconsin by ordinance in the City of Wausau. He would not support a process that would do that unless every other community in the metro area was sitting here first. He felt he was sold a bill of goods in December with limited information and indicated he was standing firm on .08. Rasmussen commented it is a tool for the police department and this is not a crusade, but it does make a step towards a cultural change whether we want it to or not.

Wagner stated we have heard throughout all the testimony that a very high number of the establishments, possibly as much as 90%, have indicated they don't allow their bartenders to drink at all. He was also led to believe the only reason for this tool was to go after the very problematic bars. He liked that the Tavern League was trying to work with us and suggested someone from the Tavern League be added to the Public Health & Safety Committee possibly in a non-voting ex officio capacity.

A vote was taken on the motion to amend to .08. Motion failed 2-3.

Discussion and possible action on issuing immediate citations for certain housing code violations.

Alfonso stated Winter's proposal was to follow the parking ticket model of instant citations for certain violations: animal excreta in yards, boulevard maintenance, equipment storage, non-collectible materials, storage of refuse, off street parking in yards, exterior yard maintenance, unapproved signage, trash containers, vehicle parking, unregistered or junk vehicles, and grass or weeds too long. She explained rather than giving individuals notice or repeated notice in some circumstances, Community Service Officers or the Inspection Department would just go out and issue a citation immediately. Alfonso reviewed the current parking ticket citation process and the appeal and court process, which could be somewhat complicated for this proposal. The simpler version of just issuing a municipal citation would probably be the most effective to not bog the process down.

Winters clarified his proposal is that we use immediate fines to correct the behavior, which raises revenue to include a clerical position for the Inspections Department to track the citations through an excel spreadsheet. He stated CSO's would be used to enforce it, which frees up time for the inspectors to deal with other more important issues. He felt the ticket should be \$10 or \$15 and if they decide to fight it will cost them a lot more because a picture will be taken of the infraction. Rasmussen questioned what would be done in situations with new residents that were unaware of the regulations. Winters stated the people issuing the citations should be able to talk to the people, use discretion and in certain cases just give a warning.

Bill Hebert commented we don't want to work harder, we want to work smarter. He felt the major issue is that we have never had enough people to follow up on things in a timely manner. The help of CSO's will allow us to be more proactive and to follow up more effectively. He felt they were on the right track and asked for the committee's patience. He was not in favor of an appeal process which would be very time-consuming; they should either pay the

fine or go to court and tell it to the Judge. Winters reiterated this was also a fiscal process in which additional staff would be paid for by the revenue generated from the people who are the violators rather than from the general tax revenue.

Alfonso requested direction as to what amount of fine they wanted in the ordinance; whether they did or did not want an appeal process; and whether they going to cite property owners and/or the tenants in the case of rental properties. Winters stated he just wanted a simple lower fine that goes up if not paid and if they choose to fight it, court costs will be added. Wagner agreed with setting the fines educationally low from \$10 - \$20, which deters them from fighting it because it could cost an additional \$73 if they do.

Discussion followed regarding landlords and tenants and Richard Holster, landlord, addressed the committee to comment on the proposed ordinance. Winters commented now that we have landlord licensing we need to revisit the nuisance property ordinance. Lt. Matt Barnes stated a lot of what was being discussed they will find will not be an issue. He indicated he will be supervising the CSO's who are going to be smart and will apply discretion appropriately.

Rasmussen stated consensus was to direct staff to create the necessary ordinance amendments and bring back some options to consider regarding the fine scale.

Ordinance amending Section 8.08.200 Dangerous animals to amend the definition of dangerous animal.

Rasmussen indicated this was a housekeeping item to reflect the Humane Officer as the designee of the Chief of Police in evaluating dangerous animals, as well as the testing process used.

Motion by Winters, second by Kellbach to approve the ordinance amendment. Motion carried 5-0.

Update from the WPD on the animal control program and service now shared in Weston. Update on rollout timeline for other areas.

Lt. Barnes reported the progress of the animal control program from September 2013 to the present. He commended Ashlee Bishop as the Humane Officer, stating she is the right person for the job. There were 142 animal calls for service and she has been involved with most of them. We began providing services to Everest Metro on January 13, 2014; she has responded to 13 calls and is getting to know their system and staff. He reviewed the investigations and various citations that were given since September. He noted she compared the PetData information to city's licensed animals and issued 103 citations for failure to license in a one month period. He stated Bishop has begun a program to reach out to new animal adopters to educate them on our ordinances and their responsibilities; she has put together a pamphlet and a letter she mails to them.

Winters stated we need a timeline for implementation of the contracts with the townships. He noted the Council passed the contracts in August, so there are model contracts out there. He distributed and reviewed a handout. He wanted to set a date of May 31st for a test rollout with the Town of Wausau because they are very close and cooperates with our Fire Department. He indicated the Town of Wausau has approximately 17 calls a year and the six townships only have about 2% of total calls. He stated he was receiving complaints from the townships that the city was acting in bad faith by not moving forward or communicating with them at all about the status of these contracts.

Chief Hardel stated Shane VanderWaal is the attorney for the majority of these townships and has been involved in meetings with him and Wally Sparks. He stated that VanderWaal requested that we hold off because there was work to be done with the other townships, including ordinance changes and a power of authority to allow the Humane Officer to enforce them. Hardel stated that VanderWaal indicated if we were going to provide service, it would not be until 2015. Winters commented that he and Kellbach were hearing the opposite from the townships, that the city is the holdup. Rasmussen suggested they get back with VanderWaal to find out what changes would be necessary for the Town of Wausau contract. Hardel stated he would not promise service that he can't deliver; Ashlee needs to focus on Wausau and Weston to get the program on the ground and rolling to feel comfortable with it. Barnes commented he struggled with putting Ashlee with all her responsibilities, in a position of reporting to 10 different groups.

Update from Clerk's Office on animal licensing (sales numbers compared to 2013).

Rasmussen noted we are up 732 licenses from last year and the deadline is March 31st. Rayala commented on the handout report put together by Richard Whalen, which is also given to the Finance Committee. She noted she was working on getting the fliers translated to Hmong and Spanish. Wagner suggested using the NTC students from Central America to help with the translation.

Discussion and possible action on update from Wausau PD surrounding prostitution investigations and their discussions with neighboring law enforcement agencies

Lt. Barnes stated this was an opportunity for him to ask the Council to give him some tools to help reduce the prostitution that is occurring within the city. He indicated the police department has begun stings to arrest prostitutes working within the city, as well as stings to arrest the customers, or the Johns. He stated they have been successful, but it is a lot of work to make misdemeanor arrests in an effort to make it clear that it is not okay to advertise online. He commented it is as easy as ordering pizza to call them up, tell them what you want and have them deliver themselves. In looking at the models presented by other communities that have dealt with the problem and are having success, it is not the arrest for the misdemeanor charge that has caused a change in behavior; it is the use of municipal ordinance violation citations. He indicated he attended a meeting that was hosted at the Police Department with representatives from the Sheriff's Department, Everest Metro PD, and Rothschild PD. It is our intention to work cooperatively because the prostitutes working in Wausau also work in Weston, Kronenwetter, Rothschild and Rib Mountain, and we all want get on board and enforce things the same way to try to reduce it in our county, not just our city.

Barnes indicated examples of communities that use ordinance violation model are Grand Chute and Appleton. He explained they have enacted an escort licensing process. In order to function as an escort and advertise your services as an escort you need a license from the city, which also requires you to work for a licensed escort service. He indicated to date nobody has applied for any of those licenses within Appleton or Grand Chute, but because it is required anyone advertising their services as an escort for companionship only, is in violation when they post the advertisement online, allowing officers to take action with less of a sting set up, with less evidence to prove that prostitution is occurring. If probable cause does not exist when conducting a sting because they didn't say the right words, it allows officers to issue a citation because they advertised.

Barnes indicated at the meeting they decided to reduce the fine significantly less than the other communities in order to be effective; instead of \$2600 we propose the fine be \$1600 for operating without a license and being an escort, with the second offense being \$2600. They would also adopt an ordinance for Johns, during a sting when the Johns show up, in lieu of arresting them for a misdemeanor violation, taking them to jail and having them bond out in 20 minutes, they issue a \$1600-\$2600 citation, which surprisingly have been paid rather rapidly to avoid that arrest. There has been significant revenue generated, but more importantly they have found a reduction in the amount of prostitution that is occurring. It has also allowed them to conduct more stings which have caused the customers looking for these services to think again before looking in their own communities. He stated they felt it was important that if any one of our municipalities were to adopt this concept, we should all do it because if one municipality doesn't, that becomes the place for this to occur.

