



N64W23760 Main Street
Sussex, Wisconsin 53089
Phone (262) 246-5200
FAX (262) 246-5222
Email: info@villagesussex.org
Website: www.villagesussex.org

AGENDA
PUBLIC SAFETY & WELFARE COMMITTEE
VILLAGE OF SUSSEX
6:00 P.M. TUESDAY, FEBRUARY 18, 2020
SUSSEX CIVIC CENTER – COMMITTEE ROOM 2nd FLOOR
N64W23760 MAIN STREET

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Sussex Public Safety & Welfare Committee, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce if appropriate: Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.)

1. Roll call
2. Comments from citizens present.
3. Consideration and possible action on minutes from meeting of August 20, 2019.
4. Discussion and possible action on Emergency Government Items:
5. Discussion and possible action on Police Items:
 - A. Report from Director of Police Services.
 - B. Ordinance No. 863, An Ordinance to repeal and recreate Chapter 7, Subsection 7.14 entitled “REGULATION OF HEAVY TRAFFIC” and Subsection 7.17 entitled “PENALTIES” of the Municipal Code of the Village of Sussex.
 - C. Ordinance No. 865, An Ordinance to repeal and recreate Chapter 9.09 Subsection (4)(E) Entitled “ALARM SYSTEM REQUIREMENTS AND FALSE ALARMS PROHIBITED, FALSE ALARM FEES” of the Municipal Code of the Village Of Sussex.
 - D. Resolution No. 20-09, A Resolution setting False Alarm Fees.
6. Discussion and possible action on Fire/Paramedic Items:
 - A. Report from Fire Chief.
7. Other topics for future agendas.
8. Adjournment.

Wendy Stallings
Chairperson

Jeremy Smith
Village Administrator

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Jeremy Smith at 246-5200.

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the Public Safety & Welfare Committee meeting held on August 20, 2019.

The meeting was called to order at 6:00 p.m.

Members present: Wendy Stallings, Mike Bartzen, Greg Zoellick

Members excused: Martin Lastrilla

Staff present: Village Administrator Jeremy Smith, Fire Chief David Johnsen, WSD Capt. Lisa Panas.

Others present: None.

A quorum of the Village Board was not present at the meeting.

A motion by Stallings, seconded by Bartzen, to approve the February 19, 2019 minutes as presented. Motion carried 3-0.

Emergency Government Items: none

Police Items:

Capt. Panas provided the Police Services report. Bartzen asked if there were any programs or additional resources necessary to combat the largest challenges the Police faced in Sussex. Captain Panas said she would look into that.

Fire/Paramedic Items:

Chief Johnsen gave his monthly report and an update on long term staffing goal of 5 FT/PT in the station.

A motion by Bartzen, seconded by Zoellick to recommend award of contract to Air One Equipment for the low responsive bid of \$40,250 plus staff is authorized with an 10% standard contingency on the project. Motion carried 3-0.

A motion by Stallings, seconded by Zoellick to allow up to \$26,000 in additional funds to outfit the 2019 pick-up truck replacement with racking and equipment cabinets as part of decommissioning the heavy duty rescue truck. Motion carried 3-0.

A motion by Stallings, seconded by Bartzen to approve use of up to \$28,000 of Wisconsin EMS Funding Assistance Grant funds for the power load cot system. Motion carried 3-0.

Other Topics for future agendas: None

A motion by Stallings, seconded by Bartzen to adjourn the meeting at 6:22 pm. Motion carried 3-0.

Respectfully submitted,

Jeremy Smith
Village Administrator

ORDINANCE NO. 863

AN ORDINANCE TO RECREATE CHAPTER 7, SUB SECTION 7.14 ENTITLED "REGULATION OF HEAVY TRAFFIC" and SUB SECTION 7.17 ENTITLED "PENALTIES" OF THE MUNICIPAL CODE OF THE VILLAGE OF SUSSEX.

