

TOWN OF BRADLEY GENERAL CODE

CHAPTER 1: TITLE

This ordinance is entitled the "Town of Bradley General Code".

CHAPTER 2: AUTHORITY/PREVIOUS ORDINANCES

The Town of Bradley has the specific statutory authority, powers and duties, pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under s.60.10, Wisconsin Statutes to regulate, control, license, register or permit in the Town of Bradley persons engaged in certain uses, activities, businesses and operations at certain locations in the Town of Bradley, to assess these persons with appropriate fees for the licenses, registrations or permits as noted herein and to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits.

CHAPTER 3: ADOPTION OF ORDINANCE

The Town Board of the Town of Bradley has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this license, registration and permit ordinance to regulate and control, by ordinance, persons engaged in certain uses, activities, businesses and operations in the Town of Bradley, to regulate, by these licenses, registrations and permits, the persons engaged in these uses, activities, businesses and operations at certain locations within the Town of Bradley, to assess these persons with appropriate fees for the licenses, registrations or permits and to enforce, by revocation or penalty, the provisions of these ordinances and the provisions of the licenses, registrations and permits.

CHAPTER 4: GENERAL PROVISIONS

4.10 FEES/PENALTIES

The Town Board of the Town of Bradley has, by this ordinance, required and confirmed the following licenses, registrations or permits and the Town Board of the Town of Bradley has established that the following will be the fees to be paid by any person or corporation, to the Town of Bradley for the noted licenses, registrations and permits, and the following will be the penalties to be paid by any person or corporation to the Town of Bradley for violations of these ordinances and the violations of the license, registration, and permit conditions:

4.11 MOBILE HOME PARK/MOBILE HOME LICENSE

a.) License	AMOUNT
1. Mobile Home Park	\$2.00 per space with \$25.00 minimum
2. Mobile Home Parking Fee	see 66.0435(3)(c) Stats.
b.) Penalty for Violation of Section 5.10	Forfeiture of \$10.00 to \$200.00, except \$25.00 for Section 5.10(3) (b).

4.12 INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGE LICENSE AND PERMIT

a.) License/Permit	AMOUNT
1. Class A Fermented Malt Beverage Retailers	\$10.00
2. Class B Fermented Malt Beverage Retailers	50.00
3. Temporary Class B - Beer	1.00
- Wine	1.00
4. Retail Class A Liquor	200.00
5. Retail Class B Liquor	200.00
6. Operators	1.00
- Provisional	1.00
7. Provisional - Retail	15.00
b.) Penalty for Violation	

of Section 5.20

Forfeiture of
\$100.00 to \$500.00
and/or revocation,
suspension, or
refusal to renew.

4.13 MISCELLANEOUS LICENSES AND PERMITS

- | | |
|--|---------------|
| a.) Highway Access Permit | NO FEE |
| b.) Recycling Permit
(see section 6.24 for penalty) | NO FEE |
| c.) Building Permit Fee | NO FEE |

4:20 GENERAL LICENSE AND PERMIT ORDINANCE PROVISIONS

1) The terms "license", "registration", and "permit" may be used in these ordinances, and by the Town of Bradley, and its officers, employees, and agents, interchangeably. All references herein to "town" pertain to the Town of Bradley; and all references herein to "town board" pertain to the Town Board for the Town of Bradley. All references herein to "town clerk" pertain to the Town Clerk for the Town of Bradley. All references herein to "person" shall apply equally to individuals, partnerships, or corporations.

2) No person shall engage or allow on land owned, used or leased by that person in the Town of Bradley any particular use, activity, business or operation until that person has obtained the required license, registration or permit as established by the Town of Bradley in this ordinance.

3) Unless expressly provided herein or by other Town of Bradley Ordinance provisions, all licenses, registrations and permits shall be issued to commence on July 1 and expire on the next June 30 in the fiscal year of issuance or upon the date specifically noted in the license, registration or permit and in either case the license, registration or permit expires after midnight on the last effective date.

4) The license, registration or permit shall be issued to the applicant by the Town Clerk of the Town of Bradley. If the license, registration or permit is for a particular premises, a particular use, a particular activity, a particular business or a particular operation, the particular use, activity, business or operation shall be clearly described in the license, registration or permit. No license, registration or permit is transferable, unless specifically provided herein or by other Town of Bradley Ordinance provisions, to another person without consent of the Town Board of Town of Bradley. If specific conditions are established in the license, registration, or permit, those conditions shall be expressly noted in writing on the license, registration, or permit and shall be accepted by the applicant by signature prior to issuance by the Town Clerk, of the license, registration or permit.

5) Failure to fully comply with the conditions of the license, registration or permit or failure to fully comply with these ordinances will allow the Town Board to suspend or revoke the license registration or permit and to take whatever other necessary legal action provided for by these ordinances and state law. All suspension or revocation of any license, registration or permit will be after hearing, unless emergency conditions require immediate and temporary suspension by the Town Board. Following any temporary suspension, written notice of same shall be served on and mailed to the last

known address of the licensee or permittee. Such notice shall include a statement that the party may make a written request for a hearing before the Town Board within 30 days, by mailing or delivering to the Town Clerk a request for hearing.

6) Unless expressly provided herein, or by other Town Ordinance provisions, all applications for re-issuance and renewal of any Town licenses, registrations, or permits will be filed by the licensee, registrant, or permittee with the Town Clerk, within 60 days before the expiration date of the previous license, registration, or permit.

7) Unless expressly provided herein, or by other Town Ordinance provisions, the person or corporation, once issued the license by the Town Clerk, consents to the entry of the Town Board or any designee of the Town Board upon the licensed premises at reasonable hours for regulatory inspection. Further, the person or corporation, consents to allow the Town Board or any designee to remove from the premises and to introduce into evidence at hearings related to alleged violations of this chapter, all relevant items and products found therein. The person or corporation issued a license, shall comply with all applicable federal and state laws, applicable federal and state regulations, and applicable Town of Bradley Ordinances.

8) Unless expressly provided herein, or by other Town Ordinance provisions, any license, registration or permit may be suspended or revoked for cause after the proper hearing noted below, unless in an emergency condition determined by the Town Board, wherein the license, registration or permit can be suspended temporarily for a set time period. Prior to any action for suspension revocation, the Town Board must, by the Town Clerk, receive a written complaint concerning the licensee, registrant or permittee. The following persons may file a complaint with the Town Board:

- a) Town Chairperson
- b) Town Clerk
- c) Town Supervisors
- d) Town Constable
- e) Any Town of Bradley Resident.

9) The person or corporation subject to charges for violation of any Town Ordinance, or violation of any condition of any license, shall be provided a copy of the complaint, and notice of hearing before the Town Board. The hearing shall be required to be not less than 3 days, nor more than 14 days, after receipt of notice, unless stipulated in writing by the Town Board and the person or corporation subject to charges. All alcohol license hearings, pursuant to s. 125.12 Stats., must be held not less than 3 days and not more than 10 days from the date of issuance of a summons.

