

CHAPTER 3

PEACE AND GOOD ORDER

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3.001 - TITLE

BURNING AND FIRE COST/ALARM RESPONSE REIMBURSEMENT

3.002 – FIRE CONTROL

- A. No person shall set any fire upon any land in the Town of Pittsfield without first contacting the Tri-County Fire Department or Brown County sheriff non-emergency dispatch, except for cooking food.
- B. It is allowed to burn rubbish in a barrel, trash can or other enclosed burner if heavy wire screen or cover is used to prevent burning material or embers from blowing out.
- C. Any person who shall set fire to any land and allow such fire to escape and become a forest fire, shall be liable for all expenses incurred in the suppression of such fire by the State or Town in which such fire occurs.

3.003 – FIRE COST/ALARM RESPONSE REIMBURSEMENT

A. DEFINITION

All fire department operations shall mean all services and charges, of whatever nature, incurred by the Town of Pittsfield, as a result of fire protection provided by the Town under Wisconsin Statutes Section 60.55, and as may be amended.

B. PURPOSE **rev 12/06**

The purpose of this ordinance is for the landowner to reimburse the Town for:

1. The actual cost to the Town of fire protection or rescue effort.
2. The actual cost to the Town of alarm responses.

3.004 – FEES

- A.** The cost of fire protection, rescue effort, and alarm responses shall be subject to the following written schedule.
1. The Town shall charge the landowner, and the landowner shall pay the Town, the actual cost incurred by the Town for fire protection, rescue effort, and/or alarm responses. Rev
12/06
 2. In the event the actual cost remains unpaid after 90 days following billing, the charges shall be placed on the land owner’s property bill as a special charge pursuant to Wisconsin Statutes Section 66.60 (1993-94), as amended, and shall become a lien on the property as may be provided by law.

3.005 – OPEN BURNING

1. Open Burning Prohibited. Except for items otherwise provide in this section, approved training fires, and items within section 3.002, all open burning is prohibited within the Town of Pittsfield. Material for any permitted fire shall not include rubbish, garbage, recycled items, trash, any material made of or coated with rubber, plastic, leather, treated or painted wood or petroleum based materials, and shall not contain any flammable or combustible liquids.
2. Recreational Fires. Recreational fires, defined as any fire such as a camp fire or cooking fire for the purpose of recreation and personal enjoyment, are exempt from Section 1 of this ordinance so long as such fires are started and tended in compliance with the following requirements:
 - a. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward any building or other flammable materials. Smoke from any recreational fire shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of a neighboring property owner in regard to nuisance smoke.
 - b. Adequate fire suppression equipment, such as shovels, fire extinguishers, water hoses, or other like equipment sufficient to extinguish the fire, shall be immediately available to extinguish or control the recreational fire, if necessary.

- c. All recreational fires shall be attended at all times by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished.
 - d. The property owner, renter, or lessee shall be held liable for any damage caused by any recreational fire, including the cost of any citations.
3. Burning Leaves, Brush, Clean Wood and Other Vegetative Debris.
Open burning of leaves, weeds, brush, stumps, clean wood and other vegetative debris is allowed only in accordance with the following provisions:
- a. All allowed open burning shall be conducted in a safe nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not to create a health hazard or a visibility hazard on roadways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.
 - b. Except for barbecue, gas and charcoal grills, no open burning shall be undertaken during periods when a burning ban applicable to the area has been issued.
 - c. Open burning shall be conducted only on the property on which the material were generated.
 - d. Unless explicitly allowed elsewhere in this ordinance, a commercial enterprise other than an agricultural or silvicultural operation may open burn only at a facility approved by and in accordance with provisions established by the Department of Natural Resources.
 - e. Open burning of weeds or brush on agricultural lands is allowed if conducted in accordance with other applicable provisions of this ordinance.
 - f. Fires set for forest or wildlife habitat management are allowed with the approval of the Department of Natural Resources.
 - g. Burning of trees, limbs, stumps, brush or weeds for clearing or maintenance of right-of-way is allowed.
 - h. Burning in emergency situations such as natural disasters is allowed.
 - i. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

- j. No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or water body.
- k. Except for barbeque, gas and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit.

4. Burn Barrels

A burn barrel may be used in the Town only in accordance with the following provisions:

- a. The burn barrel shall not be used to burn any of the prohibited materials listed in Section 1 of this ordinance and may only be used in accordance with the provisions of this ordinance.
- b. The burn barrel shall be located at least 250 feet from the nearest building that is not on the same property as the burn barrel.
- c. The burn barrel shall have vent holes above the ash line for combustion air and shall be covered with a heavy wire screen.
- d. The burn barrel shall only serve a personal residence.

5. Fire Department Practice Burns

Notwithstanding sections 1 of this ordinance, the Fire Department serving the town of Pittsfield may burn a standing building id necessary for fire fighting practice and if the practice burn complies with the requirements of the Department of Natural Resources.

6. Enforcement and Penalties.

The Town Chairman and / or any law enforcement officer are authorized to enforce the provisions of this ordinance. The penalty for violation of any portion of this ordinance shall be a forfeiture of not less than twenty-five dollars (\$25) or more than two hundred fifty dollars (\$250) plus the cost of prosecution.

Rev 10/08

3.006 – SEVERABILITY

If any portion of this ordinance is invalid or void for any reason, such invalid or void portion shall not affect the whole of this Ordinance, and the balance of this Ordinance shall remain in full force and effect.

3.101 – TITLE

ORDINANCE ESTABLISHING A CURFEW.

- A.** No child under the age of 18 years shall loiter, idle or remain upon any street, alley or public place in the Town between 10:00 p.m. and 6:00 a.m. the next day unless such child is accompanied by his parent, guardian or other adult person having legal custody of such child.
- B. EXCEPTIONS.** This section shall not apply to a child.
1. Performing an errand as directed by parent, guardian or person having lawful custody.
 2. Who is on his own premises or the areas immediately adjacent thereto.
 3. Whose employment makes it necessary to be upon the streets, alleys, public places or any motor vehicle after such hour.
 4. Returning home from supervised school, church or civic function.
 5. These exceptions shall not, however, permit a child to unnecessarily loiter about the streets, alleys or public places or be in a parked vehicle on the public street.

