

# CITY OF ONALASKA MEETING NOTICE

**COMMITTEE/BOARD:** Administrative & Judiciary Committee  
**DATE OF MEETING:** January 6, 2016 (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. Amend and 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 as listed on report dated January 6, 2016
5. Approval of Change of Agent for Quantum Leap Restaurants, Inc. d/b/a TGI Friday's, 9430 State Road 16, Onalaska to John Hartnell.
6. Approval of Class "B" Picnic License for St. Patrick's, 1031 Main Street, Onalaska for Friday Fish Fries on February 12, 19, 26 and March 4, 11, 18, 2016.
7. 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. Barry Blomquist - Chair Jud

Ald. Jim Olson

Ald. Bob Muth.

Ald. Jim Bialecki

\* Ald. Harvey Bertrand – Chair Admin & Vice Chair Jud

\*Ald. Jim Binash - Vice Chair Admin

City Attorney Dept Heads Charter Com. WXOW

La Crosse Tribune Onalaska Holmen Courier Life

WIZM WKTY WLXR WKBH WKBT WLSU

\*Committee Members

Steve Kachel – St. Patrick Church

Date Notices Mailed and Posted: 12-29-15

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 No. 1525-2016** to amend create Chapter 3 of Title 2, Section 14 of the Code of Ordinances of the City of Onalaska relating to City Administrator (Third and Final Reading)
2. **Ordinance No. 1526-2016** to repeal Chapter 3 of Title 2, Section 20 of the Code of Ordinances of the City of Onalaska relating to Land Use and Development Director (Third and Final Reading)
3. **Ordinance No. 1527-2016** to amend Chapter 8 of Title 13, Section 4 of the Code of Ordinances of the City of Onalaska relating to Site Plan Permits (Third and Final Reading)
4. **Ordinance No. 1528-2016** to amend Chapter 2 of Title 13, Section 2 of the Code of Ordinances of the City of Onalaska relating to Vacation of Streets and Annexation (Third and Final Reading)
5. **Ordinance No. 1529-2016** to amend Chapter 8 of Title 13, Section 9 of the Code of Ordinances of the City of Onalaska relating to Rezoning (Third and Final Reading)
6. **Ordinance No. 1532-2016** to amend Chapter 5 of Title 13, Section 4 of the Code of Ordinances of the City of Onalaska relating to application for Conditional Use Permit (Third and Final Reading)
7. **Ordinance No. 1533-2016** to amend Chapter 9 of Title 13, Section 76 of the Code of Ordinances of the City of Onalaska relating to Subdivision and Development Fees (Third and Final Reading)
8. **Ordinance No. 1536-2016** to amend Article D of Chapter 1 of Title 15, of the Code of Ordinances of the City of Onalaska relating to Electrical Code (First and Second Reading)

Adjournment

Amendment to the December 2, 2015 Administrative and Judiciary Committee Minutes

Lines: 139, 143, 150, 154, 160, 164, 180, 184, 196, 200 – Should all read Ordinance No. not Resolution  
No.

PACKET: 01387 License Packet Jan Operators

SEQUENCE: License #

ID	PERIOD	-----NAME-----	LICENSE CODE
00317	12/15/15- 6/30/17	MANNISE	JESSICA OPRATOR OPERATORS - 2 YEAR
01573	12/02/15- 6/30/17	ANDERSON	WYATT OPRATOR OPERATORS - 2 YEAR
01592	12/07/15- 6/30/17	JOHNSON	AMBER OPRATOR OPERATORS - 2 YEAR
01594	12/11/15- 6/30/17	BERNACCHI	NICHOLAS OPRATOR OPERATORS - 2 YEAR
01595	12/14/15- 6/30/17	MILLER	TAYLOR OPRATOR OPERATORS - 2 YEAR



02626

### Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10<sup>00</sup>

Application Date: \_\_\_\_\_

Town  Village  City of Onalaska

County of La Crosse

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 2/12/16 and ending 3/18/16 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) →
- Bona fide Club
  - Church
  - Lodge/Society
  - Chamber of Commerce or similar Civic or Trade Organization
  - Veteran's Organization
  - Fair Association

