

CITY OF GILLETT

150 N. McKenzie Ave
Gillett, WI 54124



T 920-855-2255
F 920-855-6283

STREET AND SIDEWALK EXCAVATIONS AND OPENINGS

ORDINANCE NO. 6-2015

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DOES ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-23 D 3, 4, & 5 Street and Sidewalk Excavations and Openings, is hereby recreated to add as follows:

Section 16-23 D

Regulations governing Street and Sidewalk Openings

3. Fill shall be of road gravel. Between November 1st and April 1st of each year, sand may be used as fill to within 8 inches of the street surface and the remainder shall be road gravel upon the approval of the Public Works Department Head
4. Fill material shall be tamped and compacted at 18 inch intervals as it is being added.
5. Resurfacing shall be done with material that is the same as existing construction and shall be to the level of the surrounding material. If resurfacing cannot be done at the time of the street opening due to weather or availability of surface material, cold patch must be used to seal the opening until such time that the resurfacing can be done to match the existing construction.
6. No bond will be returned until all work is inspected and approved.
7. All road patches and sidewalks that were excavated or opened must be replaced prior to October 31st of the year excavation or opening was done.

This Ordinance shall take effect upon passage and publication provided by law.

Ordinance introduced and adoption moved by Council Member: *Marilyn Mueller*

Motion for adoption seconded by Council Member: *Nanette Mohr*

Adopted this 3rd day of September, 2015

Ayes, Nays, Abstain

Published: _____

Irene Drake
Irene Drake, Mayor

Beth Rank
Beth Rank, Clerk/Treasurer

CITY OF GILLETT

OFFICE OF THE CITY ATTORNEY

208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 12-2013

INTRODUCED BY: Nanette Mohr

SECONDED BY: Deb Erickson

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that **Chapter 16, PEACE AND GOOD ORDER**, is hereby made to add the following subsection:

§ 16-18.1. Bullying and harassment.

A. Findings. The Common Council of the City of Gillett has determined that bullying and harassment disrupt the safe environment in the City; interfere with one's ability to succeed or excel in a safe environment in the City and interfere with one's ability to participate in or benefit from programs, activities, worksites and opportunities offered to the community. The Common Council further finds that it is in the public interest to assure that every person is valued and respected regardless of perceived differences, and may live free from bullying, harassment and intimidation.

B. Definitions. As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

1. Bullying: Bullying is a form of harassment and is defined as an intentional course of conduct which is reasonably likely to intimidate, emotionally abuse, slander, threaten or intimidate another person and which serves no legitimate purpose.
2. Course of Conduct: "Course of conduct" is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
3. Harassment: "Harassment" is defined as any conduct; whether verbal, physical, written, or by means of any mode of communication; which:
 - a. Is prohibited by section 947.01, 947.012, 947.0125 or 947.013 of the Wisconsin Statutes; or
 - b. Is any intentional course of conduct which is likely to create an intimidating, hostile or offensive environment, and which serves no legitimate purpose.

4. Prohibition. It shall be unlawful for any person to engage in any bullying or harassment of a person or induce another person to engage in such bullying or harassment.
5. Retaliation Prohibited. No person shall retaliate against any person who reports any conduct which is prohibited by this section.
6. Constitutionally Protected Activity. This section shall not be construed to apply to any constitutionally protected activity or speech.
7. Parental Responsibility. It shall be unlawful for any custodial parent or guardian of any unemancipated person under eighteen (18) years of age to allow or permit such person to violate the provisions of subsection (b) above. The fact that prior to the present offense a parent, guardian or custodian was informed in writing by a law enforcement officer of a separate violation of subsection (b) by the same minor occurring within ninety (90) days prior to the present offense shall constitute a rebuttable presumption that such parent, guardian or custodian allowed or permitted the present violation.
8. Penalties. Any person who shall violate any provision of this section shall be subject to a penalty as provided in Section 16-27.

