

# CITY OF ONALASKA MEETING NOTICE

**COMMITTEE/BOARD:** Administrative & Judiciary Committee  
**DATE OF MEETING:** February 5, 2014 (Wednesday)  
**PLACE OF MEETING:** City Hall – 415 Main Street (Room 112)  
**TIME OF MEETING:** 6:00 P.M.

## **PURPOSE OF MEETING**

1. Call to Order and roll call.
2. Approval of minutes from the previous meeting.
3. Public Input: (limited to 3 minutes/individual)

### **Consideration and possible action on the following items:**

#### **Administrative**

4. Approval of Operator's Licenses
5. Approval of change of location for Class B Liquor License for Un Wine'd, 201 Main Street, Onalaska, WI
6. Approval of Firehouse 5K Run on Saturday, April 12, 2014 from 8am-9:30am starting at City Hall
7. Approval of Change of Agent:
  - A. Stoney Creek Hotel & Conference Center, 3060 South Kinney Coulee Road, Onalaska, WI – Judith Leis
  - B. Kwik Trip #822, 950 2<sup>nd</sup> Avenue North, Onalaska – Travis Soland
  - C. Kwik Trip #383, 408 Sand Lake Road, Onalaska – Gregory Bennett
  - D. Kwik Trip #643, 1276 Crossing Meadows Drive, Onalaska – Patrick Schippers
8. Miscellaneous licensing reporting

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the Board may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

#### **NOTICES MAILED TO:**

\_\_\_\_\_  
Mayor Joe Chilsen  
\_\_\_\_\_  
\* Ald. Erik Sjolander - Vice Chair Admin & Chair Jud  
\_\_\_\_\_  
Ald. Jim Olson  
\_\_\_\_\_  
Ald. Jack Pogreba.  
\_\_\_\_\_  
Ald. Jim Bialecki  
\_\_\_\_\_  
\* Ald. Harvey Bertrand  
\_\_\_\_\_  
\*Ald. Diane Oldani Wulf- Chair Admin.&Vice Chair Jud  
\_\_\_\_\_  
City Attorney Dept Heads Charter Com. WXOW  
\_\_\_\_\_  
La Crosse Tribune Onalaska Holmen Courier Life  
\_\_\_\_\_  
WIZM WKTY WLXR WKBH WKBT WLSU

\*Committee Members

\_\_\_\_\_  
Ellen Dettmann

\_\_\_\_\_  
Cory Taylor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Notices Mailed and Posted: 1/30/2014

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

## **Judiciary**

1. **Ordinance 1470-2014** - To amend Title 10 Chapter 1 Section 50 of the City of Onalaska Code of Ordinances related to excessive Display of Power and Disorderly Conduct with a Motor Vehicle (Third and Final Reading)
2. **Ordinance 1471-2014** – To amend Title 10 Chapter 3 of the City of Onalaska Code of Ordinances related to snowmobiles (First and Second Reading)

Adjournment

1-29-2014 1:59 PM  
PACKET: 00708 License Packet operators feb  
SEQUENCE: License #

F O R M S R E G I S T E R

ID	PERIOD	-----NAME-----		LICENSE CODE
03602	1/09/14- 6/30/15	PUGH	KEVIN	OPRATOR OPERATORS - 2 YEAR
03603	1/09/14- 6/30/15	WHITSON	ERIKA	OPRATOR OPERATORS - 2 YEAR
03604	1/09/14- 6/30/15	SITES	HALEY	OPRATOR OPERATORS - 2 YEAR
03607	1/10/14- 6/30/15	TAYLOR	LINDSEY	OPRATOR OPERATORS - 2 YEAR
03612	1/10/14- 6/30/15	PIERRE	HENDE	OPRATOR OPERATORS - 2 YEAR
03613	1/13/14- 6/30/15	BLANDON	BEDANIA	OPRATOR OPERATORS - 2 YEAR
03617	1/16/14- 6/30/15	FEITH	KATHLEEN	OPRATOR OPERATORS - 2 YEAR
03622	1/17/14- 6/30/15	LEITNER	STEVE	OPRATOR OPERATORS - 2 YEAR
03629	1/20/14- 6/30/15	STOFLET	ZACHARY	OPRATOR OPERATORS - 2 YEAR
03631	1/21/14- 6/30/14	THIESSEN	CASSANDRA	OPRATOR OPERATORS - 1 YEAR
03634	1/23/14- 6/30/15	PEARSON	ALISSA	OPRATOR OPERATORS - 2 YEAR