WHEREAS, from time to time Ordinances need to be refreshed to reflect best practices; and

WHEREAS, the State of Wisconsin allows for the Village Director of Public Works the Authority to impose special or seasonal weight limits to prevent damage to the roadway of any highway, bridge or culvert within the jurisdiction of the Village; and

WHEREAS, for the safety of the users of such highways, bridges or culverts, the Village Public Works Director shall be responsible for erecting signs giving notice thereof in accordance with 349.16; and

WHEREAS, the Village Staff aims to prevent damage to public roadways or structures contained within the jurisdiction of the Village; and

WHEREAS, this ordinance creation will allow for the Village Public Works Director to enforce and protect the integrity of Village roadways on Seasonal or Special Enforcement basis; and

NOW, THEREFORE BE IT ORDAINED by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, that:

SECTION 1. Chapter 7, Sub Sections 7.14 and 7.17, of the Village of Sussex Municipal Code are hereby recreated to read as follows:

7.14 REGULATION OF HEAVY TRAFFIC & SEASONAL AND HEAVY WEIGHT LIMITATIONS.

(1) STATE LAWS ADOPTED - Except as otherwise specifically provided in this Code, the current and future statutory provision of Section 349.16 Granting authority to impose special or seasonal weight limitations, Section 349.17 granting authority to cities, villages and towns to regulate heavy traffic, and Trans 305 of the Wisconsin Administrative Code describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a term of imprisonment, are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute or Administrative Code incorporated herein by reference is required or prohibited by this Section. Any future additions, amendments, revisions or modifications of the current or future statutes incorporated herein or of Trans 305 of the Wisconsin Administrative Code are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

(2) All vehicles not operating completely on pneumatic tires and all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 12,000 pounds are prohibited from traveling on any highway in the Village of Sussex, except as authorized by Section 349.17(1), Wis. Stats. The exemptions allowed by Wisconsin Statutes Section 349.17(1) only apply to the extent necessary for such non-traffic route travel, which is defined as the

shortest roadway distance between the heavy traffic route and the applicable place of business or residence which has an entrance within the restricted weight zone.

(3) HEAVY TRAFFIC ROUTES.

(A) Main Heavy Traffic Routes. Heavy traffic may travel on these routes in any direction or combination of described highways: South Corporate Circle, North Corporate Circle, Executive Drive, Hi-Tech Drive, Miller Way, Freiheit Court, Prospect Circle, Sussex Road, Village Drive, and Clover Drive from CTH F to the Sussex Regional Wastewater Treatment Plant Driveway only.

(B) Heavy Traffic Relief Route. Heavy traffic may travel on these relief routes only in the direction as specified. In the event existing State or County Highway limits result in heavy traffic lawfully reaching a location where heavy traffic is prohibited with no relief point, the following heavy traffic relief routes are available for heavy traffic to return to a County or State Highway:

1. East bound heavy traffic on Main Street East of STH 164 may continue East on Main Street past Locust Street, but must turn South at Maple Avenue and may continue south on Maple Avenue to CTH K via southbound Maple Avenue. |

[LP1]

(4) POLICY IN PROSECUTING WEIGHT VIOLATIONS. It is declared to be the public policy of the Village that prosecutions for heavy traffic route violations shall be instituted against the person or entity on whose behalf the vehicle is traveling in the Village, as follows. In instances where a combination of tractor and trailer or semitrailer is used, the person standing in the relationship of the principal or employer to the driver of the tractor portion of the vehicle combination is liable along with the owner. It is a violation of this ordinance for the owner or any other person employing or otherwise directing the operator of the vehicle to require or permit the operation of such vehicle upon a highway contrary to this Section 7.14. This section shall not apply to individuals, partnerships, limited liability companies or corporations whose principal business is leasing, for compensation, vehicles including trailers and semitrailers, but such prosecution shall be instituted against the Lessee of the vehicle.