Winters felt the process used for the cell phone ban ordinance was a good process and could be used with this issue as well. He noted the only thing he would change is to put into the ordinance a later start date to allow the other communities time to join us with the start date. Barnes stated the investigations would be collaboration and the enforcement would be equal and collaborative. Winters suggested they convene a meeting with other communities. Rayala questioned who they would like to invite. Barnes stated Chief Jeremy Hunt, Rothschild PD; Cpt Clay Schultz, Everest Metro PD; Gary Schneck, Sheriff's Department. Winters suggested they include Kronenwetter and Mosinee representatives as well. Rasmussen asked Kellbach, member of the County's Public Safety Committee, to share this with them.

Request for 90 day extension to open for business for good cause per Section 5.64.160(b). (Hudson Burger, LLC, d/b/a Milwaukee Burger Company, 2200 Stewart Avenue)

Matt Letnes requested a 90 day extension for good cause to open for business in reference to their Class B Beer & Liquor license granted by Council on December 10, 2013, which would have required the business to be open by March 10, 2014. He indicated in his request that the contractor is just getting into the space for a remodel this week. He anticipated an April opening.

Motion by Wagner, second by Kellbach to approve the 90 day extension to open for business to Hudson Burger, LLC. Motion carried 5-0.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Hardel presented the Tavern Report for January 6, 2014 thru February 2, 2014. Report placed on file. (*See attached*)

Communications

Wagner requested that Tim Thomas and Richard Holster be added to the agenda mailing list.

Adjournment

Motion by Kellbach, second by Winters to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:05 pm.

Attachment

Wausau Police Department



James E. Tipple
Mayor

Jeffrey G. Hardel
Chief of Police
(715) 261-7801

Date **01-05-14**
To **Chief Hardel**
From **Lt. Todd Baeten**
Subject **TAVERN REPORT January 06, 2014 through February 02, 2013**

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

101 Pub, 101 N. 3rd Ave.

6th Street Pub, 2002 N. 6th St.

Baker's Retreat, 1418 Lenard St.

The Bar, 1025 S. 3rd Ave.

Bob & Randy's Bar, 1515 N. 6th St.

Cabaret, 204 E. Rib Mountain Dr.

Callon Street Pub, 209 Callon St..

Campus Pub, 1110 W. Campus Drive

The Chatterbox Bar, 102 S. 2nd Ave.

Cheers Bar, 101 E. Thomas St.

Cop Shoppe Pub, 701 Washington St.

Day's Bowl-A-Dome, 1715 Stewart Ave.

NOTABLE INCIDENTS THAT OCCURRED AT TAVERNS THAT POLICE WERE DISPATCHED TO

Bob & Randy's, 1515 N. 6th St., Case #13-510, 01-21-14 at 12:50am: Officers were dispatched to Bob & Randy's for a report of a vehicle theft. The victim reported he had started the vehicle and left it running to warm it up. He said he returned to the vehicle to see it being driven out of the lot by a male he recognized as having been a bar patron earlier. The vehicle was located the next day damaged in a snowbank. The investigation continues.

Campus Pub, 1110 W. Campus Dr., Case #14-790, 01-30-14 at 11:44pm: Officers responded for a report of an individual violating a no-contact order. A male was located there, and found to be in violation of a court order. He was arrested and transported to jail.

Cop Shoppe Pub, 701 Washington St., Case #14-835, 02-01-14 at 6:45pm: Offices were dispatched for a report of a male on probation that was in the bar, and may be involved in drug activity. The male was located and found to be intoxicated. He was on probation and was arrested for a probation violation.

Days Bowl-A-Dome, 1715 Stewart Ave., Case #14-427, 01-17-14 at 3:45pm: Officers were dispatched to the parking lot of Days Bowl-A-Dome for a report of a fight. Further investigation showed that an armed robbery had occurred. Two males were arrested for armed robbery, possession of methamphetamine, carry a concealed weapon, and disorderly conduct.

Glass Hat, 1203 N. 3rd St., Event #140004470, 01-12-14 at 1:28am: Officers were dispatched for a report of three females fighting. Upon arrival, and after speaking with patrons and security staff, no fight was located. Bartender and security staff stated they did not see anything unusual.

Glass Hat, 1203 N. 3rd St., Event #140007043, 01-18-14 at 2:09am: Extra patrol had been requested at bar close for reports of "rowdy crowds." Officer observed parking violation (vehicle blocking crosswalk) and issued citation.

Glass Hat, 1203 N. 3rd St., Event #140007422, 01-19-14 at 3:44am: Officers responded for a report of an unresponsive female in a vehicle. Investigation showed that the intoxicated female had passed out while waiting for a cab to respond to pick her up. Female was released after cab arrived.

Glass Hat, 1203 N. 3rd St., Event #140009736, 01-24-14 at 10:36am: Offices were dispatched for a report of two males that had been refused entrance to the bar now standing out front harassing patrons. Officer made contact with the males who stated they had just wanted to use the phone at Glass Hat to call for a friend to pick them up. They were sent on their way.

Labor Temple, 318 S. 3rd St., Event #140013221, 02-02-14 at 8:30am: Reporting party advised that the building was broken into sometime during the evening of 1-31-14 or morning of 02-01-14. It appeared that approximately \$400.00 dollars was missing from the jukebox and change machines. Investigation continues.

Loppnow's Bar, 1502 N. 3rd St., Event #140004485, 01-12-14 at 2:06am: Officer on patrol observed a male that appeared to be urinating near Loppnow's. Male was verbally warned and sent on his way.

Malarkey's, 412 N. 3rd St., Event #140009772, 01-25-14 at 12:39am: Officer on patrol was flagged down by bouncer at Malarkey's. A male patron was arguing with him. Bartender advised the male was asked to leave because he had been causing a disturbance in the bar. Male stated he was now missing his hat and glasses. Male was directed to leave the area for the remainder of the evening.

Paradox, 932 S. 3rd Ave., Event #140004461, 01-12-14 at 12:50am: Officers responded to Paradox for a report of people yelling and screaming outside, and for loud bass music. Paradox owner was advised to turn music down, and he argued that did not feel it was too loud and that he would lose business if he turned it down. He was told it needed to be turned down or he would receive a citation. Music was turned down.

Roc's Place, 810 S. 3rd Ave., Case #14-475, 01-20-14 at 2:18am: Officer was dispatched for a report of a theft from a vehicle in the parking lot. Victim reported an ice auger was taken from his vehicle. No suspects.

Showtime Gentlemen's Club, 1709 Merrill Ave., Case #14-226, 01-10-14 at 1:26am: Multiple officers responded for a report of a male that was swinging at staff and trying to fight with other patrons. The male left just prior to officer arrival, and was stopped in a vehicle a couple of blocks away. He was arrested for fighting with officers and on suspicion of OWI.

Showtime Gentlemen's Club, 1709 Merrill Ave., Event #140006956, 01-17-14 at 9:11pm: Officers were dispatched after an intoxicated female claimed she was injured outside. It was later learned she was not injured; rather she had been kicked out of the bar due to her intoxication. A friend was contacted and agreed to take responsibility for the female. She was released to the friend.

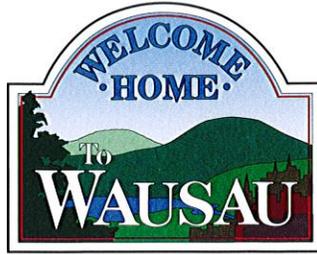
Showtime Gentlemen's Club, 1709 Merrill Ave., Case #14-731, 01-28-14 at 9:442pm: Officers were dispatched for a report of a male in the bar that was on probation and not supposed to be there. The male was located and found to have a warrant for his arrest. He was arrested and transported to corrections.

Sidetracked, 818 S. 3rd Ave., Case #14-474, 01-20-14 at 1:46am: Officers were dispatched for a report of some unruly males. Through investigation it was learned that one of the males had felt threatened earlier by another individual at a neighboring bar, so he went home to get his brother. They thought they saw the male at Sidetracked, but were then told to leave when they were being loud. Officers learned that one of the males was on probation and was not to be drinking. He was arrested and transported to corrections for a probation violation.

