

**OFFICIAL NOTICE OF MEETING  
OF THE  
MAUSTON COMMON COUNCIL  
6:30PM  
TUESDAY, JANUARY 24, 2012  
MAUSTON CITY HALL COUNCIL CHAMBERS  
303 MANSION STREET**

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**
- 3. Discussion and Action Regarding Minutes of January 10, 2012, Meeting**
- 4. Citizens Address to the Council**  
When addressing the Council please state your full name and full address
- 5. Public Works Committee Report**
  - a. Discussion and Action Regarding Petition for County Aid for Highway Road Construction**
  - b. Director of Public Works Report**
  - c. Any Other Business Properly Brought Before the Council**
- 6. Finance and Purchasing Committee Report**
  - a. Discussion and Action Regarding Vouchers**
  - b. Any Other Business Properly Brought Before the Council**
- 7. Fire Chief's Report**
- 8. Health, Welfare and Sustainability Committee Report**
  - a. Ordinance 2011-1048 – Ordinance Amending Chapter 13 of the Mauston Code of Ordinances – Second Reading**
  - b. Discussion and Action Regarding Ordinance 2011-1048**
  - c. Any Other Business Properly Brought Before the Council**
- 9. Plan Commission Report**
- 10. Mayor's Report**
  - a. Emergency Management Training Session**
- 11. City Administrator's Report**
  - a. Municipal Bond Report from Ehler's, Inc.**
- 12. Any Other Business Properly Brought Before the Council**
- 13. Adjourn**

**OFFICIAL MINUTES OF MEETING  
OF THE  
MAUSTON COMMON COUNCIL  
JANUARY 10, 2012**

**Call to Order/Roll Call** The Mauston Common Council met in regular session in the Council Chambers of Mauston City Hall on Tuesday, January 10, 2012. Mayor Brian McGuire called the meeting to order at 6:30pm. Members present were Michel Messer, Dennis Nielsen, Dan May, Francis McCoy, Paul Huebner, Rick Noe and Floyd Babcock. Also present were City Administrator Nathan Thiel, Police Chief Mark Messer, Director of Public Works Rob Nelson, and Administrative Assistant Diane Kropiwka.

**Pledge of Allegiance** Mayor McGuire led the pledge of allegiance.

**Citizens Address to the Council** None

**Mayoral Proclamation Recognizing Robert (Bob) Schroeder for Years of Service** Cemetery Association Board members Mary Ellen Hamil and Norma Phillips, Cemetery employee Richard Makowan, Funeral Director Andy Crandall, and Sormrud Memorials representative Cynthia Makowan joined Mayor McGuire as he presented a framed proclamation in recognition of Robert (Bob) Schroeder's service to the association and the community.

**Airport Commission Report** Mr. Tom Chudy reported on recent activities and accomplishments of the airport commission including; completion of Snow Removal Equipment (SRE) Building, taxiway completed; wetlands restoration issue has been resolved with EPA and a resolution is pending with the Army Corp of Engineers, engineering for the mid-field taxiway has started, when complete it will allow for 22-24 additional hangers; improvements to the fuel sales system are being implemented; research is underway for an automated approach system. Chudy, on behalf of the commission thanked Mauston, New Lisbon, and Juneau County for their continued support.

**Plan Commission Report**

**Highway 82 Corridor Plan** Thiel presented a brief history of the plan development; highlighting the incorporation of the TID plan as part of the overall Highway 82 Corridor Plan. McCoy/Huebner to approve the Highway Corridor Plan dated January 3, 2012, as presented. Motion carried unanimously by roll call vote.

**Public Works Committee Report**

**Highway 82 East Improvements** Noe/McCoy to contract with MSA-Professional Services in an amount not to exceed \$59,000 for engineering on the sidewalk, multi-use path and street scape project between Kennedy Street and Commercial Street. Motion carried unanimously by roll call vote.

**Standby Power and Storage Building** Noe/McCoy to approve Eagle Construction's Pay Request #2 in the amount of \$57,022. Motion carried unanimously by roll call vote.

**Remington Street Project** McCoy/Noe to approve A-1 Excavating's Final Pay Request in the amount of \$73,630.34. Motion carried unanimously by roll call vote.

**West Industrial Park Contract 'B'** Noe/McCoy to approve A-1 Excavating's Pay Request #2 in the amount of \$51,573.13. Motion carried unanimously by roll call vote.

### **Director of Public Works Report**

Nelson reported that the crews have been removing brush and doing general cleanup on top of Mile Bluff by the water reservoir. The skateboard equipment has been removed from Riverside Park. The emergency path between the waste water treatment plant and Townline Road is being repaired and graded. Sewer improvement on Highway 82 East will be taking place between 9pm and 5am beginning in approximately two weeks.

### **Police Chief's Report**

**K-9 Unit Dog Presentation** Chief Messer introduced Officer Eric Sanner and Police and Fire Commission Chair Andy Crandall to present information to the council on the research completed and the associated benefits and costs. The initial investment for the dog and training will be approximately \$8500 and includes life-time training for both the dog and the handler. Three local businesses have stepped forward with major donations, Kudick Chevrolet, Sand Ridge Secure Treatment Center, and Castle Rock Realty. Local veterinarian Dr. Wiley has offered all health services for the animal at a fifty percent discount, and Festival Foods has offered to provide dog food at their cost. The Council expressed its support for the establishment of a K-9 Dog Unit program for the City of Mauston.

### **Finance and Purchasing Committee Report**

**Vouchers** Huebner/May to approve vouchers in the amount of \$315,549.85. Motion carried unanimously by roll call vote.

**Management Rights of Water Tower Telecommunication Lease Agreements** tabled pending additional information

**Fire Truck Purchase** tabled pending additional information.

### **Health, Welfare, and Sustainability Committee Report**

**Ordinance 2011-1048 Ordinance Amending Chapter 13 of the Mauston Code of Ordinances** The first reading was accomplished.

### **Mayor's Report**

**Ordinance 2011-1047 Ordinance Creating Chapter 26 of the Mauston Code of Ordinances Establishing a Municipal Court** Thiel reported two minor typographical errors that will be corrected prior to publication.

The second reading was accomplished.

May/Huebner to approve Ordinance 2011-1047. Motion carried by roll call vote. (Five in favor, two opposed [McCoy, Babcock]).

**Municipal Court Software** Huebner/Nielsen to purchase municipal court software in the amount of approximately \$21,000. Motion carried by roll call vote. (Five in favor, two opposed [McCoy, Babcock]).

**Ambulance Association Appointment** Huebner/Messer to approve the Mayor's appointment of Donna McGinley and Kathy Noe to the Ambulance Association, retroactive to January 1, 2012. Motion carried by voice vote, with one abstention [Noe].

**Library Board Appointment** Babcock/Huebner to approve the Mayor's appointment of Jessica Bair to the Library Board to fill the vacancy created by Julie Goers' resignation. Motion carried by voice vote.

**JC AIRS (Juneau County Agricultural, Industrial, and Recreational Society) Annual Meeting** McGuire reported that Rick Noe was re-appointed to the JC AIRS Board as a City of Mauston representative.

**Administrator's Report**

**2012-2013 Election Inspectors List** Babcock/Noe to approve the list of election inspectors as presented. Motion carried by voice vote.

**Tablet Computers and Acceptable Use Policy** Council consensus to purchase Apple iPads. Huebner/Messer to adopt the Acceptable Use Policy as presented. Motion carried by voice vote.

**Cemetery Association** Thiel announced a council work session after the next regular meeting.

**Closed Session** Noe/Messer to go into closed session pursuant to Wisconsin State Statute 19.85(1)(e). Motion carried unanimously by roll call vote. Council went into closed session at 8:05pm.

**Adjourn** Huebner/May to adjourn. Motion carried by voice vote. With nothing to report in open session, the council adjourned at 8:30pm.

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Nathan R. Thiel, City Administrator

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Date

COPY

PETITION FOR COUNTY AID FOR HIGHWAY ROAD CONSTRUCTION

City of Mauston

26487

To the Juneau County Board and the Juneau County Public Works Committee:

WHEREAS, the records in the office of the County Clerk of the above named Assessment District show that provision has been made pursuant to Section No. 83-14 of the Wisconsin State Statutes, for an appropriation for the construction or repair and improvement of the following road.

to-wit:

Name of roads: C.T.H. G

Local funds 50-50 basis: \$1500.00

County funds 50-50 basis: \$1500.00

Total estimated funds: \$3000.00

THEREFORE, we the undersigned Executive Board of the above named Assessment District, do hereby petition your Honorable Body, to appropriate an amount equal to the County's share as listed above to be applied as County Aid on the designed improvement, to be expended in this calendar year or as soon thereafter as possible, according to arrangements to be made therefore, in accordance with the Statutes providing for County Aid.