(5) SPECIAL AND SEASONAL WEIGHT LIMITATIONS –The Village Director of Public Works shall have the Authority to impose special or seasonal weight limits to prevent damage to the roadway of any highway, bridge or culvert within the jurisdiction of the Village or for the safety of the users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with 349.16. and may:

- (a) Impose special weight limitations on any such highway or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations;
- (b) Impose special weight limitations on bridges or culverts when in his or judgment such bridge or culvert cannot safely sustain the maximum weights permitted by statute;
- (c) Order the owner or operator of any vehicle being operated on a highway to suspend operation if in its judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the permanence thereof or the public investment therein, except when Wis. Stat. s. [84.20](#) is applicable or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway. Traffic officers also may order suspension of operation under the circumstances and subject to the limitations stated in this paragraph.

Chapter 7, Sub Section 7.17, of the Village of Sussex Municipal Code is hereby recreated and amended to read as follows:

SECTION 2.

7.17 PENALTIES. Subsections (1) and (2) were repealed by Ordinance 823.

(3) PENALTIES FOR VIOLATING SECTION 7.14 (HEAVY TRAFFIC ROUTE AND SPECIAL AND SEASONAL WEIGHT LIMITATIONS). The penalty for violating Section 7.14 (Heavy Traffic Route AND Special and Seasonal Weight Limitations) shall be determined as follows:

- (A) If the weight exceeds by 1,000 pounds or less, the maximum set forth in this section, a forfeiture of not less than \$50.00 nor more than \$100.00 upon the first conviction and, upon the second and each subsequent conviction within a 12 month period, a forfeiture of not less than \$100.00 nor more than \$200.00.

- (B) If the weight exceeds by more than 1,000 pounds the maximum set forth in this section, the forfeiture shall be computed according to the following schedule:
 - 1. For the first conviction, a forfeiture of \$100 plus an amount equal to whichever of the following applies:
 - a. One cent for each pound of total excess weight when the total excess is not over 2,000 pounds.
 - b. Three cents for each pound of total excess weight if the excess is over 2,000 pounds and not over 3,000 pounds.
 - c. Five cents for each pound of total excess weight if the excess is over 3,000 pounds and not over 4,000 pounds.
 - d. Eight cents for each pound of total excess weight if the excess is over 4,000 pounds and not over 5,000 pounds.
 - e. Fifteen cents for each pound of total excess weight if the excess is over 5,000 pounds.
 - 2. For the 2nd and each subsequent conviction within a 12-month period, a forfeiture of \$200, plus an amount equal to whichever of the following applies:
 - a. Two cents for each pound of total excess weight when the total excess is not over 2,000 pounds.
 - b. Five cents for each pound of total excess weight if the excess is over 2,000 pounds and not over 3,000 pounds.
 - c. Eight cents for each pound of total excess weight if the excess is over 3,000 and not over 4,000 pounds.
 - d. Twelve cents for each pound of total excess weight if the excess is over 4,000 pounds and not over 5,000 pounds.
 - e. Eighteen cents for each pound of total excess weight if the excess is over 5,000 pounds.

SECTION 3. The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections or portions thereof the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

SECTION 4. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this _____ day of _____, 2019

Gregory L. Goetz, Village President

ATTEST: _____
Samuel Liebert, Village Clerk

DRAFT

7.14 REGULATION OF HEAVY TRAFFIC & SEASONAL AND HEAVY WEIGHT LIMITATIONS.

(1) STATE LAWS ADOPTED - Except as otherwise specifically provided in this Code, the current and future statutory provision of Section 349.16 Granting authority to impose special or seasonal weight limitations, Section 349.17 granting authority to cities, villages and towns to regulate heavy traffic, and Trans 305 of the Wisconsin Administrative Code describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a term of imprisonment, are adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute or Administrative Code incorporated herein by reference is required or prohibited by this Section. Any future additions, amendments, revisions or modifications of the current or future statutes incorporated herein or of Trans 305 of the Wisconsin Administrative Code are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

(2) All vehicles not operating completely on pneumatic tires and all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 12,000 pounds are prohibited from traveling on any highway in the Village of Sussex, except as authorized by Section 349.17(1), Wis. Stats. The exemptions allowed by Wisconsin Statutes Section 349.17(1) only apply to the extent necessary for such non-traffic route travel, which is defined as the shortest roadway distance between the heavy traffic route and the applicable place of business or residence which has an entrance within the restricted weight zone.

