

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