10) The Town Board may, after the hearing for any person or corporation previously issued a license by the Town Board, act as follows:

- a) Revoke the license, registration or permit as a final decision.
- b) Suspend the license, registration or permit for a date certain as a final decision. All suspensions of alcohol licenses shall be for not less than 10 days nor more than 90 days.
- c) Request additional information as an interim decision prior to taking future action.
- d) Make appropriate conditions for continuance or renewal of the license, alone or in conjunction with any other action(s) authorized herein, as a final decision.

e) Take no action as a final decision.

11) If no hearing is requested by the person or corporation subject to charge within the time herein noted (or in the case of alcohol license hearings, the person or corporation does not appear at the hearing), the license, registration or permit shall be revoked by the Town Board.

12) Specific reasons that may be considered, at minimum, by the Town Board in determining whether to initially issue or not issue a license, or to revoke or suspend a license are as follows:

- a) A false statement was made in the application, or included in the material attached to the application by the applicant.
- b) The applicant was not of a good moral character.
- c) The applicant was not a citizen of the United States, or was not a legal alien.
- d) The use, activity, business or operation as proposed by the applicant will be detrimental to the peace, health, safety and general welfare of the public of the Town.
- e) The use, activity, business or operation as proposed by the applicant will likely cause a public nuisance in the Town.
- f) The use, activity or operation as proposed by the applicant will not likely conform or meet the conditions of the ordinance or any specific state or federal law or regulation.
- g) The applicant, if a corporation, was not authorized to do business in Wisconsin.
- h) The applicant was not of age.
- i) The applicant was not legally competent.
- j) The applicant did not meet the specific conditions for issuance of a specific license, registration or permit.

13) In each case where a license is refused issuance in the first instance, or refused to be renewed, or where the license is suspended or revoked, the Town Board shall do so based upon rational reasons, and notice of the decision and reasons for the decision shall be conveyed by the Town Clerk to the applicant, or licensee.

4.30 ADMINISTRATION

Unless otherwise noted by order of the Town Board, the Town Clerk shall be the officer of the Town responsible for administration of the Town licenses, registrations and permits.

CHAPTER 5: SPECIFIC LICENSES

5.10 MOBILE HOME PARK/MOBILE HOME PARKING PERMIT ORDINANCE

1) **Coverage:** Every person or corporation, subject to s. 66.0435, Wisconsin Statutes, as amended or renumbered from time to time, and this ordinance, who maintains or operates within the Town of Bradley any mobile home park shall first seek and obtain a mobile home park license from the Town of Bradley. The fee for such license shall be established by the Town Board at not less than \$25.00, nor more than \$100.00 for each 50 spaces, or fraction thereof, except if the mobile home park is in two municipalities. Then, the amount of the license fee shall be determined by multiplying the gross fee by a fraction the numerator of which is the number of spaces, or fraction thereof, in the park in the town, and the denominator of which is the entire number of spaces, or fraction thereof, in the park. The

fee shall be established annually by the Town Board prior to January 1st. The fees are noted in Section 4.11. The license shall be issued from January 1st to December 31st.

2) **Application/License:** The application and license shall designate the premises. The Town Board may approve the transfer of the license, but may charge a fee of \$10.00 for each transfer. No license may be transferred, without Town Board approval. The original application shall include:

- a) the name of the applicant
- b) the address of the applicant
- c) the location of the premises and legal description
- d) the telephone number of the applicant
- e) the complete plan of the park
- f) plans and specifications in compliance with all applicable ordinances of the town, and provisions of the department of health and family services shall be filed with the original application.

3) No person shall be issued or re-issued a mobile home park license in the Town until the person owns or has leased a premises in the Town, to be operated and maintained as the mobile home park. The applicant and licensee shall comply at all times with s. 66.0435, Wisconsin Statutes, as amended or renumbered from time to time, and this ordinance.

4) The license is subject to revocation or suspension for cause by the Town Board, upon complaint filed with the Town Clerk, and upon hearing as provided in s. 66.0435 (2)(d) Stats., as amended or renumbered from time to time; and/or the provisions of section 4.20 of the Town Code.

5) Mobile Home Monthly Parking Permit Ordinance:

a) Every person, pursuant to s. 66.0435, Wisconsin Statutes, as amended or renumbered from time to time, and this ordinance, who occupies a space in a mobile home park in the town, or owns land outside of a mobile home park in the Town, upon which stands a mobile home, and which mobile home is not exempt under s. 66.0435, Wisconsin Statutes, as amended or renumbered from time to time, shall pay a monthly parking permit fee. These amounts shall be remitted to the Town Treasurer by the 10th day following the month the fees are due. The mobile home park licensee shall collect, and is liable for all monthly parking permit fees for all mobile homes in the park, and shall forward these amounts to the Town Treasurer. The owner and occupant of the mobile home occupying space in such mobile home park, shall also be liable for such fee. The owner of the land outside of a park shall pay the fee for mobile homes located thereon, to the Town Treasurer, but may collect same from the owner of the mobile home. The fees shall be calculated pursuant to s. 66.0435 (3)(c), Wisconsin Statutes, as amended or renumbered from time to time.

b) The mobile home park licensee and the owner of any land wherein a mobile home has been parked shall furnish information to the Town Clerk on forms developed and provided by the Wisconsin Department of Revenue, within 5 days of the arrival of the mobile home. Failure to report the information within 5 days shall subject the licensee or owner to a forfeiture of \$25.00. Each failure to report is a separate offense.

c) A mobile home park licensee may deduct, for administrative expenses, 2% of the monthly parking permit fees collected, before remitting same to the Town Treasurer.

6) **Penalties:** Any person who fails to comply with Section 5.10 of this ordinance shall be subject to a forfeiture as set forth in Section 4.11(b).

5.15 BUILDING PERMIT ORDINANCE

1) **Coverage:** Every person, pursuant to s. 66.058 and s.101.65 Wis. Stats., and this ordinance, in the Town of Bradley, who constructs a new one or two family dwelling, including installing a manufactured building or a mobile home, shall first seek and obtain a building permit from the Town of Bradley.

2) **Fees:** The fees shall be established by the Town Board of the Town of Bradley. The fees are as noted in Section 4.13(c).

3) **Application:** The building permit shall be issued from July 1 of one year to June 30 of the next year. The permit shall be issued by the Town Clerk of the Town of Bradley prior to the person commencing any form of construction or installation noted above in the Town of Bradley. The permit is issued upon the condition that, and does hereby require that, all construction under the permit shall comply with the requirements of the One and 2-family dwelling code and any rules adopted thereunder, ie. S. 101.60-101.66 Stats. The dwelling, as located and constructed, shall comply with the Lincoln County Zoning Ordinance. The applicant shall complete and provide the information requested on the standard building permit form prescribed by the department of commerce and utilized by the Town. The permit may not be amended if the person changes the premises in the Town of Bradley for the construction project. The permit is not transferable from one person to another. A mobile home moved from one location to another in the town must reapply for another permit.

4) **Definitions:** This ordinance adopts the definitions found in s. 66.058, 101.61, and 101.71 Stats., which are incorporated by reference. "Person" means a natural person, partnership, limited liability company, corporation or association.