\_\_\_\_\_  
Nathan R. Thiel

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
City of Mauston Board

Signed January 24, 2012

**PETITION FOR COUNTY AID FOR HIGHWAY ROAD CONSTRUCTION**

City of Mauston  
26483

To the Juneau County Board and the Juneau County Public Works  
Committee:

WHEREAS, the records in the office of the County Clerk of the above  
named Assessment District show that provision has been made pursuant to  
Section No. 83-14 of the Wisconsin State Statutes, for an appropriation for  
the construction or repair and improvement of the following road.

to-wit:

Name of road: Various

Local funds 50-50 basis: \$500.00

County funds 50-50 basis: \$500.00

Total estimated funds: \$1000.00

THEREFORE, we the undersigned Executive Board of the above  
named Assessment District, do hereby petition your Honorable Body, to  
appropriate an amount equal to the County's share as listed above to be  
applied as County Aid on the designed improvement, to be expended in  
this calendar year or as soon thereafter as possible, according to  
arrangements to be made therefore, in accordance with the Statutes  
providing for County Aid.

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Nathan R. Thiel  
City Administrator

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City of Mauston Board

Signed January 24, \_\_\_\_\_, 2012

## Mauston Fire Department Annual Meeting December 12, 2011

Meeting called to order by Chief Hale at 6:07 PM. with 28 members attending. After roll call the Minutes of last annual meeting were read. Motion Stillson/Resch to approve as read. MC.

Sec. Gave Treasurers report:

Chicken BBQ -----	Gross-----	\$ 10,424.00
	Expenses-----	- 5,551.65

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	Total	\$ 4,872.35
Pancake Breakfast -----		\$ 577.00
Golf Outing -----	Gross -----	\$ 3,157.00
	Expenses----	- 427.38
	Total	\$ 2,732.62

Total income from fund raisers -----		\$ 8,181.97
General Checking acct# 202227-----		\$ 14,559.84
Raffle Checking acct# 654186 -----		\$ 20,960.16
	Total	\$ 35,520.00

Motion Resch/Webster to accept report. MC.

Chiefs Report,

There were 4,494 man hours so far in 2011. All radios will have to be Narrow band compliant by June of 2012. Motion Resch/Stillson to accept report. MC.

Election of Officers

Fire Chief,

Kim Hale 24. Motion Curran/Syverson to declare informal formal and have sec. Cast unanimous ballot for Kim Hale For Chief. MC.

Assistant Fire Chief,

Art Wells 17, Syverson 1, Allaby 1, Bob Curran 1, Nelson 7. Motion Curran/Syverson to declare informal formal and have sec. Cast unanimous ballot for Art Wells for Asst. Chief. MC.

Sec/Treas,

Bernard Resch 15, Richard Hale 6, Bob Resch 3, Nelson 2, Webster 1. Motion Curran/Bob Resch to declare informal formal and have sec. Cast unanimous ballot for Bernard Resch For Sec/Treas. MC.

Capt 1,

Jim Allaby 20, Carioscia 1, Stillson 1, Bob Resch 1, Syverson 1, Nelson 1. Motion Curran/Priest to declare informal formal and have sec. Cast unanimum ballot for Jim Allaby for Capt.1 MC.

2011 Annual Meeting  
Election of Officers cont,d

Capt 2,

Syverson 20, Nelson 4, Bob Curran 1, Bellows 1, Stillson 1. Motion Curran/Bob Resch to declare informal formal and have sec. Cast unanimous ballot for Elwood Syverson for Capt.2. MC.

Capt.3,

Dale Johnson 19, Nelson 4, Bob Curran 2, Stillson 2, Bellows 1, Potter 1. Motion Curran/Bob Resch to declare informal formal and have sec. Cast unanimous ballot for Dale Johnson for Capt.3. MC.

Lt.1,

Joe Bellows 21, Nelson 3, Stillson 3, Carioscia 1. Motion Curran/Priest to declare informal formal and have sec. Cast unanimous ballot for Joe Bellows for Lt.1. MC.

Lt.2,

Mike Lutz 19, Nelson 3, Stillson 3, Carioscia 2, Bob Curran 1, Brockman 1. Motion Resch/Stillson to declare informal formal and have sec. Cast unanimous ballot for Mike Lutz for Lt.2. MC.

Lt 3,

Bob Curran 17, Nelson 5, Stillson 2, Richard Hale 1, Carioscia 1, Potter 1. Motion Resch/Stillson to declare informal formal and have sec. Cast unanimous ballot for Bob Curran for Lt.3. MC

The golf outing will be in Sept, 2012. The 4<sup>th</sup>. Of July Chicken BBQ will be on Saturday July 7, 2012

There were 7 bills, totaling \$1,231.06 to be paid. Motion to pay bills, Stillson/Resch. MC.

New Business,

Mauston High School wants to know if the Fire Department will continue the scholarship as in years past. Motion made and seconded to continue. MC

Syverson brought up discussion of Stokes basket and UTV rescue trailer. Matter tabled for a future meeting.

Awards.

Firefighter of the Year Award to Mark Webster.

Motion Dale Johnson/Stillson to adjourn at 6:57 PM. MC.

Bernard Resch sec.

Proposed Timeline:  
H, W & S Committee - 12/15/11  
Council-1<sup>st</sup> reading - 1/10/12  
2<sup>nd</sup> reading & adopt- 1/24/12

Ordinance No. 2011- 1048

ATTACHMENT A

**ORDINANCE AMENDING CHAPTER 13 OF THE MAUSTON CODE OF ORDINANCES**

**WHEREAS**, the Health, Welfare and Sustainability Committee recognizes a need for an organized inspection program of residential rental units within the City in order to upgrade and maintain the condition of rental units so they meet and comply with all provisions of the City of Mauston Code of Ordinances as well as all applicable safety, health, fire, building and construction requirements by the State of Wisconsin; and

**WHEREAS**, the City of Mauston desires to provide a more efficient system for compelling both absentee and local landlords to correct violations and to maintain, in proper condition, rental property within the City; and

**WHEREAS**, the purpose of this Ordinance is to preserve and improve the City of Mauston's rental properties and its neighborhoods; and

**WHEREAS**, the Health, Welfare and Sustainability Committee has recommended to repeal and recreate Chapter 13 of the Mauston Code of Ordinances as attached hereto;

**NOW, THEREFORE**, on a motion duly made and seconded, the Common Council of the City of Mauston does hereby ordain that the existing "Building Maintenance and Public Nuisance Code" found in Chapter 13 of the Mauston Code of Ordinances is hereby repealed, and the new "Building Maintenance and Public Nuisance Code" (attachment A) is hereby adopted and enacted.

Introduced and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
Brian T. McGuire, Mayor

\_\_\_\_\_  
Nathan Thiel, City Administrator

- Date of Recommendation by Health, Welfare and Sustainability Committee \_\_\_\_\_
- Date of Readings \_\_\_\_\_ and \_\_\_\_\_
- Date of Adoption \_\_\_\_\_
- Votes: \_\_\_\_\_ ayes \_\_\_\_\_ nays \_\_\_\_\_ abstentions
- Date of Publication \_\_\_\_\_

ATTACHMENT A

**CHAPTER 13**  
BUILDING MAINTENANCE AND PUBLIC NUISANCE CODE

Subchapter I: General Provisions

- 13.01 Statutory Authority: This Chapter is adopted pursuant to Sections 62.11(5) and 823.01 Wis. Stats., and the Police powers granted to all Wisconsin Municipalities.
- 13.02 Purpose: The purpose of this Chapter is to promote, preserve and protect the peace, health, safety, property and general welfare of the community; to protect, maintain and preserve property values; to abate and prevent blighted areas; and to recognize the private and public benefits resulting from the safe, sanitary and attractive maintenance of buildings, yards, and vacant areas.
- 13.03 Definitions: The following definitions shall apply in the interpretation and enforcement of this chapter:
- (1) Basement: A space of full story height below the first floor which is not designed or used primarily for year around living accommodations. Space partly below grade, which is designed and finished as habitable space is not defined as basement space.
  - (2) Dwelling: Any building or structure and attached appurtenances wholly or partly used or intended to be used by humans for living or sleeping.
  - (3) Dwelling Unit: Any habitable room or group of adjoining habitable rooms located within a dwelling and forming a single unit for not more than one (1) family, with facilities which are used or intended to be used for living, sleeping, cooking and eating meals.
  - (4) Gang Graffiti: Any structure or marking determined by the Police Department to be a gang-related symbol or sign.
  - (5) Garbage: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of meat, fish, fowl, fruits, vegetables and condemned food and other vegetable and animal matter.
  - (6) Infestation: The presence within or around a dwelling of any insects, rodents or other pests.
  - (7) Noxious Weeds: Canada thistle, leafy spurge, field bindweed (creeping Jenny), in any part of the City, and all plants growing in sidewalk cracks or cracks next to buildings in any area zoned commercial or industrial.