3.102 – PARENTAL VIOLATION

No parent, guardian or other person having legal custody of a child under the age of 18 years shall permit or suffer such child to loiter, idle or remain upon any street, alley or other public place in the Town between 10:00 p.m. and 6:00 a.m. the next day, unless such child is accompanied by his parent, guardian or other adult person having legal custody of such child.

3.103 – RESPONSIBILITY OF OPERATORS OF PLACES OF AMUSEMENT

No person operating a place of amusement or entertainment within the Town, or agent, servant, or employee of such person, shall permit a child under the age of 18 years to enter or loiter in such place of amusement or entertainment between 10:00

p.m. and 6:00 a.m. the next day unless such child is accompanied by his or her parent, guardian, or other adult person having legal custody of such child.

3.104 – RESPONSIBILITY OF HOTELS, MOTELS, AND ROOMING HOUSES

No person operating a hotel, motel, or lodging or rooming house within the Town, or any agent, servant or employee of such person, shall permit any child under the age of 18 years to visit, idle, wander or stroll in any portion of such hotel, motel, rooming house or lodge between 10:00 p.m. and 6:00 a.m. the next day, unless such child is accompanied by his parent, guardian or other adult person having legal custody for such child.

3.105 – LOITERING IN SCHOOL AND PLAYGROUND AREAS

No person not in official attendance or not on official school business shall enter into, congregate, loiter, wander, stroll, stand or play in any school building, or in or about any playground area adjacent thereto within the Town between 8:00 a.m. and 4:00 p.m. on official school days.

3.106 – DETAINING A CHILD

A child believed to be violating the provisions of this section shall be taken to the Police Chief or the County Sheriff's Department for proper identification. Every law enforcement officer while on duty may detain any child violating subs. (1), (3), (4), and (5) until such time as the parent, guardian, or other adult person having legal custody of the child shall be immediately notified and the person so notified shall, as soon as reasonably possible thereafter, report to the Police Chief's or the Sheriff's office to take the child into custody and shall sign a release for him/her.

3.107 – WARNING

The first time a child is detained by law enforcement officers as provided in Section 3.106, a parent, guardian, or person having legal custody shall be advised as to the provisions of this section; and any violation of this section occurring thereafter by this child or any other child under such person's care or custody shall result in a penalty being imposed as herein provided.

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3.108 – PENALTY

- A.** Any parent, guardian or person having legal custody of a child described in subs. (1), (3), (4), (5) who has been warned in the manner provided in sub. (7) and who thereafter violates any of the provisions of this section shall be subject to a

forfeiture of not less than one dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00) for each offense. No violation of this Ordinance shall be construed to be a misdemeanor, nor shall imprisonment be imposed as a punishment for violation of this Ordinance, except for failure of the defendant to pay the forfeiture imposed by the court.

- B.** Any child who violates this section after being detained and released under sub. (6) shall be dealt with under Ch. 48, Wis. Statutes.

3.201 – TITLE

ORDINANCE ON STREET NUMBERS.

A. PURPOSE

This ordinance is adopted for the purpose of enhancing the straightforward and rapid location of properties by the general public, the postal services, public safety officials and emergency medical personnel in the Town of Pittsfield.

B. DEFINITION

Rev 12/05

All lots and parts of lots in the Town of Pittsfield shall be numbered in accordance with a map designated “Street Numbering Map”, now on file in the office of the Town Clerk. All lots and parts of lots hereafter planned shall be numbered to conform as nearly as possible to general scheme of numbering as outlined in such map. Each owner or occupant shall conform with the following regulations.

1. All houses and buildings shall have numerals not script.
2. All numbers shall be in a conspicuous place on the front of the building, not above the first floor and on the mailbox.
3. Numbers on all houses and buildings shall be at least three inches tall. Numbers on all mailboxes shall be at least two inches tall.
4. The owner or occupant shall at all times keep the numbers on the building and mailbox in readable condition.

5. Changes reflecting Uniform Signing, effective August 1, 2006:
 - a. After August 1, 2006 all numbered addresses shall have a Fire/Address Sign posted as outlined in this ordinance.

- b. The property owner shall be responsible for all costs related to installation of the sign.
- c. All addressed buildings existing before Nov. 8, 2005, shall be billed for the Fire/Address sign by the Town, during initial installation.
- d. After Nov. 8th, 2005 cost for a Fire/Address sign for all new construction requiring a sign shall be applied to the cost of the building permit.
- e. The Town or its agent will be responsible for the placing and installation of said sign and pole.
- f. The sign shall be an 18" x 6" two sided sign with reflective green as a base color and white reflective numbers on both sides. The sign shall be of flag design so that when mounted perpendicular to the roadway the numerals are visible from both directions.
- g. The assigned street address numerals shall match the numerals on the Fire/Address sign.
- h. The owner or occupant shall at all times keep the numbers in a readable condition, clean and free from vegetation.
- i. The sign shall be mounted on a galvanized post approximately 15 feet from the edge of the right side of the driveway (facing the home from the road) and on the back edge of the right of way. An alternate location may be on the left side of the driveway. Alternate locations may be necessary because of foliage, landscaping, lot lines or other obstructions that may obscure the view of the sign.
- j. If two or more buildings with separate address numbers share the same entrance, driveway, or private roadway, the separate address numbers shall, if practical, be displayed on a single pole according to the requirements of sub. (j) at the point where the driveway meets the roadway. In addition, each separate building having an address number shall also be required to display a Fire/Address sign meeting the same requirements of sub. (j) for each individual driveway that runs off the shared driveway. Exceptions for installation location shall be granted by the Building Inspector or Town Chairman under special circumstances.