(a) Name St. Patrick Church

(b) Address 1031 Main Street Onalaska, WI  
(Street)  Town  Village  City

(c) Date organized \_\_\_\_\_

(d) If corporation, give date of incorporation \_\_\_\_\_

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President \_\_\_\_\_

Vice President \_\_\_\_\_

Secretary \_\_\_\_\_

Treasurer \_\_\_\_\_

(g) Name and address of manager or person in charge of affair: Msgr. Steve Kachel  
1031 Main Street, Onalaska, WI

### 2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 127 11th Ave. N. Onalaska, WI

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

(c) Do premises occupy all or part of building? part

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

St. Patrick Parish Center - gym

### 3. Name of Event

(a) List name of the event St. Patrick Lenten Fish Fries

(b) Dates of event February 12, 19, 26, March 4, 11, 18, 25, 2016

### DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer Msgr. Steve Kachel 12-2-2015  
(Signature/date)

Officer \_\_\_\_\_  
(Signature/date)

Date Filed with Clerk \_\_\_\_\_

Date Granted by Council \_\_\_\_\_

APPLIED	10.00
TENDERED	10.00
CHANGE	0.00
Paid By: ST PATRICKS CHURCH	
CA 10.00 REFUND	
02626-03/18/16 ST. PATRICK'S PARISH	
CLASS B PICNIC	
10.00CF	
TRAN: 30 LICENSES	
OPER: 01 TERM: 1	
TKBY: CASH	
REC#: R00226145 12/11/2015	
CITY OF ONALASKA	
9:43 AM	
Wisconsin Department of Revenue	

ok 12/16/15

ORDINANCE NO. 1525-2015

AN ORDINANCE TO CREATE CHAPTER 3 OF TITLE 2,  
SECTION 14 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO CITY ADMINISTRATOR

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

SECTION I. Title 2, Chapter 3, Section 14 of the City of Onalaska Code of Ordinances

is hereby created as follows:

**Sec. 2-3-14 City Administrator**

(a) **Office and Purpose.** The office of City Administrator is created, to be an officer of the City, pursuant to Wis. Stats. §62.09(1)(a). The City Administrator shall be the chief operating officer of the City, shall administer City departments to implement the policies set by the Council, and shall be responsible for the efficient coordination of all City departments, boards and commissions. The Common Council may adopt a job description for the City Administrator and amend it from time to time, and the City Administrator shall substantially comply with the requirements of the job description. It is the intent that the City Administrator shall have the clear authority to coordinate and administer the day-to-day operations of municipal government as specified in this section.

(b) **Appointment and Termination.** At any time there is a vacancy in the office of City Administrator, a nominee for the office shall be selected by a selection committee, composed of the Common Council and the Mayor. The selection committee may delegate any duties of the selection process to City staff or working groups and may appoint nominating committees or interview panels as necessary. The selection committee shall negotiate the basic terms of the nominee's employment contract, and the final contract shall contain such additional provisions as are determined by the Common Council and Human Resources. The nominee and the proposed terms of the employment contract shall be presented to the Council, which shall then confirm or reject the nominee and the proposed terms of the nominee's employment contract. Confirmation shall be by simple majority vote. Upon confirmation by the Council, the Mayor shall execute the employment contract and the nominee shall assume the office. If the Common Council does not confirm either the nominee or the proposed terms of the employment contract, then the selection committee shall either begin searching for another nominee or attempt to re-negotiate the terms of the employment contract to which the Council objects, and shall continue until a nominee and a contract have been confirmed by the Council and an employment contract has been executed by the Mayor on behalf of the City. Selection and confirmation of the City Administrator shall be based solely on merit, including education, training, general fitness for office and experience in municipal administration and municipal land use, development, planning and zoning.

(c) **Term.** The City Administrator shall hold office for an indefinite term, subject to removal at any time by a two-thirds vote of the Council.

(d) **Contract.** The City Administrator's employment contract shall be in writing, and shall specify that employment is at-will.

(e) **Organizational Level.** The City Administrator, as chief operating officer, is delegated the Mayor's executive authority to administer independently the operations of certain City departments, as defined below, and is therefore subordinate to, and performs duties at the request of, the Mayor and the City Council. The City Administrator is superior to, and has direct authority over, the heads of the City departments which are under the City Administrator's direction. The City Administrator implements policies set by the Common Council, and therefore shall not follow directives which are contrary to such policies.