5) The Town of Bradley may not issue a building permit to a person who is required to be certified under s. 101.654 Stats., unless that person, on applying for a building permit, produces a certificate of financial responsibility issued by the department of commerce, showing that the person is in compliance with s. 101.654 Stats.

6) The Town Clerk shall provide an owner who applies for a building permit with a statement advising the owner that if the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654(2)(a) Stats., the following consequences might occur:

- a. The owner may be held liable for any bodily injury to, or death, of others, or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.
- b. The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and 2-family dwelling code or this ordinance, because of any bodily injury to or death of others or damage to the property of others that arises out of work performed under the building permit or because of any bodily injury or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

7) **Mobile Homes/Application:** In addition to any applicable information contained on the standard building permit form prescribed by the department of commerce, applicants for a permit for a mobile home shall provide the following information, deemed relevant to the health and safety of residents of the Town, and pertaining to the mobile home:

- a. Names and addresses of the owners of the real estate where the mobile home is to be located.
- b. Legal description for the real estate where the mobile home is to be located.
- c. Exact location of the mobile home on the real estate.
- d. Description of and location of sanitation facilities.
- e. Make and year of manufacture.
- f. Proof of consent by the owner of the real estate.
- g. Proof that the mobile home complies with any applicable federal code (HUD), and has code compliant plumbing, electrical components, and structural integrity.

8) **Penalties:** Any person who fails to comply with this ordinance may be required to forfeit no more than \$50.00 for each day of non-compliance, and/or after a hearing before the Town Board, may have the permit revoked, and/or may be required to bring a dwelling into compliance, or remove any non-compliant dwelling. The Town Clerk of the Town of shall provide copies of this ordinance at no cost to any applicant requesting copies.

5.20 INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGE LICENSE ORDINANCE

1) Coverage:

a) Every person, pursuant to Chapter 125 of the Wisconsin Statutes, and this ordinance in the Town, who sells alcohol beverages with one-half of one percent (1/2 of 1%) of alcohol by volume or more, and wholesalers, retailers and distributors of such beverages in the Town, shall seek and obtain the following applicable license or permits from the Town Board, namely:

1. Class A Fermented Malt Beverage- Retailers

Authorizes retail sales of fermented malt beverages for consumption off the premises where sold and in original packages, containers and bottles.

2. Class B Fermented Malt Beverage- Retailers

Authorizes retail sales of fermented malt beverages to be consumed either on the premises where sold, or off the premises.

3. Class A Liquor- Retailers

Authorizes the retail sale of intoxicating liquor for consumption off the premises where sold and in original packages and containers.

4. Class B Liquor- Retailers

Authorizes the retail sale of intoxicating liquor to be consumed by the glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container, in multiples not to exceed 4 liters at any one time, and to be consumed off the premises where sold. In addition, wine may be sold

in the original package or container in any quantity to be consumed off the premises where sold.

5. Temporary Class B (Beer or Wine)

Authorizes the sale of beer, or wine containing not more than 6% alcohol by volume (depending upon which type of license is obtained), at picnic or similar gathering lasting less than 4 days. Such licenses may be issued only to bona fide clubs, county or local fair associations, agricultural societies, churches, lodges, or societies that have been in existence for at least 6 months, and to veterans' organizations.

6. Wholesalers License

Authorizes sales of fermented malt beverages in original packages or containers to retailers or wholesalers, not to be consumed in or about the premises where sold.

7. Operators Licenses (pursuant to s. 125.17 Stats.)

b) The fees for such licenses or permits shall be established annually by the Town Board. The fees are as noted in Section 4(a)(2). The license or permit shall be from July 1st of one year to June 30th of the next year, except as hereafter noted. Operator's licenses may be issued for a one or two year period from July 1st to June 30th.

2) Application/License/Permit:

a) The application and license or permit shall designate the area in the Town where the alcohol beverage will be sold. The license to sell alcohol beverages may be transferred if the licensee or permittee:

1. dies
2. becomes bankrupt
3. makes an assignment for benefit of creditors

b) If the licensee becomes disabled, the Town may, upon application, transfer the license/permit to the licensee's spouse, if the spouse qualifies for a license pursuant to Chapter 125 Stats., and this ordinance, and the spouse complies with the requirements under Chapter 125 for original applicants. However, the spouse is exempt from payment of the license fee for the year in which the transfer takes place.

c) Upon the happening of any events noted above, the personal representative, the surviving spouse (if a personal representative is not appointed), the trustee or the receiver may continue, or sell, or assign the business. If the business is sold or assigned, the license may be transferred to the successor owner or assigned at no charge if:

1. he or she complies with the requirements applicable to original applicants, and
2. he or she is acceptable to the Town Board and consent to the transfer is given by the Town Board.

d) The license to sell alcohol beverages may be transferred to another area or premises in the Town. Class A, Class B licenses, and operator's licenses, pursuant to s. 125.04(12) Stats., are limited to

only one transfer in any license or permit year. Transfers shall cost \$10.00 and shall be payable to the Town Clerk.

e) The application for license/permit noted herein shall be provided by the State Department of Revenue. This form shall be used, except for application for Operator's License, which shall be prepared by the Town.

f) The person(s) subject to this ordinance shall comply with Chapter 125 of the Wisconsin Statutes, and this ordinance. No person shall be issued or re-issued any of the noted alcohol beverage licenses/permits who has failed to properly and fully complete and submit to the Town Clerk the application form as called for herein.

g) No person, pursuant to s. 111.32, 111.321, 111.335 and 125.04, Stats., shall be issued or re-issued any of the noted alcohol beverage licenses/permits, who has been a habitual law offender, or convicted of a felony, unless the person has been duly pardoned.

h) Only natural persons that are residents of Wisconsin for at least 90 days shall be issued or re-issued the noted alcohol beverage licenses/permits, except a natural person applying for an Operator's License need not be a resident of Wisconsin at the time of application, but must be a resident at the time of issuance.

i) Only natural persons that have attained the legal drinking age shall be issued or re-issued the noted alcohol beverage licenses/permits, except a natural person applying for a Operator's License need not be of legal drinking age at the time of application, but must have attained such age at the time of issuance.

j) Only corporate persons whose agent meets the qualifications established in s. 125.04(6), Stats., and whose agent, officers, and directors meet the qualifications of 125.04(5), Stats., shall be issued or re-issued the noted alcohol beverage licenses/permits, except no foreign corporation shall be issued a Class B license.

k) No person shall be issued or re-issued a Class B license until the premises complies with the rules promulgated by the State Department of Health and Social Services governing sanitation in restaurants.

l) No person shall be issued or re-issued a Class A or B license for any premises in the Town until all delinquent taxes and assessments of the Town for that premises are paid to the Town Treasurer.

m) The Town Clerk may issue Temporary Class B (picnic)licenses under s. 125.26(6) and 125.51(10), without prior approval of the Town Board, after first considering the criteria for issuance as contained in this ordinance, and provided that the event for which the license is needed will take place before the next scheduled meeting of the Town Board. The application for such license must be filed with the Town Clerk at least 10 days prior to the granting of the license. The Town Clerk may refuse to issue any such license and require approval for issuance to come from the Town Board.

n) The Town Clerk may issue provisional retail Class A, and Class B Fermented Beverage; and retail Class A and Class B Intoxicating Liquor licenses pursuant to s. 125.185 Stats.