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Rev 12/05

3.202 – PENALTIES

Rev 0707

If the owner or occupant of any building required by this ordinance to be numbered neglects for a period of thirty days to duly attach and maintain the proper numbers

on such building, the Town of Pittsfield will send him or her a notice requiring such owner or occupant to properly number the same; and if he or she neglects to do so within thirty (30) days after the service of such notice by mail, he or she will be considered to be in violation of this ordinance and will be penalized. The penalty shall be no less than seventy-five (\$75.00) dollars, and not more than two hundred (\$200.00) dollars. Each day is considered as a separate violation. Prior to August 1, 2006 the previous requirements shall remain in place. After August 1, 2006 if the owner or occupant of any building required by this ordinance to have a Fire/Address sign removes or neglects to keep clean said sign they shall be issued a 5 day notice by the Town to replace or repair said deficiency. If the deficiency is not corrected within the five days the Town shall consider the party to be in violation of this ordinance and will issued a penalty. The penalty shall be no less than seventy-five (\$75.00) dollars, and not more than two hundred (\$200.00) dollars. Each separate day such sign is not displayed properly shall constitute a separate offense. The owner shall also be responsible for any labor and material charges to correct the deficiency (manpower to remove vegetation, replacement cost of the sign...)

3.301 – TITLE

HUNTING ORDINANCE

A. NO HUNTING DURING THE DEER SEASON

There shall be no hunting during the gun deer season in the Town of Pittsfield, in the following areas:

To be determined by the Town Board.

B. NO DISCHARGE OF ANY WEAPON AT ANY TIME

There shall be no discharge of any weapon at any time, by anyone other than a duly authorized law enforcement officer in the performance of his official duties, in the following areas:

To be determined by the Town Board.

C. AGE LIMITS

No person under 16 years of age shall have in his possession a firearm, including a pellet gun or air gun, unless accompanied by a parent or guardian.

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D. PENALTIES

Rev 0707

The penalty for violation of any provision of this Ordinance shall be a forfeiture of not less than \$75.00, nor more than \$200.00 together with the actual costs of prosecution, including attorney fees. Each day of continuing violation shall constitute a separate offense, and in default of payment as such forfeiture and costs of prosecution, may be imprisoned in the County Jail of Brown County, until said forfeiture and cost are paid, but not to exceed (30) days for each violation.

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3.401 – TITLE

NUISANCE ORDINANCE.

A. PUBLIC NUISANCES PROHIBITED.

No person shall erect, contrive, cause, continue, maintain or permit to exist any public nuisance within the Town of Pittsfield.

1. Public Nuisances. A public nuisance is a thing, act, occupation, condition or use of property which shall continue for such length of time as to:
 - a. Substantially annoy, injure, or endanger the comfort, health, repose or safety of the public.
 - b. In any way render the public insecure in life or in the use of property.
 - c. Greatly offend the public morals of decency.
 - d. Unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable body of water or public way.
2. Public Nuisance Affecting Health. The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances, but shall not be construed to exclude other health nuisances coming within the definition of subsection (1) of this section.
 - a. All decayed, harmfully adulterated, or unwholesome food or drink sold or offered for sale to the public.
 - b. Carcasses of animals, birds, or fowl not buried or otherwise disposed of in a sanitary manner within 24 hours of death.
 - c. Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal or any material in which flies, mosquitoes, disease carrying insects, rats or other vermin breed.
 - d. All stagnant water in which mosquitoes, flies, or other insects can multiply.
 - e. Garbage cans which are not fly-tight.
 - f. All noxious weeds and other rank growth of vegetation.
 - g. All animals running at large.

- h. The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash, or industrial dust within the Town of such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property.
 - i. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial wastes, refuse, garbage or other substance.
 - j. Any use of property, substances, or things within the Town emitting or causing any foul, offensive, noisome, nauseous, noxious, or disagreeable odors, or stenches extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons with the Town.
 - k. All abandoned wells not securely covered or secured from public use.
 - l. Any obstruction in or across any watercourse, drainage ditch or swallow.
 - m. The deposit of garbage, refuse, or any offensive substance on any public or private property except as may be permitted by ordinance.
3. Public nuisances offending morals and decency.

The following acts, omissions, places, conditions, and things are hereby specifically declared to be public nuisances offending public morals and decency, but such enumeration shall not be construed to exclude other nuisances offending public morals and decency coming within the definition of subsection (1) of this section.

- a. All disorderly houses, bawdy houses, houses of ill fame, gambling houses, and buildings or structures kept or restored to use for the purpose of prostitution, promiscuous sexual intercourse, total nudity, rental or sale of any sexually explicit materials, or gambling.
 - b. All gambling devices and slot machines.
 - c. All places where intoxicating liquor or fermented malt beverages are sold, brewed, bottled, manufactured, or rectified without a permit or license as provided by the Town.
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- d. Any place or premises where Town ordinances or state laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly, and intentionally violated.

- e. Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages in violation of the laws of the State of Wisconsin or the ordinances of the Town.

4. Public ordinances affecting peace and safety.

The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the provisions of subsection (1) of this section.

- a. All ice and snow not removed from the public sidewalks with 24 hours after it has ceased to fall thereon.
- b. All signs and billboards, awnings, and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public safety.
- c. All buildings erected, repaired or altered within the fire limits of the Town in violation of the provisions of the ordinances of the Town relating to materials and manner or construction of buildings and structures within said district.
- d. All unauthorized signs, signals, markings, or devices which purport to be, or may be mistaken as official traffic control devices placed or maintained upon or in view of the public highway or railway crossing.
- e. All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys, or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
- f. All limbs of trees which project over a public sidewalk, less the 8 feet above the surface thereof or less than 10 feet over the surface of a public street.
- g. All uses or display of fireworks except as provided by the laws of the State of Wisconsin and ordinances of the Town.
- h. All buildings or structures so old, dilapidated or out of repair so as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use.
- i. All wires over streets, alleys or public grounds which are strung less than 15 feet above the surface of the street or ground.