(f) **Specific Duties.** The City Administrator shall perform the following duties, in addition to the general duties attendant to the office and as specified in the City Administrator's job description:

- (1) Administer the operations of, and have direct authority over the heads of, the following City departments: Assessor; Cemetery; Finance; Information Technology; Parks and Recreation; Public Works; and all other City departments and offices the oversight of which is not given to other City officials
- (2) Coordinate the operations of, and facilitate the cooperation of all City departments, commissions and boards to maximize the efficiency of implementation of policies set by the Council, regardless of whether the City Administrator has direct authority over the departments, commissions or boards.
- (3) Prepare a plan of administration, including an organization chart, which defines the duties and authority of all City positions.
- (4) Stay informed about the availability of federal, state and county funds for local programs; and assist department heads and the Council in obtaining such funds.
- (5) Act as the City's public information officer, to keep the news media informed about the City's operations, and to ensure that open meeting rules and regulations are followed.
- (6) Serve as the Director of Emergency Management and be responsible for the coordination and administration of all operations within the City during an emergency.
- (7) Attend all Council meetings and report all material administrative activities and the City's fiscal position.
- (8) In coordination with the Mayor, the Council, and the City Clerk, ensure that agenda are prepared for all City meetings in compliance with state law.
- (9) Recommend to the Council the appointment, promotion, suspension or termination of department directors and managers, except as otherwise provided by law.
- (10) Assist the Human Resource Director with labor contract negotiations and collective bargaining.
- (11) Appoint interim department directors and managers when vacancies exist. Appointments to vacancies in positions for which the City Administrator

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does not have original appointment power shall be made by the City Administrator, subject to the Mayor's approval.

- (12) Prepare the annual City executive budget for presentation to, and approval by, the Mayor and Council.
- (13) Administer the adopted budget.
- (14) Perform planning and zoning administrative duties, provide review of development plans and documents, act as staff liaison for the City of Onalaska Plan Commission and perform the duties contained in the Land Use and Development Director job description as adopted by the Common Council.
- (15) Acts as the Director of Inspections and perform the duties of such job as set forth in 2-3-9 of the City of Onalaska Code of Ordinances.

(g) **Annual Review.** The City Administrator shall undergo an annual performance review. The review shall be conducted by a committee composed of the Mayor, Common Council President and Human Resources Director. The committee shall prepare a report to the Council of the results of the review, identify specific goals to address performance deficiencies, and recommend other appropriate actions to be taken, including salary adjustments.

(h) **Acting City Administrator.** The City Administrator may designate a City officer to act as City Administrator in the City Administrator's absence from office for reasons of illness, vacation, business or any other reason for a period of more than three days.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

Fred Buehler, Financial Services Director

Fred Buehler 11-17-15  
(signature)

No Fiscal Impact

Budgeted Item

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

**ORDINANCE NO. 1526-2015**

**AN ORDINANCE TO REPEAL CHAPTER 3 OF TITLE 2,  
SECTION 20 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO LAND USE AND DEVELOPMENT DIRECTOR**

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

SECTION I. Title 2, Chapter 3, Section 20, of the City of Onalaska Code of Ordinances related to the Land Use and Development Director is hereby repealed in its entirety.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

Fred Buehler, Financial Services Director

Fred Buehler 11-10-15  
(signature)

No Fiscal Impact

*Tristar due to change in gov't*

Budgeted Item

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

**ORDINANCE NO. 1527-2015**

**AN ORDINANCE TO AMEND CHAPTER 8 OF TITLE 13,  
SECTION 4 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO SITE PLAN PERMITS**

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

SECTION I. Title 13, Chapter 8, Section 4, Subsection (b)(6) of the City of Onalaska Code  
of Ordinances related to Site Plan Permit is hereby deleted in its entirety and replaced as follows:

**Sec. 13-8-4 Site Plan Permit**

(a)(6) A non-refundable application fee for site plan permits as set forth on the City of  
Onalaska Fee Schedule shall be due at the time of application.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1527 – 2015**

Please route in this order

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace 1/12/15  
(signature)

No Fiscal Impact

Budgeted Item

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

ORDINANCE NO. 1528-2015

AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 13,  
SECTION 2 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO VACATION OF STREETS AND ANNEXATION

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

SECTION I. Title 13, Chapter 2, Section 2 of the City of Onalaska Code of Ordinances  
related to Vacation of Streets; Annexations is hereby deleted in its entirety and replaced as follows:  
Sec. 13-2-2 Vacation of Streets; Annexations.