1. Such provisional licenses may be issued forthwith, without prior approval by the Town Board, upon receipt of an application on forms approved by the Town Clerk, if it appears to the Clerk from such application

a. The applicant is also applying for a license described in 5.20(1)1-4 inclusive.

b. The applicant would be qualified for issuance of such provisional license pursuant to the provisions of s.125.04(5) Stats, except that the provisional license applicant does not have to comply with s.125.04(5)(a)(5) Stats.

2. The provisional license application does not have to be filed with the Clerk 15 days prior to issuance, and the Clerk does not have to publish pursuant to s.125.04(3)(g) Stats., prior to issuance.

3. The provisional license expires 60 days after issuance, or when the applicant is issued a license described in 5.20(1)(a)1-4 inclusive, whichever occurs sooner.

4. The Town Clerk may revoke the provisional license, if the Clerk discovers that the holder of the provisional license made a false statement in applying for same.

3) Operators' License/Application/Temporary/Provisional

Operators licenses may be issued by the Town Board pursuant to s. 125.17 Stats., for the purpose of complying with s. 125.32(2) and 125.68(2) Stats. Subject to the exceptions contained in s. 125.17(6), Stats., applicants for all Operators licenses shall have completed a responsible beverage server training course as set forth in s. 125.17(6), Stats.

a) Temporary Operators' License may be issued only to operators employed by, or donating their services to, nonprofit corporations. No person may hold more than one license of this kind per year. The license is valid for up to 14 days and shall be stated upon the license.

b) Provisional Operators' License may be issued by the Town Clerk, without Town Board approval, to a person who has applied for an Operators License. The applicant must not have been denied an Operators License previously by the Town Board. The Provisional License expires 60 days after it's issuance, or when an Operators License is issued, whichever occurs first. The Town Clerk may revoke the Provisional License if the Clerk discovers that the holder made a false statement on the application. The Clerk shall also consider the criteria set forth in Section 5 (b) of this ordinance as they relate to the holding of licenses, in issuing a Provisional License.

c) The application for Operator's License shall include:

1. the name of the applicant
2. the address of the applicant
3. the telephone number of the applicant
4. the age of the applicant
5. the name of the premises where the alcohol beverage is to be sold
6. the address of the premises
7. the telephone number of the premises
8. history of the applicant relevant to the fitness of the applicant to hold a license
9. whether the application is for a Temporary Operator's License, or requests a Provisional License
10. length of residency in Wisconsin

11. any criminal arrest and conviction record, including description of acts, and whether applicant was pardoned

4) Other Provisions:

a) The Town Board shall, at minimum, establish written considerations and grounds for any determination to revoke, suspend, or not renew or re-issue to any person an alcohol beverage license or permit authorized by this ordinance. These considerations and grounds may be that the licensee or applicant:

1. violated Chapter 125, Stats., or this ordinance
2. kept or maintained a disorderly or riotous, indecent or improper house
3. sold or gave away alcohol beverages to known intoxicated persons
4. does not possess qualifications to hold license or permit
5. failed to maintain sanitary standards established by the State of Wisconsin, Lincoln County, or the Town of Bradley
6. has habitually been a law offender
7. has been convicted of a felony unless pardoned
8. other relevant considerations and grounds that may apply in a particular case.

b) The Town Board should find that the considerations and grounds occurred by the preponderance of the evidence presented to it at a hearing. The procedures for holding such hearing are set forth in s. 125.12 Stats., and this ordinance.

5) Nudity Ordinance:

a) No retail Class B licensee, shall suffer or permit any person to appear on licensed premises in such manner or attire as to expose to view any portion of the pubic area, anus, vulva, or genitals, or any simulation thereof, nor shall suffer or permit any female to appear on licensed premises in such manner or attire as to expose to view any portion of the breast below the top of the areola, or any simulation thereof.

b) Any licensee who shall violate the preceding paragraph shall be subject to revocation, suspension, or refusal to renew the license as set forth in s. 125.12 Stats., and the procedures in such section shall govern.

5.30 MISCELLANEOUS LICENSES AND PERMITS

1) Highway Access Permit:

a) No person shall make any excavation or fill or install any culvert or make any other alteration in any town road, or in any manner disturb any town road or bridge without a permit therefor from the Town Board.

b) Such permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by the Town Board, and be performed and completed to its satisfaction, and in the case of temporary alterations that the town road or bridge shall be restored to its former condition, and that the permittee shall be liable to the town for all damages which occur during the progress of said work, or as a result thereof.

c) Nothing herein shall abridge the right of the Town Board to make such additional rules, regulations, and conditions not inconsistent herewith, as may be deemed necessary and proper for the preservation of town roads, or for the safety of the public, and to make the granting of any such permit conditional thereon.

d) If any culvert is installed or any excavation or fill or any other alteration is made in violation of the provisions of this subsection, the town road may be restored to its former condition by the Town Board.

2) Recycling Permit:

Persons who collect waste or recyclables in the Town of Bradley are subject to the provisions of section 6.19 of the Recycling Ordinance of the Town of Bradley.

CHAPTER 6: RECYCLING ORDINANCE

6.01 Title. Recycling Ordinance for Town of Bradley.

6.02 Purpose. The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s.159.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

6.03 Statutory Authority. This ordinance is adopted as authorized under s.159.09(3)(b), Wis. Stats.

6.04 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

6.05 Interpretation. In this interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes or by a standard in Chapter NR 544 Wis. Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

6.06 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

6.07 Applicability. The requirements of this ordinance apply to all persons within the Town of Bradley.

6.08 Administration. The provisions of this ordinance shall be administered by the Town Board or its designate.

6.09 Effective Date. The provisions of this ordinance shall take effect on the later of date of publication or January 1, 1995.

6.10 Definitions. For the purpose of this ordinance:

(1) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

(2) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.

- (3) "HDPE" means high density polyethylene plastic containers marked by the SPI code No. 2.
- (4) "LDPE" means low density polyethylene plastic containers marked by the SPI code No. 4.
- (5) "Magazines" means magazines and other materials printed on similar paper.
- (6) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator or stove.
- (7) "Mixed or other plastic resin types" means plastic containers marked by the SPI code No. 7.
- (8) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
- (9) "Newspaper" means a newspaper or other material printed on newsprint.
- (10) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
- (11) "Office paper" means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.
- (12) "Person" includes any individual, corporation, partnership, association, local governmental unit, as defined in s.66.299(1)(A), Wis. Stats., state agency or authority or federal agency.
- (13) "PETE" means polyethylene terephthalate plastic containers marked by SPI code No. 1.
- (14) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s.144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s.144.(7)(a)1., Wis Stats.
- (15) "PP" means polypropylene plastic containers marked by the SPI code No. 5.
- (16) "PS" means polystyrene plastic containers marked by the SPI code No. 6.
- (17) "PVC" means polyvinyl chloride plastic containers marked by the SPI code No. 3.
- (18) "Recyclable materials" includes lead acid batteries, major appliances, waste oil, yard waste, aluminum containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspapers, office paper, plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS, and mixed or other plastic resin types, steel containers, waste tires, and bi-metal containers.
- (19) "Solid waste" has the meaning specified in s.144.01(15), Wis. Stats.
- (20) "Solid waste facility" has the meaning specified in s.144.43(5), Wis. Stats.