- (8) Occupant: Any person living, sleeping or eating in, or having actual possession of, a dwelling unit or rooming unit.
- (9) Operator: Any person, not an owner, who has charge or care of any premises, dwelling or part thereof.
- (10) Owner: Any person who shall be the legal record holder of title of a premises or dwelling, including the legal record holder of a land contract vendee's interest.
- (11) Premises: Any lot, plot or parcel of land and the buildings thereon.
- (12) Recyclable Waste: Waste material that can be remanufactured into useable products and shall include by way of enumeration, but not limitation, glass, plastics, newspapers, cardboard, metals (aluminum, steel, tin, brass, etc.).
- (13) Refuse: All waste material, except garbage, rubbish and recyclable waste, and shall by way of enumeration, but not limitation, include grass, leaves, sticks, tree branches and logs, stumps, cement, boards, furniture or household appliances, garden debris.
- (14) Rubbish: Waste material, except garbage, that is incidental to the operation of a building and shall include by way of enumeration, but not limitation, tin cans, bottles, rags, paper, cardboard, sweepings.

Subchapter II: Public Nuisances

- 13.20 Public Nuisance Prohibited: No occupant, operator or owner shall erect, cause, continue, maintain or permit to exist any public nuisance within the City.
- 13.21 Public Nuisance Defined: The following acts, omissions, places, conditions and things are hereby declared to be public nuisances:
- (1) Common Law: Any public nuisance known at common law or in equity jurisprudence.
  - (2) In General: Any 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 or 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 other public way, or the use of public property.
  - (3) Code Violations: Any place or premises within the City where City ordinances or state laws relating to the public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.
  - (4) Blighted Premises: Any structure, building, improvement or premises which is a menace to public health, safety, morals or welfare in its present condition, or which endangers life or property by threat of fire or other hazard, due to any of the following reasons:
    - (a) Faulty design or construction,
    - (b) Failure to maintain the premises, or
    - (c) The accumulation thereon of junk, garbage, or rubbish.
  - (5) Attractive Nuisance: Any artificial condition existing on land which presents an unreasonable risk of harm to children, who, because of their youth, may not discover the condition or realize the risk of intermeddling or coming within the area of danger, and the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared to the risk to children. Attractive nuisances shall include, but are not limited to, the following:

- (a) Vacant buildings or structures which possess unsecured doors or windows;
- (b) Abandoned wells or shafts which are not securely sealed or covered;
- (c) Basements and excavations which are unprotected or unfenced;
- (d) Abandoned refrigerators or freezers which do not have the doors removed therefrom;
- (e) Structurally unsound fences and structures;
- (f) Abandoned, untitled or unlicensed motor vehicles which possess unsecured doors, windows or trunks.

(6) Public Health: The following acts, omissions, places, conditions and things are hereby specifically declared to be public nuisances, affecting public health, but such enumeration shall not be construed to exclude other health nuisances:

- (a) Adulterated Food: All decayed, harmfully adulterated or unwholesome food or drink sold or offered to the public for human consumption.
- (b) Unburied Carcasses: Carcasses of animals, birds or fowl not intended for human consumption or food which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
- (c) Breeding Places for Vermin, etc.: Accumulation of decayed animal or vegetable matter, garbage, refuse, rubbish, rotting lumber, bedding, packing materials, scrap metal or any materials whatsoever in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed.
- (d) Stagnant Water: All stagnant water in which mosquitoes, flies or other insects can breed.
- (e) Privy Vaults and Garbage Cans: Privy vaults and garbage cans which are not fly-tight.
- (f) Noxious Weeds: All noxious weeds.

- (g) Air Pollution: The emission or escape into the open air of such quantities of smoke, ash, dust, soot, cinders, acid or other fumes, dirt or other material of noxious gases in such place or manner that causes or is likely to cause injury, detriment or nuisance to any appreciable number of persons within the City.
  - (h) Water Pollution: The pollution of any public well or cistern, stream, lake, canal or other body of water.
  - (i) Noxious Odors, Etc.: Any use of property, substances or things within the City emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, gases, effluvia or stenches extremely repulsive to ordinary persons, or which annoy, discomfort, injure or inconvenience the health of any appreciable number of persons within the City.
  - (j) Street Pollution: Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk or public place within the City.
  - (k) Animals at Large: All animals running at large. An animal is considered to be "running at large" if it is off the premises of its owner and not under the control of the owner or some other person.
  - (l) Accumulations of Waste: Accumulations of garbage, refuse, rubbish or recyclable waste, which exists for more than 10 consecutive days and which is not stored completely in an enclosed structure.
- (7) Public Peace and Safety: The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and/or safety, but such enumeration shall not be construed to exclude other nuisances:
- (a) Signs, Billboards, Etc.: All signs, billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, which are so situated or which because of color, location, brilliance or manner of operation can be construed as to endanger the public safety.
    - (1) Gang Graffiti: The display of gang graffiti.
  - (b) Unauthorized Traffic Signs: All unauthorized signs, signals, markings or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal, or which because of their color, location, brilliance or manner of operation, interfere with the effectiveness of any official device, sign or signal.

- (c) Obstructions of Streets and Excavations: All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by this Code, or which, although made in accordance with this Code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished or do not conform to the permit issued.
- (d) Flammable Liquids: Repeated or continuous violations of this Code or State law relating to the storage of flammable liquids.
- (e) Open Cisterns, Wells, Basements or Other Dangerous Excavations: Any open cisterns, cesspools, wells, unused basements, excavations, swimming pools or other dangerous openings, unless such places are filled, securely covered or fenced in such manner as to prevent injury, provided any cover shall be of a design, size and weight that the same cannot be removed by small children.
- (f) Abandoned Refrigerators: Any abandoned, unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snap lock or other locking device which may not be released from the inside.
- (g) Tree Limbs: All limbs of trees which project over a public sidewalk less than ten (10) feet above the surface thereof and all limbs which project over a public street less than fourteen (14) feet above the surface thereof.
- (h) Dead Trees: All dead or dying trees and tree limbs, which are so situated that the tree or limb could fall on a public or private street, alley, sidewalk, parking lot, house, garage, playground equipment or other structure. A tree or limb shall be presumed to be dead or dying if 50% or more of the tree or limb does not have leaves on it during the growing season.
- (i) Fireworks: All use or display of fireworks, except as provided by the laws of the State of Wisconsin.
- (j) Wires Over Streets: All wires over streets, alleys or public grounds which are strung less than fifteen (15) feet above the surface thereof.
- (k) Noisy Animals or Fowl: The keeping or harboring of any animal or fowl which, by frequent or habitual howling, yelping, barking, crowing or other noise, shall greatly annoy or disturb a person of ordinary sensibilities or any considerable number of persons within the City.
- (l) Gang Graffiti: The display of gang graffiti.

- (8) Public 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 which may offend public morals and decency:
- (a) Disorderly Houses: All disorderly houses, bawdy houses, houses of ill fame, gambling houses and buildings or structures kept or resorted to for the purposes of prostitution, promiscuous sexual intercourse or gambling.
  - (b) Gambling Devices: All gambling machines and gambling places as defined in Chapter 945 Wis. Stats.
  - (c) Unlicensed Sale of Liquor or Beer: All places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured or rectified without a permit or license as required by this Code, or otherwise contrary to State law.
  - (d) Illegal Drinking or Drugs: Any place or premises resorted to for the purpose of drinking intoxicating liquor or fermented malt beverages, or for the purpose of consuming drugs or other illegal substances, in violation of State law.
- (9) Buildings, Structures and Premises: The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting buildings, structures and premises but such enumeration shall not be construed to exclude other nuisances regarding buildings and structures:
- (a) Illegal Buildings: All buildings erected, repaired or altered in violation of the provisions of this Code or state law.
  - (b) Dilapidated Structures: All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use or occupancy.
  - (c) Rodents: Every foundation, exterior wall, roof, window, exterior door, basement hatchway and every other entrance to a structure which is not maintained to prevent the entrance and harborage of rats, mice or other vermin.
  - (d) Fences: Every fence which is not kept in a reasonably good state of repair.
  - (e) Motor Vehicles: Abandoned, untitled or unlicensed motor vehicles which are not stored in a completely enclosed structure.