VFW, 388 River Dr., Event #140007366, 01-18-14 at 11:33pm: Officers responded to the VFW for a report of underage persons on the premises in conjunction with a concert being held there. Upon arrival, officers observed few cars in the lot and were told the concert had ended some time ago.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

Respectfully submitted,
Lt. Todd A. Baeten



Office of the City Attorney

Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

COMMENTS REGARDING DRAFT ORDINANCE AND ORDINANCE
AMENDMENTS FOR ENFORCEMENT OF CERTAIN PROPERTY VIOLATIONS

- This office was requested to prepare proposed ordinance amendments to implement an enforcement program for certain minor, non-structural code violations concerning real property without sending warning letters in advance of enforcement as is currently being done. A copy of the proposal for enforcement is attached (“Proposal”). It is our understanding the Proposal also seeks to implement a forfeiture arrangement which would encourage code enforcement, defray the administrative costs of enforcement, but would not carry the additional burden of court costs on property owners, occupants, or other persons in charge of real property.
- The code references to the fourteen (14) specific ordinances encompassed by the eight (8) categories of violations set forth in the Proposal are contained in the attached table.
- In their current form, most of the relevant ordinances permit citation of violations without prior notice. Exceptions include the ordinance prohibiting unregistered and junk vehicles and those ordinances which permit the city to step in and take action to remedy a violation and charge the cost of the city service to the property (such as mowing grass or removing obstructions from public ways). The proposed ordinance revisions do not remove the advance notice requirement in those situations where the city remedies the violation itself and seeks to assess the costs of correction against the property. However, advance notice under the proposed revisions would not be required simply to cite individuals for these violations, or otherwise attempt enforcement.
- At the current time, a written warning of a code violation is sent by the Division of Inspection and Zoning (“Inspection and Zoning”) and provides an opportunity for a property owner to submit tenant information to the division which then permits a violation to be pursued against a tenant rather than the property owner where appropriate. To implement the Proposal, certain amendments have been made to various ordinances to ensure that a violation can be asserted against a property owner, an occupant, or other person in charge of the property, as tenant information may not always be readily available to enforcement personnel.
- As the Proposal favorably recognizes the city’s vehicle parking control model, a new proposed ordinance has been created to include a mechanism similar to that model where an alleged violator is notified of the violation under a “Notice of Property Violation” (which would be similar in many respects to a parking citation) and given the

opportunity to stipulate to the violation and the forfeiture without involving the municipal court system by paying the stipulated amount to the city clerk within fourteen (14) days. However, the only method for enforcement and collection of the forfeiture under the Notice of Property Violation absent a voluntary stipulation and payment, i.e., the agreement of the alleged violator, would be a municipal court proceeding or a proceeding in Small Claims Court. See, Wis. Stat. s. 66.0114.¹ Therefore, under the proposed ordinance, in the event the alleged violator did not agree to stipulate to the violation and the forfeiture, the city would enforce the code violation by issuing a municipal uniform ordinance violation citation (“municipal citation”) which would then proceed through the municipal court. Once the matter is before the municipal court, a successful prosecution would result in a judgment in favor of the city for the forfeiture and require the violator to pay court costs imposed by state law. The municipal court proceeding would also provide a violator with his/her due process rights for the opportunity to contest the matter with a hearing on the merits.

Under the proposed ordinance, an alleged violator would additionally have the opportunity to request a review of the violation from the chief inspector of Inspection and Zoning prior to either stipulating to the forfeiture contained in Notice of Property Violation or the issuance of a municipal citation.

- Under this program, the city retains the ability to enforce violations of the municipal code relating to these property matters through the immediate issuance of “regular” municipal citations proceeding directly to municipal court in appropriate cases.
- The Police Chief has the authority to delegate citation authority to Community Service Officers pursuant to Wis. Stat. s. 66.0113(2)(1) and WMC s. 1.01.027. Therefore, this process could be implemented by both the Police Department and Inspections and Zoning.
- The proposed forfeiture amount under the Notice of Property Violation would be \$30.00 for the identified violations except unregistered and junk vehicle violations which would be \$50.00.
- For informational purposes a range of municipal court forfeitures, which includes court costs is:

Penalty	26% Penalty Assessment	Crime Lab Fee	Jail Assessment	Costs	Total
\$10.00	2.60	13.00	10.00	38.00	\$73.60
20.00	5.20	13.00	10.00	38.00	86.20
25.00	6.50	13.00	10.00	38.00	92.50
30.00	7.80	13.00	10.00	38.00	98.80
40.00	10.40	13.00	10.00	38.00	111.40
50.00	13.00	13.00	10.00	38.00	124.00

¹ By state statute, parking citation forfeitures are able to be enforced by the suspension of the vehicle registration of the vehicle involved or refusal of the registration of any vehicle owned by the person cited upon notification by a municipality to the Department of Motor Vehicles of non-payment. See, Wis. Stat. s. 345.28(4). This enforcement mechanism is not available for property violations. Wis. Stat. s. 66.0114 provides that forfeitures and penalties imposed by city ordinance are collected in a municipal court action or before a court of record (i.e., a circuit court).

- Of these various charges, only the cost item has any flexibility under state statute. By statute, a municipal judge “shall collect a fee of not less than \$15 nor more than \$38 on each separate matter.” Wis. Stat. s. 814.65(1). By ordinance, W.M.C. s. 1.10.025(c)(2), the city adopts the maximum amount permitted under the statute.
- As an alternative to the parking model, violators of these minor, non-structural violations could be issued a municipal citation directly, with an ordinance amendment to W.M.C. s. 1.10.025(c)(2) reducing the court costs for these identified violations from \$38.00 to \$15.00 thereby reducing the overall cost to the property owner, occupant, or other person in charge of the property in a successful municipal court prosecution to the following:

Penalty	26% Penalty Assessment	Crime Lab Fee	Jail Assessment	Costs	Total
\$10.00	2.60	13.00	10.00	15.00	\$50.60
20.00	5.20	13.00	10.00	15.00	63.20
25.00	6.50	13.00	10.00	15.00	69.50
30.00	7.80	13.00	10.00	15.00	75.80
40.00	10.40	13.00	10.00	15.00	88.40
50.00	13.00	13.00	10.00	15.00	101.00

Keene T. Winters
District 6 Alderman
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Website: www.WausauDistrict6.com

WAUSAU COMMON COUNCIL

DATE: December 12, 2013

TO: Lisa Rasmussen, Chairperson
Public Health & Safety Committee

FROM: Keene Winters, Alderman *KW*

SUBJECT: "Ticketable" Property Code Violation

This is the proposal that was presented at the budget meeting. We would like to see it scheduled for a hearing in Public Health & Safety.

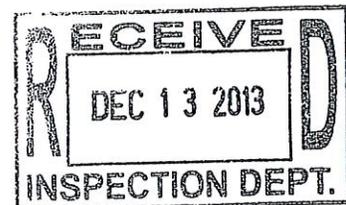
The goal is to replace the BOCA-model of property code enforcement with a "parking-control" model of enforcement for minor, non-structural violations. We think the advantages of this approach are as follows:

1. It will save staff time & mailing costs
2. It will correct behavior more efficiently
3. It will raise revenue until compliance improves

This proposal also contemplates that the violation of having "grass too long" will be taken out of the Engineering Department and included with this group of violations.

We look forward to seeing this on the committee agenda.

cc: Bill Hebert, Inspections
Romey Wagner, Alderman
Bill Nagle, Alderman
Rob Mielke, Alderman



**PROPOSED 2014 BUDGET AMENDMENT TO PROVIDE
IMMEDIATE TICKETS RATHER THAN WARNING LETTERS FOR
EIGHT SPECIFIC PROPERTY CODE VIOLATIONS**

**Sponsors: Wagner, Winters, Nagle & Mielke
Projected New Revenue: \$45,450**

This change in fines is aimed at discouraging blight. At present, all violation of the city's property codes are drawn to the attention of violators with one or more warning letter and a series of return visits by city staff. It is a time-consuming and staff-intensive way to try an alter behavior. For example, the habitually reluctant landowner knows he or she can let his or her grass grow taller and taller without fear of a fine until he or she receives a warning letter from city staff. Property inspection—as everyone knows—works on a warning letter first basis.

By contrast, we use a different and more efficient procedure to police parking violations in the downtown and elsewhere in the city. If a member of the Parking Control staff finds that a vehicle has over-stayed its time in a parking spot, a ticket with a fine is immediately placed on the car's windshield with no pre-warning or return visit. It is a system that works well at keeping people vigilant about minding the time they are parked in parking spaces.

This parking control model could be applied to eight minor, non-structural property code violations. The system of writing tickets upon finding a violation should be applied to the follow categories:

1. Animal Sanitation
2. Boulevard Maintenance (Excluding Grass Too Long)*
3. Equipment Storage
4. Exterior Yard Maintenance (Excluding Grass Too Long)*
5. Unapproved Signs
6. Trash Containers
7. Vehicle Parking
8. Grass Too Long*

Using data from January though October from 2012 and 2013. We could estimate that these eight categories of property violations would occur 1,515 times in a year. At \$30 per ticket, this would generate an estimated \$45,450 per year in new revenue for the city in 2014. As a consequence, we could reduce our levy by \$45,450 if this amendment is passed to make these violations “ticket-able” without a warning letter.

