

**RESOLUTION TO EVALUATE THE POTENTIAL ADVANTAGES TO EXPANDING THE COUNTY'S AUTHORITY OVER PUBLIC NUISANCE BEYOND THOSE THAT RISE TO THE LEVEL OF HUMAN HEALTH HAZARDS**

**WHEREAS**, Polk County enacted Ordinance 1, Human Health Hazard Ordinance, in January of 2000;

**WHEREAS**, Wis. Stat. § 59.69 authorizes the Polk County Board of Supervisors to adopt ordinances and regulations to promote public health, safety and general welfare;

**WHEREAS**, Wis. Stat. § 823.01 gives counties, and other municipalities, jurisdiction over nuisances;

**WHEREAS**, some municipalities within Polk County currently have Ordinances regulating nuisances;

**WHEREAS**, given the length of time since the implementation of the Human Health Hazard Ordinance, it is appropriate for Polk County to review that Ordinance and the policy implications of only regulating nuisances that rise to the level of being a human health hazard;

**NOW THEREFORE BE IT RESOLVED**, that the Polk County Board of Supervisors directs the County Administrator to arrange for appropriate staff from the Community Services Division, Sherriff's Department, Zoning and any other appropriate County staff to review the current Human Health Hazard Ordinance and make recommendations on updates and expansion that may be in the best interest of the County. *within 6 months.*

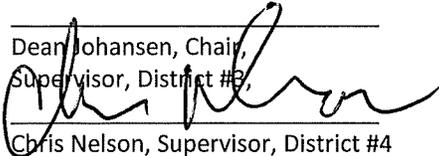
**NOW THEREFORE BE IT FURTHER RESOLVED**, that the review contemplated herein shall include information as to the fiscal impact on the County, and current staffing.

BY: \_\_\_\_\_  
Brad Olson, Supervisor, District #1

\_\_\_\_\_  
James Edgell, Supervisor, District #8

\_\_\_\_\_  
Doug Route, Supervisor, District #2

\_\_\_\_\_  
Kim O'Connell, Supervisor, District #9

\_\_\_\_\_  
Dean Johansen, Chair,  
Supervisor, District #3  
  
Chris Nelson, Supervisor, District #4

\_\_\_\_\_  
Larry Jepsen, Supervisor, District #10

\_\_\_\_\_  
Jay Luke, 1<sup>st</sup> Vice Chair,  
Supervisor, District #11

\_\_\_\_\_  
Tracy LaBlanc, Supervisor, District #5

\_\_\_\_\_  
Michael Larsen, Supervisor, District #12

\_\_\_\_\_  
Brian Masters, Supervisor, District #6

\_\_\_\_\_  
Russell Arcand, Supervisor, District #13

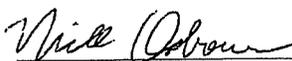
\_\_\_\_\_  
Michael Prichard, Supervisor, District #7

\_\_\_\_\_  
John Bonneprise, 2<sup>nd</sup> Vice Chair,  
Supervisor, District #14

\_\_\_\_\_  
Joe Demulling, Supervisor, District #15

*County Administrator's Note:*

The ultimate decision on whether the County should regulate public nuisances that don't rise to the level of human health hazards is a matter of policy. However, staff are prepared to study this issue to ensure that the County Board has sufficient information to make that determination.



\_\_\_\_\_  
Nick Osborne  
County Administrator

*Fiscal Impact Note:*

This resolution has no financial impact.



\_\_\_\_\_  
Maggie Wickre, Finance Director

Approved as to Form and Execution:



\_\_\_\_\_  
Malia T. Malone, Corporation Counsel

*Legal Impact Note:*

This Resolution has no legal impact, but may impact the future County policy response to nuisances if the County staff made recommendations and the County Board adopts a new or amended Ordinance.

Excerpt of Minutes

35 At its regular business meeting on the 15 of Oct 2019, the Polk County  
36 Board of Supervisors acted upon Resolution No. 46-19: Resolution to

37 EVALUATE THE POTENTIAL ADVANTAGES/

38 DISADVANTAGES TO EXPANDING THE COUNTY'S  
39 AUTHORITY OVER PUBLIC NUISANCE BEYOND THOSE  
THAT RISE TO THE LEVEL OF HUMAN HEALTH HAZARDS.

- Adopted by a majority of the members present by a <sup>majority voice vote.</sup> vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other:

Insert amendment to resolution according to minutes:

SIGNED BY: Dean Johansen  
Dean Johansen, County Board Chairperson

ATTEST: Sharon E. Jorgenson  
Sharon Jorgenson, County Clerk

Executive Summary

This Resolution directs staff to evaluate the current Human Health Hazard Ordinance and make recommendations for any changes. These changes may include expansion of the County's regulation/abatement of nuisances that do not rise to the level of a human health hazard, but are nevertheless, negatively impacting the ability for Polk County citizens and visitors to live, work, and play in Polk County.

**CERTIFIED COPY OF POLK COUNTY RESOLUTION**

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 46-19: Resolution to Evaluate the Potential Advantages to Expanding the County's Authority Over Public Nuisance Beyond Those that Rise to the Level of Human Health Hazards adopted by the Polk County Board of Supervisors at its regular business meeting held on October 15, 2019.

 10/15/19

Sharon E. Jorgenson, Polk County Clerk

Date