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RESOLUTION # 35-2018  
ORDINANCE AMENDMENT #5-2018  
CHAPTER 9 OF THE ONEIDA COUNTY ZONING AND SHORELAND PROTECTION  
ORDINANCE, ARTICLE 1, SECTION 9.17 and ARTICLE 10 - DEFINITIONS

Ordinance Amendment offered by the Planning and Development Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #5-2018, (copy attached) which was filed March 29, 2018 (copy attached) to amend Section 9.17 and Article 10-Definitions of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon April 18, 2018 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, the proposed ordinance amendment would more definitively define and prohibit an unsafe structure; and

**WHEREAS**, all towns were notified of the proposed changes and provided input; and

**WHEREAS**, the Planning and Development Committee held a public hearing and one individual testified for the proposed change and no one testified against; and

**WHEREAS**, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**9.17 PROHIBITION AGAINST UNSAFE STRUCTURES**

Unsafe and/or dilapidated structures are prohibited in Oneida County. The Zoning Administrator, ~~Deputy Assistant~~ Zoning Administrator, Land Use Specialist or Zoning Inspector ~~Technician~~ may act, pursuant to sec. ~~66.05~~ 66.0413, Wis. Stats., when the safety and welfare of the public requires immediate action, said Zoning authorities may enter the premises, with assistance from town or County protective services personnel as may be necessary, and cause such structure to be made safe or removed. The expense of such work shall be recovered by the County against the owner or occupant.

ARTICLE 10 – DEFINITIONS

**Unsafe Structures:** An unsafe structure is one that is found to be dangerous to the life, health, property, safety of the public, or the occupants of the structure by not providing minimum safeguards to protect occupants or because such structure contains unsafe conditions due to abandonment or lack of maintenance or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #5-2018 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 2nd day of May 2018.

Consent Agenda Item:  YES  NO

Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ ¾ Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes  No  as reviewed by


the Corporation Counsel, 

Date: 5/7/18

Offered and passage moved by:

  
Supervisor

  
Supervisor

  
Supervisor

  
Supervisor

\_\_\_\_\_  
Supervisor

\_\_\_\_\_ Ayes

\_\_\_\_\_ Nays

\_\_\_\_\_ Absent

\_\_\_\_\_ Abstain

\_\_\_\_\_ Enacted

103 by the County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2018.

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105 \_\_\_\_ Defeated

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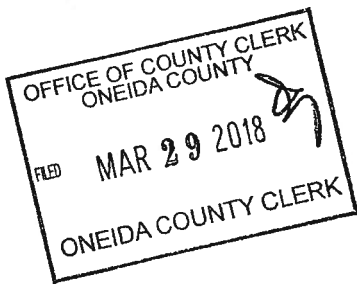
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109 \_\_\_\_\_  
Tracy Hartman, Clerk

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David Hintz, County Board Chair

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**ORDINANCE AMENDMENT #5-2018  
CHAPTER 9  
ARTICLE 1 – GENERAL PROVISIONS  
ARTICLE 10 - DEFINITIONS**

Additions noted by underlined; deletions noted by ~~strikethrough~~

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