(a) Vacation of Streets. Vacation of public streets and alleys shall cause the  
land vacated to be automatically placed in the same district as the abutting  
side to which the vacated land reverts. Application for vacation shall be made pursuant to  
Wisconsin Statute to the Planning Department, a non-refundable application fee pursuant to  
the City of Onalaska Fee Schedule shall be due at the time of application.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1528 – 2015**

**Please route in this order**

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace 11/12/15  
(signature)

No Fiscal Impact

Budgeted Item

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

**ORDINANCE NO. 1529-2015**

**AN ORDINANCE TO AMEND CHAPTER 8 OF TITLE 13,  
SECTION 9 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO REZONING**

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

SECTION I. Title 13, Chapter 8, Section 9 Subsection (a)(3) of the City of Onalaska Code of Ordinances related to Procedures for Changes or Amendments for Rezoning is hereby deleted in its entirety and replaced as follows:

Sec. 13-8-9 Procedures for Changes or Amendments.

(a)(3) Fee receipt from the City Clerk for the non-refundable Petition fee amount as set forth on the City of Onalaska Fee Schedule.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1529 – 2015**

**Please route in this order**

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace "12/15"  
(signature)

No Fiscal Impact

Budgeted Item

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

**ORDINANCE NO. 1532-2015**

**AN ORDINANCE TO AMEND CHAPTER 5 OF TITLE 13,  
SECTION 4 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO APPLICATION FOR CONDITIONAL USE PERMIT**

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

SECTION I. Title 13, Chapter 5, Section 4, Subsection (a)(5) of the City of Onalaska Code of Ordinances related to Application for Conditional Use Permit is hereby deleted in its entirety and replaced as follows:

Sec. 13-5-4 Application for Conditional Use Permit

(a)(5) A non-refundable application fee as set forth on the City of Onalaska Fee Schedule shall be due at the time of application.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1532 – 2015

Please route in this order

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace # 11/18/15  
(signature)

No Fiscal Impact

Budgeted Item

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

*Please use modified ordinance from Ananda*

ORDINANCE NO. 1533-2015

AN ORDINANCE TO AMEND CHAPTER 9 OF TITLE 13,  
SECTION 76 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO SUBDIVISION AND DEVELOPMENT FEES

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

SECTION I. Title 13, Chapter 9, Section 76 of the City of Onalaska Code of Ordinances  
related to Subdivision/Development Fees is hereby deleted in its entirety and replaced as follows:

**Sec. 13-9-76 Subdivision/Development Fees.**

- (a) **Certified Survey.** The subdivider shall pay an application fee as set forth on the City of Onalaska Fee Schedule, for each certified survey. The fee shall be paid at the time of application..
- (b) **Aerial Topography Map Fee.** In areas in which the City has undertaken aerial topography, the subdivider may request copies of aerial topography, fee for such copies shall be as set forth on the City of Onalaska Fee Schedule.
- (c) **Preliminary Plat Review Fee.**
  - (1) The subdivider shall pay a fee as set forth on the City of Onalaska Fee Schedule for each dwelling unit within the Preliminary Plat or Certified Survey Map to the City Clerk at the time of first application for approval of any Preliminary Plats or Certified Survey Maps to assist in defraying the cost of review.
- (d) **Final Plat Review Fee.**
  - (1) The subdivider shall pay a fee as set forth on the City of Onalaska Fee Schedule for each dwelling unit within the Final Plat to the City Clerk at the time of first application for Final Plat approval of said plat to assist in defraying the cost of review.