# CITY OF ONALASKA

415 Main Street • Onalaska, WI 54650-2953 • (608) 781-9530 fax (608) 781-9534 • [www.cityofonalaska.com](http://www.cityofonalaska.com)

## SPECIAL EVENTS PERMIT APPLICATION

Date: 12-27-13

Cost: \$ \_\_\_\_\_

(Please Print)

Application is for:

- Bicycle Races
- Marathons
- Parades
- Procession(s)
- Runs
- Block Party<sup>1</sup>
- Other:

Requestor Information		
Organization/Requestor Name: <u>Onalaska Fire Dept.</u>	Phone: <u>(608) 781-9546</u>	
Officer of Corporation or Director of Event: <u>Cory Taylor</u>		
Address of Organization: <u>415 main st</u>		
City: <u>Onalaska</u>	State: <u>WI</u>	Zip: <u>54650</u>
Contact Person: <u>Cory Taylor</u>	Phone: <u>(608) 792-2874</u>	
Address: <u>726 oak timber dr</u>		
City: <u>Onalaska</u>	State: <u>WI</u>	Zip: <u>54650</u>
Purpose/Description of Event: <u>5K Run/walk</u>		

EVENT INFORMATION			
Name of Event: <u>Firehouse 5K</u>	Date of Event: <u>4-12-14</u>	Time (beginning): <u>8:00</u> <small>am/pm</small>	Time (ending): <u>9:30</u> <small>am/pm</small>
Starting Point or Block to Be Closed: <input checked="" type="checkbox"/> <u>East Parking Lot of city hall</u>			
Route or Specific Location (List Abutting Streets):			
Termination Point: <u>East Parking Lot of city hall</u>			
Estimated Maximum Number of Units/Persons Attending Event: <u>350-400</u>			

<sup>1</sup>Attach signatures of at least 51% of all households abutting the proposed block to be closed for said party

**\*\* NOTE \*\* CERTIFICATE OF INSURANCE REQUIRED,**  
 With the City of Onalaska listed as additional Insured.  
Original Certificate of Insurance must accompany this application

## SPECIAL EVENTS REQUIRED INFORMATION

The following information must be completed and received by the City of Onalaska City Clerk's Office no less than 30 days (60 days for special events) prior to the scheduled event for processing. Failure to provide complete information could void your permit and cancel your event. Also, a Special Event Permit is not valid until insurance has been provided, all fees have been paid, and all necessary approval signatures have been obtained.

### TELL US ABOUT YOUR EVENT:

1. Will food be prepared and/or served at the event?  YES  NO  
If yes, please explain in detail what food service you will provide:

bagels & cookies served (same as we've done in past)

*(Please contact the La Crosse County Health Department (608) 785-9872 to sell/serve food)*

2. Will alcoholic beverages be served/sold?  YES  NO  
If yes, a "Special Class B" license will allow you to serve/sell beer and/or wine.

*(The Office of the City Clerk (608) 781-9530 will assist you with obtaining the license)*

3. Will you be having a band or amplified music?  YES  NO  
If yes, a Variance Permit may be needed.

*(Please contact the Onalaska Police Department (608) 781-9550 for additional information on noise and noise ordinance)*

4. Do you require any special parking restrictions?  YES  NO  
If yes, please indicate what type, when and where:

5. Will you require the use of any City Services and/or equipment?

Barricades  YES  NO If yes, approximately how many: 10

Cones  YES  NO If yes, approximately how many: 30

Street Sweeper  YES  NO If yes, approximate time needed: \_\_\_\_\_ a.m./p.m.