(3) HEAVY TRAFFIC ROUTES.

(A) Main Heavy Traffic Routes. Heavy traffic may travel on these routes in any direction or combination of described highways: South Corporate Circle, North Corporate Circle, Executive Drive, Hi-Tech Drive, Miller Way, Freiheit Court, Prospect Circle, Sussex Road, Village Drive, and Clover Drive from CTH F to the Sussex Regional Wastewater Treatment Plant Driveway only.

(B) Heavy Traffic Relief Route. Heavy traffic may travel on these relief routes only in the direction as specified. In the event existing State or County Highway limits result in heavy traffic lawfully reaching a location where heavy traffic is prohibited with no relief point, the following heavy traffic relief routes are available for heavy traffic to return to a County or State Highway:

1. East bound heavy traffic on Main Street East of STH 164 may continue East on Main Street past Locust Street, but must turn South at Maple Avenue and may continue south on Maple Avenue to CTH K via southbound Maple Avenue.

[LP1]

(4) POLICY IN PROSECUTING WEIGHT VIOLATIONS. It is declared to be the public policy of the Village that prosecutions for heavy traffic route violations shall be instituted against the person or entity on whose behalf the vehicle is traveling in the Village, as follows. In instances where a combination of tractor and trailer or semitrailer is used, the person standing in the relationship of the principal or employer to the driver of the tractor portion of the vehicle combination is liable along with the owner. It is a violation of this ordinance for the owner or any other person employing or otherwise directing the operator of the vehicle to require or permit the operation of such vehicle upon a highway contrary to this Section 7.14. This section shall not apply to individuals, partnerships, limited liability companies or corporations whose principal business is leasing, for compensation, vehicles including trailers and semitrailers, but such prosecution shall be instituted against the Lessee of the vehicle.

(5) SPECIAL AND SEASONAL WEIGHT LIMITATIONS –The Village Director of Public Works shall have the Authority to impose special or seasonal weight limits to prevent damage to the roadway of any highway, bridge or culvert within the jurisdiction of the Village or for the safety of the users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with 349.16. and may:

(a) Impose special weight limitations on any such highway or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations;

(b) Impose special weight limitations on bridges or culverts when in his or judgment such bridge or culvert cannot safely sustain the maximum weights permitted by statute;

(c) Order the owner or operator of any vehicle being operated on a highway to suspend operation if in its judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the permanence thereof or the public investment therein, except when Wis. Stat. s. 84.20 is applicable or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway. Traffic officers also may order suspension of operation under the circumstances and subject to the limitations stated in this paragraph.

Chapter 7, Sub Section 7.17, of the Village of Sussex Municipal Code is hereby recreated and amended to read as follows:

SECTION 2.

7.17 PENALTIES. Subsections (1) and (2) were repealed by Ordinance 823.

(3) PENALTIES FOR VIOLATING SECTION 7.14 (HEAVY TRAFFIC ROUTE AND SPECIAL AND SEASONAL WEIGHT LIMITATIONS). The penalty for violating Section 7.14 (Heavy Traffic Route AND Special and Seasonal Weight Limitations) shall be determined as follows:

(A) If the weight exceeds by 1,000 pounds or less, the maximum set forth in this section, a forfeiture of not less than \$50.00 nor more than \$100.00 upon the first conviction and, upon the second and each subsequent conviction within a 12 month period, a forfeiture of not less than \$100.00 nor more than \$200.00.

