

# WASHINGTON COUNTY CODE

## CHAPTER 1

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## CHAPTER 1

### GENERAL PROVISIONS

**1.01 WASHINGTON COUNTY CODE.** (1) **Title.** This code of ordinances may be known and cited as the Washington County Code, Washington County, Wisconsin.

(2) **Amendments.** Any additions or amendments to this code are incorporated in this code so that a reference to the Washington County Code includes such additions and amendments.

(3) **Numbering of Sections.** Each section number of this code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position of the section within the chapter.

(4)(AM 16-1) **Numbering Additions.** The decimal system shall be used for all additions or amendments to this code. When a chapter or section is to be added the new chapter or section shall be given a decimal number.

**1.02 DEFINITIONS.** (1) Terms used in this code, unless otherwise specifically defined in this code, have the meaning prescribed by the Wisconsin Statutes for the same term.

(2)(AM 16-1) Terms used in this code have the following meanings:

(a) "County" means Washington County.

(b) "State" means State of Wisconsin.

(c) "County Board" or "Board of Supervisors" means the County Board of Supervisors of Washington County and similarly the title of any other board, commission or official refers to such board, commission or official of Washington County unless otherwise stated.

(d) "Ordinances" means the ordinances of Washington County and all amendments thereto, including this code.

(e) "This Code" means the Washington County Code.

(f) "Wisconsin Statutes" means the Wisconsin Statutes 2013-14, or whenever a later edition is published, the latest published edition.

(g) "Person" means any natural individual, firm, partnership, corporation, company, association, club, joint venture, estate, trust or any group or combination acting as a unit and the individuals constituting such group or unit; and the plural as well as the singular number and the masculine gender includes the feminine and neuter genders, unless the intention to give more limited meaning is disclosed by the context. As applied to partnerships, the word person includes the members of the partnership; as applied to corporations it includes the officers, agents or employees responsible for the act referred to.

**1.03 REPEAL OF ORDINANCES.** (1) All public and general ordinances or parts thereof not included in this code are repealed except ordinances granting franchises or rights to persons or corporations, and extensions and limitations of such rights, and ordinances making appropriations for public expenditures, and ordinances authorizing the issuance of bonds, and salary ordinances.

(2) The provisions of this code, so far as they are the same in substance as those of heretofore existing ordinances are continuations of such ordinances and not new enactments. Any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time of this repeal are not affected by this repeal, but may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

**1.04 ORDINANCES REPEALED NOT REENACTED.** No ordinance or part of any ordinance heretofore repealed shall be considered reordained or reenacted by virtue of this code, unless specifically reenacted. The repeal of any curative or validating ordinance does not impair or affect any cure or validation already effected thereby.

**1.05 JURISDICTION.** Unless otherwise provided in this code, this code applies to acts performed within the limits of Washington County.

**1.06 RESPONSIBILITY FOR ACTS.** Every person concerned in the commission of an act prohibited by this code, whether he or she directly commits the act, or prosecutes, counsels, aids, or abets in its commission, may be prosecuted and on conviction is punishable as if he or she had directly committed such act.

**1.07 PENALTIES.** (1) **Standard Penalty.** Unless another penalty is expressly provided by this code for any particular provision, section or chapter, any person violating any provision of this code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any code adopted herein by reference shall, upon conviction, be subject to a forfeiture of not less than \$10 or more than \$2,000 and the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, such imprisonment not to exceed 90 days.

(2) **Each Day a Violation.** Each act of violation and every day upon which a violation occurs or exists constitutes a separate offense.

(3) **Amendments.** In case of any amendment of or addition to any section or chapter of this code the penalty provided for the violation of such section or chapter shall also relate to the amendment or addition, whether reenacted in the amendatory ordinance or not, unless such penalty is specifically repealed or amended therein.

(4) **Reference to Sections.** Reference to any section of this code shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

(5) **Failure of Officers to Perform Duties.** The failure of any officer or employee of the County to perform any official duty imposed by this code shall not subject such officer or employee to the penalty imposed for violation of this code, unless a penalty is specifically provided.

**1.08 SEVERABILITY OF PROVISIONS.** Each section, paragraph, sentence, clause and provision of this code is severable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code, nor any part thereof other than that affected by such decision.

**1.09 EFFECTIVE DATE.** This code of ordinances shall take effect the day after publication of the ordinance adopting this code of ordinances.

**1.10 COPIES ON FILE.** Copies of this code shall be kept on file and open to public inspection in the County Clerk's office.

**1.11 MAINTAINING CODE.** It shall be the responsibility of the County Administrator to up-date and maintain this code.

**1.12 OFFICIAL PUBLICATIONS.** (1)(AM 01-8) **Proceedings.** Pursuant to §59.14(2), Wis. Stats., the County Clerk shall, within 60 days after the adjournment of each session, cause to be published in The Daily News, West Bend, Wisconsin, as a Class 1 notice, under Chapter 985, Wis. Stats., a certified copy of all proceedings had at any meeting, regular or special, of the County Board of Supervisors.

(2) **Budgetary Matters.** Pursuant to §65.90(3), Wis. Stats., the County Clerk shall cause to be published in The Daily News, West Bend, Wisconsin, as a Class 1 notice, under Chapter 985, Wis. Stats., a summary of the proposed annual budget, and notice of the place where such budget in detail is available for public inspection, and notice of the time and place for holding the public hearing thereon; said publication to be at least 10 days prior to the time of such public hearing.

The County Clerk shall cause to be published in The Daily News, West Bend, Wisconsin, as a Class 1 notice, under Chapter 985, Wis. Stats., alterations of the annual budget authorized by the County Board at the Finance Committee pursuant to §65.90(5), Wis. Stats., said publication to be within 10 days thereafter.

(3) **Elections.** The Daily News, West Bend, Wisconsin is designated as the official newspaper of Washington County for election purposes.

**1.13(CR 09-13) COMPREHENSIVE PLAN.** Washington County has adopted a Comprehensive Plan consistent with §66.1001, Wis. Stats., which is recognized throughout this Code. The policies and programs referred to in the Comprehensive Plan shall be reviewed and updated or implemented as authorized by the County Board from time to time.