*(Please contact the Onalaska Public Works Department (608) 781-9537 to make arrangements)*

6. Will temporary signage be used?  YES  NO  
If yes, please indicate what type and where:

*(Please contact the Onalaska Planning Department (608) 781-9590 to inquire about City Regulations)*

7. Will there be a fireworks display?  YES  NO  
If yes, please indicate what type and where:

*(Please contact the Office of the Fire Department (608) 781-9546 to inquire about City Regulations)*

8. Do you have a plan in place to deal with any medical emergencies that may occur during your event?  YES  NO  
If yes, please explain:

Fire Dept

*(The Onalaska Police Department (608) 781-9550 will assist you with defining your safety/security needs)*

9. An emergency/evacuation plan is needed. Please submit a plan not less than fourteen (14) business days prior to the event.

(The Onalaska Police Department (608) 781-9550 will assist you with your plan)

10. Other special assistance requested:

None

I understand the filing of this application does not ensure the issuance of this license. I also understand that all Special Events sponsors must comply with all applicable city Ordinances, traffic rules, park rules, state health laws, fire codes and liquor licensing regulations. Fees for park facilities, food sales permits, tent, signage and fireworks permits are in addition to the fees submitted for the Special Events Application. I further understand that an incomplete application may be cause for denial of the event.

Hold Harmless Indemnification and Defense.

The applicant and/or the organization agrees to indemnify, defend and hold harmless the City of Onalaska and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney fees, arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant/organization, anyone directly or indirectly employed by any of them, or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of the City.

*[Handwritten Signature]*

Signature of Applicant

12-27-13

Date

Fees are Non-Refundable. Submit completed application along with any required information to:

Onalaska City Clerk's Office  
415 Main Street  
Onalaska, WI 54650

FOR OFFICE USE ONLY

Name & Date of Event: \_\_\_\_\_

City Clerk	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: 1-13-14
Fire Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: 1-14-14
Police Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: 1-14-14 <i>[Signature]</i>
Public Works	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: 1/15/14
Health Dept	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: _____
Planning	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <i>Condition: Contact Land Use &amp; Developm't Director re: Signage</i>	Date: 1/16/14 <i>BB</i>
Parks & Rec	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____	Date: 1/16/14