(B) If the weight exceeds by more than 1,000 pounds the maximum set forth in this section, the forfeiture shall be computed according to the following schedule:

1. For the first conviction, a forfeiture of \$100 plus an amount equal to whichever of the following applies:

a. One cent for each pound of total excess weight when the total excess is not over 2,000 pounds.

b. Three cents for each pound of total excess weight if the excess is over 2,000 pounds and not over 3,000 pounds.

c. Five cents for each pound of total excess weight if the excess is over 3,000 pounds and not over 4,000 pounds.

d. Eight cents for each pound of total excess weight if the excess is over 4,000 pounds and not over 5,000 pounds.

e. Fifteen cents for each pound of total excess weight if the excess is over 5,000 pounds.

2. For the 2nd and each subsequent conviction within a 12-month period, a forfeiture of \$200, plus an amount equal to whichever of the following applies:

a. Two cents for each pound of total excess weight when the total excess is not over 2,000 pounds.

- b. Five cents for each pound of total excess weight if the excess is over 2,000 pounds and not over 3,000 pounds.
- c. Eight cents for each pound of total excess weight if the excess is over 3,000 and not over 4,000 pounds.
- d. Twelve cents for each pound of total excess weight if the excess is over 4,000 pounds and not over 5,000 pounds.
- e. Eighteen cents for each pound of total excess weight if the excess is over 5,000 pounds.

7.14 REGULATION OF HEAVY TRAFFIC.

~~(1) All vehicles not operating completely on pneumatic tires and all vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than 12,000 pounds are prohibited from traveling on any highway in the Village of Sussex, except as authorized by Section 349.17(1), Wis. Stats. The exemptions allowed by Wisconsin Statutes Section 349.17(1) only apply to the extent necessary for such non-traffic route travel, which is defined as the shortest roadway distance between the heavy traffic route and the applicable place of business or residence which has an entrance within the restricted weight zone.~~

~~(2) HEAVY TRAFFIC ROUTES.~~

~~(A) Main Heavy Traffic Routes. Heavy traffic may travel on these routes in any direction or combination of described highways: South Corporate Circle, North Corporate Circle, Executive Drive, Hi-Tech Drive, Miller Way, Freiheit Court, Prospect Circle, Sussex Road, Village Drive, and Clover Drive from CTH F to the Sussex Regional Wastewater Treatment Plant Driveway only.~~

~~(B) Heavy Traffic Relief Route. Heavy traffic may travel on these relief routes only in the direction as specified. In the event existing State or County Highway limits result in heavy traffic lawfully reaching a location where heavy traffic is prohibited with no relief point, the following heavy traffic relief routes are available for heavy traffic to return to a County or State Highway:~~

- ~~1. East bound heavy traffic on Main Street East of STH 164 may continue East on Main Street past Locust Street, but must turn South at Maple Avenue and may continue south on Maple Avenue to CTH K via southbound Maple Avenue.~~
- ~~2. Northwest bound heavy traffic on Silver Spring Drive West of CTH F may continue West past Hickory Drive, but must turn East at Main Street and may continue East on Main Street to CTH F.~~

[LP2]

~~(3) POLICY IN PROSECUTING WEIGHT VIOLATIONS. It is declared to be the public policy of the Village that prosecutions for heavy traffic route violations shall be instituted against the person or entity on whose behalf the vehicle is traveling in the Village, as follows. In instances where a combination of tractor and trailer or semitrailer is used, the person standing in the relationship of the principal or employer to the driver of the tractor portion of the vehicle combination is liable along with the owner. It is a violation of this ordinance for the owner or any other person employing or otherwise directing the operator of the vehicle to require or permit the operation of such vehicle upon a highway contrary to this Section 7.14. This section shall not apply to individuals, partnerships, limited liability companies or corporations whose principal business is leasing, for compensation, vehicles including trailers and semitrailers, but such prosecution shall be instituted against the Lessee of the vehicle.~~