- j. The obstruction of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by ordinances of the Town or which, although made in accordance with such ordinances, are kept or maintained for an unreasonable length of time after the purpose thereof has been accomplished.
 - k. All open and unguarded pits, wells, excavations, or unused basements freely accessible from any public street, alley, or sidewalk.
 - l. All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which cannot be opened by pushing from the inside by a small child
 - m. Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.
 - n. Repeated or continuous violations of the ordinances of the Town or laws of the State of Wisconsin relative to the storage of flammable liquids.
 - o. Any structure, material or condition which constitutes a fire hazard or will impair extinguishing of any fires.
 - p. Any and all excavations, including basements, which have been abandoned or for which a building permit has become null and void, or which permit has been revoked by the Zoning Administrator.
 - q. Any nuisance so defined by the Wisconsin Statutes.
5. Smoke.
- a. Dense Smoke. The emission of dense smoke from the smokestack of any engine or from the smokestack or chimney of any building within the Town is hereby declared to be a public nuisance and is prohibited.
 - b. Stationary Engineer. The owner, lessee, or occupant of any building, or the fireman, engineer, or any other person having charge or control of any furnace or stationary engine who shall cause, permit or allow dense smoke to issue or to be emitted from the smokestack or chimney connected with any such furnace or stationary engine within the town shall be guilty of creating a public nuisance and of violating the provisions of this section.

- c. All Soot Prohibited. The emission of soot, cinders, or coal dust from any chimney, stack, furnace, or from any building within the Town is hereby declared to be a public nuisance and is prohibited.
6. Storage of Junk. No person shall store junk or discarded property including old, unused junk and automobiles not in good, safe operating condition, and any other vehicles or personal property of any kind or automobile parts, trucks, tractors, machinery, machinery implements, or machinery parts, refrigerators, furnaces, washing machines, stoves, wood, bricks, cement blocks or other unsightly debris which is no longer safely usable for the purpose for which it was manufactured, and/or which substantially depreciates property values in the neighborhood except in an enclosure which houses such property from public view, or upon permit issued by the Town. A violation of this section is declared a public nuisance.
7. Agricultural Use (Statute Adopted). The Town acknowledges the need for agricultural practices and recognizes that the law should not hamper agricultural production. In order to protect the interests of all involved, the Town shall adopt Chapter 823.08 of the Wisconsin Statutes (as from time to time amended, repealed or modified by the Wisconsin Legislature) for the judging of actions within this ordinance against agricultural uses or practices. Rev 08/05

3.402 – ABATEMENT OF PUBLIC NUISANCES

A. INSPECTION OF PREMISES.

Whenever complaint is made to the Town Board that a public nuisance exists, they shall notify the County Health Officer, Building Inspector, or the Board themselves, shall forthwith inspect or cause to be inspected the premises and shall make a written report of the findings to the Town Board. Whenever practical, the inspecting officer shall cause photographs to be made of the premises and shall file the same in the office of the Town Clerk.

B. SUMMARY ABATEMENT

1. Notice to Owner. If the inspecting officer shall determine that a public nuisance exists on private property, and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Town Chairperson may direct the Inspecting Officer to serve notice on the owner, or if the owner cannot be found, on the occupant or person causing, permitting, or maintaining such nuisance and to post a copy of the notice on the premises. Such notice shall direct the owner, occupant, or person causing, permitting or maintaining such nuisance to abate or remove such nuisance within 24 hours and shall state that unless nuisance is so abated, the Town will cause the same to be abated and will

charge the cost thereof to the owner, occupant, or person causing, permitting or maintaining the same.

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2. Abatement by Town. If the nuisance is not abated within the time provided, or if the owner, occupant or person causing the nuisance cannot be found, the Town Board shall cause the abatement or removal of such nuisance.

C. ABATEMENT BY COURT ACTION

If the inspecting officer shall determine that a public nuisance exists on private premises, but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morale or decency, he shall file a written report of his findings with the Town Board who shall cause an action to abate such nuisance to be commenced in the name of the Town in Circuit Court for Brown County in accordance with the provisions of Chapter 823 of Wisconsin Statutes.

D. OTHER METHODS NOT EXCLUDED

Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the Town or its officials in accordance with the laws of the State of Wisconsin.

E. COST OF ABATEMENT

In addition to any other penalty imposed by this code for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the Town shall be collected as a debt from the owner, occupant, or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as special taxes.

3.403- PENALTIES

The penalty for violation of any provision of this Ordinance shall be a forfeiture of not less than \$75.00, nor more than \$200.00 together with the actual costs of prosecution, including attorney fees. Each day of continuing violation shall constitute a separate offense, and in default of payment as such forfeiture and costs of prosecution, may be imprisoned in the County Jail of Brown County, until said forfeiture and cost are paid, but not to exceed (30) days for each violation.

3.501 – TITLE

NEWSPAPER BOX ORDINANCE.

- A.** This Ordinance is necessary for the orderly placement of newspaper boxes so as to avoid damage to Town vehicles and allow for proper maintenance of Town property.
1. All newspaper boxes within the Town limits shall henceforth be attached, or placed as close as practical, to residential and commercial mailboxes specified and utilized by the United States Postal Service. It is intended that said newspaper boxes shall be attached to the pole and/or other edifice utilized for placement of United States Postal Service mailboxes.
 2. It is intended by this Ordinance that henceforth no newspaper boxes shall exist or be placed on the side of Town roads alternate from the side whereon United States Postal Service mailboxes are placed.
 3. Town residence shall have thirty (30) days from the date of this Ordinance's enactment to comply with the provisions herein.
 4. Any Town resident who fails to comply with the provisions herein may be required to forfeit not less than \$75.00, nor more than \$200.00 for such violation, and in default of payment as such forfeiture and costs of prosecution, may be imprisoned in the County Jail of Brown County until said forfeiture and costs are paid, but not to exceed (30) days for each violation.