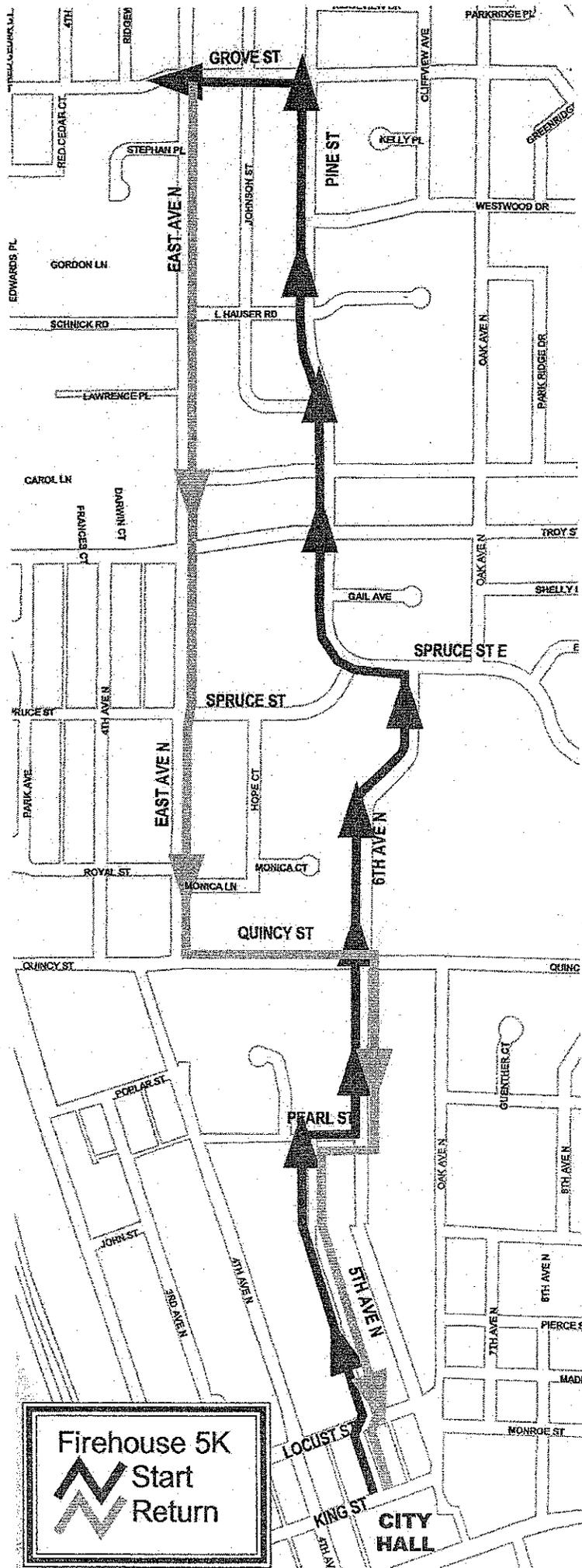
Site Diagram Sketch Attached:  YES  NO

GIS Dept. Map Prepared: \_\_\_/\_\_\_/\_\_\_

Insurance Required:  YES  NO Certificate of Insurance on File:  YES  NO COI Expires: 12/1/14

Special Class B License Required:  YES  NO Date of Special Class B Application: \_\_\_/\_\_\_/\_\_\_

Approved By A&J: \_\_\_/\_\_\_/\_\_\_ Date License Issued: \_\_\_/\_\_\_/\_\_\_ License No: \_\_\_\_\_



Firehouse 5K  
 Start  
 Return



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
1/9/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Alliant Insurance Services 5847 San Felipe Suite 2750 Houston TX 77057	<b>CONTACT NAME:</b> Mike Russell	<b>FAX (A/C, No):</b> N/A	
	<b>PHONE (A/C, No, Ext):</b> (608) 775-9674	<b>E-MAIL ADDRESS:</b> mjrusse2@gundersenhealth.org	
<b>INSURED</b> Gundersen Lutheran Health System, Inc. DBA Gundersen Health System 1900 South Avenue La Crosse WI 54601	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	<b>INSURER A:</b> Zurich American Ins. Co.		16535
	<b>INSURER B:</b>		
	<b>INSURER C:</b>		
	<b>INSURER D:</b>		
	<b>INSURER E:</b>		
<b>INSURER F:</b>			

**COVERAGES**                      **CERTIFICATE NUMBER:** 1822243711                      **REVISION NUMBER:**

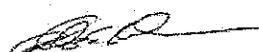
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			HPC585222601	12/1/2013	12/1/2014	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMP/OP AGG \$3,000,000 \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED \$      RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			WC STATU-TORY LIMITS      OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The limits shown above are inclusive of the applicable policy self insured retention.  
Firehouse 5K Fundraiser on 4/12/14.

**CERTIFICATE HOLDER****CANCELLATION**

Onalaska Fire Department Attn: Cory Taylor 415 Main Street Onalaska WI 54650	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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CITY OF ONALASKA

RECH: 00076564 1/23/2014 2:22 PM

TRAN: 198.0000 REVENUE ACCOUNT

OPER: Cash TERM: 001

REF#: SW - 13183

PAID BY: SCI-LACROSSE/ONA

STONE CREEK HOTEL CHANGE OF AGENT

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

TENDERED: 10.00 1 CHECK(S)
APPLIED: 10.00-
CHANGE: 0.00

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: [ ] Town [ ] Village of Onalaska [x] City County of LaCrosse