Only ten months worth of data were available, leaving out counts from November and December. That missing data should serve to assure that this is a conservative estimate of the total annual counts for 2014. Tables 1 and 2 are attached to support the calculations.

The Council could also consider extending the authority to write tickets for these violations to city personnel besides property inspectors at a later date. Others who might be considered for this authority include police, fire inspectors and Community Development staff.

* The property code violation of “Grass Too Long” is handled by the City Engineering Department. So, numbers for this violation were unavailable.

2013 Categorized Monthly Complaint Violation Breakdown

	January	February	March	April	May	June	July	August	September	October	Year Total
Accessory Buildings	1	1	1	4	9	19	29	47	22	22	46
Animal Sanitation	4	0	0	7	7	1	2	0	1	2	0
Boulevards	8	13	8	8	26	62	17	22	18	23	27
Bushes/Hedges/Shrubs	0	0	0	0	0	0	1	1	2	0	2
Equipment Storage	6	2	2	5	8	3	7	7	13	13	17
Exterior of Buildings	3	6	6	13	18	19	18	66	39	38	59
Exterior Yards	41	9	19	19	50	44	56	42	55	51	56
Fences, Walls, Etc.	1	1	0	0	2	3	2	1	5	2	5
House Numbers	2	0	4	4	1	1	2	3	3	0	6
Interior Housing	2	60	5	5	3	3	29	60	2	0	1
Porches	9	9	7	7	8	8	8	6	11	8	12
Unfit Postings	0	0	1	1	1	1	1	3	4	3	0
Signs	0	0	2	2	0	0	0	0	0	2	1
Trash Containers	3	1	1	1	7	7	15	9	8	8	14
Vehicles	88	34	41	41	63	35	30	42	49	45	59
Other	1	1	3	3	1	3	0	8	4	4	1
Total	169	137	120	204	204	209	217	317	236	221	306

2012 Categorized Monthly Complaint Violation Breakdown

	January	February	March	April	May	June	July	August	September	October	Year Total
Accessory Buildings	0	4	4	2	5	11	8	5	18	9	24
Animal Sanitation	0	7	7	2	0	0	0	1	1	0	1
Boulevards	29	13	18	18	51	23	27	21	31	25	18
Bushes/Hedges/Shrubs	1	0	0	0	0	9	2	3	4	4	1
Equipment Storage	6	1	1	3	14	11	12	7	5	7	15
Exterior of Buildings	5	9	14	14	11	22	11	11	15	6	36
Exterior Yards	23	30	55	55	70	50	34	46	42	34	39
Fences, Walls, Etc.	1	1	1	1	3	4	1	2	1	1	3
House Numbers	1	5	3	3	6	2	2	8	4	3	0
Interior Housing	0	9	12	12	15	21	14	1	0	0	13
Porches	11	12	17	17	15	15	10	11	23	15	10
Unfit Postings	0	0	0	0	0	2	4	4	5	1	1
Signs	2	1	0	0	0	1	2	0	0	0	1
Trash Containers	44	56	31	31	38	39	26	47	36	41	4
Vehicles	53	42	59	59	69	62	55	59	53	53	68
Other	2	1	2	2	4	1	2	1	3	1	1
Total	178	191	219	301	301	273	210	227	241	200	235

Data compiled by the Inspections Department for the Public Health & Safety Committee meeting on 11/19/2013

**SELECT PROPERTY CODE VIOLATIONS
JANUARY THOUGH OCTOBER**

Table 2

Property Code Violation List	2012	2013	Average
Animal Sanitation	12	24	18.0
Boulevard Maintenance (Excluding Grass Too Long)*	256	224	240.0
Equipment Storage	81	81	81.0
Exterior Yard Maintenance (Excluding Grass Too Long)*	423	423	423.0
Unapproved Signs	7	5	6.0
Trash Containers	362	73	217.5
Vehicle Parking	573	486	529.5
Grass Too Long*	n/a	n/a	n/a
Totals	1714	1316	1515

* "Grass Too Long" is handled by the Engineering Department and not the Inspections Department.
Data on Grass Too Long was not available from the Inspections Department.

Violation	WMC Section	Notice Required under Current Ordinance
Animal Excreta	8.08.220, Removal of animal excreta	No
Boulevard Maintenance	6.44.080, Noncollectible materials 6.44.090, Storing of refuse	No Yes, for removal by city and costs charged to the property
Equipment Storage	12.44.020, Obstructions and encroachments prohibited 23.12.130, Off-street parking in yards	Yes, for removal by the city and costs charged to the property. No
Exterior Yard Maintenance (Excluding Grass)	23.12.133 Storage of recreational equipment in yards 6.44.080, Noncollectible materials 6.44.090, Storing of refuse	No No Yes, for removal by the city and costs charged to the property.
Unapproved Signs	15.48.030, Permit required 15.48.120, Location	No No
Trash Containers	6.44.060, Location of waste and recycling containers for collection 6.44.040, Solid waste containers (c), Location of waste containers on property	No No
Vehicle Parking Unregistered and Junk Vehicles Off Street Parking in Yards Storage of Recreational Equipment in Yards	16.04.035, Vehicles 23.12.130(a), Off-street parking in yards 23.12.133, Storage of recreational equipment	Yes, as this is a BOCA Code violation. No No
Weeds and Grass/Too Long	6.48.010, Mowing required	Only if to be remedied by DPW and charged to tax rolls

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE

Amending, repealing and creating the following sections of the Wausau Municipal Code to implement enforcement program for certain minor non-structural property code violations:

Amend Section 1.01.025(c)(1)(B) and (C) Issuance of citations, Section 2.20.010 Purpose, Section 2.20.040 Uniform ordinance violation citation, Section 6.44.040 Solid waste containers, Section 6.44.060 Location of waste and recycling containers for collection, Section 6.44.080 Noncollectible materials, Section 6.44.100 Enforcement, Section 6.48.010 Mowing required, Section 6.48.020 Mowing by city, Section 8.08.220 Removal of animal excreta, Section 15.04.010 Created, Section 15.48.030 Permit required, Section 16.04.010 Housing code adopted, Section 16.04.020 Enforcement of BOCA Code by Marathon County, Section 16.04.035 Vehicles, Section 23.12.130 Off-street parking in yards, Section 23.12.133 Storage of recreational equipment in yards

Create Section 6.48.040 Penalty

Repeal and recreate Section 6.44.090 Storing of refuse

Repeal Section 6.44.110 Penalties, Section 16.04.015 Section H-104.4 deleted, Section 16.04.016 Section H-301.7 A deleted

Committee Action:

Ordinance Number:

Fiscal Impact: None

File Number:

Date Introduced:

The Common Council of the City of Wausau do ordain as follows:

Add ()

Delete ()

Section 1. That Section 1.01.025 Issuance of citations, is hereby amended to read as follows:

1.01.025 Issuance of citations.

....

(c) Schedule of cash deposits.

(1) A schedule of cash deposits is established as follows:

....

(B) For violations of all ordinances other than those governed by the
aforescribed Uniform State Deposit Schedule ~~and other than ordinances in Titles 15
and 16 of this code~~ and except as provided in subsection (C), the cash deposit

schedule shall be as follows:

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
8.08.200	Dangerous animals	75.00
8.08.220	Failure to pick up dung, or deposit on public or private property	75.00 30.00
<i>Other Common Violations</i>		
5.64.034	(a) Server under the influence	50.00
	(c) Failure to close licensed premises	50.00
	Second or subsequent violations of sub (a) or (c)	200.00
6.44.040 (c)	Location of waste container violations	30.00
6.44.060	Waste container curbside hour violations	30.00
6.44.080	Noncollectible materials	30.00
6.44.090	Storing of refuse	30.00
6.48.010	Failure to mow	30.00
8.08.255	Feeding deer	50.00
....		
10.01.060	One-way street violation	30.00
12.44.020	Obstructions and encroachments of public rights of way	30.00
12.44.030	Obstruction by railroads	1,000.00
12.52.020	Placing snow on streets, alleys, etc.	10.00
15.48.030	Unapproved signs	30.00
15.48.120	Signs on city property	50.00 30.00
16.04.035	Unregistered, unlicensed and junk vehicles	50.00
17.08.010	(h) Nonoperational smoke detector (per floor or basement level)	10.00
	(h) Failure to install (per floor or basement level)	50.00
23.12.130	Off-street parking in yards	30.00
23.12.133	Storage of recreational equipment in yards	30.00

(C) For violations of ordinances contained in Chapters 15 and 16 of this Code other than as specifically set forth in subsection (c)(1)(B) above, and for all ordinances other than those aforescribed, the cash deposit schedule shall be \$100.