3.601 – TITLE

ANIMALS

A. DEFINITIONS

Rev 05/07

1. **Animal:** includes every living:
 - a. Warm-blooded creature, except a human being;
 - b. Reptile; or
 - c. Amphibian
2. **Owner:** Any person owning, keeping or harboring an animal.
3. **Kennel:** Any establishment where dogs are kept.
 - a. **Private Kennel:** Any premises as defined in the Town of Pittsfield Ordinances, on which four or more dogs, over five months or older, are kept or harbored as pets, and not for selling, boarding, showing, treating, grooming, or other commercial purposes.
 - b. **Commercial Kennel:** Commercial Kennel means any place where the business of keeping, raising, selling, boarding, breeding, showing, treating, or grooming of dogs and other animals is conducted, including pet shops, animal hospitals, and other similar establishment.
4. **At Large:** Any dog shall be deemed to at large when it is off the property of its owner and not under the control of a competent person.
5. **Restraint:** A dog is under restraint within the meaning of this section if it is controlled by a leash, and obedient to that person's commands on/or within the property limits of its owner or keeper.
6. **Spayed Female Dog.** Any female dog which has been operated upon to prevent conception.
7. **Neutered Male Dog:** Any male dog which has been operated upon to prevent conception.
8. **Pound:** Any premises designated by the Town Board for the purpose of impounding and caring for all animals found running at large or in violation of this section

9. **Exposed to Rabies:** An animal has been exposed to rabies within the meaning of this section if it has been bitten by, or come in contact with, any animal known to have been infected with rabies.

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B. MISTREATING ANIMALS

No person may treat any animal, whether belonging to the person or another, in a cruel manner. No person shall cruelly treat, inhumanely beat, under feed, overload, or abandon any animal in the Town. No person shall cause or allow any place where any animal is or may be kept to become unclean or unwholesome.

C. ANIMALS AT LARGE

No person shall permit any animal to run at large within the Town.

D. DANGEROUS ANIMALS

Members of the Brown County Sheriff's Department, Town Dog Catcher, or any peace officer in the Town are authorized to kill any animal, bird, reptile, when it is necessary to protect persons or property from physical damage or to prevent the communication or spread of infection or disease.

E. NOISY ANIMALS

No person shall harbor or keep any animal, bird, or reptile, which disturbs the peace by loud noises, including excessive barking by dogs at any time of the day or night.

F. NUISANCE ANIMALS

Whereas animals, birds, and reptiles may have propensities to or may otherwise cause noise or odor or perform actions which may disturb persons in the reasonable use and enjoyment of property, or cause annoyance, discomfort or injury to the health or welfare of persons, keeping of any animal, bird, or reptile in conflict with any provision of this Chapter is declared to be a public nuisance, and such animal, bird, or reptile may be impounded as provided by law.

3.602 – LICENSES REQUIRED

Rev 05/07

1. Kennels

- a. Commercial Kennel License. Every person operating a commercial kennel shall annually obtain from the Town Treasurer, upon authorization by the Town Board, a commercial kennel license. Commercial kennel licenses shall be posted in a conspicuous place within the licensed premises. All commercial kennels are subject to inspection by the Town Board representative.
- b. Private Kennel License. Every person operating or maintaining a private kennel shall annually obtain from the Town Treasurer, upon authorization by the Town Board, a private kennel license.

All fees will be established by the Town Board and shall be paid to the Town Treasurer. Kennel license fee is per Town's fee schedule.

Licenses can be reviewed and revoked or denied by the Town Board upon complaint of nuisance.

2. General Provisions Governing Kennels

The following provisions shall apply to all Kennels located in the Town of Pittsfield as either a permitted or conditional use:

- a. All kennels shall provide adequate indoor housing for 100% capacity of animals kept on the premises. Such housing shall be adequately ventilated, cooled and heated to provide a year-round quality living environment for the animals kept on the property. The adequacy of the ventilation, cooling, and heating required shall be dependent on the breed of animal that is kept on the premises. In the case of multiple breeds the facility may require sectioning to provide differing provisions of ventilation, cooling and heating.
- b. No animals shall be kept in any outdoor commercial facility between the hours of 10:00 p.m. to 7:00 a.m.
- c. All outdoor facilities shall be maintained to provide a clean, sanitary environment for the animals being kept and to eliminate odor from leaving the property and as much as possible on-site.
- d. All kennels shall operate within full compliance of Wisconsin Statute Chapter 174 "DOGS".

3. Regulation and licensing of Dog Required. Rev 05/07 0707

a. It shall be unlawful for any person in the Town of Pittsfield to own, harbor, or keep any dog, more than 5 months of age without complying with the provisions of Section 174.09, Wis. Statutes, relating to the listing, licensing, and tagging of the same. There is hereby imposed a Dog License Fee, payable to the Town Treasurer which includes a dog license tax imposed under Section 174.05(2) and (3), Wis. Statutes. An annual dog license fee as outlined in the Town Fee Schedule shall be paid for the following reasons:

1. Each spayed or neutered dog.
2. Each non-spayed or non-neutered dog.

b. Late Fees. The Town Treasurer shall assess and collect a late fee as outlined in the Fee Schedule from every owner of a dog 5 months of age or older if the owner failed to obtain a license prior to April 1 of each year or within 30 days of acquiring before the dog reached licensable age.

c. Lost License Tag. In the event that a license tag issued for a dog shall be lost, the owner may obtain a duplicate tag from the Town Treasurer upon the payment as outlined in the Fee Schedule.

d. Change of Ownership. If there is a change of ownership of a licensed dog or kennel during the license year, the new owner may have the current license transferred to his/her name upon the payment of a transfer fee as outlined in the Fee Schedule.

e. Transfer Prohibited. No person shall use for any animal a license receipt or license tag issued for another animal.

f. Kennel License Option. The owners of kennels pay a license fee, as outlined in the Fee Schedule, per kennel of 12 dogs or less and additional fees in accordance with Section 3.602 (1) of this code. The Town Treasurer shall issue tags for each dog owned by the kennel owner, as provided in Section 174.053 Wis. Statutes.

3.603 – KEEPING OF ANIMALS

No person shall permit any pet of which he/she is the owner or custodian to be at large within the Town. Any pet is deemed to be at large when it is off the premises owned or leased by its owner unless crated, penned, or under the control of a person able to control the conduct of the pet.

Unattended dogs shall include those dogs which are crated, penned, or leashed but which are without personal supervision or control sufficient to properly restrain the dog.