The undersigned duly authorized officer(s)/members/managers of SCI LaCrosse/Onalaska, LLC (registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Stoney Creek Hotel & Conference Center (trade name)

located at 3060 S Kinney Coulee Rd, Onalaska, WI

appoints Judith Leis (name of appointed agent)
668 Boundary Dr E, West Salem, WI 54669 (home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

[ ] Yes [x] No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? [x] Yes [ ] No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 32 YRS

Place of residence last year West Salem WI

For: SCI LaCrosse/Onalaska, LLC (name of corporation/organization/limited liability company)

By: [Signature] (signature of Officer/Member/Manager)

And: [Signature] (signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Judith Leis (print type agent's name) hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature of agent]

1/7/14 (date)

Agent's age 53

668 Boundary Dr E, West Salem, WI (home address of agent)

Date of birth 5.14.60

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on (date) by (signature of proper local official) Title (town chair, village president, police chief)





**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of:  Town  Village  City of City of Onalaska County of La Crosse

The undersigned duly authorized officer(s)/members/managers of Kwik Trip, Inc.  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Kwik Trip #643  
(trade name)

located at 1276 Crossing Meadows Dr., Onalaska, WI 54650

appoints Patrick F. Schippers  
(name of appointed agent)

901 Packer Dr., Holmen, WI 54636  
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes  No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course?  Yes  No Since 1990

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? \_\_\_\_\_

Place of residence last year 901 Packer Dr., Holmen, WI 54636

For: Kwik Trip, Inc.  
(name of corporation/organization/limited liability company)

By: *[Signature]*  
(signature of Officer/Member/Manager)

And: *[Signature]*  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Patrick F. Schippers, hereby accept this appointment as agent for the  
(print/type agent's name)  
corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

*[Signature]* 1-9-14 Agent's age 48  
(signature of agent) (date)  
901 Packer Dr., Holmen, WI 54636  
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY  
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(date) (signature of proper local official) (town chair, village president, police chief)

CITY OF ONALASKA  
 RECD: 00778935 1/27/2014  
 TRAM: 198.0000  
 OFFER: CASH TERM: 001  
 R# #: SE 948055  
 P.D. BY: \_\_\_\_\_  
 KWIK TRIP CHANGE OF AGENT  
 1 TONK & MAL BEV L  
 30.00  
 30.00  
 0.00  
 30.00  
 1 DECX(S)  
 30.00R  
 Wisconsin Department of Revenue  
 9:13 AM

1/29/2014 1:30 PM

L I C E N S E M A S T E R R E P O R T

LICENSES: ALL

SORTED BY: LICENSE NUMBER

EFFECTIVE

LICENSE CODES: Include: RECBURN-E

EXPIRATIC

CLASSES: All

COMMENT:

STATUS: ACTIVE

PAY STATU

CITY LIMITS: INSIDE, OUTSIDE

ID	CODE	NAME/ PROPERTY ADDRESS		STATUS	CLASS/ REPORT	ORIG/ RENEW	TERM/ PRINTED
03608	RECBURN-E	TOLLEY 303 8TH AVE S	ANN	ACTIVE	REC BURN REC BURN	1/10/2014	1/23/2014
03611	RECBURN-E	VOGLER 631 10TH CT.	RYAN &	ACTIVE	REC BURN REC BURN	1/10/2014	1/23/2014
03619	RECBURN-E	OREILLY 1111 ASPEN VALLEY DR	KEVIN	ACTIVE	REC BURN REC BURN	1/16/2014	1/24/2014
03630	RECBURN-E	TISCHER 1973 ESTER DR	RICHAR	ACTIVE	REC BURN REC BURN	1/21/2014	1/24/2014
03635	RECBURN-E	LINDEN 815 EAST AVE. N.	MIKE	ACTIVE	REC BURN REC BURN	1/24/2014	
03637	RECBURN-E	GOEDE 2301 GREENVIEW DLN	MARK	ACTIVE	REC BURN REC BURN	1/27/2014	