Section 2. That Section 2.20.010 Purpose, is hereby amended to read as follows:

2.20.010 Purpose. A uniform procedure for enforcement of municipal rules, regulations and laws is a purpose of this chapter. It also grants authority to certain department heads to cause actions to be initiated. This chapter does not apply to enforcement by police department personnel **except as otherwise specifically provided**. Wherever the term city attorney appears, it includes assistants and special counsel.

Section 3. That Section 2.20.040 Uniform ordinance violation citation, is hereby amended to read as follows:

2.20.040 Uniform ordinance violation citation. The following officials may issue, on information and belief or on their own knowledge, a uniform ordinance violation citation, pursuant

to

Section 66.01193 of the Wisconsin Statutes for violations of ordinances directly relating to their official responsibilities:

Building inspector	Fire inspector
Director of inspections and electrical systems	Housing inspector
City forester	Plumbing inspector
Director of parks	Public works director
Electrical inspector	Employee assigned duties and responsibilities of sidewalk
Engineer	Treasurer
Finance director	Utilities director

The public health and safety committee is delegated authority to authorize the officials designated in this section to name subordinates who may also issue such citations directly relating to their official responsibilities.

Section 4. That Section 6.44.040 Solid waste containers, is hereby amended to read as follows:

6.44.040 Solid waste containers.

....

(c) Location of Waste Containers on Property. No waste containers of any type shall be located at any time in any required front yards or corner side yards. No refuse containers of any type shall be located so that they are visible from the front of the property, except in compliance with section 6.44.060. The property owner, occupant, or other person in charge of the property shall be responsible for violations of this section.

Section 5. That Section 6.44.060 Location of waste and recycling containers for collection, is hereby amended to read as follows:

6.44.060 Location of waste and recycling containers for collection. The nonrecyclable and recyclable solid waste containers shall be set out at the curb-side collection point by residential unit owners, occupants, or other persons in charge of the residential unit, or as directed by the city, or by the collector. During the winter months, the owner, occupant, or other person in charge of the residential unit(s) shall provide a travel way to the containers which is free of snow. Containers shall not be placed out at the curb-side collection point prior to five p.m. of the day prior to the collection day, and the containers shall not be left at the curb-side collection point after eight a.m. of the day after the collection day. The property owner, occupant, or person in charge of the residential

unit shall be responsible for violations of this section.

Section 6. That Section 6.44.080 Noncollectible materials, is hereby amended to read as follows:

6.44.080 Noncollectible materials. (a) ~~No person shall set out~~ The following materials shall not be set out for collection:

....

(b) These materials shall be disposed of by the property owner, occupant of the property, or other person in charge of the property by contacting a licensed hauler of the specified item or as otherwise provided by law.

(c) The property owner, occupant of the property, or other person in charge of such property shall be responsible for violations of this section.

Section 7. That Section 6.44.090 Storing of refuse, is hereby repealed and recreated to read as follows:

6.44.090 Storing of refuse. (a) Any accumulation of solid waste or noncollectible materials as defined in section 6.44.080 on any premises in the city is declared to be a nuisance and is prohibited under this chapter. Additionally, storing lumber openly on the premises is prohibited without a current building permit.

(b) The premises owner, occupant of the premises, or other person in charge of such premises shall be responsible for any violations of this section and is subject to the penalties provided in section 6.44.100.

(c) In addition to the penalties in section 6.44.100, the owner of the premises is responsible for removal of any accumulation of solid waste or noncollectible materials as defined in section 6.44.080, and upon failure to remove such materials after written notice from the county health officer or his/her designee or the chief of the fire department or his/her designee or chief inspector/zoning administrator or his/her designee, the city will cause the removal of the accumulation and assess the charges for such removal to the owner(s) of the premises where the accumulation occurred.

Section 8. That Section 6.44.100 Enforcement, is hereby amended to read as follows:

6.44.100 Enforcement and penalties.

....

(c) Penalties for violating this chapter may be assessed as follows:

(1) Any person who violates section 6.44.020(b), (c) or (d) or section 6.44.030(e)(2) (A) through (G) may be required to forfeit fifty dollars for a first violation, two hundred dollars for a second violation, and not more than two thousand dollars for a third or subsequent violation.

(2) Any person who violates a provision of this chapter, except **section 6.44.020(b), (c) or (d) or** section 6.44.030(e)(2) (A) through (G) may be required to forfeit not less than ten dollars nor more than one thousand dollars for each violation.

~~(3) — Any person who violates section 6.44.030(e)(2)(A) through (G) after December 31, 1996, may be required to forfeit fifty dollars for a first violation, two hundred dollars for a second violation, and not more than two thousand dollars for a third or subsequent violation.~~

(4 **3**) The forfeiture and penalties provided herein shall not be construed as prohibiting other methods of enforcing this chapter including, but not limited to, injunctions and other forms of relief available to the city.

Section 9. That Section 6.44.110 Penalties, is hereby repealed.

Section 10. That Section 6.48.010 Mowing required, is hereby amended to read as follows:

6.48.010 Mowing required. No person owning property **or occupant of property** within the city shall permit to grow or pollinate upon ~~his~~ **the** premises any weeds, grasses or brush which cause or produce hay fever in human beings, exhale unpleasant or noxious odors or may conceal filthy deposits or provide a place for the accumulation of trash or litter. In order to prevent such growth and pollination, it shall be the duty of every property owner **or occupant of property** to mow or cause to be mowed upon ~~his~~ **the** premises all grasses, weeds and brush exceeding one foot in height. The provisions of Section 66.0407 of the Wisconsin Statutes are incorporated herein by reference. Any golf course located wholly within the City of Wausau shall be exempt from the mowing requirement of this provision.

Section 11. That Section 6.48.020 Mowing by city, is hereby amended to read as follows:

6.48.020 Mowing by city. It shall be the duty of the employee assigned the duties and responsibilities of the weed commissioner to enforce this chapter, and if any person shall fail to comply herewith, the employee shall, after five days' written notice to the owner **of the property**, cause the premises to be mowed and report the cost thereof in writing to the city clerk in the manner provided in Section 66.0517 of the Wisconsin Statutes. Such charge shall be spread on the tax roll as a special tax to be collected in the same manner as other taxes unless such lands are exempt from taxation.

Section 12. That Section 6.48.040 Penalty, is hereby created to read as follows:

6.48.040 Penalty. In addition to the provisions of section 6.48.020, any owner or occupant of property who violates the provisions of section 6.48.010 may be issued a citation by the city and may be required to forfeit not less than ten dollars nor more than two hundred dollars for each violation. The property owner or occupant of the property shall be responsible for violations of section 6.48.010.

Section 13. That Section 8.08.220 Removal of animal excreta, is hereby amended to read as follows:

8.08.220 Removal of Animal Excreta. (a) The owner or person having immediate care, custody or control of any animal shall promptly remove and dispose of, in a sanitary manner, any

excreta left or deposited by the animal upon any public or private property.

(b) No person shall permit animal excreta to accumulate on any real property or premises owned or occupied by such person.

(bc) It is unlawful for any person to permit an animal to be on public property or private property whether or not owned or possessed by such person, unless such person has, in his immediate possession, an appropriate means of removing animal excreta.

Section 14. That Section 15.04.010 Created, is hereby amended to read as follows:

15.04.010 Created. There is created a building inspection department, consisting of a building advisory board, a building inspector, a heating and ventilating inspector and such other personnel as may be necessary for the operation of the department. The department shall be responsible for the enforcement of this chapter, the laws of the state, the applicable orders, rules and regulations of the Wisconsin Department of Safety and Professional Services, and the applicable ordinances, resolutions and orders of the city. Additionally, the chief of police and any employee within the table of organization of the police department specifically delegated authority by the chief of police may enforce the provisions of sections 15.48.030 and 15.48.120 and issue citations or notices related thereto.

Section 15. That Section 15.48.030 Permit required, is hereby amended to read as follows:

15.48.030 Permit required. Except as otherwise provided in sections 15.48.070 through 15.48.090, no sign shall hereafter be constructed, erected, altered, or maintained, or permitted to be constructed, erected, altered, or maintained except as provided in these requirements this chapter nor until a permit for same has been obtained and the fee for such permit paid. The property owner, occupant of the property, or other person in charge of the property shall be responsible for violations of this section.

Section 16. That Section 16.04.010 Housing code adopted, is hereby amended to read as follows:

16.04.010 Housing code adopted. (a) The BOCA Basic Housing-Property Maintenance Code, Third Addition, 1975, Copyright, Building Officials Conference of America, Inc., 1313 East 60th Street, Chicago, Illinois, is adopted by reference and incorporated in this chapter with the exception of the following sections which are deleted from the provisions of this chapter:

(1) Section H-104.4; and

(2) Section H-301.7 A.