~~(4) SPECIAL AND SEASONAL WEIGHT LIMITATIONS—346.16 Wisconsin Statutes is hereby adopted by reference. The Village Director of Public Works shall have the Authority to impose special or seasonal weight limits to prevent damage to the roadway of any highway, bridge or culvert within the jurisdiction of the Village or for the safety of the users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with 349.16.~~

~~349.16— Authority to impose special or seasonal weight limitations:~~

~~(1) The officer in charge of maintenance in case of highways maintained by a town, city or village, the county highway commissioner or county highway committee in the case of highways maintained by the county and the department in the case of highways maintained by the state may:~~

~~(a) Impose special weight limitations on any such highway or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations;~~

~~(b) Impose special weight limitations on bridges or culverts when in its judgment such bridge or culvert cannot safely sustain the maximum weights permitted by statute;~~

~~(c) Order the owner or operator of any vehicle being operated on a highway to suspend operation if in its judgment such vehicle is causing or likely to cause injury to such highway or is visibly injuring the permanence thereof or the public investment therein, except when s. 84.20 is applicable or when the vehicle is being operated pursuant to a contract which provides that the governmental unit will be reimbursed for any damage done to the highway. Traffic officers also may order suspension of operation under the circumstances and subject to the limitations stated in this paragraph.~~

~~(2) Imposition of the special weight limitations authorized by sub. (1) (a) shall be done by erecting signs on or along the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. Imposition of the special weight limitations authorized by sub. (1) (b) shall be done by erecting signs before each end of the bridge or culvert to which the weight limitation applies sufficient to give reasonable notice that a special weight limitation is in effect and the nature of that limitation. All weight limitation signs and their erection shall comply with the rules of the department and shall be standard throughout the state.~~

~~349.17— Authority of cities, villages and towns to regulate heavy traffic:~~

~~(1) Any city, village or town may by ordinance or resolution designate any street or highway under its jurisdiction as a heavy traffic route and designate the type and character of vehicles which may be operated thereon. A city, village or town may restrict or prohibit heavy traffic from using other streets or highways under its jurisdiction except that it may not place such restrictions on streets or highways over which are routed state trunk highways and may not prohibit heavy traffic from using a street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Whenever a city, village or town designates any street or highway under its jurisdiction as a heavy traffic route, it shall cause appropriate signs to be erected giving notice thereof.~~

~~7.17 PENALTIES. Subsections (1) and (2) were repealed by Ordinance 823.~~

~~(3) PENALTIES FOR VIOLATING SECTION 7.14 (HEAVY TRAFFIC ROUTE AND SPECIAL AND SEASONAL WEIGHT LIMITATIONS). The penalty for violating Section 7.14 (Heavy Traffic Route AND Special and Seasonal Weight Limitations) shall be determined as follows:~~

~~(A) If the weight exceeds by 1,000 pounds or less, the maximum set forth in this section, a forfeiture of not less than \$50.00 nor more than \$100.00 upon the first conviction and, upon the second and each subsequent conviction within a 12 month period, a forfeiture of not less than \$100.00 nor more than \$200.00.~~

~~(B) If the weight exceeds by more than 1,000 pounds the maximum set forth in this section, the forfeiture shall be computed according to the following schedule:~~

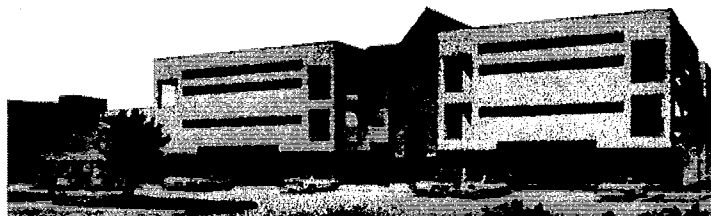
~~1. For the first conviction, a forfeiture of \$100 plus an amount equal to whichever of the following applies:~~