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By Irene Drake
Irene Drake, Mayor

By Beth Rank
Beth Rank, Clerk

Adopted: 9-5-13
Published: _____

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 13-2013

INTRODUCED BY: Nonette Mohr

SECONDED BY: Deb Erickson

**THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO
ORDAIN** that Chapter A40, BOND SCHEDULE, is hereby amended to add the following
subsection:

CHAPTER 16 PEACE AND GOOD ORDER

Section No.	Description	Deposit	26%	Court Cost	Jail	Crime Lab	Total
16-18.1	Bullying and Harassment	\$250.00	65.00	25.00	10.00	13.00	\$366.00

This Ordinance shall take effect upon passage and publication provided by
law.

CITY OF GILLETT

By Irene Drake
Irene Drake, Mayor

By Beth Rank
Beth Rank, Clerk

Adopted: 9-5-13
Published: _____

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 13-2013
INTRODUCED BY: Deborah Erickson
SECONDED BY: Tod Anderson

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that that the following provisions of Chapter A40, Bond Schedule, are hereby repealed and recreated to read as follows:

CHAPTER 16 PEACE AND GOOD ORDER

Section No.	Description	Deposit	26%	Court Cost	Jail	Crime Lab	Total
16.941.315	Possession, distribution, or delivery of nitrous oxide	\$500.00	130.00	38.00	10.00	13.00	\$691.00
16.941.316	Abuser of hazardous substance	\$500.00	130.00	38.00	10.00	13.00	\$691.00
16.941.32	Administering dangerous or stupefying drug	\$500.00	130.00	38.00	10.00	13.00	\$691.00
16-8	Possession and use of marijuana	\$500.00	130.00	38.00	10.00	13.00	\$691.00
16.961.573	Possession of drug paraphernalia	\$500.00	130.00	38.00	10.00	13.00	\$691.00

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By Irene Drake Mayor
Irene Drake, Mayor

By Leone Christensen, Deputy Clerk
Leone Christensen, Deputy Clerk

Adopted: 12-5-13
Published: 12-18-13

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 14-2013

INTRODUCED BY: Rick Raatz

SECONDED BY: Tod Anderson

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that **Chapter A40**, BOND SCHEDULE, and any amendments thereto, is hereby amended to allow the penalty assessment and Municipal Court Costs in the maximum amount allowed by law.

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By Irene Drake Mayor
Irene Drake, Mayor

By Leone Christensen Deputy Clerk
Leone Christensen, Deputy Clerk

Adopted: 12-5-13
Published: 12-18-13

Drafter's Note: The maximum Court cost currently allowed by law with the adoption of 2013 Wisconsin Act 53 is \$38.00 per case.

CITY OF GILLETT

OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.:

21-2011

INTRODUCED BY:

Craig Kasten

SECONDED BY:

Rick Rantz

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-8, POSSESSION AND USE OF MARIJUANA and Section 16-8.1, SYNTHETIC CANNABINOID PROHIBITED, are hereby repealed.

Section 16-8 POSSESSION AND USE OF MARIJUANA

Section 16-8.1 SYNTHETIC CANNABINOID PROHIBITED

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By:


Brandon Miller, Mayor

By:

Leone Christensen
Leone Christensen, Clerk

Adopted:

12-1-11

Published:

12-14-11

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 528-3191
FAX: (715) 524-3526

ORDINANCE NO.: 20-2011

INTRODUCED BY: Craig Kastan

SECONDED BY: Rick Raatz

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-1, Offenses against State Law subject to forfeiture, adopting section 961.573, Possession of Drug Paraphernalia, is hereby repealed.