REPORT TOTALS:

6 LICENSES

ORDINANCE NO. 1470-2014

AN ORDINANCE TO AMEND TITLE 10 CHAPTER 1 SECTION 50 OF THE CITY OF ONALASKA CODE OF ORDINANCES RELATED TO EXCESSIVE DISPLAY OF POWER AND DISORDERLY CONDUCT WITH A MOTOR VEHICLE

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS

FOLLOWS:

SECTION I. Section 10-1-50 of the Code of Ordinances of the City of Onalaska is hereby deleted and replaced with:

**Section 10-1-50 Disorderly Conduct with a Motor Vehicle.**

- (1) Definition. Disorderly Conduct with a Motor Vehicle shall mean the deliberate operation of a motor vehicle in a manner that is unnecessarily and unreasonably violent, abusive, loud, maneuvered or accelerated in such a manner so as to disturb, annoy or endanger any person or property in any public or private area. It includes, but is not limited to the unnecessary and unreasonable spinning of wheels, squealing of tires, accelerating the engine or vehicle or both, raising one or more vehicles off the surface, use of the horn, loud playing of radios or audio entertainment, emission of smoke, gases or other foul orders that are disagreeable, leaving the highway to travel across property to avoid an intersection, official traffic control sign, signal or other devise and deliberately causing the engine to backfire. The motor vehicle is not required to be moving at the time of commission of the disorderly conduct.
- (2) Conduct Prohibited. No person shall by or through the use of any motor vehicle, including but not limited to an automobile, truck, motorcycle, minibike, moped or snowmobile, cause or carry out Disorderly Conduct with a Motor Vehicle.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

Jeff Trotnic, Chief of Police



\_\_\_\_\_  
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ \_\_\_\_\_ for \_\_\_\_\_ to meet the requirements of this ordinance.

**ORDINANCE NO. 1471 - 2014**

**AN ORDINANCE TO AMEND TITLE 10 CHAPTER 3 OF THE CITY OF ONALASKA  
CODE OF ORDINANCES RELATED TO SNOWMOBILES**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS  
FOLLOWS:

SECTION I. Chapter 3 of Title 10 of the Code of Ordinances of the City of Onalaska is  
hereby deleted and replaced with:

**Chapter 3**  
**Snowmobiles**

- 10-3-1** State Snowmobile Laws Adopted
- 10-3-2** Applicability of Traffic Regulations to Snowmobiles
- 10-3-3** Standards for Operation
- 10-3-4** Accidents and Accident Reports
- 10-3-5** Snowmobile Routes and Trails Designated
- 10-3-6** Penalty
- 10-3-7** Enforcement

**Sec. 10-3-1 State Snowmobile Laws Adopted.**

Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01 Definitions.
- 350.02 Operation of snowmobiles on or in the vicinity of highways.
- 350.03 Right-of-Way.
- 350.035 Meeting of snowmobiles.
- 350.04 Snowmobile races, derbies and routes.
- 350.045 Public utility exemption.
- 350.047 Local ordinances to be filed.
- 350.05 Operation by youthful operators restricted.
- 350.07 Driving animals.

- 350.08 Owner permitting operation.
- 350.09 Head lamps, tail lamps and brakes, etc.
- 350.10 Miscellaneous provisions for snowmobile operation.
- 350.101 Intoxicated snowmobiling.
- 350.102 Preliminary breath screening test.
- 350.1025 Application of intoxicated snowmobiling law.
- 350.103 Implied consent.
- 350.104 Chemical tests.
- 350.106 Report arrest to department.
- 350.107 Officer's action after arrest for operating a snowmobile while under the influence of intoxicant.
- 350.11 Penalties.
- 350.12 Registration of snowmobiles.
- 350.125 Completion of application for registration by snowmobile dealers.
- 350.13 Uniform Trail Signs and Standards.
- 350.135 Interferences with uniform trail signs and standards prohibited.
- 350.15 Accidents and accident reports.
- 350.155 Coroners and medical examiners to report; require blood specimen.
- 350.017 Enforcement.
- 350.19 Liability of landowners.
- 350.99 Parties to a violation.