- ~~a. One cent for each pound of total excess load when the total excess is not over 2,000 pounds.~~
- ~~b. Three cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds.~~
- ~~c. Five cents for each pound of total excess load if the excess is over 3,000 pounds and not over 4,000 pounds.~~
- ~~d. Eight cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds.~~
- ~~e. Fifteen cents for each pound of total excess load if the excess is over 5,000 pounds.~~

~~2. For the 2nd and each subsequent conviction within a 12-month period, a forfeiture of \$200, plus an amount equal to whichever of the following applies:~~

- ~~a. Two cents for each pound of total excess load when the total excess is not over 2,000 pounds.~~
- ~~b. Five cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds.~~
- ~~c. Eight cents for each pound of total excess load if the excess is over 3,000 and not over 4,000 pounds.~~
- ~~d. Twelve cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds.~~
- ~~e. Eighteen cents for each pound of total excess load if the excess is over 5,000 pounds.~~

OFFICE OF THE SHERIFF



515 W. Moreland Blvd.
Box 1488
Waukesha, WI 53187

Waukesha County Jail
Box 0217
Waukesha, WI 53187

Waukesha County Huber
1400 Northview Road
Waukesha, WI 53188

ERIC SEVERSON, *Sheriff*

North East Public Safety Division
Captain Lisa Panas
Lieutenant Michael Pavlovich

January 20, 2020

To: Public Safety Committee

Reference: Amend Ordinance 7.14

Purpose and Intent

Ordinance (7.14) is a regulatory measure aimed at preventing damage to Village of Sussex public roadways or any structures contained within those roadways. The Village's Director of Public Works authorizes Seasonal or Special Enforcement annually as a protective measure to roadway integrity. This ordinance amendment will clarify and simplify which violation we are enforcing.

Ordinance 7.14 is utilized throughout the year for Regulation of Heavy Traffic and reflects Wisconsin State Statue 349.17 (Authority to Regulate Heavy Traffic Routes). I am requesting we add § 349.16 (Authority to Impose Special or Seasonal Weigh Limitations) to Ordinance 7.14 to address seasonal enforcement. Ordinance 7.17, Penalties, would also need to be updated to include the addition of the Seasonal Enforcement Ordinance.

The following is an example of my requested amendment to the Ordinance:

Special and Seasonal Weight Limitations- 346.16, Wisconsin Statutes is hereby adopted by reference. The Villages Director of Public Works shall have the Authority to impose special or seasonal weight limits to prevent damage to the roadway of any highway, bridge or culvert within the jurisdiction of the Village or for the safety of the users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with 349.16.

Respectfully,

Captain Lisa M Panas

An Accredited Law Enforcement Agency

Administration: 262-548-7126 Records: 262-548-7156 Process: 262-548-7151 Jail: 262-548-7170 Huber: 262-548-7181 Fax: 262-548-7887

STATE OF WISCONSIN

VILLAGE OF SUSSEX

WAUKESHA COUNTY

ORDINANCE NO. 865

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 9.09 SUBSECTION (4)(E) ENTITLED "ALARM SYSTEM REQUIREMENTS AND FALSE ALARMS PROHIBITED, FALSE ALARM FEES" OF THE MUNICIPAL CODE OF THE VILLAGE OF SUSSEX.

WHEREAS, from time to time Ordinances need to be refreshed to reflect best practices; and

WHEREAS, the State of Wisconsin allows for municipalities to impose special charges for false alarms within the jurisdiction of the Village; and

WHEREAS, there are numerous times that alarms are falsely reported which consume crucial public safety resources and staff time; and

WHEREAS, the rise in false alarms are in part due to the increased proliferation of home security systems; and

WHEREAS, this ordinance creation will allow for the Village Board to more readily respond to a changing landscape in technology and home based security alarm systems; and

NOW, THEREFORE BE IT ORDAINED by the Village Board of the Village of Sussex, Waukesha County, Wisconsin, that:

SECTION 1. Chapter 9, Sub Section 9.09, of the Village of Sussex Municipal Code is hereby recreated to read as follows:

9.09 (4) (E)

False Alarm Fees. Any false alarm from an alarm system responded to by the Village's Police or Fire Services will incur a special charge for current services rendered. The amount of the special charge, which may be \$0 or more, for one or more false alarms in a 12 month period, January 1 to December 31, shall be approved as part of the fees resolution of the Village of Sussex and may be adjusted from time to time by the Village Board as deemed appropriate. The Village shall send a bill for the amount of the charge, to the property owner, and if applicable also to the tenant or other occupant of the property where the false alarm occurred. Such charges that remain unpaid on November 15th of the current year shall become a lien, and shall automatically be extended upon the tax roll as a special charge against the property served pursuant to Section 66.0627 of the Wisconsin Statutes, regardless of whether the resident individual or business causing the alarm is the property owner

SECTION 2. The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof

directly specified in the decision, and not affect the validity of all other provisions, sections or portions thereof of the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

SECTION 3. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this _____ day of _____, 2019

Gregory L. Goetz, Village President

ATTEST: _____
Samuel Liebert, Village Clerk

DRAFT



OFFICE OF THE SHERIFF



515 W. Moreland Blvd.
Box 1488
Waukesha, WI 53187

Waukesha County Jail
Box 0217
Waukesha, WI 53187

Waukesha County Huber
1400 Northview Road
Waukesha, WI 53188

ERIC SEVERSON, *Sheriff*

North East Public Safety Division
Captain Lisa Panas
Lieutenant Michael Pavlovich

01/20/20

To: Public Safety Committee

Reference: Amend Ordinance 9.08

Many business owners and residents throughout the Village have alarm systems installed. There are numerous times that these alarms are falsely reported to us. We respond to these alarms in emergency mode. Often times the false alarms responded to are repeat businesses and homeowners that fail to get the alarm fixed.

Our Ordinance, 9.08 False Alarms, was updated by resolution 08-06 on January 22, 2008. The current ordinance specifies that any false alarm responded to by Fire or Police in excess of two in a twelve (12) month period will incur a fee of seventy five dollars.

Please consider a resolution to amend the ordinance to state the following:

Any false alarm responded to by Fire or Police in excess of one in a twelve (12) month period will incur a fee of seventy five dollars (\$75), subsequent false alarms will incur a fee of one hundred dollars (\$100).

Thank you for your consideration.

Respectfully,

Captain Lisa M Panas

An Accredited Law Enforcement Agency

Administrati 2-548-7126 Records: 262-548-7156 Process: 262-548-7151 Jail: 262-548-7170 Huber: 262-548-7181 Fax: 262-548-7887

RESOLUTION No. 20-09

A Resolution Setting False Alarm Fees

WHEREAS: The Village Board of the Village of Sussex is responsible for the establishment or adjustment of fees for various services provided by the Village; and

WHEREAS: The Village Board adopted a False Alarm program under Village Code 9.09 False Alarms that called for the establishment of certain fees for the false alarms for police or fire services on January 22, 2008; and

WHEREAS: The Waukesha County Sheriff's Department has requested a change in Village Code 9.09 False Alarms due to the increased proliferation of home security systems; and

WHEREAS: There are numerous times that alarms are falsely reported which consume crucial public safety resources and staff time; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Sussex, Waukesha County, Wisconsin, that:

Any false alarm from an alarm system responded to by the Village's Police or Fire Services in excess of one in a twelve (12) month period of January 1 to December 31 will incur a special charge for service of seventy-five dollars (\$75), subsequent false alarms will incur a special charge for service of one hundred dollars (\$100).

Adopted this ____ day of _____, 2020.

Gregory L Goetz
President, Village of Sussex

ATTEST: _____
Samuel Liebert
Administrative Services Director, Village of Sussex