Section 16-1 OFFENSES AGAINST STATE LAW SUBJECT TO FORFEITURE.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By: 
Brandon Miller, Mayor

By: Leone Christensen
Leone Christensen, Clerk

Adopted: 12-1-11
Published: 12-14-11

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.:

22-2011

INTRODUCED BY:

Craig Kasten

SECONDED BY:

Rick Ratz

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO
ORDAIN that Chapter 16, PEACE AND GOOD ORDER, is hereby amended to add the
following subsection:

**Section 16-8 CONTROLLED SUBSTANCES, POSSESSION OF DRUG
PARAPHERNALIA, POSSESSION OF MARIJUANA, POSSESSION OF
PRESCRIPTION DRUGS AND OTHER SUBSTANCES PROHIBITED:**

- (1) Findings.
 - a. The City Council of the City of Gillett has determined that herbal preparations powdered or sprayed with a chemical synthetic cannabinoid are available for sale within the City of Gillett that claim to produce intoxicating effects similar to THC or marijuana; and
 - b. While the substances are not yet categorized as illegal controlled substances under Wisconsin or federal law several other countries, states, and municipalities have already taken action to prohibit these substances due to increased overdoses and other negative health concerns; and
 - c. While these synthetic cannabinoid substances are often marketed as benign and legal alternatives to marijuana, they are potentially dangerous to users as the substances can create potency from 3 up to 100 times greater than marijuana, produce severe adverse health conditions such as hallucinations, paranoia, seizures, and vomiting based on reported emergency room experiences in areas of the country where use is more prevalent, and further that long term health effects of use of these substances are not yet known.
 - d. It has been determined that the effects of these substances are a health, safety, and welfare concern to the citizens of the City of Gillett.
 - e. The City Council has further been informed by the Gillett Police Department that the Gillett Police Department that the Gillett Police Department has found that a misuse of prescription drugs is becoming more and more widespread and abused. The Gillett Police Department has dealt with cases where persons are possessing and/or using prescription drugs even though the drugs have not been prescribed for the possessor/user.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILLETT DO
ORDAIN AS FOLLOWS:

(2) **Controlled Substances.** It shall be unlawful for any person to possess a controlled substance contrary to the Uniform Controlled Substance Act, Ch. 961, Wis Stats.

(3) **Possession of Drug Paraphernalia.** It shall be unlawful for any person to possess Drug Paraphernalia contrary to the Uniform Controlled Substance Act, Ch. 961.573, Wis Stats.

(4) **Abuse of Hazardous Substance.** It shall be unlawful for any person to Abuse any hazardous substance contrary to Ch. 941.316., Wis Stats.

(5) **Prescription Drugs.** It shall be unlawful for any person to posses, acquire or attempt to possess or acquire any prescription drugs contrary to Prescription Drugs and prescription devices, Ch. 450.11(7) Wis Stats.

(6) **Possession of Marijuana.**

- a. **Definition: Marijuana** means all parts of the plant cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin.
- b. It shall be unlawful for any person to possess, deliver, sell, or use marijuana or a marijuana derivative. This section shall include but not be limited to, those persons possess, deliver, sell, or use marijuana or a marijuana derivative in any amount and include those persons who are charges under this section for a first offense.
- c. Any person show shall violate any provision of this section shall, upon conviction, be subject to a forfeiture as provided in Chapter 1, Article II of this code. Any person convicted of a second or subsequent offense under this section may be fine an amount up to twice that otherwise authorized.
- d. This section shall not apply to a person who has obtained or possesses marijuana directly from or pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice.
However, the burden of proof to prove such is on the person claiming it.

(7) **Possession, use and sale are illegal.** It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publically display for sale or attempt to sell, give, or barter anyone or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire", "fake" or "new" marijuana, or by any other name, label, or description:

- a. **Salviadivorum or salvinorum A;** all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts;

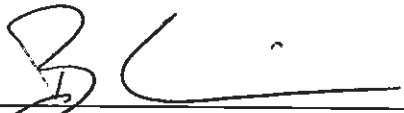
- b. (6aR,10aR)-9-(hydroxymethyl)-6,6dimethyl-3-(2methyloctan-2-yl) 6a, names: HU-210;
- c. 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JWH-018\spice;
- d. 1-Butyl-3-(1naphthoyl) indole-some trade or other names: JWH-073;
- e. 1-(3 {trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP;
- f. or any similar structural analogs.