### Subchapter III: Maintenance Code

- 13.30 Building Maintenance Required: No person, partnership or corporation shall own or occupy any dwelling, premises or building which fails to meet the minimum maintenance standards imposed by this Chapter. Furthermore, no owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this Ordinance to be removed from or shut off from or discontinued for any occupied dwelling or building, except for such temporary interruption as may be necessary while actual repairs are in process, or during temporary emergencies when discontinuance of service is approved by a City Official.
- 13.31 Minimum Maintenance Standards: All dwellings, buildings and premises shall comply with the following minimum maintenance standards:
- (1) Water Control: All courts, yards, or other areas on the premises shall be properly graded to divert water away from the building, and to prevent stagnant water from accumulating thereon.
  - (2) Weed Control: All property areas shall be kept free from noxious weeds.
  - (3) Yard Debris: All yard areas shall be properly maintained in a clean and sanitary condition, free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation, and animal feces. All animal feces shall be removed within twenty-four (24) hours. Yards shall not be used to store appliances, furnaces, water heaters, water softeners, unused or untitled motor vehicles, building materials not used with 15 days, or any unsightly bulk items.
  - (4) Minor Structures: Fences and other minor structures shall be properly maintained in a safe and sanitary condition.
  - (5) Exterior Surfaces/Paint Maintenance: Exterior surfaces of buildings and structures not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative which will provide adequate resistance to weathering and maintain an attractive appearance. Any exterior surface treated with paint or other preservative shall be reasonably maintained so as to prevent chipping, cracking or other deterioration of the exterior surface or the surface treatment and to present an attractive appearance. All paint or other preservative shall be applied in a workmanlike fashion.
  - (6) Lawns and Plantings: Lawns shall be maintained at a height not to exceed eight (8) inches. Plantings shall be maintained so as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways, and dead or diseased plantings and trees shall be removed.

- (7) Safe Interior Structures: Every interior floor, wall and ceiling, including door and window assemblies, shall be kept in good repair, and shall be capable of affording privacy. Any hazardous sagging or bulging shall be properly repaired.
- (8) Safe Exterior Structures: Every foundation, exterior wall, and floor and roof shall be reasonably weathertight, watertight and rodent proof, and shall be kept in proper repair and shall be capable of affording privacy. Any hazardous sagging or bulging shall be properly repaired. All chimneys and breeching shall be so constructed and maintained so as to insure that it safely and properly removes the products of combustion from the building.
- (9) Exterior Doors and Windows: Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight, and rodent proof and kept in proper repair. All exterior door and window hardware shall be installed and maintained in proper working condition. The panes and glazing on windows shall be reasonably maintained.
- (10) Rental Unit Entrance Doors: Each dwelling entrance door into a non-owner occupied dwelling unit shall contain an approved door viewer, except where a window in the door, or a window immediately adjacent to the doorway, provides a clear view of the entrance.
- (11) Exterior Door Hinges: All doors into each dwelling unit shall be equipped with door hinges so arranged as to be inside the dwelling unit or with approved locking or captive pin hinges.
- (12) Window Sash Fasteners: All basement, first and second story windows and all other windows accessible by balconies, fire escapes, trees or other existing means shall be provided with sash fasteners.
- (13) Stairs and Porches: Every inside and outside stair, every porch, and every appurtenance thereto shall be so constructed and maintained as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon.
- (14) Rented Facilities: Every rented facility and piece of equipment or utility thereon, shall be constructed, installed and maintained in proper working condition. The owner of any dwelling or apartment in which a cooking stove and/or refrigerator are furnished for the use of the tenants as part of rental agreement shall keep such cooking stove and/or refrigerator in good working condition.
- (15) Dust Control on Driveways: All unpaved driveways and parking areas shall be reasonably maintained to control dust.

- (16) Fire Wood: Fire wood shall be stored in straight, orderly piles, which are not more than six (6) feet in height and which are not in the "front yard" as defined in the Zoning Ordinance.
- (17) Signs: The maintenance requirements of section 22.45 are incorporated herein by reference.
- (18) Antennas: All antennas (as defined in Chapter 22) shall be maintained to comply with the provisions of Subchapter VI of Chapter 22).
- (19) Accessory Buildings: All accessory buildings (as defined in Chapter 22) shall be reasonably weathertight, watertight and rodent proof, and shall be maintained to be structurally sound and fit for their intended purpose. All doors and windows shall be maintained in proper working condition.
- (20) Gang Graffiti: Property owners shall remove or cover all gang graffiti within 72 hours of written notification of said graffiti by the City.

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## Subchapter IV: Rental Inspection Program

### Registration and Inspection of Property Containing Residential Rental Units

- 13.401 Purpose: The City of Mauston recognizes a need for an organized inspection program of residential rental units within the City in order to upgrade and maintain the condition of such residential rental units so that they meet and comply with all provisions of the City of Mauston Code of Ordinances as well as all applicable safety, health, fire, building and construction requirements promulgated by the State of Wisconsin. The City of Mauston also desires to provide a more efficient system for compelling both absentee and local landlords to correct violations and to maintain, in proper condition, rental property within the City. The City recognizes that the most efficient system to provide for rental inspections is the creation of a program requiring the registration of all residential rental units within the City so that orderly inspection schedules can be made by City officials.
- 13.402 Scope: The provision of this section shall apply to all buildings or portions thereof used, designed or intended to be leased, let, farmed out, demised or rented for human habitation as well as any garages or outbuildings included within such rental arrangement.
- 13.403 Fixing the Responsibility of Owners, Operators and Occupants: The purpose of this section is to fix the responsibility of owners, operators, and occupants of residential buildings. The responsibilities of the owners, operators, and occupants of residential buildings are as follows:
- (a) Owners and/or Operators:
- i. Every owner of a residential building containing two (2) or more dwelling units shall be responsible for maintaining the shared or public areas of the building in a clean, proper, and sanitary condition.
  - ii. Every owner shall be responsible for hanging, installation, and maintenance of all screens and double or storm doors and windows, whenever the same are required under provisions of the ordinance.
  - iii. Every owner shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises. In all residential buildings, except for single-family dwellings and owner occupied two (2) family dwellings, extermination services shall be performed by a licensed exterminator.
  - iv. Every owner of a lodging house shall make available to the occupants the names of two (2) or more persons that may be called to arrange for emergency work. The names with the telephone numbers all be posted in a conspicuous place readily accessible to the occupants. The names with the telephone numbers shall be revised periodically to maintain accurate information at all times.
  - v. Every owner or operator shall not occupy or let to another for occupancy any space in a residential building unless it is clean, sanitary, fit for human occupancy, complies with the requirements of this Chapter and the occupancy is limited to the maximum permitted thereby.

- vi. The operator of every lodging house shall change supplied linen and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary condition.

(b) Occupants:

- i. Every occupant of a residential building shall keep in a clean, proper, and sanitary condition that part of the residential building and premises thereof which he occupies and controls, except the operator of every lodging house shall be responsible for the sanitary maintenance of all walls, floors, ceilings, and every other part of the lodging house. Every occupant of a residential building shall dispose of all his refuse and garbage.
- ii. Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

13.404 Registration Requirements: No person shall hereafter occupy, allow to be occupied or let to another person for occupancy any property within the City for which a registration statement has not been properly made and filed with the Building Inspector or Zoning Administrator in accordance with the provisions of this ordinance. Registration shall be made upon forms furnished by the Building Inspector or Zoning Administrator of the City for such purpose and shall specifically require the following minimum information:

- (a) Name, address, social security number or driver's license number and phone number of the property;
- (b) Name, address and phone number of the designated local property manager if the property owner or owners live outside the City of Mauston;
- (c) The street address of the property;
- (d) The number and types of Residential Rental Units within the Property;
- (e) The name, phone number and address of the Person authorized to make, order or direct repairs or services for the property, if in violation of city or state codes, if the Person is different than the owner, owners or local manager;

13.405 Manner of Registering: Registration shall begin on January 1, 2012. All owners of rental property are required to submit a Registration Statement for Residential Property form by December 31, 2012. All owners of rental property after the above date shall be required to submit a Registration Statement within 30 days of occupancy.

13.406 Transfer of Property: Every new owner(s) of property (whether as fee owner or land contract purchaser or upon conveyance or transfer of any interest in the property) shall be required to furnish to the Building Inspector or Zoning Administrator the name, address, driver's license and telephone number of the new owner or owners, as well as the name, address and telephone number of the local manager, duly designated by the new owner or owners

before closing or taking possession of the property. The new owner of the property shall be required to pay a registration fee.

13.407 Registration Fees: A one-time registration fee per owner, independent of number of properties owned, of \$25 shall be charged for registrations required under this ordinance.

3.408 Inspection Required:

These inspection requirements are not intended to conflict with licensing and inspection requirements promulgated by the State of Wisconsin.

- (a) All Single and Multi-Family Residential Rental Units, Boardinghouses, and Dormitories or Hotels that rent to permanent residents shall be inspected systematically in a manner and upon a schedule prescribed by the Building Inspector or Zoning Administrator, in compliance with this ordinance and all other applicable laws;
- (b) Where a nonresidential business or activity, or a state licensed and inspected use occupies a portion of a building and premises, which would be otherwise subject to this ordinance, the provisions of this ordinance shall be applicable to the residential and common or public areas of such building and premises.
- (c) For new construction containing Residential Units, the Building Inspector or Zoning Administrator may conduct an inspection in accordance with this ordinance in conjunction with or simultaneously with any inspections relating to the issuance of an occupancy permit pursuant to City codes. Upon satisfactory completion of such inspections, the Building Inspector or Zoning Administrator shall issue a certificate of inspection. In such instances there shall be no inspection fee required.
- (d) The provisions of this section shall not apply to:
  - i. Dwellings, buildings, structures and uses owned and/or operated by a governmental agency
  - ii. Boardinghouses, Dormitories, and Hotels that do not rent to Permanent Residents;
  - iii. Nursing homes.