(b) The provisions of the BOCA Code including but not limited to sections H-104.1 through H-104.3, shall not apply to violations of section 16.04.035 of this chapter.

Section 17. That Section 16.04.015 Section H-104.4 deleted, is hereby repealed.

Section 18. That Section 16.04.016 Section H-301.7 A deleted, is hereby repealed.

Section 19. That Section 16.04.020 Enforcement of BOCA Code by Marathon County, is hereby amended to read as follows:

16.04.020 Enforcement of BOCA Code by Marathon County. ~~This~~ **The** county health officer, or his designee, shall have the power to enforce the provisions of the following provisions of the BOCA Code:

H-301.2, H-301.5, H-303.6, H-303.7, H-303.7.1, H-303.7.2, H-303.7.3, H-400.5, H-400.6, H-401.2.1, H-500.2, H-500.3, H-500.4, H-310.4, H-302.9, H-302.9.1, H-302.9.2, H-302.2, H-104.1, H-104.2, H-104.3, H-105.1, H-105.2, H-105.3, Article 2, H-302.4, H-302.7, and H-303.8.

Section 20. That Section 16.04.035 Vehicles, is hereby amended to read as follows:

16.04.035 Vehicles. (a) Unregistered and Unlicensed Motor Vehicles. **No motor vehicle that is unregistered, has expired registration, or does not have license plates which are currently registered to that vehicle displayed thereon, including a current registration sticker, shall be parked on any premises in a residential zone except a motor vehicle parked in an enclosed building.**

~~(1) — Residence Zones. No person shall park or permit any other person to park any motor vehicle, except a motor vehicle parked in an enclosed building, on any premises in a residential zone, if the vehicle:~~

~~(A) — Is unregistered; or~~

~~(B) — Has expired registration; or~~

~~(C) — Does not have license plates which are currently registered to that vehicle, displayed thereon, including a current registration sticker.~~

(b) Junk Vehicles

(1) At no time shall any vehicle be in any state of major disassembly, disrepair, or shall it be in the process of being stripped or dismantled **on any premises in a residential zone.** At no time shall any vehicle of any type undergo major overhaul, including body work, in a residential ~~district~~ **zone.**

(2) In any business, commercial or industrial zone at no time shall any vehicle be in any state of major disassembly, disrepair, or shall it be in the process of being stripped or dismantled. At no time shall any vehicle of any type undergo major overhaul, including body work, in a business, commercial or industrial zone, except at an approved automobile establishment.

(c) The property owner, occupant of the property, or other person in charge of the property shall be responsible for violations of this section.

Section 21. That Section 23.12.130 Off-street parking in yards, is hereby amended to read as follows:

23.12.130 Off-street parking in yards. It is recognized that residential off-street parking and the outside storage of recreational equipment not in conformance with these regulations, especially in

residential front yards and corner side yards, is a public nuisance and prohibited under this chapter.

....

(d) The property owner, occupant of the property or other person in charge of such property shall be responsible for violations of this section.

Section 22. That Section 23.12.133 Storage of recreational equipment in yards, is hereby amended to read as follows:

23.12.133 Storage of recreational equipment in yards.

....

(b) ~~No person shall park or store any r~~Recreational equipment shall not be parked or stored within the front yard or corner side yard of any residence zoning district unless the equipment is parked on a driveway which meets the surfacing requirements of section 23.12.140(b). Recreational equipment may be stored on any type of surface in the rear yard or the interior side yard areas.

....

(d) The property owner, occupant of the property or other person in charge of such property shall be responsible for violations of this section.

Section 23. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 24. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE	
Create Section 2.20.045 Enforcement of certain property violations	
Committee Action:	Ordinance Number:
Fiscal Impact:	Revenue generated by potential forfeitures - undetermined
File Number:	Date Introduced:

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Section 2.20.045 Enforcement of certain property violations, is hereby created to read as follows:

2.20.045 Enforcement of certain property violations. (a) Findings. The Wausau City Council has determined that correction of certain minor, non-structural code violations concerning real property would be greatly enhanced by timely enforcement and the collection of a forfeiture designed to encourage code compliance, defray the administrative costs of enforcement, but which does not carry the additional burden of court costs on property owners, occupants, or other persons in charge of real property. The City Council finds that the issuance of warning letters in advance of enforcement of these minor, non-structural violations is a time-consuming and staff-intensive way to achieve code compliance and permits blighted or other unsightly conditions to linger in city neighborhoods to the detriment of the community and surrounding property owners and residents. This ordinance is enacted to encourage property owners, occupants, and other persons in charge of real property to exercise their responsibility to ensure that the following city ordinances governing the condition and maintenance of property are followed to improve conditions in city neighborhoods and to protect the health, safety and welfare of the public.

(b) Notice of Property Violation. In lieu of issuing a municipal uniform ordinance violation citation under section 1.01.025 for code violations set forth in subsection (c), officials authorized pursuant to sections 1.01.027 or 2.20.040 of this code may issue a Notice of Property Violation to the real property owner, occupant, or other person in charge of the real property served by 1st class mail or as provided under Wis. Stat. s. 801.11(1)(a) and (b), (5), and (6). The Notice of Property Violation shall provide for a forfeiture upon stipulation as provided in subsection (c) and shall provide that such forfeiture shall be paid only upon the agreement or stipulation of the alleged violator to the violation and the forfeiture amount.

(c) Violations. The forfeiture upon stipulation for the following minor, non-structural code violations relating to real property defined in the respective code reference shall be in accordance with the following schedule:

Location of waste container violations	[6.44.040(c)]	\$30.00
Waste container curbside hour violations	[6.44.060]	30.00
Noncollectible materials	[6.44.080]	30.00
Storing of refuse	[6.44.090]	30.00

Failure to mow	[6.48.010]	30.00
Removal of animal excreta	[8.08.220]	30.00
Obstructions and encroachments prohibited	[12.44.020]	30.00
Permits required, unapproved signs	[15.48.030]	30.00
Signs on city property	[15.48.120]	30.00
Unregistered, unlicensed and junk vehicles	[16.04.035]	50.00
Off-street parking in yards	[23.12.130]	30.00
Storage of recreational equipment in yards	[23.12.133]	30.00

(d) Stipulation to Violation. An alleged violator noticed under subsection (b) may, but is not required to, enter into a stipulation of guilt or no contest to the violation and to the forfeiture set forth in subsection (c) by paying the stipulated amount within fourteen (14) days of the issuance date of the

Notice of Property Violation. The amount of the stipulated forfeiture shall be paid in cash, money order, or bank check to the city clerk. A stipulated forfeiture shall not be deemed timely where any payment made by check is dishonored by the bank. In the event the alleged violator elects not to enter into a stipulation with respect to the violation and pay the forfeiture as provided herein, the city may issue the alleged violator a municipal uniform ordinance violation citation pursuant to section 1.01.025, commencing an action in municipal court and providing the alleged violator the opportunity, among other things, to enter a plea of not guilty and to contest the alleged violation through trial. In such cases, the penalty for the violation upon successful prosecution shall include the costs of prosecution imposed as provided in section 1.01.025(c)(2) and chapter 2.19.

(e) Review of Notice of Property Violation. An alleged violator may obtain review of the Notice of Property Violation by submitting a written request for review together with any relevant information and a copy of the notice to the chief inspector, zoning and inspection division within fourteen (14) days of the issuance date of the notice. The alleged violator will have fourteen (14) days from the date of an adverse decision on the request for review to enter into a stipulation of guilt or no contest to the violation and pay the forfeiture set forth in subsection (c) if he/she so elects. In the event the alleged violator elects not to enter into a stipulation, the city may issue the alleged violator a municipal uniform ordinance violation citation as provided in subsection (c). In the event the chief inspector finds in favor of the alleged violator, the Notice of Property Violation will be dismissed. The city elects not to be bound by Chapter 68, Wisconsin Statutes with respect to administrative procedure in this regard.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

March 17, 2013 Meeting

AGENDA ITEM #7

Approve or deny various licenses as indicated on the attached summary report of all applications received.

ADDITIONAL INFORMATION

Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or his designee. Applications marked pending will have a status update at the meeting. In accordance with city ordinance, **all permits approved are held for debts owed to the city until the debt is paid in full.**

1. Applications for Temporary Class B Retailer (Picnic) licenses for Holy Name SummerFun 2014, Newman Booster Club for Cabin Fever, and Wausau Stettin Lions Club for fair week.
2. Treu's Tic Toc applied and was approved by Zoning Administrator for Tavern Entertainment License to permit Karaoke and Bands with three musicians or less.
3. All applications have been recommended for approval; there were some applications pending approval at time of this report.
4. Special event applications included in committee packets for Hmong Heritage Month Parade, Holy Name SummerFun 2014, and Bicycle Wausau Safety.