(8) Medical or dental use allowed. Acts otherwise prohibited under subsection a. shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

(9) Penalties. Any person violating this ordinance shall be subject to a forfeiture as set forth in section 1-6 of this code.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By: 
Brandon Miller, Mayor

By: 
Leone Christensen, Clerk

Adopted: 12-1-11
Published: 12-14-11

CITY OF GILLETT

OFFICE OF THE CITY ATTORNEY

208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: # 16 - 2010

INTRODUCED BY: Nanette Mohr

SECONDED BY: Barbara Smith

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, is hereby amended to add the following subsection:

Section 16-8.1 SYNTHETIC CANNABINOID PROHIBITED.

- (1) Findings.
 - a. The City Council of the City of Gillett has determined that herbal preparations powdered or sprayed with a chemical synthetic cannabinoid are available for sale within the City of Gillett that claim to produce intoxicating effects similar to THC or marijuana; and
 - b. While the substances are not yet categorized as illegal controlled substances under Wisconsin or federal law several other countries, states, and municipalities have already taken action to prohibit these substances due to increased overdoses and other negative health concerns; and
 - c. While these synthetic cannabinoid substances are often marketed as benign and legal alternatives to marijuana, they are potentially dangerous to users as the substances can create potency from 3 up to 100 times greater than marijuana, produce severe adverse health conditions such as hallucinations, paranoia, seizures, and vomiting based on reported emergency room experiences in areas of the country where use is more prevalent, and further that long term health effects of use of these substances are not yet known.
 - d. It has been determined that the effects of these substances are a health, safety, and welfare concern to the citizens of the City of Gillett.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GILLETT DO ORDAIN AS FOLLOWS:

- (2) Possession, use and sale are illegal. It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publically display for sale or attempt to sell, give, or barter anyone or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire", "fake" or "new" marijuana, or by any other name, label, or description:

- a. Salviadinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts;
- b. (6aR,10aR)-9-(hydroxymethyl)-6,6dimethyl-3-(2methyloctan-2-yl) 6a, names: HU-210;
- c. 1-Pentyl-3-(1-naphthoyl) indole-some trade or other names: JWH-018\spice;
- d. 1-Butyl-3-(1naphthoyl) indole-some trade or other names: JWH-073;
- e. 1-(3 {trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP;
- f. or any similar structural analogs.

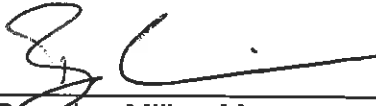
(3) Medical or dental use allowed. Acts otherwise prohibited under section


(2) shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.

(4) Penalties. Any person violating this ordinance shall be subject to a forfeiture as set forth in section 1-6 of this Code.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By: 
 Brandon Miller, Mayor

By: 
 Leone Christensen, Clerk

Adopted: 12-2-10
 Published: 1-19-11

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 10.2010
INTRODUCED BY: Mohr
SECONDED BY: T. Anderson

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO
ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-1, Offenses against state
law subject to forfeiture, is hereby amended to add the following:

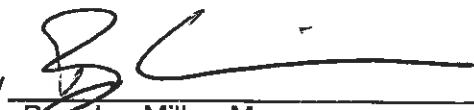
§ 16-1. Offenses against state law subject to forfeiture.

The following statutes defining offenses against the peace and good order of the
state are adopted by reference to define offenses against the peace and good order of the
municipality, provided that the penalty for commission of such offenses hereunder shall be limited
to a forfeiture imposed under Chapter 1, Article II of this Code.

961.573 Possession of Drug Paraphernalia

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By 
Brandon Miller, Mayor

By 
Marcie Schuettpelz, Clerk

Adopted: 8.5-10
Published: 8.6.10

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 1-2010

INTRODUCED BY: Mohr

SECONDED BY: Smith

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that **Chapter 16, PEACE AND GOOD ORDER**, is hereby amended to add the following subsection:

§16-51 Park regulations.

1. Permission to use pulling track needs to come from Fair Board. Parking will only be allowed for ATV, lawn mower and horse pulls behind the band shell.