13.409 Frequencies of Inspections:

- (a) All property subject to inspection shall be inspected on a three (3) year schedule, although random inspections may also be performed.
  - i. If a unit passes inspection on the first inspection of each three (3) year cycle, the unit may not be inspected until the next three (3) year cycle or until: a complaint is received, until probable cause of substandard building or unit exists, or an inspection is requested by the owner, owner's agent or manager of such unit.
  - ii. If a rental unit fails inspection for any reason, the unit shall be brought into compliance, re-inspected and shall pass re-inspection. If a rental unit does not pass inspection that rental unit may be inspected during the following calendar year and each subsequent year until it passes on a single inspection.

- (b) Neither the common areas nor the Residential Rental Units or Rooming Units in newly constructed structures shall be further inspected after the completion and issuance of a certificate of occupancy for a period of three (3) years from the date of said certificate unless a complaint is made thereof. Thereafter said areas and units shall be inspected in accordance with the requirements of this ordinance.

13.410 Inspection Certificate Required: No person shall rent, let or let for occupancy any Residential Rental Unit, without having a valid, current Certificate of Inspection for that Residential Rental Unit. The Building Inspector or Zoning Administrator may authorize temporary occupancy without a Certificate of Inspection for the period of time between registration on January 1, 2012 through the date of the first inspection as scheduled by the Building Inspector or Zoning Administrator.

13.411 Inspection Procedure:

- (a) If, upon completion of an inspection, a property is found to be in compliance with all applicable provisions of the City of Mauston Code of Ordinances, and the appropriate fee(s) has been paid, the City shall issue a Certificate of Inspection for the property;
- (b) If, upon completion of an inspection, a property is found to be in violation of one or more provisions of any applicable provisions of the City of Mauston Code of Ordinances, the City shall provide the property owner or his designated local property manager with written notice of such violations and shall set a re-inspection date before which such violation(s) shall be corrected. If such violation(s) has been corrected within that period, the City shall issue a Certificate of Inspection for the property. If such violation(s) has not been corrected within that period, the City shall not issue the Certificate of Inspection and may take any action necessary to enforce compliance with all applicable provisions of this ordinance and the City of Mauston Code of Ordinances. If such uncorrected violation(s) does not pose an immediate threat to the health, safety, and welfare of the occupants or other residents of the City, the Building Inspector or Zoning Administrator or the Building Inspector or Zoning Administrator's designee may, at his or her sole discretion, authorize the temporary occupancy of the property for a period not to exceed 60 days while corrective action is undertaken by the property owner.

13.412 Requests for Inspection: The owner(s) of any property subject to this ordinance may request inspections of said property at any time, subject to the Inspection Fees provisions of Section 13.416.

13.413 Certificate Expiration Date:

- (a) A Certificate of Inspection issued pursuant to this ordinance shall expire three (3) years from the date of its issuance;

(b) The Certificate of Inspection shall have the expiration date prominently displayed on its face.

13.414 Certificate Transferability: A Certificate of Inspection issued pursuant to this ordinance shall be transferable to succeeding owners; provided, however, that the transferor shall provide written notice of said transfer to the Building Inspector or Zoning Administrator or the Building Inspector or Zoning Administrator's designee no later than five (5) days prior to the transfer closing. Such notice shall contain the name and address of all succeeding owners as provided in Section 2 herein. The failure to provide such notice may result in the suspension or revocation of the Certificate of Inspection.

13.415 Certificate Availability: Upon the request of an existing or prospective tenant, the owner(s) or the duly designated agent or local manager shall produce the Certificate of Inspection for review.

13.416 Suspension or Revocation of Certificate: If the Building Inspector or Zoning Administrator determines that any owner(s) has failed to comply with this ordinance or any applicable provision of the City of Mauston Code of Ordinances, after having given that person written notice of said violation(s) and a reasonable opportunity to correct said violation(s), the Building Inspector or Zoning Administrator may suspend or revoke the Certificate of Inspection held by such owner(s) for the property in violation.

13.417 Inspection Fees: There is hereby established the following fee schedule for each inspection required by this ordinance:

	<u>Fee</u>
First Residential Rental Unit (Per Building or Dwelling)	\$ 0.00
There is hereby established the following fee schedule for re-inspection required by this ordinance which is necessitated by the existence of a violation(s) of this ordinance ascertained during an inspection:	
Any passing re-inspection	\$ 0.00 ea.
All failed re-inspections	\$75.00 ea.

Plus any additional costs for fees of the building inspector, engineers, attorney or other professional consultants used to inspect and evaluate the premises as deemed necessary by the Zoning Administrator, City Administrator, Health, Welfare and Sustainability Committee members, or any other City official.

The units enumerated above shall not include the Dwelling units used or occupied by the owner, but shall apply to the owner's local property manager;

Where a property does not have a current Certificate of Inspection, then for purposes of calculating the fee therefore, the first required inspection date for the property shall be deemed the first inspection.

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Subchapter V: (Reserved for Future Use)

Subchapter VI: (Reserved for Future Use)

Subchapter VII: (Reserved for Future Use)

Subchapter VIII: (Reserved for Future Use)

Subchapter IX: Enforcement and Penalties

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## Subchapter IX: Enforcement and Penalties

### 13.90 Enforcement and Penalties:

- (1) Enforcement: The Police Department, Director of Public Works, Building Inspector, Zoning Inspector, Health Commissioner and Fire Inspector (hereinafter "City Officials") are hereby authorized and directed to enforce the provisions of this Chapter, and in so doing, are empowered to make the determination of whether a violation exists. They may make periodic inspections, with or without receiving a complaint, to ensure that this Chapter is not violated. No action shall be taken by the City under this Chapter to abate a violation unless a City Official shall have inspected the premises where the violation is alleged to exist and is satisfied that a nuisance does exist.
- (2) Right to Inspect: The foregoing City Officials shall have the power and authority to enter upon any public or private premises, dwellings, dwelling units and premises located within the City, at reasonable hours, upon 24 hours' notice, for the purpose of inspecting, examining and surveying the premises to determine whether a violation of this Chapter exists. Where entry is denied, the City may obtain a special inspection warrant or other legal process to obtain entry as provided by law.
- (3) Non-hazardous Conditions: If the City Official determines that a violation exists, the City Official shall cause the issuance of written notice to the responsible person(s), directing him to correct and abate the violation on or before a specified date, but not sooner than 24 hours following the service of said notice.
- (4) Hazardous Conditions: If the City Official determines that a violation creates a substantial and immediate danger to public safety, the City Official may cause the issuance of a written notice to the responsible person(s) directing him to correct and abate the violation within two (2) hours from the service of the notice. In the event the responsible person(s) is unavailable to receive such written notice or cannot be served within a reasonable time, the City may immediately cause the abatement of the violation and thereafter shall serve written notice on the responsible person(s) explaining that a hazardous condition existed which required immediate abatement.
- (5) Notice Provisions: The written notice required by this Chapter shall include the following information:
  - (a) The name of one or more responsible person(s) to whom the notice is being issued.
  - (b) The reasons why the notice is being issued, with specific reference to the violated Code section(s).
    - i. If City Officials have determined that the building or structure must be repaired, the order shall require that all required permits be secured

therefor and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the City Official shall determine is reasonable under all of the circumstances.

- ii. If the City Official has determined that the building or structure must be razed and removed, the order shall require that the building be vacated, all required permits be secured and that the razing and removal be completed within the time set forth in the condemnation order pursuant to State of Wisconsin Statutes.
  - iii. Statements advising that if any required repair or demolition work is not completed within the time specified, the Building and Inspections Department may order the building vacated, razed, and removed as conditions warrant through any available public agency or by contract or arrangement with private persons or firms with the cost of razing, removal and restoration of the site to an erosion free condition to be charged in full or in part against the real estate upon which the building is located, and if that cost is so charged it is a lien against the real estate and may be assessed and collected as a special tax.
- (c) A time within which remedial action must be taken.
  - (d) A brief outline of remedial action which, if taken, will constitute compliance with this Chapter.
  - (e) A brief explanation of the steps the City may take if the violation is not corrected or abated.
  - (f) Notice of the responsible person's right to a hearing as provided in paragraph 10 below.
- (6) Service of Notice: Written notice shall be deemed to be properly served upon the responsible person if a copy is served upon him personally, or sent by certified mail, to his last known address, or posted in a conspicuous place on the premises affected by the notice, or by any other method authorized by State law for service of process.
- (7) Order to Vacate: The Building and Zoning Department may order vacated any building declared substandard which is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or of the occupants thereof. Every order to vacate shall, in addition to being served as provided herein, be posted in plain view at or upon each entrance of the building. Removal or defacing this placard may be subject to a fine. Whenever such notice is posted, the Building/Zoning Department shall include a list of the conditions that necessitate the condemnation of the premises for human habitation, occupancy or use. No person shall remain in or shall enter upon any building that has been so posted, except that entry may be made to repair, demolish or remove such building after permission is first granted and all necessary permits are issued by the Building/Zoning Department.

- (8) City Abatement: If the responsible person(s) to whom notice has been given fails to remove or abate the violation within the time established in the notice, the City may remove or abate said violation at the expense of the responsible person(s).
- (9) Cost of Abatement: An account of the expenses incurred by the City to remove or abate the penalty imposed by this Chapter for the erection, contrivance, creation or maintenance of a public nuisance, the cost of abating the public nuisance by the City shall be charged to and collected as a debt from the responsible person(s). Notice of the expenses shall be mailed to the last known address of the responsible person(s) and shall be due and payable within ten (10) calendar days from the mailing thereof. If not paid, the charges may be collected through any lawful procedure, and if notice to abate the violation was given to the owner of the real estate upon which the violation occurred, such expenses may be assessed against the real estate as a special charge or special assessment.
- (10) Appeal and Hearing: Any person affected by a notice issued hereunder, may request a hearing in the matter before the Health, Welfare and Sustainability Committee. Such person shall file in the office of the City Clerk, within ten (10) days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor. Upon receipt of such petition, the City Clerk shall notify the Health and Welfare Committee, which shall arrange a time and place for such hearing and give notice thereof to the petitioner and to the City officer who issued said notice. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with. After such hearing, the Committee may sustain, modify or withdraw the notice, depending upon the Committee's interpretation of this chapter and the application of the particular facts thereto. The proceedings at such hearing, including the findings and decision of the Committee, shall be summarized, reduced to writing and entered as a matter of public record in the office of the City Clerk. Such records shall include a copy of every notice or order issued in connection with the matter. If a petition for such hearing is not filed, any notice served pursuant to this Chapter shall automatically become an order of the City.
- (11) Time Extension: Any person affected by a notice issued hereunder may request, for good cause, an extension of time within which to abate a nuisance. Such requests shall be made to the officer who issued the notice or to the Health, Welfare and Sustainability Committee.
- (12) Nuisance Injunction: Any violation of this ordinance is hereby declared to be a nuisance as defined by the City of Mauston Code of Municipal Ordinances and/or the Wisconsin Statutes. In addition to any other relief provided by this ordinance, or the City of Mauston Code of Ordinances, the City Attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any and all violations of this

ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction. The City Attorney may request and shall be entitled to receive, on behalf of the City, reimbursement for any and all costs and expenses, including reasonable attorney fees, related to such injunction proceedings and any other enforcement action or litigation related to or arising from a violation(s) of this ordinance. All such penalties or costs and expenses awarded to the City by a court of competent jurisdiction related to a violation(s) of this ordinance may be applied as a special assessment or lien against the property for collection by the City.

- (13) Severability: The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held or determined to be invalid, such invalidity shall not affect any other provisions or applications of this ordinance which can be given effect without the invalid provisions or application.
- (14) Other Methods Not Excluded: Nothing in this Chapter shall be construed as prohibiting the abatement of public nuisances by the City in accordance with the laws of Wisconsin.
- (16) Penalties and Citations: Any person violating any of the provisions of this Chapter shall be subject to the penalties and citations provided in Chapter 25 of this Code.

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## Dear Rental Property Owners and Tenants:

With the goal of preserving and improving the City of Mauston's rental properties, and, in turn, its neighborhoods, we are pleased to present you with this guide of useful and important information. The information in this guide will help the City of Mauston staff work together with tenants, landlords and the community to keep properties in good condition, protect individual and business investments, and make properties continually attractive and healthy for residents and visitors to enjoy.

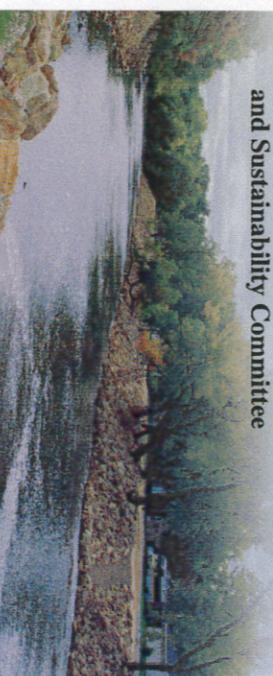
We encourage all landlords to understand and abide by the city codes related to their properties and to be aware of their responsibilities in ensuring the integrity of our valued neighborhoods. At the same time, we encourage all tenants to understand their rights and to carry through with their responsibilities to properly maintain the properties in which they live and their obligations to their landlord and to the neighborhood as a whole. Please read the material in this guide to understand your rights and responsibilities while learning how you can keep the neighborhoods safe and attractive.

You may review Chapter 13, Building Maintenance and Public Nuisance Code, which includes our rental inspection program, on our website at [www.mauston.com](http://www.mauston.com).

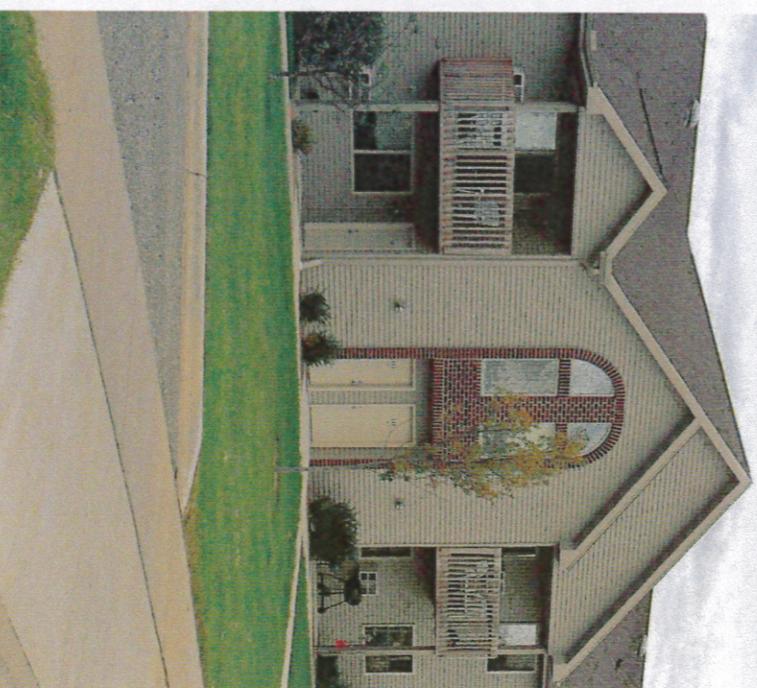
*Thank you in advance for helping realize the City's goal of livable neighborhoods.*

Sincerely,

**City of Mauston Health, Welfare,  
and Sustainability Committee**



## Residential Rental Property License — and — Inspection Program



303 Mansion Street  
Mauston, WI 53948-1329  
tel: 608-847-6676 • fax 608-847-5023  
[www.mauston.com](http://www.mauston.com)



# How the Program Works

This program is a two-part process that requires the rental property owner to obtain a license, and the rental property to receive interior and exterior inspection. For interior inspections, each unit will be subject to an inspection every three years, or when a complaint is received.

The initial inspection will be done at no charge. If violations are found, a return inspection is required. If the return inspection passes, there will be no charge. **For all failed re-inspections** the fee will be \$75 each. The City may, at its discretion, ask for assistance from the building inspector or other professional consultants at an additional cost.

## Application Process

Rental property owners are required to apply for and obtain a license for all rental property owned. The cost of a license is \$25 per owner. This is a one-time fee.

## Apply for license

Complete the **Registration Statement for Residential Rental Property** form. Forms are available by mail, by fax, at City Hall, or online at [www.mauston.com](http://www.mauston.com). Send a completed form, and a copy of your Certificate of Inspection, to City Hall, along with the required license fee. Once the application is received, the City will issue the property owner a license to operate the property as a rental unit. Rental properties with no license on file may be subject to a fine per ordinance.

## Certificate of Inspection

If an inspection is due, the City will contact the property owner to arrange a time to inspect the property. Once the property passes inspection, a Certificate of Inspection will be issued.

# Property Inspection

Unless there is probable cause or complaint, the City will inspect the property every three years.

The inspection is intended to provide an estimation of the general condition and habitability of the property. Some of the things that we'll be looking for include, but are not limited to:

## Exterior Inspection:

- **Grounds** – free of high weeds and grass, unsanitary conditions, debris, junk vehicles, etc.
- **Foundations/roof/gutters/ downspouts** – structurally sound without holes or gaps, intact shingles and flashing, free of leaks, properly attached and unobstructed or discharge of drain water
- **Stairways/porches/decks/balconies** – solid and capable of supporting required load with firmly anchored hand and guard rails
- **Windows/doors/chimneys** – secure door frame molding that is weather tight, rodent proof, free of loose, broken or deteriorated materials, working hardware with operable locks, screens
- **Walls/overhangs, painted surfaces** – weather protected and intact with non-peeling, chipping or flaking paint, free from rot, posted building and unit numbers
- **Fences/accessory structures** – sanitary, free of debris, junk vehicles, no damaged, missing, or leaning sections, no chipping or peeling paint
- **Electrical/other** – Adequate and properly installed wiring, fixtures, and outlets and service panels with cover plates, property maintained, free of rodent infestation and accumulated debris, with adequate trash and/or recycling facilities



## Interior Inspection:

- **Windows/doors** – Easily operable weathertight frames and windowpanes free of broken or cracked glass and loose or deteriorated material, required screens and locks
- **Walls/ceilings/floors** – free of water damage or defective surface conditions, structurally sound and free of tripping hazards
- **Hallways/stairs/landings** – clear path capable of supporting loads, securely attached hand and guard rails
- **Electrical/mechanical/plumbing** – properly installed service panel, outlets, plumbing and heating system free of electric hazards with all unused gas lines adequately capped
- **Fire protection** – properly installed and working smoke and CO detectors placed as required, sufficient fire resistant walls and floors with unobstructed egress
- **Kitchen** – properly connected and working plumbing, appliances, lighting and ventilation with suitable space and sanitary conditions, adequate outlets free of electrical hazards
- **Bathrooms** – properly installed and operating facilities with hot and cold running water to each fixture, proper lighting, ventilation and working outlets free of electrical hazards
- **Shared spaces** – clean and sanitary condition
- **Rodents, insects, pests**

\*Please see chapter 16 of the Mauston Ordinances for all regulations.



# Ehlers Market Commentary

January 17, 2012

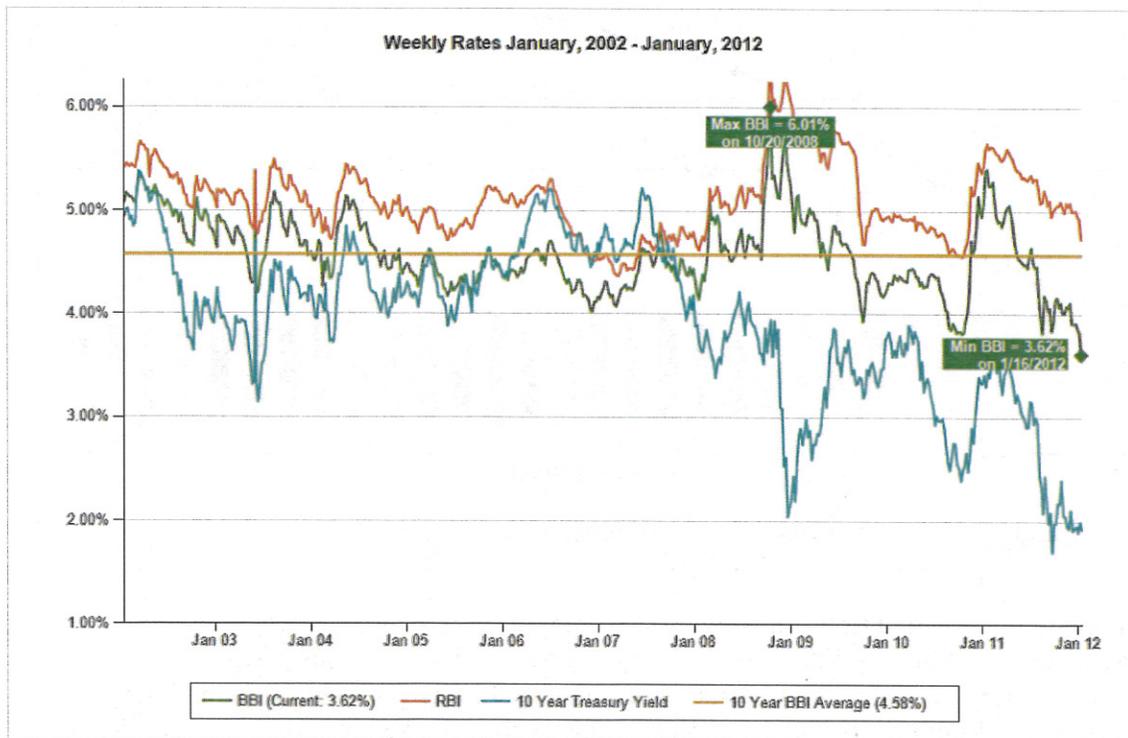
## Time... Is on My Side

It was the second week of January, 1967. The Rolling Stones were enjoying their fifth appearance on the Ed Sullivan Show as one of the world's most popular bands. Two members of the Stones' stiffest musical competition, Paul McCartney and Ringo Starr of the Beatles, were across the pond in a London club relishing a performance by the Jimi Hendrix Experience. And, the Green Bay Packers had just capped off a lopsided victory (35 – 10) over the Kansas City Chiefs in the first Super Bowl.

While the Packers and Chiefs will not be participating in the 2012 Super Bowl, tax-exempt interest rates are nearing or eclipsing their 1967 levels.

Both the 10- and 30-year AAA yields, as reported by Thomson's Municipal Market Data (MMD) broke records set on January 13 of 1967 and closed the week of January 9th at 1.76% and 3.29%, respectively. The Bond Buyer's 20-bond GO Index (BBI) fell 21 basis points (1 basis point = 0.01%) on the week to 3.62%, the lowest it has been since April, 1967.

10 YEAR TREND IN MUNICIPAL BOND INDICES



The Bond Buyer "20 Bond Index" (BBI) shows average yields on a group of municipal bonds that mature in 20 years and have an average rating equivalent to Moody's Aa2 and S&P's AA.

The Revenue Bond Index (RBI) shows the average yield on a group of revenue bonds that mature in 30 years and have an average rating equivalent to Moody's A1 and S&P's A+.

Source: The Bond Buyer



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LEADERS IN PUBLIC FINANCE

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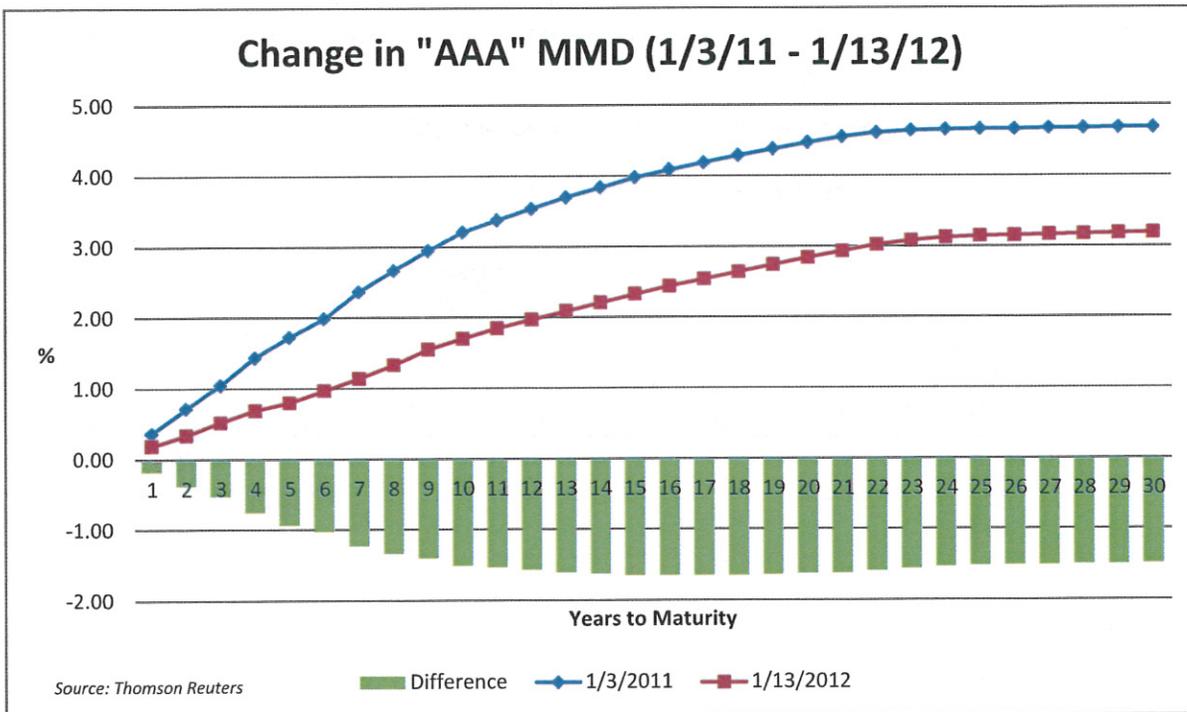


# Ehlers Market Commentary

January 17, 2012

The chart above demonstrates the reported yields of the BBI and the Bond Buyer's Revenue Bond Index (RBI), as well as the U.S. 10-year Treasury Note. You can see the divergence in rates during the height of the financial crisis in 2008, then the improvement in municipal yields and convergence towards a normal relationship with treasuries throughout 2009. Late 2010/Early 2011 were marked by concerns over municipal credit quality and the possibility of large defaults (both unrealized). The municipal market rallied (even stronger than treasuries) in both the long-term and intermediate parts of the market through 2011. In recent weeks, rates have dropped even more as demand has been robust in the face of supply imbalances.