STAFF RECOMMENDATION

Staff recommendation is to approve or deny as indicated on the summary report including those that may be introduced at the meeting. Please let me know if you have any question regarding any license applications listed.

Mary Goede, Deputy Clerk

Date of Report: March 14, 2014

(715) 261-6621

HEALTH AND SAFETY LIST
ALL LICENSES
MARCH 17, 2014REPORT ID: LRS530I
RUN DATE: 3/18/14
RUN TIME: 14:41:49

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOCAATION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
HOLY NAME OF JESUS PARISH 1104 S 9TH AVE WAUSAU, WI 54401	2014	2/27/2014	6/06/2014	6/08/2014		SUMMERFUN 2014	TEMP CLASS B RETAILER	___	___	___	___
NEWMAN CATHOLIC SCHOOLS BOOSTE ATTN: JILL MABRY 1130 W BRIDGE ST WAUSAU, WI 54401	2014	3/06/2014	4/12/2014	4/12/2014		CABIN FEVER	TEMP CLASS B RETAILER	___	___	___	___
WAUSAU STETTIN LIONSCLUB INC PO BOX 414 WAUSAU, WI 54402-0414	2014	3/10/2014	7/29/2014	8/03/2014		WAUSAU STETTIN LIONS	TEMP CLASS B RETAILER	___	___	___	___
DIEDRICH, JAMESON T 630 1/2 N 3RD STREET APT #5 WAUSAU, WI 54403	2013	3/05/2014		6/30/2014		DAY'S BOWL-A-DOME	OPERATOR NEW	___	___	___	___
DUMDEI, LOGAN 702 1/2 STEUBEN ST WAUSAU, WI 54403	2013	3/03/2014		6/30/2014		THE GLASS HAT	OPERATOR NEW	___	___	___	___
DURANCEAU, PATRICK M 3401 MARTIN AVE WAUSAU, WI 54401	2013	2/18/2014		6/30/2014		DEN MAR TAVERN	OPERATOR NEW	___	___	___	___
EASTMAN, MEGAN L 4909 CORAZOLLA DRIVE SCHOFIELD, WI 54476	2013	2/12/2014		6/30/2014		SIDETRACKED	OPERATOR NEW	___	___	___	___
FRITSCH, TERI E 113 1/2 S 7TH STREET WAUSAU, WI 54403	2013	2/19/2014		6/30/2014		R STORE #5	OPERATOR NEW	___	___	___	___
FROST, JOHNATHAN C 724 S 9TH AVE WAUSAU, WI 54401	2013	2/26/2014		6/30/2014		APPLEBEE'S NEIGHBORH	OPERATOR NEW	___	___	___	___
GARDNER, SARAH J 524 1/2 HAMILTON ST WAUSAU, WI 54403	2013	2/26/2014		6/30/2014		VARIOUS	OPERATOR NEW	___	___	___	___
HOFFMANN, BETTY J 734 FOREST ST WAUSAU, WI 54403	2013	3/06/2014		6/30/2014		R-STORE #34	OPERATOR NEW	___	___	___	___
KALLIN, DYLAN J 715 LINCOLN AVENUE WAUSAU, WI 54403	2013	3/06/2014		6/30/2014		WAUSAU BP	OPERATOR NEW	___	___	___	___
PARRISH, JESSICA D 1105 GRAND AVE WAUSAU, WI 54403	2013	2/19/2014		6/30/2014		R STORE #6	OPERATOR NEW	___	___	___	___

HEALTH AND SAFETY LIST
 ALL LICENSES
 MARCH 17, 2014

 REPORT ID: LRS530I
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<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOCAATION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
REVOIR, TERRAH A 3606 SCHOFIELD AVE APT 8 SCHOFIELD, WI 54476	2013	2/20/2014		6/30/2014		TREMOR'S BAR	OPERATOR NEW	___	___	___	___
RINDFLEISCH, TYLER J 704 15TH STREET MOSINEE, WI 54455	2013	3/11/2014		6/30/2014		KWIK TRIP #322	OPERATOR NEW	___	___	___	___
SCHAUDER, JOSEPH A 623 N 4TH AVE WAUSAU, WI 54401	2013	2/26/2014		6/30/2014		THE STORE #62	OPERATOR NEW	___	___	___	___
SCHIMON, KIMBERLY A N3714 GRAHL DR MEDFORD, WI 54451	2013	3/10/2014		6/30/2014		WALGREENS #13371	OPERATOR NEW	___	___	___	___
SPIRE, KATHERINE L 5111 CORAZOLLA DR SCHOFIELD, WI 54476	2013	3/05/2014		6/30/2014		BUNKERS/TRIBUTE GOLF	OPERATOR NEW	___	___	___	___
TESMER, MAUREEN T 5104 SUNSET ST WESTON, WI 54476	2013	3/10/2014		6/30/2014		WALGREENS #13371	OPERATOR NEW	___	___	___	___
THEILER, MACKENZIE G 1503 N 15TH AVE WAUSAU, WI 54401	2013	2/28/2014		6/30/2014		WAUSAU ELKS CLUB 248	OPERATOR NEW	___	___	___	___
YANG, TONG 2121 GLENDALEN RD MOSINEE, WI 54455	2013	2/14/2014		6/30/2014		R-STORE #31	OPERATOR NEW	___	___	___	___
FENHAUS, FRED 1402 N 13TH ST WAUSAU, WI 54403-5170	2014	3/10/2014	7/29/2014	8/03/2014		WAUSAU STETTIN LIONS	OPERATOR TEMPORARY	___	___	___	___
WILCOX, JANE 3405 FALCON WAY WAUSAU, WI 54401	2014	2/27/2014	6/06/2014	6/30/2014		SUMMERFUN FESTIVAL 2	OPERATOR TEMPORARY	___	___	___	___
BEHRENS, DANIELLE N 511 FRANCIS ST ROTHSCHILD, WI 54474	2013	3/10/2014		6/30/2015		VARIOUS	OPERATOR LAPSED	___	___	___	___
BRENDEMUEHL, BRANDY J 13130 1/2 N 3RD ST WAUSAU, WI 54403	2013	2/28/2014		6/30/2015		6TH STREET PUB	OPERATOR LAPSED	___	___	___	___
THOMPSON, KAREN L 8319 SKANAWAN LAKE RD IRMA, WI 54442	2013	3/11/2014		6/30/2015		KOHLMAN'S INC	OPERATOR LAPSED	___	___	___	___
WALKER'S INTERNATIONAL EVENTS 3618 WEBBER ST, #201 SARASOTA, FL 34232	2014	3/11/2014	3/29/2014	3/29/2014		WALKER'S INTERANATIO	PUBLIC EXHIBITION 1 DAY	___	___	___	___



James E. Tipple
Mayor

Jeffrey G. Hardel
Chief of Police

Wausau Police Department

Date **03-06-13**
To **Chief Hardel**
From **Lt. Todd Baeten**
Subject **TAVERN REPORT February 03, 2014 through March 06, 2014**

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Denmar Tavern, 601 W. Thomas St.

Domino Bar, 740 Washington St.

Eagle's Club, 1703 S. 3rd Ave.

The Fillmor, 310 N. 3rd St.

Glass Hat, 1203 N. 3rd St.

Hiawatha Restaurant & Lounge, 713 Grant St.

Intermission, 325 N. 4th St.

Jim's Corner Pub, 1244 S. 9th Ave.

Kruse In, 1724 Merrill Ave.

Labor Temple, 318 S. 3rd Ave.

Limerick's Public House, 121 Scott St.

Loppnow's Bar, 1502 N. 3rd St.

Lumpy's, 265 Chellis St.



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Chief of Police

NOTABLE INCIDENTS THAT OCCURRED AT TAVERNS THAT POLICE WERE DISPATCHED TO

101 Pub, 101 N. 3rd Ave., Case #14-1052, 02-08-14 at 12:45am: Officers and EMS personnel from Wausau Fire Department responded to the 101 Pub for a report of a male that was struck by a vehicle. It was learned that a highly intoxicated male had left the 101 Pub with his girlfriend. He was standing behind her vehicle as she was backing it away from the curb. The vehicle bumped into the male. He was not injured, but was transported to corrections on a probation hold.

Bob & Randy's, 1515 N. 6th St., Case #14-1167, 02-11-14 at 10:08pm: Officer took a complaint of a stolen cell phone from Bob & Randy's. The reporting party said he had left his phone near a machine in the bar and walked away, and the phone was gone when he returned. No suspects.