2. All pulls must be completed by 1:30 am.

3. Street closings. Request for street closing must be to City Hall, Monday before the Council meeting to be held prior to the event. The City of Gillett Public Works Department will provide the barricades. The barricades must remain up and at the location they were placed by city employees. Labor costs for placing and removing barricades will be charged to the organization.

4. The park must be cleaned up within 24 hours after a one day event or 48 hours after a 2 day event. If not, the city will clean it and charge the organization.

5. No person shall light any fire for any purpose except in an elevated portable grill or fire pit. Dumping of hot coals and ashes is prohibited.

6. No glass bottles allowed. Plastic or cans only. (Chapter 14-13 pg. 14:8)

7. All parks close at 10 p.m. except for approved events.

SKATE PARK RULES

1. Locked gate indicates Skate Park is Closed

2. Open Daily - Dawn to Dusk

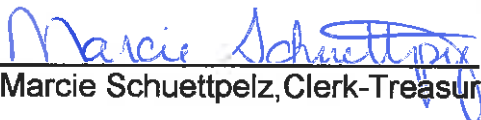
3. Skate Boards, BMX Bikes, and Inline Skating only

4. No smoking, tobacco, alcohol or illegal drugs allowed
5. No skateboarding on adjacent property
6. No amplified music
7. No motorized vehicles allowed.
8. The City is not responsible for any lost or stolen items.
9. Helmets, knee pads and elbow pads are highly recommended

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By 
Thomas Lietz, Mayor

By 
Marcie Schuettpelz, Clerk-Treasurer

Adopted: 1-7-10
Published: 2-4-10

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 23-2009
INTRODUCED BY: Smith
SECONDED BY: Rank

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that **Chapter 16, PEACE AND GOOD ORDER, Section 16-15, Curfew**, is hereby repealed and recreated to read as follows:

§16-15 Curfew.

A. Restrictions.

- (1) No individual between the ages of 12 years through 17 years shall remain upon any street or alley or other public place in the City between 10:00 p.m. and 6:00 a.m. the next day.

B. Exceptions. The following shall constitute valid exceptions to the operation of the curfew:

- (1) At any time, if the individual is accompanied by his or her parent, or guardian. "Parent" means a person who is a natural parent, adoptive parent or stepparent. "Guardian" means a person who, under court order, is the guardian of the minor; or a public or private agency with whom a minor has been placed by a court.
- (2) At any time, the individual is involved in an emergency.
- (3) At any time, while the individual is pursuing the duties of his or her employment.
- (4) On an errand at the written direction of his or her parent or guardian, without any detour or stop (written direction must be signed, timed and dated by the parent or guardian and must indicate the specific errand). This exception shall apply no later than 12:30 a.m.

- (5) Attending, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City, Gillett School District, a civic organization, or another similar entity that takes responsibility for the minor. This exception will apply for one-half hour after the completion of such event; but in no case beyond 12:30 a.m.

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By 
Thomas Lietz, Mayor

By 
Marcie Schuettpelz, Clerk-Treasurer

Adopted: Nov 5, 2009
Published: Nov 11, 2009

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 18-2009
INTRODUCED BY: Smith
SECONDED BY: Mahr

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-1 Offenses against state laws subject to forfeiture is hereby amended to delete the following:

§ 16-1 Offenses against state laws subject to forfeiture.

173.10 Investigation of Animal Cruelty Complaints

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By 
Thomas Lietz, Mayor

By 
Kaye Rundquist, Clerk

Adopted: 08-06-2009
Published: 08-12-2009

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 19-2007
INTRODUCED BY: Barb Smith
SECONDED BY: Tim Christensen

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, is hereby amended to add the following subsection:

§ 16-161. Sexual Offender Residency Restrictions.

