

Town of Sumner
ORDINANCE # 2018-0212
Environmental Protection

STATE OF WISCONSIN

Town of Sumner
Jefferson County

Section 1. - Title and Purpose: This ordinance is titled *Ordinance #2018-0212, Environmental Protection* and replaces *Chapter 8, Regulation of Dumping and Waste Disposal* in its entirety. The purpose of this ordinance is to make it known that any individual, corporation, or other entity in violation of Wisconsin Administrative Code, Department of Natural Resources (NR), including but not limited to NR Chapters 345, 500, 502, 503, 518, 660, 673, 679, 706; or Jefferson County Ordinances 98-46, 342.40, or Chapter 11 will be reported to the State or County authority having jurisdiction for abatement, correction, and enforcement. .

Section 2. - Authority: The Town Board of the Town of Sumner, Jefferson County, Wisconsin has the specific authority under s. 60.22, Wis. Stats. to enact this ordinance and to provide for forfeitures and penalties for its breach.

Section 3. - Adoption of Ordinance: The Town Board of the Town of Sumner, Jefferson County, Wisconsin, on a roll-call vote with a quorum present and voting, and proper notice having been given, do ordain as follows:

Section 4. - Actions and Conduct Defined: Wisconsin Administrative Code: NR and Jefferson County Ordinances 98-46, 342.40, and Chapter 11 provide that is a violation to store, dump, transport, discharge, burn, or otherwise dispose of waste, garbage, refuse, sludge, and any other noxious matter, including inoperable or abandoned vehicles, upon the land or water on private or public property, and to discharge noxious matter to the air. **Addendum A** is made a part of this ordinance as reference to Wisconsin and Jefferson County chapters and sections that will be considered to identify violations; and as those chapters and sections may be amended or revised. Additionally, enforcement of this ordinance may take place in coordination with other Town ordinances that addresses the same or similar actions or conduct that will be considered reportable to Wisconsin and Jefferson County authorities.

Section 5. - Reporting Violations: Actions or conduct in violation of Section 4 will be reported by the Town Chair, Town Clerk, or Town Board to the State or County authority with enforcement jurisdiction over the prohibited conduct.

Section 6. - Penalties: Any person who causes the Town of Sumner to report a violation to the State of Wisconsin or Jefferson County authority will be subject to a forfeiture of no less than \$50.00 and no more than \$200.00.

Section 7. - Collection of Penalties and Costs: The Town of Sumner will employ Town of Sumner *Ordinance # 2017-1014-D Forfeitures and Citations for Violations of Town Ordinances* to assess and recover forfeitures, penalties, costs, and damages to the Town of Sumner from persons who cause the Town of Sumner to report Section 4 violations.

Section 8. - Nonexclusivity: Adoption of this ordinance in no way precludes the adoption, existence, or use of any other Town ordinance providing for enforcement of any law or ordinance relating to the same or other subject matter.

Section 9. - Severability: If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Effective Date: This ordinance shall take effect after passage and adoption by the Town Board and publication and posting as required under s. 60.80, Wis. Stats.

Adopted this 12th day of February, 2018.

_____ John Dohner, Jr., Chairman

_____ Randall Burdick, Supervisor I

_____ Rosemary Olson, Supervisor II

Attest: _____ Glendan Rewoldt, Clerk

Ayes: _____ Noes: _____ Absent: _____ Abstain: _____

Published: _____

Posted: _____