

**ORDINANCE NO. 2021-14**

**AN ORDINANCE REPEALING SECTION 2-4-24 AND TITLE 17 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA, RELATING TO THE HEALTH DEPARTMENT AND AMENDING VARIOUS SECTIONS OF THE CODE TO CORRECT REFERENCES TO THE HEALTH OFFICER AND HEALTH DEPARTMENT SO AS TO ACCOMPLISH THE TRANSFER OF LOCAL HEALTH JURISDICTION TO RACINE COUNTY**

**WHEREAS**, the Village recently approved a countywide intermunicipal agreement transferring local health department functions to a new Racine County Public Health Division; and,

**WHEREAS**, pursuant to that intermunicipal agreement, the individual municipalities' local health department-related ordinances are to be repealed.

**NOW, THEREFORE**, the Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain that the Municipal Code of the Village of Caledonia be, and hereby is, amended as follows:

1. That Section 2-4-24 of the Municipal Code of the Village of Caledonia relating to the creation, structure and authority of the local health department be, and hereby is, repealed.
2. That Title 17 of the Municipal Code of Caledonia, entitled "Public Health" and relating to the responsibilities and duties of the local Health Department be, and hereby is, repealed.
3. That Section 2-4-25(d)(2)(c) of the Municipal Code of the Village of Caledonia relating to the expenditure policy be, and is hereby, repealed.
4. That Section 1-2-5(b)(4) of the Municipal Code of the Village of Caledonia relating to the Health Officer's authority to issue citations be, and hereby is, repealed.
5. That Section 4-1-7(a) relating to administrative determinations be, and hereby is, amended to read as follows:

- "(a) **Who Shall Make Review.** A review under this Section shall be made by the Village Administrator, or designee, or the supervising body of the employee, agent, officer, committee, commission or body who made the Initial Determination, unless the Initial Determination was made by the head of a Department. If the Initial Determination was made by the head of a Department, then the Village Administrator shall make the review. If the Initial Determination was made by the Village Administrator, then the Village Clerk shall make the review. However, the Village Board, in its discretion, may provide for a review of such Initial Determination by another person, committee or agency of the Village or may skip the review of Initial Determination and provide for a hearing under Sec. 4-1-9 before the Village Board. The individual making the review of the Initial

Determination shall not be precluded from making such review by virtue of having been aware of the Initial Determination prior to the request for its review or been consulted on or provided direction on the Initial Determination prior to the request for its review."

6. That Section 7-1-18(a) relating to cruelty to animals be, and hereby is, amended to read as follows:

"(a) **Acts of Cruelty Prohibited.** No person except a police officer, humane officer or county health officer in the pursuit of their duties shall, within the Village, shoot or kill or commit an act of cruelty to any animal or bird or disturb any birds nests or bird's eggs."

7. That Section 7-2-8 (a) relating to investigations into alcohol beverage licenses, and hereby is, amended to read as follows:

"(a) The Village Clerk shall notify the Fire Inspector, Chief of Police, Plumbing Inspector, HVAC Inspector and Building Inspector of each new application, and the Chief of Police only for renewals, and these officials shall inspect or cause to be inspected each application and the premises, together with such other investigation as shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, including those governing sanitation in restaurants, and whether the applicant is a proper recipient of a license. The Police Department shall conduct an investigation of the applicant, including, but not limited to, requesting information from the State, surrounding municipalities, and/or any community where the applicant has previously resided concerning the applicant's arrest and conviction record. These officials shall furnish to the Village Clerk in writing, who shall forward to the Village Board, the information derived from such investigation, accompanied by a recommendation as whether a license should be granted or refused. No license shall be renewed without a reinspection of the premises and report as originally required. The applicant shall provide a copy of all permits from the local health officer necessary to operate said establishment as a part of the investigation or prior to license issuance."

8. That the references to "Village Health Officer" in Section 7-5-3(b) relating to mobile homes be, and hereby is, deleted and replaced with "Building Inspector and local health officer."

9. That the references to "Health Department" in Section 7-17-12(b) relating to adult oriented establishments be, and hereby is, deleted and replaced with "local health officer."

10. That the references to "Village Health Officer" in Section 8-4-6(h) relating to holding tanks be, and hereby is, deleted and replaced with "local health officer."

11. That the references to "Health Office" in Section 11-6-6(a) relating to abatement of public nuisances be, and hereby is, deleted."

12. That the references to "Health Department" in Section 15-1-12(c) relating to change of occupant or use be, and hereby is, deleted and replaced with "local health officer, to the extent applicable,".

13. That Section 7-1-2 relating to rabies vaccination required for license be, and hereby is, amended to read as follows:

"All applications for a dog license under this Chapter shall present proof of rabies vaccination or proof of exemption therefrom from the governing local health officer prior to issuance of the applicable license."

14. That the effective date for this ordinance is January 1, 2022.

15. That this ordinance shall be published, as provided by law.

Adopted by the Village Board of the Village of Caledonia of Racine County, Wisconsin, this 6<sup>th</sup> day of December 2021.

**VILLAGE OF CALEDONIA**

By: 

James Dobbs  
Village President

Attest: 

Joslyn Hoeffert  
Village Clerk