A. Findings and Intent.

- (1) Repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
- (2) It is the intent of this ordinance not to impose a criminal penalty, but rather to serve the City's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

B. Definitions. The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

- (1) Child. A person under the age of 16 for the purposes of this ordinance.
- (2) Designated Offender. Any person who is required to register under Wis. Stat. §301.45 for any sexual offense against a child or any person who is required to register under Wis. Stat. §301.45 and who has been designated a Special Bulletin Notification (SBN) sex offender pursuant to Wis. Stat. §301.46(2) & (2m).
- (3) Minor. A person under the age of 17.
- (4) Permanent Residence. A place where the person abides, lodges or resides for fourteen (14) or more consecutive days.

- (5) Temporary Residence. A place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges, or resides for a period of four (4) or more consecutive or non-consecutive days in any month and which is not the person's permanent residence.

C. Sexual Offender and Sexual Predator Residence Prohibition; Penalties; Exceptions.

- (1) Prohibited Location of Residence. It is unlawful for any designated offender to establish permanent residence or temporary residence within 1,000 feet of any school, licensed day care center, park, trail, playground, place of worship, or any other place designated by the City as a place where children are known to congregate.
- (2) Prohibited Activity. It is unlawful for any designated offender to participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas or wearing an Easter Bunny costume on or preceding Easter. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph.
- (3) Measurement of Distance.
 - (a) For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of a school, licensed day care center, park, trail, playground, place of worship, or any other place designated by the City where children are known to congregate.
 - (b) The City Clerk shall maintain an official map showing prohibited locations as defined by this ordinance. The Clerk shall update the map at least annually to reflect any changes in the location of prohibited zones. These shall be designated on the map as child safety zones.
- (4) Penalties. A person who violates this section shall be punished by a forfeiture not exceeding \$500.00. Each day a person maintains a residence in violation of this ordinance constitutes a separate violation. The City may also seek equitable relief.
- (5) Exceptions. A designated offender residing within a prohibited area as described in Section C. (1) does not commit a violation of this section if any of the following apply:
 - (a) The person established the permanent residence or temporary residence and reported and registered the residence pursuant to Wis. Stat. §301.45 before the effective date of this ordinance.
 - (b) The person is a minor and is not required to register under Wis. Stat. §301.45 or §301.46.

- (c) The school, licensed day care center, library, park, trail, playground, place of worship, or any other place designated by the City as a place where children are known to congregate within 1,000 feet of the persons permanent or temporary residence was opened after the person established the permanent or temporary residence and reported and registered the residence pursuant to Wis. Stat. §301.45.
 - (d) The residence is also the primary residence of the person's parents, grandparents, siblings, spouse, or children provided that such parent, grandparent, sibling, spouse or child established the residence at least two (2) years before the designated offender established residence at the location.
- D. **Property Owners Prohibited from Renting Real Property to Certain Sexual Offenders and Sexual Predators; Penalties.**
 - (1) It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a temporary or permanent residence by a person prohibited from establishing such permanent or temporary residence pursuant to this ordinance, if such place, structure, part thereof, trailer or conveyance is located within a prohibited location zone described in C. (1).
 - (2) A property owner's failure to comply with the provisions of this Section shall constitute a violation of this Section, and shall subject the property owner to the penalties contained in Section C. (4) of this ordinance.
- E. **Property Owners and Sales Agents Prohibited from Selling Real Property to Certain Sexual Offenders and Sexual Predators; Penalties.**
 - (1) It is unlawful for any owner, real estate broker, or real estate sales person to participate in the sale of any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a temporary or permanent residence by a person prohibited from establishing such permanent or temporary residence pursuant to this ordinance, if such place, structure, part thereof, trailer or conveyance is located within a prohibited location zone as described in Section C. (1).
 - (2) Failure to comply with the provisions of this section shall constitute a violation of this section, and shall subject the person violating this section to the code enforcement provisions procedures as provide in this ordinance.
- F. **Appeal.** The above requirements may be waived with the approval of the Council upon appeal by the affected party. Such appeal shall be made to the Sexual Predator Ordinance Committee who shall receive reports from the Police Department on such appeal. Said Committee shall have authority to make the decision on the applicant's appeal, with said decision to be final. The Chair of said Committee shall report to the Council on the action taken by the Committee, but said report shall be for informational purposes only.