3.604 – BITING ANIMALS

Any incident occurring in the Town where any animal bites a person, or is suspected of biting a person shall be immediately reported to the Town Board or Sheriff's Department, or Health Officer by any person having knowledge of such incident and the following procedure shall be followed:

- A.** Any animal which bites a person in the Town, if it can be found, or any animal which is customarily kept within the Town, and which bites a person, shall be quarantined for a period of 14 days from the day of the bite for the purpose of observation for the possibility of rabies. Such quarantine shall be effected as directed by the Health Officer and may be:
 - 1. Confinement of the animal to a structure or enclosure which is adequate to constrain the animal on the premises of the owner or agency.
 - 2. Confinement of the animal with a licensed veterinarian.
 - 3. Confinement of the animal at a boarding facility approved by the Town Board. Costs of boarding shall be at owner's expense.

- B.** No animal which is known or suspected to have bitten a person shall be destroyed until after the 14 day quarantine period has elapsed, unless it cannot be apprehended safely, in which case the destruction shall be accomplished without damage to the head of the animal, if possible. The Health Officer shall be immediately notified of such destruction of the animal, and the dead animal shall not be disposed of until such specimens as the Health Officer shall direct have been obtained, and permission is given by him/her to dispose of the dead animal.

- C. In case an animal which has been quarantined in accordance with section dies for any reason during the quarantine period, the person having custody of the animal shall immediately notify the Health Officer as required in this Ordinance.

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3.605 – BEE KEEPING

The keeping or raising of bees is a public nuisance and is prohibited with the Town except with prior approval from the Town Board.

3.606 – KEEPING NUISANCE ANIMALS

The keeping of any animal, fowl, reptile, mammal, or bird, which affects or disturbs the public health, peace, safety or decency is a public nuisance, and is prohibited within the Town. No action shall be ascertained that the raising or keeping of a particular animal, fowl, reptile, mammal, or bird within the Town, reasonably constitutes a condition which is detrimental to public health, safety, or welfare. For purposes of enforcing this subsection, any member of the Town Board, Health Officer, Building Inspector, or other peace officer may enter any premise for the purpose of inspection. Any person who violates any provision of this subsection shall be notified by the Town of the determination that a public nuisance exists on his/her premises. Each day that the condition continues after notification by the Town shall be considered a separate violation of this subsection.

3.607 – PROHIBITED AMPHIBIEANS, ARACHNIDS OR REPTILES

No person, firm, or corporation shall bring into, keep, maintain, offer for sale or barter, or release to the wild in the Town of Pittsfield:

- A. Any poisonous or venomous biting or injecting species or amphibian, arachnid or reptile (including snakes).
- B. Any snake not indigenous to Wisconsin.
- C. Any snake indigenous to Wisconsin of the following species, upon attaining a length of five (5) feet or more:
 - 1. The Pilot Black Snake (*Elapha obsoleta obsoleta*)
 - 2. Bull Snake (*Pituophis melanoleucas sayi*)
 - 3. Fox Snake (*Elaphe eulpina*)

3.608 - EXCEPTIONS

This ordinance shall not prohibit a circus or like entertainment organization, an educational or medical institution, the Department of Parks and Recreation, or persons designated by the Health Officer, from keeping such animal where the same are securely and humanely confined.

3.609 – DOGNAPPING AND CATNAPPING

No person may take the dog or cat of another from one place or another without the owner's consent or cause such dog or cat to be confined or carried out of this Town, or held for any purpose without the owner's consent. This section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties.

3.610 – DECOMPRESSION PROHIBITED

No person may kill an animal by means of decompression.

3.611 – LEADING AN ANIMAL FROM A MOTOR VEHICLE

No person shall lead any animal upon a highway or roadway from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.

3.612 – TRANSPORTATION OF ANIMALS

No person may transport any animal in or upon any vehicle in a cruel manner.

3.613 – USE OF POISONOUS AND CONTROLLED SUBSTANCES

No person may expose any domestic animal owned by another to any known poisonous substance or controlled substance listed in Chapter 161.14, Wisconsin Statutes whether mixed with meat, or other food or not, so that the substance is liable to be eaten by an animal, and for the purposes of harming the animal. This section shall not apply to poison used on one's own premises, and designed for the purpose of rodent or pest extermination, nor to the use of a controlled substance in bona fide experiments carried on for scientific research or in accepted veterinary practices.

3.614 – SHOOTING AT CAGED OR STAKED ANIMALS

No person may instigate, promote, aid, or abet as a principal agent, employee, or spectator; or participate in earnings from, or intentionally maintain, or allow any place to be used for the shooting, killing or wounding with a firearm or any deadly weapon, any animal that is tied, staked out, caged or otherwise intentionally confined in a man-made enclosure, regardless of size.

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3.615 – SALE OF BABY RABBITS, CHICKS AND OTHER FOWL

- A.** No person may sell, offer for sale, barter or give living chicks, ducklings, or other fowl unless the person provides proper brooder facilities for the care of such chicks, ducklings, or other fowl during the time they are in the person's possession.
- B.** No retailer, as defined in Chapter 100.30 (2) (e), Wisconsin Statutes, may sell, offer for sale, barter or give away living rabbits, baby chicks, ducklings or other fowl under 2 months of age in any quantity less than 6, unless in the business of selling these animals for agriculture, wildlife or scientific purposes.

3.616 – ARTIFICIALLY COLORED ANIMALS; SALE

No person may sell, offer for sale, raffle, give as a prize or premium, use as advertising device or display living chicks, ducklings, or other fowl or rabbits that have been dyed or otherwise colored artificially.

3.617 – PROVIDING PROPER FOOD AND DRINK TO CONFINED ANIMALS

No person owning or responsible for confining or impounding any animal may fail to supply the animal with sufficient supply of food and water as prescribed in this section.

- A. FOOD.** The food shall be sufficient to maintain all animals in good health.
- B. WATER.** If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

3.618 – PROVIDING PROPER SHELTER

No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this section. In case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in Brown County.

- A. INDOOR STANDARDS-MINIMUM INDOOR STANDARDS OF SHELTER SHALL INCLUDE:**

1. Ambient temperatures. The ambient temperature shall be compatible with the health of the animal.
2. Ventilation. Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.

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B. OUTDOOR STANDARDS-MINIMUM OUTDOOR STANDARDS OF SHELTER SHALL INCLUDE:

1. Shelter from sunlight. When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph, “caged” does not include farm fencing used to confine farm animals.
2. Shelter from inclement weather.
 - a. Animals generally. Natural or artificial shelter appropriate to the local climate conditions for the species concerned shall be provided as necessary for the health of the animal.
 - b. Dogs. If a dog is tied or confined unattended outside under weather conditions which adversely affect the health of the dog, a shelter of suitable size shall be provided.