### **Sec. 10-3-2 Applicability of Traffic Regulations to Snowmobiles.**

No person shall operate a snowmobile upon any street, highway or alley within the City of Onalaska in violation of the traffic regulation provisions of Sections 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

### **Sec. 10-3-3 Standards for Operation**

- (a) Operation restrictions. Operation of snowmobiles on the designated snowmobile route shall be subject to the following restrictions:
  - a. Stop/yield. Each snowmobile shall stop at each street or highway to be crossed and yield the right-of-way to all motor vehicles approaching on each such street or highway.
  - b. Yielding right-of-way. Travel on rights-of-way of City streets and highways shall be limited to those which are posted, and snowmobiles, at all times, yield the right-of-way when crossing streets and highways to all vehicular traffic.
  - c. Street operating rules. When traveling on the roadways of streets and highways, operators shall obey the following requirements:
    - i. Snowmobiles are to be operated on the extreme right side of the roadway.
    - ii. Left turns shall be made as safely as possible from any position depending on snow cover and other prevailing conditions.
    - iii. Operators are to yield the right-of-way to other vehicular traffic and pedestrians.
    - iv. The speed limit shall be 15 miles per hour.

- d. Speed. No person shall operate a snowmobile within the City or on any designated snowmobile trail at a speed in excess of fifteen (15) miles per hour and shall yield the right-of-way when traveling within 100 feet of a person who is not in or on a snowmobile..
  - e. Hours of Operation Restricted. No person shall operate a snowmobile anywhere within the City between the hours of 10:30 p.m. and 7:00 a.m.
  - f. Restriction on Equipment. No snowmobile or other vehicle operating on the snowmobile route shall be allowed if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer. Each snowmobile shall be equipped with proper, operating headlamps, taillights and brakes and other required equipment to conform to the requirements of §350.09 of the Wisconsin Statutes.
  - g. Statutory Requirements. Operation of snowmobiles shall comply with such other and further conditions as are imposed upon operators under §350.02, Wis. Stats.
- (b) Unattended Vehicles. No person shall leave or allow a snowmobile owned or operated by him or her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
  - (c) Operation on Sidewalks Prohibited. No person shall operate a snowmobile upon any sidewalk or pedestrian way or upon the area between the sidewalk and the curb line of any street in the City of Onalaska, except for the purpose of crossing to obtain immediate access to an authorized area of operation or as permitted by this Code of Ordinances.
  - (d) Operation on Private Property. Except as permitted by this Code of Ordinances, it shall be unlawful to operate any snowmobile or any other motor-drive craft or vehicle principally manufactured for off-highway use on the City street, alleys, parks, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the express consent of the owner before operation of such craft or vehicle on private property not owned or controlled by him.
  - (e) Permitting Operation by Improper Persons Prohibited. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.
  - (f) Operation in Parks. No person shall drive a snowmobile in any park within the City except upon designated snowmobile trails as may be designated by the Common Council.
  - (g) Written Consent of Owner Required. The consent required under Sec. 350.10(f) and in Subsection (a) above shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one (1) person, the consent of each owner must be obtained.
  - (h) Operation while Under Influence Prohibited. Sec. 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the City.

(i) Age of Operators.

- a. No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- b. No person shall operate any snowmobile upon any street, alley or other public right-of-way in the City unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.
- c. No owner or other person having charge or control of a snowmobile may knowingly authorize or permit any person to operate the snowmobile if the person is prohibited from operating a snowmobile under Wisconsin Statutes or this chapter, or if the person is incapable of operating a snowmobile because of physical or mental disability, or if the person is under the influence of alcohol beverages or controlled substances or a combination thereof or under the influence of any other drug to a degree which renders him/her incapable of safely operating a snowmobile.
- d. No parent or guardian of any child shall authorize or knowingly permit such child to operate a snowmobile if the child is prohibited from operating a snowmobile under Wisconsin Statutes or this chapter.