- G. Repeal of Inconsistent Ordinances. All existing ordinances, parts of ordinances, and amendments thereto in conflict with any of the provisions of this ordinance are hereby repealed.
- H. Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Common Council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provisions of this ordinance or the application to any person or circumstance is held invalid, the remainder of the ordinance or the application of such other provisions to other persons or circumstances shall not be affected.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By: 
Thomas Lietz, Mayor

By: 
Kaye Rundquist, Clerk-Treasurer

Adopted: 11-01-07
Published: 11-07-07

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 16-22
INTRODUCED BY: Smith
SECONDED BY: ANDERSON

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO
ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16.22 Obstruction
and encroachments Paragraph A is hereby repealed and recreated to read as follows:

16-22 **Obstructions and encroachments.**

A. Obstructions and encroachments prohibited.

- (1) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which her or she is the owner or occupant, except as provided in Subsection B.
- (2) No person shall place or allowed to be placed a mailbox on any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof within the 100 - 400 Block of East Main Street.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By Tom Lietz
Tom Lietz, Mayor

By Kaye M Rundquist
Kaye Rundquist, Clerk-Treasurer

Adopted: 08-02-07
Published: 08-15-07

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 16-22
INTRODUCED BY: Drake
SECONDED BY: Smith

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, Section 16-22 Obstruction and encroachments is hereby amended to add the following subparagraph

§ 16-22. Obstruction and encroachments.

D. Regulation of roller skates, street skates, skateboards and play vehicles.

- (1) No person shall roller skate or ride a skateboard, coaster wagon, tricycle or scooter anywhere on the streets or sidewalks located in the commercial district of the City. As used herein, to "roller skate" shall mean to skate on any type of roller skates and street skates.
- (2) Sidewalks. No person shall roller skate or ride a skateboard, coaster wagon, tricycle or scooter in a reckless manner on any public sidewalk. No person shall ride a skateboard, coaster wagon, tricycle, scooter or roller skate on a sidewalk without exercising due care for the safety of other persons using the sidewalk, and without yielding to pedestrians.
- (3) Ramps/Jumps. No skateboarder or person using street skates shall congregate on City streets or public ways with the intent to establish recreational fixtures such as ramps or jumps which obstructs or impedes traffic, pedestrians or the safety of vehicular traffic.
- (4) Sales and rentals. Any commercial establishment selling or renting street skates, roller skates of any kind, coaster wagons, tricycles, scooters or skateboards shall post a copy of this section, or a summary of the rules set out in this section, in a conspicuous place where persons buying or renting skates will see it.

This Ordinance shall take effect upon passage and publication as provided by law.

CITY OF GILLETT

By: 
Thomas Lietz, Mayor

By: 
Kaye Rundquist, Clerk

Adopted: 04-05-2007
Published: 04-11-2007

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TIMOTHY J. SCHMID
City Attorney

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 12-2013

INTRODUCED BY: Nanette Mohr

SECONDED BY: Deb Erickson

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO ORDAIN that Chapter 16, PEACE AND GOOD ORDER, is hereby made to add the following subsection:

§ 16-18.1. Bullying and harassment.

A. Findings. The Common Council of the City of Gillett has determined that bullying and harassment disrupt the safe environment in the City; interfere with one's ability to succeed or excel in a safe environment in the City and interfere with one's ability to participate in or benefit from programs, activities, worksites and opportunities offered to the community. The Common Council further finds that it is in the public interest to assure that every person is valued and respected regardless of perceived differences, and may live free from bullying, harassment and intimidation.

B. Definitions. As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

1. Bullying: Bullying is a form of harassment and is defined as an intentional course of conduct which is reasonably likely to intimidate, emotionally abuse, slander, threaten or intimidate another person and which serves no legitimate purpose.
2. Course of Conduct: "Course of conduct" is defined as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
3. Harassment: "Harassment" is defined as any conduct; whether verbal, physical, written, or by means of any mode of communication; which:
 - a. Is prohibited by section 947.01, 947.012, 947.0125 or 947.013 of the Wisconsin Statutes; or
 - b. Is any intentional course of conduct which is likely to create an intimidating, hostile or offensive environment, and which serves no legitimate purpose.