(21) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

(22) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

(23) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

6.11 Separation of Recyclable Materials. Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

- (1) Lead acid batteries
- (2) Major appliances
- (3) Waste oil
- (4) Yard waste
- (5) Aluminum containers
- (6) Bi-metal containers
- (7) Corrugated paper or other container board
- (8) Foam polystyrene packaging
- (9) Glass containers
- (10) Magazines or other materials printed on similar paper
- (11) Newspapers or other materials printed on newsprint.
- (12) Office paper
- (13) Plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and mixed or other plastic resin types.
- (14) Steel containers
- (15) Waste tires

6.12 Separation Requirements Exempted. The separation requirements of s.6.11 do not apply to the following:

- (1) Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s.1.11 from solid waste in as pure a form as is technically feasible.
- (2) Solid waste which is burned as a supplemental fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplemental fuel.
- (3) A recyclable material specified in s.1.11 for which a variance or exemption has been granted by the Department of Natural Resources under ss.159.07(7)(d) or 159.11.(2m) Wis. Stats. or s.NR544.14, Wis. Administrative Code.

6.13 Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s.6.11 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household

hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

6.14 Management of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste.

Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

- (1) Lead acid batteries shall be delivered to a Town of Bradley Recycling Site, or as determined by the Town Board, to an alternate designated site for disposal. A small fee may be charged for each battery. Alternatively, a battery may be returned to a retail store dealing in batteries pursuant to the provisions of s.159.18 Wis. Stats.
- (2) Major appliances shall be delivered to a Town of Bradley Recycling Site, or as determined by the Town Board, to an alternate designated site for disposal.
- (3) Waste oil from a automotive engine shall be delivered to a Town of Bradley Recycling Site, or an engine waste oil collection facility pursuant to s.159.15 Wis. Stats. Waste oil shall be placed in a sealed container and shall not be mixed with any other substances. No commercial or industrial oil shall be accepted at a Town of Bradley Recycling Site.
- (4) Yard waste shall be managed on site by each person, unless the Town maintains a composting site. Instructions on home composting and other preparation may be obtained from the Town Clerk.
- (5) Fees may be charged by the Town of Bradley or its approved contractor for the items set forth in s.6.14, as determined by the Town Board and/or any applicable contract between the Town of Bradley and a contractor providing services for hauling, collecting and/or processing any such items.

6.15 Preparation and Collection of Recyclable Materials. Except as otherwise directed by the Town Board or designate, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials specified in s.6.11(5) through (15); , and shall be delivered to a Town of Bradley Recycling Site, or as determined by the Town Board, to an alternate designated site, during the days and hours of operation, and shall be placed in designated receptacles.

- (1) Aluminum containers shall be delivered to a Town of Bradley Recycling Site and deposited in a designated receptacle.
- (2) Bi-metal containers shall first be emptied of all material, including liquid; have the ends, the lid, and all paper and labels removed, and be cleaned and flattened.
- (3) Corrugated paper or other container board shall be flattened, with smaller boxes broken down and placed inside the largest box, and kept dry. Wax-coated or plastic lined corrugated paper or container board, may not be recycled.
- (4) Foam polystyrene packaging shall be separated from other material, and other packaging.
- (5) Glass containers shall have all caps, rings, and foil removed, and shall be cleaned. Labels may be left on. Only food and beverage containers may be recycled (no window glass, mirrors, or light bulbs). Glass shall be separated by color as follows: clear, green, brown, and blue.
- (6) Magazines or other materials printed on similar paper shall be stacked about 12 inches high

and tied in 2 directions with twine, or stacked in grocery bags (no wire or plastic), and must be kept dry.

- (7) Newspapers or other materials printed on newsprint shall be stacked about 12 inches high and tied in 2 directions with twine, or stacked in grocery bags (no wire or plastic), and must be kept dry. Glossy inserts shall be included with magazines in paragraph 6 above.
- (8) Office paper, (including junk mail, but excluding glossy inserts) shall be stacked 12 inches high and tied in 2 directions with twine, or stacked in grocery bags (no wire or plastic), and must be kept dry. Do not include plastic from windowed envelopes, carbons, plastic, foil, candy wrappers, tissue paper, or waxed paper.
- (9) Plastic containers shall be prepared and collected as follows:
 - (a) All plastic containers (SPI Code No. 1 through 7, except motor oil and anti-freeze containers which are not recyclable), shall have caps and rings removed, and be cleaned, flattened, and labels may be left on, and
 - (1) Plastic containers made of PETE (SPI Code No. 1), shall be separated and placed in a designated receptacle.
 - (2) Plastic containers made of HDPE (SPI Code No. 2), shall be separated and placed in a designated receptacle.
 - (3) Plastic containers made of PVC (SPI Code No. 3), shall be separated and placed in a designated receptacle.
 - (4) Plastic containers made of LDPE (SPI Code No. 4) shall be separated and placed in a designated receptacle.
 - (5) Plastic containers made of PP (SPI Code No. 5), shall be separated and placed in a designated receptacle.
 - (6) Plastic containers made of PS (SPI Code No. 6), shall be separated and placed in a designated receptacle.
 - (7) Plastic containers made of mixed or other plastic resin types, shall be separated and placed in a designated receptacle.
- (10) Steel containers shall first be emptied of all material, including liquid; have the lid and all paper and labels removed, and be cleaned and flattened.
- (11) Waste tires shall be delivered to a Town of Bradley Recycling Site, or as determined by the Town Board, to an alternate designated site for disposal. A small fee may be charged for each tire.

6.16 Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

- (1) Owners or designated agents of multiple-family dwellings shall do all of the following for recycling the materials specified in s.6.11(5) through (15):

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
- (c) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
- (d) Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

(2) The requirements specified in (1) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s.1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

6.17 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

(1) Owners or designated agents of non-residential facilities and properties shall do all the following for recycling the materials specified in s.6.11(5) through (15):

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
- (c) Provide for the collection of the materials separated occupants and the delivery of the materials to a recycling facility.
- (d) Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods of sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

(2) The requirements specified in (1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s.6.11(5) through (15) from solid waste in as pure a form as is technically feasible.

6.18 Prohibitions on Disposal of Recyclable Materials. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in s.6.11 (5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

6.19 Hauler Specifications. No person shall engage in the business of hauling recyclables within the Town of Bradley without being licensed by the DNR under section NR 502.06 Wis. Adm. Code, and

- (a) Persons who collect waste or recyclables in the Town of Bradley for storage, treatment, processing, marketing or disposal shall obtain and maintain a permit from the Town of Bradley and pay the prescribed permit fee in s. 4.13(b) herein, as well as obtain and maintain all other necessary state permits, licenses, and approvals prior to collecting any materials in the Town of

Bradley.

(b) Permitted persons under s. 6.19 (a), operating in the Town of Bradley shall maintain records and file semi-annual reports with the Town Clerk, on forms prepared by the Town. Such reports may include, but are not limited to the following information, to-wit: the amount of solid waste and recyclables collected and transported, by item type, from the Town of Bradley; the amount of solid waste and recyclables processed and/or marketed, by item type, from the Town of Bradley; and the final disposal location of solid waste and recyclable material. Failure to report shall be cause for the Town to revoke any permit, and/or sever any contract with such person.

6.20 Exemptions. The Town Board reserves the right to designate additional solid waste materials as recyclables or currently collected materials as no longer recyclable, in accordance with state law, and to either add or delete them from any collection services provided by the Town of Bradley or its contractors. The Town shall provide written notice to its service recipients of this declaration.

6.21 Rights to Reject Materials. The Town of Bradley and/or its contractor has the right to reject any recyclable material that is not prepared according to the specifications in this Ordinance, or in education material provided by the Town or contractor to the service recipients. Material may also be rejected if not separated from solid waste, or placed in the proper designated receptacle. The Town Board or its designate shall notify the generator of the materials about the reasons for rejecting the items. The Town, or it's contractor shall also keep a list of such occurrences, and the contractor shall provide any such list to the Town Clerk when requested.

6.22 Garbage from Outside of Town. It shall be unlawful for any person to bring refuse and/or recyclables for disposal, from outside the corporate limits into the Town of Bradley unless authorized by agreement with the Town Board.

6.23 Nondisposable Materials. It shall be unlawful for any person to place for disposal any of the following wastes:

Hazardous and toxic waste, chemicals, explosives, flammable liquids, paint, trees and stumps, construction debris, carcasses, and medical waste (unless personal needles which shall be contained in cardboard to eliminate injury to collection personnel).

6.24 Enforcement. (1) Any authorized officer, employee or representative of the Town Board may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, solid waste disposal facilities and solid waste treatment facilities, and any records relating to recycling activities, for the purpose of ascertaining compliance with the provisions of this ordinance. No person may refuse access to any authorized officer, employee or authorized representative of the Town Board who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(2) Any person who violates a provision of this ordinance may be issued a citation by a designate of the Town Board to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

(3) Penalties for violating this ordinance may be assessed as follows:

(a) Any person who violates s.6.18 may be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and not more than \$2000.00 for a third or subsequent violation.

(b) Any person who violates a provision of this ordinance, except s.6.18, may be required to forfeit not less than \$10.00 nor more than \$1000.00 for each violation.

Chapter 7: SNOWMOBILES AND ALL-TERRAIN VEHICLES

7.10 Title. An Ordinance Designating Certain Town Roads As Snowmobile Routes-And All-Terrain Vehicles Routes.

7.12 Purpose. The purpose of this ordinance is to designate certain roads in the Town of Bradley as snowmobile routes and certain roads as all-terrain vehicle routes.

7.13 Statutory Authority. This ordinance is adopted as authorized under s.350.04(2) of the Wisconsin Statutes (snowmobiles), and s.23.33(11) of the Wisconsin Statutes (all-terrain vehicles). It is intended that this ordinance as it relates to all-terrain vehicles is adopted in strict conformity with s.23.33 of the Wisconsin Statutes and rules promulgated by the Wisconsin Department of Natural Resources under that section and encompasses all aspects encompassed by that section.

7.14 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

7.15 Applicability. The requirements of this ordinance apply to all persons within the Town of Bradley. This ordinance shall supercede any previous ordinances or resolutions of the Town of Bradley that may conflict with any of the provisions herein.

7.16 Effective Date. The provisions of this ordinance shall take effect on passage and publication.

7.17 Definitions. For the purpose of this ordinance:

(1) "Snowmobile" has the meaning designated in s.340.01(58a) of the Wisconsin Statutes, and as it may be amended.

(2) "Snowmobile route" means a highway or sidewalk designated for use by the Town Board as authorized under this ordinance.

(3) "Snowmobile season" shall refer to those months, or portions thereof, wherein snow covers the ground so as to allow the safe operation of a snowmobile.

(4) "All-terrain vehicle" has the meaning specified under s.340.01(2g) of the Wisconsin Statutes, and as it may be amended.

(5) "All-terrain vehicle route" means a highway or sidewalk designated for use by all-terrain vehicle operators by the Town Board as authorized under this ordinance.

7.18 Designation of Snowmobile Routes. The following town roads or portions thereof, are hereby designated as snowmobile routes for snowmobile operation during the snowmobile season subject to the limitations set forth hereafter, to wit:

- (1) Kyes Road
- (2) Herb Mitchell Road
- (3) Nibler Road from King town line to Muskellunge Lake Road and 1/2 mile north on Muskellunge Lake Road.
- (4) Willow Road
- (5) Lamer Road
- (6) Muskellunge Lake Road (as marked) from south side of Sections 11 and 12, Township 35 North, Range 6 East, to Nibler Road.
- (7) Koth Road
- (8) Skudris Road
- (9) Crass Road from Business Highway 51 to Kaphaem Road and from Business Highway 51 to Kyes Road.
- (10) Kaphaem Road to the city limits of the City of Tomahawk
- (11) Heafford Road from the tavern known as "Our Place" or as hereafter designated to CTH L.
- (12) Essex Road
- (13) Loop Road
- (14) Frontage Road to allow access to snowmobile trail.
- (15) Roberts Road
- (16) Kings Road from the City of Tomahawk city limits to Highway 86.
- (17) Sunset Point Road
- (18) That portion of Muskellunge Lake Road, from Moodig Road to County Highway A.
- (19) Cattail Lane- the East side of the road on the right-of-way from the edge of the blacktop to the fence line.

7.19 Limitations for Snowmobiles. Snowmobile operation on the above snowmobile routes is subject to the following limitations:

- A). Except as otherwise provided in s. 17.18, snowmobiles shall be operated on the extreme right side of the roadway.
- B). Left turns shall be made as safely as possible from any position depending on snow cover and other prevailing conditions.
- C). Snowmobile operators shall yield right-of-way to other vehicular traffic and pedestrians.
- D). Town roads designated for snowmobile operation shall be marked in accordance with s.350.13 of the Wisconsin Statutes and as the same may be amended. Signs must be of a type approved by the Department of Natural Resources and the Department of Transportation.

E). Snowmobile operation is not permitted on state trunk highways or connecting highways except as provided in s.350.02 of the Wisconsin Statutes.

F). All operation of snowmobiles under this ordinance shall comply and conform with all of the provisions of Chapter 350 of the Wisconsin Statutes, as well as the provisions of Chapter 346 of the Wisconsin Statutes, as designated in s.346.02(10) of the Wisconsin Statutes.

7.20 Designation of All-Terrain Vehicle Routes. The following town roads or portions thereof, are hereby designated as all-terrain vehicle routes for all-terrain vehicle operation, during the snowmobile season, subject to the limitations set forth hereafter, to wit:

(1) Herb Mitchell Road

(2) That portion of Sunset Point Road and Loop Road, of approximately .4 miles from the present Richard Eineicher residence at W6906 Loop Road, proceeding South to the sanctioned East-West snowmobile trail.

7.205 Designation of Year Round All-Terrain Vehicle Routes. The following town roads or portions thereof, are hereby designated as all-terrain vehicle routes for all-terrain vehicle operation, and are open the year round, subject to the limitations set forth hereafter, to wit:

- (1) Crass Road from CTH D to CTH S (Amended 4-10-12)
- (2) Kaphaem Road to the city limits of the City of Tomahawk
- (3) Kings Road from the City of Tomahawk city limits to CTH D
- (4) Bay Mill Road from the City of Tomahawk to CTH CC
- (5) Echo Valley Road from CTH A to Echo Point Road (Amended 8-8-2011)
- (6) Swamp Road from CTH O to the Town of Tomahawk (Amended 3-12-2012)
- (7) Willow Lane from CTH A to Tomahawk Lumber Driveway (amended 3-12-2012)
- (8) Moodig Road (Amended 3-12-2012)
- (9) Muskellunge Lake Road (Amended 3-12-2012)
- (10) Nibler Road from Muskellunge Lake Road to the Town of King (3-12-2012)
- (11) Schmidtbauer Road (Amended 3-12-2012)
- (12) Dereg Road (Amended 3-12-2012)
- (13) Lamer Road (Amended 3-12-2012)
- (14) Lonn Road (Amended 3-12-2012)
- (15) Roberts Road from CTH L to Lonn Road (Amended 3-12-2012)
- (16) Selmer Road (Amended 3-12-2012)
- (17) Heafford Road (Amended 3-12-2012)
- (18) Robinson Road from CTH L to the Town of Nokomis (Amended 3-12-2012)
- (19) Honeymoon Bay Road (Amended 3-12-2012)
- (20) Sunset Drive from CTH N to the Town of Nokomis (Amended 3-12-2012)
- (21) Kyes Road from Crass Road to the Town of Skanawan (Amended 4-10-2012)
- (22) Koth Road (Amended 4-10-2012)
- (23) Skudris Road (Amended 4-10-2012)
- (24) Norlander Road (Amended 4-10-2012)
- (25) Curve Inn Road (Amended 4-10-2012)
- (26) Hoovie Road (Amended 4-10-2012)
- (27) Peaceful Valley Road (Amended 6-11-2012)
- (28) Mohawksin Road (Amended 6-11-2012)

- (29) Geoffroy Road (Amended 6-11-2012)
- (30) Vacation Lane (Amended 6-11-2012)
- (31) Park Lane (Amended 6-11-2012)
- (32) River Oaks Road (Amended 6-11-2012)
- (32) Thomas Road (Amended 6-11-2012)
- (33) Stelling Road (Amended 6-11-2012)
- (34) Tannery Road from Red Pine to Jersey Lane (Amended 7-9-2012)
- (35) Red Pine Road (Amended 7-9-2012)
- (36) Kablitz Road (Amended 7-9-2012)
- (37) Wimmer Road (Amended 7-9-2012)
- (38) Red Pine Road (Amended 7-9-2012)
- (39) Rice Road (Amended 7-9-2012)
- (40) Tannery Road from Red Pine to HWY 8 (Amended 11-12-2012)
- (41) Green Box Road (Amended 11-12-2012)
- (42) Milky Road (Amended 11-12-2012)

7.21 Limitations for All-Terrain Vehicles. All-terrain vehicle operation on all-terrain vehicle routes is subject to the following limitations:

- A). All-terrain vehicles shall be operated on the extreme right side of the pavement, except for left turns.
- B). Left turns may be made from any part of the roadway which is safe given prevailing conditions.
- C) The operator must not exceed the route speed limit or 25 mph, whichever is less, except the ATV must slow to 10 mph when operated within 150 ft. of a dwelling, or within 100 ft. of a pedestrian or someone not on a motorized vehicle.
- D) All-terrain vehicles shall be operated in single file.
- E) All-terrain vehicles shall be operated with working head lamps and tail lamps on.
- F). All-terrain vehicle operators shall yield right-of-way to other vehicular traffic and pedestrians.
- G) All operators age 12 to 16 inclusive, shall be accompanied (but not necessarily on the same machine), by a person at least 18 years of age.
- H). Town roads designated for all-terrain vehicle operation shall be marked in accordance with s.23.33(8)(e) of the Wisconsin Statutes, and as it may be amended. Signs must be of a type approved by the Department of Natural Resources and the Department of Transportation.
- I). All-terrain vehicle operation is not permitted on state trunk highways or connecting highways except as provided in s.23.33 of the Wisconsin Statutes.
- J). All operation of all-terrain vehicles under this ordinance shall comply and

conform with all of the provisions of Chapter 346 of the Wisconsin Statutes, as designated in s.346.02(11) of the Wisconsin Statutes, as well as s. 23.33 of the Wisconsin Statutes, and all rules promulgated by the Wisconsin Department of Natural Resources under s.23.33 of the Wisconsin Statutes.

7.22 **Miscellaneous.** The Town Clerk shall send a copy of this ordinance to the Department of Natural Resources and the Lincoln County Sheriff's Department.

7.23 **Enforcement and Penalties.** Chapter 7 of the Town Code may be enforced by the town constable or other town designee, as well as any law enforcement officer authorized to enforce the laws of Wisconsin. Any person violating any portion of Chapter 7 shall forfeit not more than \$250.00.

Chapter 8: PARKING REGULATIONS

8.10 **Title.** An ordinance regulating the parking of vehicles and trailers on town roads.

8.12 **Purpose.** The purpose of this ordinance is to safely regulate parking on various town roads in the Town of Bradley, to insure safe passage by vehicles, and for prompt and efficient road maintenance, including snow removal.

8.14 **Statutory Authority.** This ordinance is adopted pursuant to the authority granted under s. 349.13 of the Wisconsin Statutes, and within the reasonable exercise of the police power of the Town of Bradley.

8.16 **Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

8.17 **Applicability.** The requirements of this ordinance shall apply to all persons within the Town of Bradley. This ordinance shall supersede any previous ordinance or resolutions of the Town of Bradley that may conflict with any of the provisions herein.

8.18 **Effective Date.** The provisions of this ordinance shall take effect on passage and publication.

8.19 **Definitions.** The definitions contained in s.340.01 of the Wisconsin Statutes, as amended from time to time, are adopted hereby for the purpose of interpreting this ordinance.

8.20 **Parking regulations.** No person shall park a vehicle, camping trailer, or trailer (hereafter, both "camping trailer" and "trailer" are referred to as "trailer"), in areas or zones marked by Town of Bradley traffic signs, in violation of the directives contained on such signs, except as may be authorized by s.346.50 of the Wisconsin Statutes, as amended from time to time. Such signs shall be placed at the direction of the Town Board or it's designate.