(j) Pursuit of Animals. No operator shall violate §350.07, Wis. Stats. by driving or pursuing any animal with a snowmobile.

(k) Miscellaneous Regulations. No person shall operate a snowmobile in the following manner:

- a. At a rate of speed that is unreasonable or improper under the circumstances.
- b. In any careless way or as to endanger the person or property of another.
- c. In such a way that the exhaust of the motor makes an excessive or unusual noise.
- d. Without a functioning muffler.
- e. On the private property of another without the consent of the owner or lessee.
- f. On the frozen surface of public waters within 100 feet of a person not in or upon a vehicle or within 100 feet of a fishing shanty unless operated at a speed of 10 miles per hour or less.
- g. On a slide, ski or skating area except for the purposes of service the area, crossing at places where marked or after stopping and yielding the right-of-way.
- h. On or across a cemetery, school or church property without consent of the owner.

(l) Nonassumption of Liability. By enacting this chapter designated a snowmobile route though the City, portions of which may cross private properties or frozen surfaces, the City is assuming no responsibility for any property damage or personal injuries sustained by any persons as a result of operation of snowmobiles across those properties.

#### **Sec. 10-3-4 Accidents and Accident Reports.**

- (a) If he/she can do so without serious danger to himself/herself or to persons on board, the operator of a snowmobile involved in a snowmobile accident within the City shall stop his/her snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his/her name and address and identification of his/hers snowmobile to any person injured and to the owner of any property damaged in the accident.
- (b) If the snowmobile accident results in death or injury to any person or total property damage in excess of Two Hundred Dollars (\$200.00), every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department of the accident and shall, within ten (10) days after the accident, file a written report thereof with the department on forms prescribed by it.
- (c) If the operator of a snowmobile is physically incapable of making the report required by this Section and there was another occupant on the snowmobile at the time of the accident capable of making the report, he/she shall make such report.
- (d) "Snowmobile accident" means a collision, accident or other casualty involving a snowmobile.

#### **Sec. 10-3-5 Snowmobile Routes and Trails Designated.**

- (a) **Routes Designated.** Except as provided in §§ 350.02 and 350.045 of the Wisconsin Statutes, or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., or as provided in Subsection (b), no person shall operate a snowmobile upon any public right-of-way, in any public park or on any other public municipal property in the City except upon snowmobile routes and trails designated by the Common Council. The designated routes to be used within the City limits shall be adopted by resolution by the Common Council, a copy of which shall be on file with the City Clerk.
- (b) **Trail Markers.** The Chief of Police is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the State Department of Natural Resources under Section 350.13, Wis. Stats. The Chief of Police shall have the power to declare the stated snowmobile routes and trails either open or closed.
- (c) **Markers to be Obeyed.** No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this Section.
- (d) **Rules of Operation.** Snowmobiles operated on designated snowmobile routes over public highways shall observe the rules of the road for motor vehicles set forth in Ch. 346, Wis. Stats. and Title 10, Chapter 1 of this Code of Ordinances, which are hereby adopted by reference and made part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by such laws is required or prohibited by this section.

**Sec. 10-3-6 Penalty.**

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

**Sec. 10-3-7 Enforcement.**

- (a) **Uniform Citation for Highway Violations.** The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) **Parking Violations.** The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1. of this Chapter.
- (c) **Other Violations.** All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.0114 and 66.0111 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.0114(1)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.0111, Wis. Stats. Such deposits shall include a Three Dollars (\$3.00) Clerk's fee and costs of prosecutions.
- (d) **Police Department to Receive Stipulations and Penalties.** Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices by the Chief or officer designated by him.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED: