

STATE OF WISCONSIN
Town of St. Germain, Vilas County

Resolution SG19-03-1
Rescinding of Ordinances

WHEREAS the Town of St. Germain has on record draft copies of old ordinances pertaining to Repair of Fire Damaged Buildings and Fumigation of Buildings; and

WHEREAS no record has been found of these ordinances having been properly adopted by vote of the Town Board or by posting and publishing as required under §60.80, Wis. Stats.; and

WHEREAS an attorney with the Wisconsin Towns Association stated in an e-mail to Supervisor Ritter of February 18, 2019:

Repair of Fire Damaged Buildings: "Sec. 66.0413, Wis. Stats., allows a town board to have the owner repair the building or allows the town to take action to raze the building if it is uninhabitable. Such action generally requires the assistance of the town's attorney to ensure that the board complies with the property legal proceedings."

Fumigation of Buildings: "I was unable to find a statute on this one. I would think it might be necessary if a building was infested by termites or some other pest. The question would be is there a true health, safety or welfare issue to the public? Consequently, if the board chose to adopt an ordinance to protect the public's health, safety and welfare, I believe it would have to substantiate the need to regulate this activity in the town."; and

WHEREAS the frequency of incidents requiring involvement by the Town to resolve pertaining to fire damaged buildings or fumigation of buildings is very low,

BE IT THEREFORE RESOLVED that the Town Board of Supervisors does hereby rescind its ordinances pertaining to Repair of Fire Damaged Buildings and Fumigation of Buildings and shall address issues relating to these topics on a case by case basis as needed and with guidance from the town's attorney to ensure that the board complies with the property legal proceedings, or shall enact new ordinances as properly adopted chapters of the Town of St. Germain Code of Ordinances.

Adopted this 11th day of March 2019



Tom Christensen, Chairman

Attest



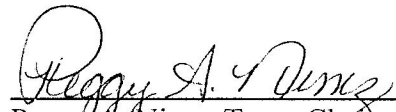
Tom Martens, Clerk

ORDINANCE NO. 820
REPAIR OF FIRE DAMAGED BUILDINGS

The Town Board fo Supervisors of the town of St. Germain does hereby ordains as follows:

1. No owner of any building having sustained fire damage that structurally weakens the building shall reestablish and reoccupy the building before measures have been taken to assure structural concerns and deficiencies. Prior to the issuance of any permit for the remodeling or reconstruction or repair of any building that has sustained any fire damage, said building shall be inspected by the fire department or its designee. Said inspection shall occur prior to any remodeling, repair or reconstruction and also prior to the construction of any interior wall enclosure.
2. Whenever a building of structure exclusive of the foundation shows 33% or more damage of deterioration of its supporting member or members of 50% damage or deterioration of its non-supporting members, enclosing or outside wall or coverings, it is within the jurisdiction of the fire department to declare said building as dangerous and suggest repair, vacation, or demolition. Repaired buildings shall comply with the building code of the Town of St. Germain, or the State of Wisconsin or shall be demolished at the option of the building owner.

Dated at St. Germain, Wisconsin this 24 day of _____, 20____



Peggy A. Nimz, Town Chair

Thomas Martens, Town Clerk

Adopted: _____

Published: _____

Effective: _____

ORDINANCE NO. ~~8-30~~
FUMIGATION OF BUILDINGS

WHEREAS, the Town of St. Germain has been approached by the Fire Department Concerning the enactment of an ordinance relative to the fumigation of a building ; and


WHEREAS, said fumigation of buildings in the past have resulted in several false alarm calls for the Fire Department;

NOW, THEREFORE, the Town Board of Saint Germain does hereby ordain as follows:

1. All persons engaged in the business of extermination shall notify the Fire Chief in Writing at least 24 hours before any building or structure is to be closed in connection with the use of any toxic or flammable fumigant.
2. All persons engaged in the business of fumigation or thermal insecticidal fogging shall maintain and have available for use, approved protective breathing apparatus.
3. All fires, open flames and similar sources of ignition shall be eliminated form the space under fumigation or thermal insecticidal fogging. Heating, if needed, shall be by steam or hot water.
4. During the period fumigation is in progress, except when fumigation is conducted in a gas-tight vault or tank, the building being fumigated shall be posted and shall remain posted until after the fumigation is completed and the premises are properly ventilated and again safe for human occupancy. "Posted" means that the building being fumigated shall be posted with red signs with legible black lettering two inches high with the words "Warning-Fumigating, Do Not Enter" printed thereon. Such signs shall be posted in a conspicuous location on the front and rear of the building.

Dated at St. Germain, Wisconsin this 12/5 day of MAY, 2007


Peggy A. Nimz, Town Chair


Thomas Martens, Town Clerk

Adopted: 05-14-07
Published: 05-29-07
Effective: 05-29-07