8.25 **Enforcement.**

A). The Town Board may designate a traffic officer pursuant to s.349.13 of the Wisconsin Statutes, to enforce this ordinance by doing any or all of the following:

1. Issuing citations for violations.
2. Removing or storing the violating vehicle or trailer.
3. Requiring the operator in charge to move the vehicle or trailer.

B). The Town of Bradley may contract with private individuals for the removal and/or storage of any vehicle or trailer.

C). The Town of Bradley may recover from the owner or operator of such vehicle or trailer, in addition to any penalty set forth hereafter, the actual cost to the Town of the removal and/or storage of such vehicle or trailer.

D). The owner or operator of the vehicle or trailer removed and/or stored, shall be liable for the reasonable actual charges for removal and/or storage.

E). Any person violating this ordinance may be assessed a forfeiture of not less than \$50.00, nor more than \$500.00.

8.30 **Special Exceptions.** The Town Board may authorize persons whose residences abut a town road, in a zone where parking is limited by official signs, to park their vehicles in the zone without regard to the posted limitations.

Chapter 9: An ordinance authorizing the recovery of fire charges from benefit recipients &/or property owners.

9.10 **Purpose:** The Town Board annually contracts for fire protection services for the Town of Bradley, and the cost of providing those services continues to rise. Until now the Town has absorbed the entire cost of providing such services, without any reimbursement from the persons actually benefited. It seems fair and reasonable that the ultimate recipient of such services should be responsible for at least the cost of their individual fire call.

9.20 **Recipient billing procedure:** Beginning upon passage and publication, the Town of Bradley shall make a charge for fire services as follows:

a) The actual cost to the Town, of each fire call in the Town of Bradley (not including any part of the annual contract fee) shall be charged to the recipient of such services and/or the owner of the property, whether real or personal, benefited by such services.

b) A billing statement shall be sent by the Town Clerk to the responsible parties and shall be paid within 60 days thereafter, the due date.

c) In the event of non-payment, the charges shall bear interest at the rate of 12 % per annum, from the due date until paid.

d) The Town Board may collect the unpaid charges by all methods authorized by law for the collection of debts and other obligations, including through court proceedings. The cost of such proceedings, including actual attorneys' fees, shall be added to all sums due, unless otherwise prohibited by state or federal law.

e) The Town Board may impose a special charge against the real estate served by the fire call, in the amount of such charges, pursuant to the procedures found in s. 66.0627 Stats., as may be amended from time to time. A delinquent special charge shall become a lien against the real estate against which it is imposed, as of the date of delinquency. A delinquent special charge shall be included in the current or next tax roll for collection and settlement under Chapter 74 Stats.

Chapter 10: AN ORDINANCE TO REGULATE BOATING UPON CERTAIN WATERS IN THE TOWN OF BRADLEY

10.10 Applicability and Enforcement.

- A. The provisions of this ordinance shall apply to certain navigable waters in the Town of Bradley.
- B. This chapter may be enforced by the Town Board; or those designated by the Town Board for such purposes; the Town's employees, or agents; and by any duly authorized law enforcement officer.

10.20 Purpose. The purpose of this ordinance is to provide for the public's health, safety or welfare, including the public's interest in preserving the state's natural resources, as they may relate to boating and speed of operation in the Town of Bradley. In enacting this ordinance, the town board has taken into account various factors that include all of the following:

- A. The type, size, shape and depth of the body of water and any features of special environmental significance that the body of water has.
- B. The amount, type and speed of boating traffic on the body of water, and boating safety and congestion.
- C. The degree to which the boating traffic on the body of water affects other recreational uses and the public's health, safety and welfare, including the public's interest in preserving the state's natural resources.

10.30 Authorization. The town board is authorized to enact such ordinance pursuant to s. 30.77 Stats.

10.40 Definitions.

- A. "Slow-No-Wake" means the speed at which a boat moves as slowly as possible while still maintaining steerage control.
- B. The definitions contained in s. 30.50 Stats., as amended from time to time, are adopted by reference herein, as if set forth at length.

10.50 Controlled Area. No person shall operate a boat faster than "slow-no-wake", in the following waters in the Town of Bradley:

The channel area connecting the North end of Deer Lake to Bridge Lake in the N ½ of the NW ¼ of Section 1; and the E ½ of the NE ¼ of Section 2, all in Township 35 North, Range 6 East.

10.60 Posting Requirements. The Town of Bradley shall place and maintain a copy of this ordinance at all public access points on Deer Lake and Bridge Lake, within the jurisdiction of the Town, and at the Town Hall.

10.70 Penalties. Any person violating any provision of this ordinance shall forfeit not more than \$100 for the first offense, and shall forfeit not more than \$500 upon conviction of the same offense a second or subsequent time within one year, as measured from date of violation.

10.80 Severability. The provisions of this ordinance shall be deemed severable. If any provisions of this ordinance or the application to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons and circumstances shall not be affected.

Chapter 11: **OPERATING GOLF CARTS ON TOWN ROADS**

11.10 Title. An Ordinance Regulating the Operation of Golf Carts on Town Roads in the Town of Bradley.

11.12 Purpose. The purpose of this ordinance is to regulate the operation of golf carts on certain town roads within one mile of a golf course in the Town of Bradley.

11.13 Statutory Authority. This ordinance is adopted as authorized under s.349.18(1) of the Wisconsin Statutes.

11.14 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

11.15 Applicability. The requirements of this ordinance apply to all persons within the Town of Bradley. This ordinance shall supercede any previous ordinances or resolutions of the Town of Bradley that may conflict with any of the provisions herein.

11.16 Effective Date. The provisions of this ordinance shall take effect on passage and publication.

11.17 Definitions. For the purpose of this ordinance:

1)“Golf cart” has the meaning specified under s. 23.33(1m)(a)1.

11.18 Limitations for Golf Carts. Golf cart operation on town roads is subject to the following limitations:

- A). Golf carts shall be operated on the extreme right side of the roadway.
- B). Golf carts shall only be operated by a person holding a valid operator's license issued for operation of a motor vehicle. A probationary license is insufficient.
- C). Golf cart operators shall yield the right-of-way to other vehicular traffic and pedestrians.
- D). Town roads designated for golf cart operation shall be marked in accordance with s.349.18(1)(c) of the Wisconsin Statutes. Signs must be of a type approved by the Department of Transportation.
- E). Golf cart operation shall be limited to town roads only, within one mile of a golf course, and only for the purpose of travel to or from a golf course. The town roads designated in Section 11.21 are the only town roads open to golf cart operation.
- F). Golf carts shall only be operated at times that the golf course designated in the permit, is open for golfing business, and provided that such operation shall occur during daylight hours only.

11.19 Miscellaneous. The Town Clerk shall send a copy of this ordinance to the Lincoln County Sheriff's Department.

11.20 Penalties. Violation of this ordinance shall result in a forfeiture of not more than \$250.00. Citations may be issued by the Town Board or its designate, or any law enforcement officer authorized to enforce the laws of Wisconsin.

11.21 Designated Golf Cart Routes:

- 1) Echo Valley Road from County A to the end.
- 2) Clear Lake Road from County U to the end.
- 3) Stahmer Lane
- 4) Schlising Road
- 5) Sand Lane