4. **Prohibition.** It shall be unlawful for any person to engage in any bullying or harassment of a person or induce another person to engage in such bullying or harassment.
5. **Retaliation Prohibited.** No person shall retaliate against any person who reports any conduct which is prohibited by this section.
6. **Constitutionally Protected Activity.** This section shall not be construed to apply to any constitutionally protected activity or speech.
7. **Parental Responsibility.** It shall be unlawful for any custodial parent or guardian of any unemancipated person under eighteen (18) years of age to allow or permit such person to violate the provisions of subsection (b) above. The fact that prior to the present offense a parent, guardian or custodian was informed in writing by a law enforcement officer of a separate violation of subsection (b) by the same minor occurring within ninety (90) days prior to the present offense shall constitute a rebuttable presumption that such parent, guardian or custodian allowed or permitted the present violation.
8. **Penalties.** Any person who shall violate any provision of this section shall be subject to a penalty as provided in Section 16-27.

This Ordinance shall take effect upon passage and publication provided by law.

CITY OF GILLETT

By Irene Drake
Irene Drake, Mayor

By Beth Rank
Beth Rank, Clerk

Adopted: 9-5-13
Published: _____

TIMOTHY J. SCHMID
City Attorney

CITY OF GILLETT
OFFICE OF THE CITY ATTORNEY
208 West Green Bay Street
SHAWANO, WISCONSIN 54166

TELEPHONE
(715) 526-3191
FAX: (715) 524-3526

ORDINANCE NO.: 13-2013

INTRODUCED BY: Nonette Mohr

SECONDED BY: Deb Erickson

**THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DO
ORDAIN** that **Chapter A40, BOND SCHEDULE**, is hereby amended to add the following
subsection:

CHAPTER 16 PEACE AND GOOD ORDER

Section No.	Description	Deposit	26%	Court Cost	Jail	Crime Lab	Total
16-18.1	Bullying and Harassment	\$250.00	65.00	25.00	10.00	13.00	\$366.00

This Ordinance shall take effect upon passage and publication provided by
law.

CITY OF GILLETT

By Irene Drake
Irene Drake, Mayor

By Beth Rank
Beth Rank, Clerk

Adopted: 9-5-13

Published: _____

CITY OF GILLETT

150 N. McKenzie Ave
Gillett, WI 54124



T 920-855-2255
F 920-855-6283

STREET AND SIDEWALK EXCAVATIONS AND OPENINGS

ORDINANCE NO. 1-2013

THE COMMON COUNCIL OF THE CITY OF GILLETT, WISCONSIN, DOES ORDAIN that **Chapter 16, PEACE AND GOOD ORDER, Section 16-23 D. 3, 4, & 5 Street and Sidewalk Excavations and Openings**, is hereby recreated to add as follows:

Section 16-23 D

Regulations governing Street and Sidewalk Openings

- (3) Fill shall be of pea gravel or fine sand to within twelve inches of the street surface and the remainder shall be road gravel.
- (4) Fill material shall be tamped and compacted at 18 inch intervals as it is being added.
- (5) Resurfacing shall be done with material that is the same as existing construction and shall be to the level of the surrounding material. If resurfacing cannot be done at the time of the street opening due to weather or availability of surface material, cold patch must be used to seal the opening until such time that the resurfacing can be done to match the existing construction.
- (6) No bond will be returned until all work is inspected and approved.

This Ordinance shall take effect upon passage and publication provided by law.


Ordinance introduced and adoption moved by Council Member: Raatz


Motion for adoption seconded by Council Member: Anderson

Adopted this 7th day of March, 2013

4 Ayes, 0 Nays, 0 Abstain

Published: _____


Irene Drake, Mayor


Leone Christensen, Clerk/Treasurer