The dramatic decline in yields over the past year for all parts of the AAA MMD interest rate curve can be seen from the chart below:



While tax-exempt bond mutual fund flows in early 2011 were witness to over \$1 billion in weekly redemptions (maxing out at \$4 billion), 2012 has so far been characterized by modest inflows equal to almost \$1 billion the first two weeks of the year (all as reported by Lipper FMI and the Bond Buyer). Demand from retail and institutional investors remains strong, as the relative value of municipals is still appealing with the 10-year muni/treasury ratio right around 92%. The long-term average of the ratio is in the 80 – 85% range. This is a dramatic improvement from the nearly 110% seen throughout the last quarter of 2011.



# Ehlers Market Commentary

January 17, 2012

Healthy investor interest has translated to strong dealer demand. We can corroborate through our experience with recent competitive offerings and verbal conversations that dealers are aggressive and comfortable carrying inventory. This is especially true for bonds with strong credit quality and short-to-intermediate maturities. You can also glean from the first chart the importance of security and credit quality, through the stubborn and growing spread between the BBI and RBI. Investors are paying a premium for strong security and solid credit.

## You Can't Always Get What You Want.....

In other market-related news, if you hadn't noticed there seem to be some debt and credit concerns emanating from the Eurozone...

On Friday, S & P formally downgraded the long-term ratings of seven European nations. Most notably, the AAA ratings of both France and Austria were downgraded to AA+. France is the Eurozone's second largest economy behind Germany. The country is also the second largest guarantor of the European Financial Stability Facility, or EFSF (an oxymoron, at this point?). Other prominent actions were the downgrade of Italy to BBB+, as well as one-notch downgrades of Spain (A) and Portugal (BB). As mentioned previously, Italy is the world's third largest debtor nation (behind Japan and the U.S.) and this downgrade comes at an inopportune time, to say the least.

Bond markets were mainly unaffected by these events, as prices were relatively unchanged upon the announcement, according to the Wall Street Journal. Another interesting occurrence in the European markets came on Monday of last week when an auction of German six-month bills resulted in negative yields for investors. While this has occurred periodically in the secondary markets (investors trading amongst each other), this is the first time that issuers have been paid for the privilege of borrowing investors' money.

## Start Me Up

For the past few months, we have been using this space to argue in favor of advancing borrowing plans or aggressively considering refunding opportunities. We will reiterate that stance, and, perhaps, state that we are even more keen to the idea. Given the current level of yields, a mildly improving U.S. economic environment, and what currently appears to be a market leaning overtly towards bonds rather than stocks, interest rates could easily rise in a short period of time. We say all this knowing that is typically a two – three month process to issue bonds and lock in rates.

When things are as good as they've been in almost forty-five years, how much better can they get?



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Competitive Sale Results December 19, 2011 - January 13, 2012

Sale Date	Issuer	St	Par Amt (in millions)	Issue	Underlying Rating	Credit Enhanced Rating	BQ	TIC / NIC	Maturities	# of Bidders	Winning Bidder
12/20/11	Mirocka Village	IL	1.66	GO Bonds	AA-		Y	2.20%	2012 - 21	3	Robert W. Baird - Lead
12/21/11	Mission	KS	0.49	GO Temporary Notes	Non-rated		Y	1.20%	2014	2	UMB Bank
01/03/12	Bentley EDA	MN	5.92	GO Refunding Bonds (Taxable)	Aa3		N	3.14%	2014 - 28	7	Robert W. Baird - Lead
01/03/12	Marquette	WI	1.52	GO Refunding Bonds (Taxable)	A1		N	2.70%	2013 - 25	4	BOSC
01/09/12	Detroit Lakes ISD#22	MN	3.11	GO School Building Refunding Bonds	Non-rated	Aa+	Y	0.77%	2013 - 16	7	Vining-Sparks IBG
01/09/12	Elkhorn Area SD	WI	6.61	GO Refunding Bonds	Aa2		Y	1.01%	2012 - 18	11	BOSC
01/09/12	Grafton School District	WI	4.04	GO Refunding Bonds (Taxable)	Aa2		N	3.44%	2012 - 31	5	BMO Capital Markets GKST
01/09/12	Iola	KS	7.55	GO Bonds	BBB (AaGm)		Y	2.31%	2012 - 25	3	Srifel Nicolaus
01/09/12	Lake Geneva-Genoa City Union HSD	WI	5.99	GO Refunding Bonds	Aa2		Y	0.98%	2012 - 19	9	Janney Montgomery
01/09/12	Rhinelander	WI	1.79	GO Promissory Notes	A+		Y	1.55%	2012 - 21	6	Robert W. Baird
01/09/12	Rosemount-Apple Valley ISD#196	MN	10.59	GO School Building Refunding Bonds	Aa1	Aa2	N	0.67%	2013 - 15	14	BOSC
01/10/12	Sawyer County	WI	2.10	GO Law Enforcement Center Refunding Bonds	Aa3		Y	1.65%	2013 - 24	6	BOSC
01/10/12	Wichita	KS	19.27	GO Bonds	Aa1/Aa+		N	1.99%	2013 - 27	9	Morgan Stanley
01/10/12	Wichita	KS	5.62	GO Bonds	Aa1/Aa+		N	2.30%	2013 - 32	7	Morgan Stanley
01/10/12	Wichita	KS	38.00	GO Renewal & Improvement Temporary Notes	MIG1/SP-1+		N	0.24%	2013	6	JP Morgan
01/10/12	Wichita	KS	7.87	GO Renewal & Improvement Temporary Notes (Taxable)	MIG1/SP-1+		N	0.72%	2013	5	JP Morgan
01/11/12	Baldwin Village	WI	1.90	GO Refunding Bonds (Taxable)	AA		N	3.07%	2013 - 27	7	Robert W. Baird - Lead
01/11/12	Hennepin County	MN	25.23	GO Refunding Bonds	Aaa/AAA		N	1.50%	2012 - 23	11	Wells Fargo Securities
01/11/12	Illinois	IL	525.00	GO Bonds	A2/A+/A		N	3.91%	2013 - 37	8	Wells Fargo Securities
01/11/12	Illinois	IL	275.00	GO Bonds	A2/A+/A		N	5.30%	2013 - 37	9	JP Morgan
01/11/12	Loft School District	WI	6.15	GO Refunding Bonds	Aa3		Y	1.14%	2012 - 17	4	BOSC
01/11/12	Madison Area Technical College Dist.	WI	7.05	GO Promissory Notes	AAA		N	1.23%	2013 - 21	8	Piper Jaffray
01/12/12	Baraboo	WI	1.17	GO Promissory Notes	Non-rated		Y	1.70%	2013 - 22	5	Bankers Bank



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# City of Mauston, WI

## Status Report on Refunding of Existing Debt

Original Amount	Title	Call Date	Callable Amount	Callable Rates		Status
				Low	High	
\$2,904,892	Sewer System Revenue Bonds (CWFL), Series 2000	09/27/2000	\$1,540,091	4.359%	4.359%	Our latest estimate, as of 11/17/2011, is that a current refunding now will produce a present value savings of \$75,569 or 4.972%. We will contact you soon to discuss your options for refunding these bonds.
\$1,295,000	Redevelopment Authority Revenue Bonds, Series 2005	12/01/2013	\$525,000	4.500%	5.000%	Our latest estimate, as of 11/17/2011, is that a net cash refunding now would not produce sufficient savings.
\$1,415,000	General Obligation Promissory Notes, Series 2009A	06/01/2016	\$135,000	3.750%	3.750%	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.
\$1,680,000	Water System Mortgage Revenue Refunding Bonds, Series 2010A	12/01/2019	\$1,110,000	4.850%	4.850%	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.
\$1,995,000	Sewerage System Revenue Refunding Bonds, Series 2010B	05/01/2019	\$1,855,000	4.850%	4.850%	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.
\$2,174,000	Taxable Sewerage System Mortgage Revenue Bonds, Series 2010D (Build America Bonds-Direct Payment)	12/16/2010	\$2,157,100	-	-	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.
\$1,121,000	Taxable Water System Mortgage Revenue Bonds, Series 2010C (Build America Bonds-Direct Payment)	12/16/2020	\$950,300	-	-	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.
\$4,390,000	General Obligation Refunding Bonds, Series 2011	12/01/2020	\$965,000	2.800%	3.500%	Our latest estimate, as of 11/17/2011, is that a refunding now would not produce sufficient savings.



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