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1533 – 2015**

Please route in this order

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace 11/18/15  
(signature)

No Fiscal Impact

Budgeted Item

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

(see edits attached)

**ORDINANCE NO. 1536-2016**

**AN ORDINANCE TO AMEND ARTICLE D OF CHAPTER 1 OF TITLE 15,  
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO  
ELECTRICAL CODE**

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

SECTION I. Article d, Title 15, Chapter 1, of the City of Onalaska Code of  
Ordinances related to the Electrical Code is hereby deleted in its entirety and replaced as  
follows:

**Article D: Electrical Code**

**Sec. 15-1-70 Application of Provisions of the Electrical Code.**

- 1) **General.** This Article shall be known as the "Electrical Code of the City of Onalaska" and will be referred to in this Chapter as "this Code" or "this Article."
- 2) **Purpose.** The purpose of this Electrical Code is the practical safeguarding of persons and property from hazards arising from the installation and use of electricity; and to establish rules and fees for the issuance of permits, and the inspection of all electrical and low voltage work covered under the scope of this article.
- 3) **Scope.** This code shall apply to the installation, re-construction, alteration, extension and repair of wiring and equipment for heat, light, power, control, voice, data, CATV, fire alarm, security systems and other low voltage work. Materials, fittings, devices, appliances, luminaries, apparatus and the like used as part of or in conjunction with said installations shall be referred to in this Code as "Equipment" or "Electrical Equipment" unless specifically stated otherwise.
- 4) **Conflict.** No part of this Article shall be interpreted to prevent the enforcement of other City ordinances or regulations which prescribe standards equal to or more stringent than the standards established by this Article.

**Sec. 15-1-71 State Regulations Adopted**

- 1) **Adopted by Reference.** Chapter 101, Wis. Stats.; SPS 305, 316 and 320, Wis. Adm. Code together with all amendments and reinstatements are hereby adopted and by reference made a part of this Chapter with the same force and effect as though set out in full. Failure to comply with any of the provisions of the statutes or administrative rules, regulations and bulletins, shall constitute a violation of this chapter, punishable according to the penalties provided below. References in this Chapter to Wisconsin statutory section or chapter or Wisconsin Administrative Code sections or chapter describing or defining procedures or author for enactment or enforcement shall be

deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

- 2) **To be on File.** A copy of the State Electrical Code shall be on file in the offices of the Department of Inspection.

## **Sec. 15-1-72 State of Wisconsin Electrical Licenses, Certifications and Definitions.**

### **1) General**

No person, firm, corporation, institution, organization or representative thereof shall engage in the installation, alteration, re-construction, extension or any work covered under the Scope of this Article or engage in the business of said, installation, alteration, re-construction, or extension for any purpose in the City Of Onalaska without first having proper certifications, licenses and insurance as provided by this Section and per Wisconsin State Statutes and the Wisconsin Administrative Code as may be amended. A residential property owner may not install, repair or maintain electrical wiring on premises that the property owner owns and occupies as a residence, all work must be performed by an Electrical Contractor as defined in SPS 305.41.

### **2) Definitions**

- a) **Electrical Contractor:** An Electrical Contractor is a person, firm, corporation, institution or organization licensed under SPS 305.41 of the Administrative Code.
- b) **Master Electrician:** A Master Electrician is a person licensed by the State of Wisconsin as a Master Electrician under 305.43 of the Administrative Code.
- c) **Residential Master Electrician.** A Residential Master Electrician is a person licensed by the State of Wisconsin as a Residential Master Electrician under 305.435 of the Administrative Code.
- d) **Registered Master Electrician.** A Registered Master Electrician is a person licensed by the State of Wisconsin as a Registered Master Electrician under 305.437 of the Administrative Code.
- e) **Journeyman Electrician:** A Journeyman Electrician is a person licensed by the State of Wisconsin as a Journeyman Electrician under 305.44 of the Administrative Code.
- f) **Industrial Journeyman Electrician:** An Industrial Journeyman Electrician is a person licensed by the State of Wisconsin as an Industrial Journeyman Electrician under 305.443 of the Administrative Code.
- g) **Residential Journeyman Electrician:** A Residential Journeyman Electrician is a person licensed by the State of Wisconsin as a Residential Journeyman Electrician under 305.447 of the Administrative Code.
- h) **Beginning Electrician:** A Beginning Electrician is a person registered by the State of Wisconsin as a Beginning Electrician under 305.45 of the Administrative Code.

