

ORDINANCE 2020-02

**ORDINANCE FOR ENFORCEMENT OF ORDERS MADE
BY LOCAL HEALTH OFFICERS AND THE GOVERNOR DURING DECLARED A
EMERGENCY**

WHEREAS, Wisconsin Statutes Chapter 252 authorizes and requires Local Health Officers to perform certain duties and take certain action; and

WHEREAS, pursuant to Wis. Stat. §252.25, orders rendered by a Local Health Officer are enforceable by adoption of municipal ordinances; and

WHEREAS, pursuant to Wis. Stat. § 323.10, authorizes the Governor of Wisconsin to declare a state of emergency via executive order, including public health emergencies and may designate the department of health services as the lead agency to respond to the emergency; and

WHEREAS, pursuant to Wis. Stat. §323.12, if the Governor declares an emergency the Governor has several powers that may be exercised including but not limited to the authority to “Issue such orders as he or she deems necessary for the security of persons or property”; and

WHEREAS, pursuant to Wis. Stat. §323.11 and §323.14, local governments may declare emergencies and may make orders as necessary for the health, safety, protection, and welfare of person and property within the local unit of government; and

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS, the Town of La Pointe Town Board hereby amends Chapter 350 of its ordinances to add the following Article V:

Section 1. Add Chapter 350, Article V as follows:

ARTICLE V

**Enforcement of Public Health and Emergency Orders
[Adopted _____, 2020 by Ord. No. 2020-02]**

§ 350-40. Enforcement of Public Health Order

A. AUTHORITY

Pursuant to the authority of Chapters 252, Wisconsin Statutes, the Town of La Pointe Town Board does hereby establish an ordinance regarding enforcement of orders issued by Local Health Officers. The provisions and definitions of §§ 252.01 to 252.25, Wis. Stats., and DHS Ch. 145, Wis. Adm. Code, as they may be from time-to-time amended, are adopted by reference and incorporated into this section as if fully set forth herein.

B. VIOLATIONS

Any person who willfully violates or obstructs the execution of any Local Health Officer Order issued under Ch. 252, Wis. Stats., and/or DHS Ch. 145, Wis. Adm. Code, relating to the public health, for which no other penalty prescribed, shall, in addition to being subject to all other legal and equitable actions and relief available to the Town of La Pointe, be subject to a forfeiture of not more than \$200 for each violation.

§ 350-41 **Enforcement of Emergency Orders**

A. AUTHORITY

Pursuant to the authority of Chapters 323, Wisconsin Statutes, the Town of La Pointe Town Board does hereby establish an ordinance regarding enforcement of orders issued by the Governor or the designated agency to lead emergency response and emergency orders issued by the Town of La Pointe. The provisions and definitions of ch. 323, Wis. Stats, as they may be from time-to-time amended, are adopted by reference and incorporated into this section as if fully set forth herein.

B. VIOLATIONS

Whoever intentionally fails to comply with an order issued by an agent of the state or of a local unit of government who is engaged in emergency management activities under this chapter, including training exercises, is subject to a forfeiture of not more than \$200.


Section 2, Adoption and Effective Date

A.. EFFECTIVE DATE

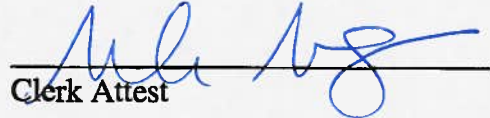
Following passage and publication by the Town of La Pointe Town Board this ordinance shall be in full force and effect.

B. ADOPTION


Passed and approved by the Town of La Pointe Town Board this 12th day of August, 2020.



Jim Patterson, Chair



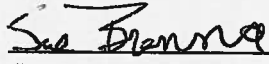
Clerk Attest



Michael Anderson, Supervisor

August 20, 2020


Date Posted



Sue Brenna, Supervisor



Glenn Carlson, Supervisor



John Carlson, Supervisor