C. SPACE STANDARDS

Minimum space standards for both indoor and outdoor enclosures shall include:

1. Structural strength. The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
2. Space requirements. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.

D. SANITATION STANDARDS

Minimum standard of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.

3.619 – KEEPING OF VICIOUS DOGS REGULATED

A. VICIOUS DOG

Any dog with a propensity, tendency or disposition to attack, cause injury or otherwise endanger the safety of human beings or other domestic animals as evidenced by its habitual or repeated chasing or snapping, or barking and/or snarling in a threatening manner.

Any dog owned or harbored primarily, or in part, for the purpose of dog fighting.

B. REQUIREMENTS AND PROHIBITIONS

1. Leash and Muzzle. No person owning, harboring, or having the care of a vicious dog, may suffer or permit such dog to go outside its kennel or pen, unless the dog is securely leashed with a leash, no longer than 4 feet in length. No person may permit a vicious dog to be kept on a chain, rope, or other type of leash outside its kennel or pen, unless a person is in physical control of the leash. The dog may not be leashed to inanimate objects such as trees, posts, and buildings. A vicious dog on a leash, outside the dog's kennel, shall be muzzled by a muzzling device, sufficient to prevent the dog from biting persons or other animals. A vicious dog shall not be required to be muzzled when shown either in a sanctioned American Kennel Club show, or upon prior approval by the Town Dog Catcher.

C. CONFINEMENT

1. All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled, as provided in paragraph (a) above. The pen, kennel, or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have secure bottom or floor attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than 2 feet. All structures erected to house vicious dogs shall comply with all zoning and building regulations of the Town. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

2. No vicious dog may be kept on a porch, patio, or in a part of a house or structure that would allow the dog to exit the building on its own volition. No vicious dog may be kept in a house or structure when windows are open or when screen windows or screen doors are the only obstacle preventing the dog exiting the structure.
3. No vicious dog may be kept within any portion of any multiple building.

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D. SIGNS

All owners, keepers, or harborer's of vicious dogs shall within 15 days of the effective date of this section, display in a prominent place on their premises, a sign easily readable by the public, using the words, "Beware of Dog". A similar sign is required to be posted on the kennel door pen of the dog.

E. INSURANCE

All owners, keepers, or harborer of vicious dogs shall within 30 days of the effective date of this section, provide proof to the Town Board, of public liability insurance in a single incident amount of \$50,000.00 for bodily injury to, or death of any person, or for the damage to property owned by any person which may result from the ownership, keeping or maintenance of vicious dogs. The insurance policy shall provide that no cancellation of the policy will be made unless a 10-day written notice is first given to the Town Board. The owner or custodian of the dog shall produce evidence of the required insurance upon request of the Town Dog Catcher, or any law enforcement officer. This paragraph does not apply to dogs kept by law enforcement agencies.

F. VICIOUS DOG DETERMINATION

The Town Dog Catcher shall investigate every dog complaint, and make a determination as to whether or not such dog is "vicious", as defined in section above. In the event the Town Dog Catcher makes a determination that the dog is "vicious", he or she shall so inform the owner, keeper, or harborer of such dog and provide such person with a written copy of this section.

G. APPEAL OF VICIOUS DOG DETERMINATION

Any person aggrieved by the determination of the Town DogCatcher, as provided in section above, may appeal such determination by submitting a written appeal to the Town of Pittsfield Town Board, with 10 days of such determination.

H. COMPLIANCE

Within 10 days of the determination that a dog is vicious, as provided in section above, or 10 days after an unsuccessful appeal under above section, the owner, keeper, or harbinger of a vicious dog shall either comply with all provisions of this section, or dispose of such dog.

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I. DISPOSITION OF VICIOUS DOGS

Any vicious dog which attacks a human being or domestic animal may be ordered destroyed by the Town Board, any police officer, or humane officer when, in the judgement of a court of competent jurisdiction, the dog represents a continuing threat of serious harm to human beings or domestic animals.

3.620 – ENFORCEMENT AUTHORITY

The Town Dog Catcher, Health Officer, or any Police Officer shall have authority to enforce the provisions of this Ordinance, including but not limited to seizing any animal which the above officer's reasonably believes has been taken, employed, used, or possessed in violation of this Ordinance.

3.621 - DISPOSITION

Any seized animal under this chapter shall be held by the Town Dog Catcher, Health Officer, or other police officer until that animal is identified as to genus and species in order to ascertain if the animal is an endangered species under Section 29.415, Wisconsin Statutes.

3.622 – PENALTIES FOR SECTIONS 3.601 – 3.621

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If the court finds that an animal has been taken, employed, used or possessed in violation of this Ordinance, the costs of holding the animal and any costs incurred in identifying the animal shall be assessable to the defendant.

In addition, any person, firm or corporation shall be subject to a forfeiture of at least \$75.00, or not more than \$1,000.00. In addition, the person shall be responsible for the costs of prosecution and default payment of such forfeiture and costs of prosecution, he/she may be imprisoned in the County Jail until said costs and forfeiture are paid, but not to exceed 90 days for each offense. In addition, for violations regarding prohibited animals, any person, firm, or corporation found in violation of this Ordinance shall forfeit the prohibited animal as the Court deems proper. Prior to such forfeiture, the Health Officer, Town Dog Catcher, or other police officer may direct a transfer of the animal to a qualified zoological, educational, or qualified propagator for safe keeping, with the costs assessable to the defendant. Each day of continuing violation shall constitute a separate offense.

3.701 – TITLE**STATE TRAFFIC LAWS ADOPTED**

- A. **STATUTES ADOPTED.** Except as otherwise specifically provided in this code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment or exclusively state charges, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348 incorporated herein are intended to be made a part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicle traffic on highways, streets and alleys of the State of Wisconsin. Any person who shall, within the Town of Pittsfield, Wisconsin, violate any provisions of any statute incorporated herein by reference shall be deemed guilty of an offense under this Section.
- B. **STATUTES SPECIFICALLY INCORPORATED BY REFERENCE.** Whenever this chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes, as from time to time amended, repealed or modified by the Wisconsin Legislature.