Campus Pub, 1110 W. Campus Dr., Case #14-790, 01-30-14 at 11:44pm: Officers responded for a report of an individual violating a no-contact order. A male was located there, and found to be in violation of a court order. He was arrested and transported to jail.

Cop Shoppe Pub, 701 Washington St., Case #14-1239, 02-14-14 at 7:28 pm: Officers were dispatched for a report of a male inside the bar with a concealed weapon. The male was located. No weapon was found. The male was intoxicated and discovered to be on probation. He was transported to corrections on a probation hold.

Days Bowl-A-Dome, 1715 Stewart Ave., Event #140022356, 02-24-14 at 2:57pm: Officers were dispatched to the parking lot of Days Bowl-A-Dome for a report of someone burning garbage behind the building. Officers were advised by staff that they were not aware of the ordinance prohibiting burning, and they would not do it again.

Days Bowl-A-Dome, 1715 Stewart Ave., Case #14-1609, 02-26-14 at 7:37pm: Officer had contact with a male who reported he had been contacted by a female while at Day's Bowl-A-Dome who offered him money to kill her boyfriend. The information was passed along to the detective bureau and the investigation progressed, resulting in the arrest of the female for Solicitation for Murder.

Denmar Tavern, 601 W. Thomas St., Event #140021831, 02-23-14 at 1:45am: Officers responded to Denmar for a report of a fight. Investigation showed that three people were involved with pushing and shoving each other during a misunderstanding. Everybody was separated and sent on their way after they declined to pursue charges.



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Domino Bar, 740 Washington St., Event #140018153, 02-14-14 at 4:40pm: Officer responded to Domino Bar for a report of a fight between two males. One of the males had left prior to officer arrival. The remaining male was intoxicated and advised to come to the police department to provide a statement when he was sober. Investigation continues.

Domino Bar, 740 Washington St., Case #14-1492, 02-23-14 at 9:30am: Officer took a complaint of a theft from motor vehicle that had been parked at Domino Bar. The victim reported that his vehicle window had been broken and items taken out of his vehicle, including a dash mounted GPS unit. No suspects.

Glass Hat, 1203 N. 3rd St., Case #14-1490, 02-23-14 at 1:52am: Officer on patrol observed what appeared to be a struggle outside of the Glass Hat. Further investigation showed that bar staff had directed a male outside after he had acted disorderly and broke a cue stick. The male was arrested and transported to corrections for Disorderly Conduct and Criminal Damage to Property.

Glass Hat, 1203 N. 3rd St., Event #140024283, 02-28-14 at 10:52: Officers were dispatched to the Glass Hat for a report of a male that had been causing a disturbance inside the bar. It was reported he had been attempting to pick fights with other patrons. He had left the area prior to officer arrival. Bouncers at Glass Hat stated the male had arrived intoxicated and was not served there.

Intermission, 325 N. 4th St., Case #14-1392, 02-20-14 at 12:02pm: Officer took a complaint of a purse stolen from Intermission the previous night. The officer's investigation was able to develop a suspect, who admitted to having been in the bar but denied taking the purse. The suspect was transported to corrections for violating probation. Investigation continues.

Labor Temple, 318 S. 3rd St., Case #14-1251, 02-15-14 at 4:13pm: Officers responded to Labor Temple for a report of a male that had entered and passed out at the bar. The male was found to be on probation. He was transported to corrections on a probation hold and bailjumping charge.

Malarkey's, 412 N. 3rd St., Case #14-1758, 03-02-14 at 1:53am: Officer on patrol observed a male holding an open alcohol container (a glass) while on the sidewalk in the 300 block of N. 4th St. The male was contacted and stated he had just come from Malarkey's Pub. The male was cited for Liquor on the Street, and the glass was returned to Malarkey's. 25 demerit points are assessed to Malarkey's.

Showtime Gentlemen's Club, 1709 Merrill Ave., Event #140025890, 03-05-14 at 2:35am: Officer responded for a report of a stolen vehicle. It was later determined that the vehicle was not stolen, rather taken by the owner's boyfriend. The vehicle was located at McDonald's.

Wausau Police Department



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Tremor's Sports Bar, 516 W. Thomas St., Event #140015121, 02-06-14 at 11:24pm: Officers responded along with EMS personnel from Wausau Fire Department for a report of a male passed out on the floor after falling off his stool. Two of the male's friends agreed to take him home and care for him.

VFW, 388 River Dr., Case #14-1240, 02-14-14 at 9:30pm: Officer responded for a report of a male who had been kicked out of the bar by staff. The male was now requesting the bar be shut down. He said another patron in the bar had been harassing him over Facebook. Contact was made with the VFW agent, who advised the male was not welcome in the bar because he had been causing a disturbance. The male was sent on his way.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

(See attached report)

Respectfully submitted,
Lt. Todd A. Baeten

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED TO TAVERNS/STORES (03/01/2012 - 03/01/2013)

Establishment	Defendant/Relationship	Date of Violation	Ord. Section / Statute Number	Type Of Violation	*Point Value	CASE #
Cabaret	Rebecca M. Bratton / Bartender	07/15/2013	5.64.010 / 125.68(2)	<i>No Licensed Bartender on Premises</i>	50	13-7481
	Brenda Calhoun / Owner	07/15/2013	5.64.010 / 125.68(2)	<i>No Licensed Bartender on Premises</i>	Total 50	
Intermission	Fransico Gonzalez / Patron	07/15/2013	9.04.025	<i>Liquor on Street</i>	25	13-7478
Intermission	Gary D. Steffen / Patron	07/19/2013	9.04.025	<i>Liquor on Street</i>	25	13-7650
Intermission	Michael Maurer / Patron	08/07/2013	9.04.025	<i>Liquor on Street</i>	25	13-8286
Intermission	Carol J. Moore / Patron	09/28/2013	9.04.025	<i>Liquor on Street</i>	25	13-9963
Intermission	John C. Jenkins / Patron	11/01/2013	9.04.025	<i>Liquor on Street</i>	25	13-11056
					Total 125	
Lumpy's	Stephanie R. Ebbinger / Bartender	06/18/2013	5.64.140/125.32(3)(a)	Open After Hours	25	13-6581
	Trent Clark / Owner	06/18/2013	5.64/140/125.32(3)(a)	Open After Hours	Total 25	
Malarkey's	Stephen A. Feck/Patron	03/02/2014	9.04.025	Liquor on Street	25	14-1758
					Total 25	
Oz	<i>Rebecca A. Weber / Bartender</i>	06/10/2013	5.64.010 / 125.68(2)	<i>No Licensed Bartender on Presmises</i>	50	13-6315
	<i>William M. Jones / Owner</i>	06/10/2013	5.64.010 / 125.68(2)	<i>No Licensed Bartender on Presmises</i>		
Oz	<i>Kham B. Lee / Patron</i>	10/13/2013	9.04.025	Liquor on Street	25	13-10383
					Total 75	
Paradox	<i>Thao, Brittany C. / Operator</i>	03/08/2013	5.64.010 / 125.07(1)	<i>Sell to underage person (1 per)</i>	25	13002526
Paradox	Kurzinski, Scott G. / Owner	04/14/2013	5.64.010 / 125.07(3)	Underage person on premises	25	13003889
Paradox	<i>Choua Lor / Bartender</i>	07/19/2013	5.64.010 / 125.07(1)	<i>Sell to underage person (1 per)</i>	25	13-7611
Paradox	J Fritz/J Hanus / Patrons	09/01/2013	9.04.025	Liquor on the Street	25	13-9128
					Total 100	
Roc's Place	Britney Teske / Patron	09/01/2013	9.04.025	<i>Liquor on the Street</i>	25	13-9127
Roc's Place	Nawrocki, Timothy A / Owner	12/12/2013	5.64.140	<i>Open After Hours</i>	25	13-11348
	Furger, Randolph J. / Bartender	12/12/2013	5.64.140			
					Total 50	

* Demerit point totals shown in black, reflect the points assessed to the tavern/store. Demerit points assessed to bartenders/operator are in italics.

Establishment	Defendant/Relationship	Date of Violation	Ord. Section / Statute Number	Type Of Violation	*Point Value	CASE #
Showtime Gentlemens Club	Nicholas R. Moeller / Employee	08/02/2013	5.64.010 / 125.07(3)	<i>Underage Person on Premises</i>	<i>25</i>	<i>13-8921</i>
					Total 25	120125582

* Demerit point totals shown in black, reflect the points assessed to the tavern/store. Demerit points assessed to bartenders/operator are in italics.