- i) **Electrical Apprentices.** An Electrical Apprentice is a person registered by the State of Wisconsin as an Electrical Apprentice under 305.46 of the Administrative Code.
- j) **Low Voltage Installer:** Any person engaged in installing, repairing, or maintaining equipment or systems that operate at 100 volts or less.
- k) **Electrical Wiring:** means all equipment, wiring ,material, fittings, devices, appliance, fixtures, and apparatus used for the production, modification, regulation, control, distribution, utilization, or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified under the state electrical wiring code. "Electrical wiring" does not include the equipment, wiring, material, fittings, devices, appliances, fixtures and apparatus used by a public utility, an electric cooperative or a wholesale merchant operator for the purpose of generating, transmitting, distributing or controlling heath, light, power or natural gas to its customers or members.

### **Sec. 15-1-73 Permits, Fees and Inspections**

- 1) **Permit Application:** No electrical wiring shall be installed, altered, re-constructed, extended or repaired without first obtaining an electrical permit. Said work includes low voltage work: installing, repairing, or maintaining equipment or systems that operate at 100 volts or less.
  - a) **Application for Installation, Repair or Maintenance of Electrical Wiring:**
    - i. Applications for permits shall be made and signed by a Master Electrician or their approved agent. All work performed under the Electrical Permit, shall be done under the general supervision of the Master Electrician.
    - ii. Application shall provide proof of valid license as a Master Electrician and Electrical Contractor with the State of Wisconsin.
    - iii. Application shall be made on forms provided by the Inspection Department and shall state the Electrical Contractor's permanent place of business.
  - b) **Application for Low Voltage Work:** Application for low voltage shall be made by the installer on forms provided by the Inspection Department and shall include such plans, specifications, and other information as requested by the Inspection Department. No permits shall be issued to any installer who does not have a current certificate of insurance on file, or any installer who has ignored orders to correct code deficiencies or has fees, fines or penalties outstanding.

Permits shall be invalid if work is not commenced within 6-months of permit issuance and shall expire one year after permit issuance. The Electrical Inspector may extend the period not more than two times for up to an additional 180 days each.

- 2) **Permit Fees:**  
Permit fees shall be based upon the physical value of the work to be done, as determined by the Inspection Department on the basis of current costs as set forth on the City of Onalaska Fee Schedule. Fees shall be due at the time of application.

- a. The permit fee shall be doubled when work is commenced before a permit is obtained.
- b. There shall be a re-inspection fee for each occurrence as set forth on the City of Onalaska fee schedule.

### 3) Electrical Inspections:

- a. **Rough Inspection(s).** The rough inspection by the Department of Inspection shall occur within 3 business days (during a normal working week) after notification by the contractor that the wiring and equipment is roughed in, and before such work is covered up.
- b. **Final Inspection.** The final inspection by the Department of Inspection shall occur within 5 business days. (during a normal working week) after written notification by the contractor that the job is completed.
- c. **Orders.** The Department of Inspection shall issue orders requiring that electrical code violations be corrected within a specified time. The compliance time shall not be more than 30 days, depending on the nature of the violation and hazard involved. A written order to correct electrical code violations must be complied with as stated in the written order, the order itself shall remain active for 24 months from the date of issuance, meaning that any subsequent violations during the 24 month period may result in an immediate issuance of a municipal citation. A continued failure to correct a violation identified in an order may result in the issuance of a municipal citation to the person to whom the order was issued.
- d. **Content of Orders.** Whenever the Department of Inspection determines that there are reasonable grounds to believe a violation of any provision of this chapter exists, he or she shall order the person responsible to correct the violation. The order shall be in writing and shall:
  - i. Include a description of the real estate sufficient for identification;
  - ii. Specify the violation which exists and the remedial action required;
  - iii. Allow a reasonable time for the performance of any act it requires;
  - iv. Include the following disclaimer: "The findings of this inspection report are intended to identify code violations that are readily apparent at the time of inspection. The inspection did not involve a detailed examination of the electrical systems or the closed structural or nonstructural elements of the buildings and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied.
- e. **Service of Orders.** Orders to correct electrical violations shall be served upon the Permit Holder. Orders not corrected within 2 weeks shall be sent to the owner of record by first class mail at the address listed with the City Assessor's office or by delivering the order to the owner personally. When

the owner of record does not have an address listed, the order may be served:

- i. By delivering the order to the owner personally; or
  - ii. By first class mail to the owner at the last known address as shown on the most recent property tax bill for the property affected by the order; or
  - iii. By posting the order in a conspicuous place on the exterior of the structure affected by the order.
  - iv. If an order is served by first class mail, the person serving the order shall execute an affidavit which shall include the following:
    1. The date upon which the order was mailed.
    2. An allegation that the envelope was postpaid.
    3. The name of the person to whom the envelope was addressed.
    4. The address on the envelope.
    5. That the order was enclosed within the envelope.
- f. **Compliance.** Upon the failure of any inspection due to code deficiencies or the electrical work scheduled to be inspected has not complete at the time of inspection, a re-inspection fee shall be assessed against the permit holder. If the Department of Inspection determines that the work conforms to this Code, a certificate of compliance may be issued. All wiring and equipment covered under the Scope of this Article shall be inspected and approved by the Department of Inspection before the installation or equipment is put into normal or permanent service.
- g. **Notice to Purchasers.** An owner shall notify a purchaser, in writing, that an order has been issued concerning a violation of this Article, whenever the condition of the property giving rise to the order has not been corrected. Any owner who fails to give written notice to a purchaser, prior to acceptance of a written offer to purchase, of any order concerning this property shall be subject to a forfeiture as provided below. No owner may accept an offer to purchase which was made prior to the disclosure required by this subsection, unless the purchase acknowledges receipt of a notice of outstanding orders and a willingness to proceed despite such knowledge.
- h. **Liability for Damages.** This Code shall not affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to persons or property caused by any defect therein, nor shall the City be held as assuming any such liability by reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

#### 4) Investigations:

The Electrical Inspector may investigate any charges or complaints filed which may be brought against the holder of any permit, for noncompliance with any provision of this code on the part of the permit holder or any person performing any work under their direction. Any licensed Electrical Contractor who knowingly and willfully procures a

permit for electrical work which is to be performed by anyone not properly licensed by the State of Wisconsin shall be subject to the maximum penalty prescribed by Section 15-1-90 of the Municipal Code of Ordinances. No person may obtain a permit for electrical work in the City of Onalaska while that person is failing or refusing to correct an electrical violation after having been convicted of that violation.

#### **Sec. 15-1-74 Standards for the Installation of Electrical Equipment.**

- 1) Standards for the installation of electrical conductors and equipment in the City of Onalaska shall conform to and comply with the applicable provisions of this Code, Chapters SPS 305, SPS 316 and SPS 320 of the Wisconsin Administrative Code and all subsequent amendments, the Statutes of the State of Wisconsin, and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Where no specific standards for safety are prescribed by this ordinance or by the State Electrical Code, conformity with the regulations set forth in the National Electrical Code and in the National Electrical Safety Code shall be prima facie evidence of conformity with approved standards for safety to persons and property.
- 2) Only that equipment which has been expressly made for electrical, control, voice, data, CATV, fire alarm and security system purposes shall be installed for said purpose. All heat, light, power, control, voice, data, CATV, fire alarm, security system equipment and other low voltage system equipment shall be installed and used in the exact manner and for the exact purpose indicated by the equipment's listings, labels and the manufacturer's markings and instructions. The original manufacturer's listings, labels, ratings and markings shall be visible and the equipment shall not be changed or altered in any manner, except that normal replacements and repairs may be made to such equipment if the replacements and repairs do not change the listing, original characteristics or design.
- 3) The City of Onalaska may require existing installations to be brought into compliance with the minimum wiring requirements of the Minimum Housing and Property Maintenance Code or Uniform Dwelling Code and within the time determined by the City.
- 4) Interpretation of the Code shall be at the discretion of the Department of Inspection. Written requests for formal interpretations or variances of SPS 316 shall be directed to the Wisconsin Department of Commerce, Safety and Buildings Division, Electrical Unit.