3.702**OFFICIAL TRAFFIC SIGNS, CONTROL DEVICES, PROHIBITED SIGNS AND MARKERS.**

- A. **DUTY OF TOWN CHAIRPERSON TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.** Whenever traffic regulations created by this chapter, including a State of Wisconsin regulation adopted by reference in Section 3.701, require the erection of traffic control devices for enforcement, the Town Chairperson, or his designee, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulations to the users of the streets and highways on which such regulations apply.

3.705 Speed Limits

The Town of Pittsfield hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent, and modifies such speed limits under authority granted by S. S. 349.11, WI Statutes as follows:

A. Speed limits established by S.S. 346.57(4)(e), (f) and (g), WI Statutes, are hereinafter set forth upon the following streets or portions thereof:

1. Forty-five miles per hour:

Roadway	Location	
Westline Rd	White Pine Dr to Robin Lane	
Rolling Hill Dr	CTH C to CTH B	
Redwood Dr	0.7 miles N of CTH B to County Line Rd	
Sandhill Dr	Redwood Dr to Village of Suamico	
Old STH 29	Honey Creek Ct to Sunnyview Dr	
Old STH 29	CTH Y to STH 156	
Crest Dr	STH 32 to St Augustine	
Sunnybrook Dr	Glendale Ave to Anston Rd	Rev 0707
County Line Rd	.2 miles east of Pulaski to Brookside Dr	Rev 08/08

2. Forty miles per hour:

Roadway	Location
Marley St	Village of Howard to CTH C
Glendale Ave	Oakhill Dr to CTH C
Glendale Ave	CTH C to CTH U
Glendale Ave	CTH U to Park St
Park St	Glendale Ave to End

3. Thirty- five miles per hour:

Roadway	Location
Old STH 29	Sunnyview Dr to CTH Y

Westline Rd	Village of Howard to White Pine Dr
Redwood Dr	CTH B to 0.7 miles N of CTH B
Big Sky Dr	Pittco Rd to Redwood Dr
Pittco Rd	CTH B to Partridge Ln
Glenfield Dr	Redwood Dr to County Line Rd
County Line Rd	Pulaski Village Limits to 0.2 miles E of Pulaski
Kunesh Rd	CTH U to 0.2 W of CTH U

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4. Thirty miles per hour:

Roadway	Location
Oakhill Dr	Glendale Ave to end
Red Oak Dr	Westline Rd to Oakhill Dr
Tamarack Dr	Westline Rd to Oakhill Dr
Butternut Dr	Red Oak Dr to end
Birch Hill Dr	Westline Rd to Oakhill Dr

5. Twenty-five miles per hour:

Roadway	Location
Matuszak Ct	Sunnybrook Dr to end
River Forest Hills Dr	Rolling Hills Dr to end
River Forest Hills Circle	River Forest Hills Dr to end
Pine View Dr	Redwood Dr to Sandhill Dr
Silver Bow Ln	Pine View Dr to Pittco Rd
Deer Ridge Ln	Pine View Dr to Silver Bow Ln
Durango Ln	Silver Bow Ln to Deer Park Ln
Deer Park Ln	Durango Ln to Pittco Rd
Cimarron Ln	Silver Bow Ln to Golden Spike Ln
Golden Spike Ln	Cimarron Ln to Pittco Rd
Pittco Rd	Partridge Ln to Golden Spike Ln
Tall Pine Ct	Pittco Rd to end
Potter's Crossing	Brookside Dr to end
Sylvan Dr	Glendale Ave to Greenfield Ave
Sylvan Ct	Greenfield Ave to end
Greenfield Ave	Glendale Ave to Sylvan Ct
Spring Valley Dr	Potters Crossing to end

3.801 SOLID FUEL-FIRED HEATING DEVICES**A. DEFINITIONS**

1. Solid fuel-fired heating device means any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source.
2. Stacks or chimneys mean any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel-fired heating device, especially that part of such structures extending above a roof.

B. REGULATIONS

1. All solid fuel-fired devices installed within the Town of Pittsfield are required to meet emission standards currently required by the Environmental Protection Agency(EPA). Emission standards currently required by the EPA are hereby adopted by reference together with any amendments or modifications made to them in the future.
2. All outdoor devices shall be installed, operated and maintained in strict conformance with the manufacturer's instructions and the regulations promulgated hereunder. In the event of a conflict, the regulations promulgated hereunder shall apply unless the manufacturer's instructions are stricter than the regulations

promulgated hereunder, in which case the manufacturer's instructions shall apply.

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3. Conditions for Use: All outdoor solid fuel-fired heating devices shall be installed, operated and maintained pursuant to the following conditions:
 - a. Fuel shall be only natural untreated wood or wood products, or other materials specifically permitted by the manufacturer. The following materials are strictly prohibited: Kerosene, garbage, and painted or treated wood products.
 - b. The minimum setback distance shall be 200 feet from any habitable structure not located on the same parcel as the burner. Burners in place prior to construction of a habitable structure that falls within this 200 foot setback shall not be grand fathered for complaints under subsection "c" below.
Rev 11/06
 - c. No outdoor heating device shall create an undesirable impact upon adjacent property or otherwise create a public nuisance.
 - d. The setbacks for burners shall be the same as those for "accessory buildings" for the underlying zone. **Rev 11/06**

C. PERMIT

1. No person shall allow, maintain or use an outdoor wood heating device in the Town of Pittsfield without first having obtained a permit from the Town Zoning Administrator. Permit fee per schedule.
2. A permit may be suspended in the event the owner fails to comply with this ordinance.
3. Any person who constructs, erects, or fails to remove, replace, or modify any outdoor solid fuel-fired heating device that does not

meet the requirements of this ordinance shall forfeit \$25.00 per day for each day the non-complying unit remains on the premises.

D. SEVERABILILTY

1. If any provisions of this ordinance are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this ordinance shall remain in effect.