#### **Sec. 15-1-75 Public Liability Insurance and Completed Operations Insurance.**

Permit holders, except those residential owner occupied Permit Holders for low voltage work (defined as installing, repairing, or maintaining equipment or systems that operate at 100 volts or less), shall carry insurance having aggregate coverage of not less than One Million Dollars (\$1,000,000.00) covering all of the following risks: public liability, personal injuries, property damage, and completed operations. Insurance for completed operations coverage shall be sufficiently broad to cover installation, service and repair of equipment sold by the Permit Holder and servicing, installation and repair of equipment not sold by the Permit Holder. Permit Holder shall submit a certificate of insurance indicating such coverage at the time the application for license or renewal thereof is made. Residential owner occupied Permit Holders performing low voltage work must provide a current certificate of homeowner's insurance or a copy of their current homeowner's insurance policy.

### **Sec. 15-1-76 Unsafe or Illegal Electrical Equipment.**

When the Department of Inspection finds any electrical equipment to be unsafe or dangerous to persons or property, the person owning, using or selling such electrical equipment shall be notified in writing to remove or cause to be removed, or to make any changes or repairs or cease to sell, so as to restore such electrical equipment to a safe condition. Failure to comply with such notice within the time specified in such notice shall be sufficient cause for the Department of Inspection to disconnect or order the removal of, or order the discontinuance of, electrical service to said electrical equipment.

In any case of emergency affecting the safety of persons or property, or where electrical equipment interferes with the work of the fire department, or where electrical equipment is not installed in conformity with the regulations of this Electrical Code, the Department of Inspection shall have the authority to disconnect immediately or cause the removal of or disconnection of any such electrical equipment. When the Department of Inspection disconnects or causes to be disconnected electric current from electrical equipment, an official notice, tag, lock or seal shall be attached to such electrical equipment to prevent the use of electricity. It shall be unlawful for any unauthorized person to attach such official notice, tag, lock or seal, or to break open, change, remove, destroy, tear, alter, mutilate, cover or otherwise deface or injure any such official notice, tag, lock or seal. The Department of Inspection shall have the power and authority to seize and take possession of any electrical equipment or materials which, in its opinion, are dangerous to life or property, or which are suspected or found to have been the cause of any fire, accident, injury or fatality and to retain possession for the purpose of making an investigation, an examination or for official evidence. After such electrical equipment and materials have served their purpose, they shall be returned to the owner.

### **Sec. 15-1-77 Disclaimer of Inspections.**

The purpose of the inspections under this Article is to improve the quality of property in the City of Onalaska. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to inspections hereunder: "These findings of inspections contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of mechanical systems or the closed structural and non structural elements of the buildings and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied.

### **Sec. 15-1-78 Enforcement Actions**

- 1) **Forfeiture.** Any person who violates any provision of this Article, or fails to comply with a lawful order of the Inspector to correct a violation of this chapter shall, upon conviction of the violation, pay a forfeiture of not less than \$100.00 and not more than \$500.00 together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County jail until such forfeiture and costs of prosecution are paid, but not exceeding 90 days for a first offense.

- 2) **Refusal to Issue Electrical Permit.** No person may obtain a permit to do electrical work in the City of Onalaska while that person is failing or refusing to correct a electrical violation after having been convicted of that violation.
- 3) **Suspension or Revocation of Electrical Permit.** The Inspector may revoke or suspend an electrical permit if the Inspector finds that the permit holder has:
  - i) Made a material misstatement in the application for a permit or renewal thereof; or
  - ii) Has failed to correct an electrical code violation within 30 days after having received notice of the violation.
- 4) **Action to Enjoin.** The City Attorney may, in addition to, or in lieu of other remedies provided by law, bring an action to enjoin a person from committing repeated violations of this chapter.

**Sec. 15-1-79 through Sec. 15-1-89**

**Reserved for Future Use.**

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 \_\_\_\_\_, 2015.

CITY OF ONALASKA

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

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

PASSED:  
APPROVED:  
PUBLISHED:

**FISCAL IMPACT OF ORDINANCE 1536 – 2016**

Please route in this order

Brea Grace, Land Use & Development Director  
(let Joe Barstow review all annexation ordinances)

Brea Grace 12/28/15  
(signature)

No Fiscal Impact

Budgeted Item

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