

Chapter 14.10

UNDERGROUND CABLE AND WIRE UTILITY SERVICES

Section:

14.10.010 Underground Cable and Wire Utility Services.

In all areas within the Corporate Limits of the City of Whitehall whereby Electrical, Cable Television or Telephone Cable, Wire, and/or Services are to be buried underground, all utilities (Electric, Cable Television and Telephone) shall be buried in one common trench. (New Section).

THE COMMON COUNCIL OF THE CITY OF WHITEHALL DO ORDAIN AS FOLLOWS:

Chapter 14.14 of the Whitehall Municipal Code in regard to Solid Fuel Heating Devices and Solid Fuel Storage is hereby created to read as follows:

Chapter 14.14

REGULATION OF SOLID FUEL-FIRED HEATING DEVICES,
OUTDOOR SOLID-FUEL DEVICES, AND RESTRICTIONS ON
KEEPING AND STORING SOLID FUELS/WOOD PILES

14.14.010 Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

- a) Outdoor solid fuel-fired device means a solid fuel fired furnace, stove or boiler that is not located within a building intended for habitation by humans or domestic animals.
- b) Public nuisance means whoever by an act or failure to perform a legal duty violates this Ordinance, is guilty of a public nuisance pursuant to City Ordinances.
- c) Solid fuel-fired heating device means a device designed for solid fuel combustion so that usable heat is derived for the interior of the building, and includes solid fuel-fired stoves, fireplaces, solid fuel-fired cooking stoves and combination fuel furnaces or boilers which burn solid fuel. Solid fuel-fired heating devices do not include natural gas-fired fireplace logs.
- d) Stack or chimney means any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel-fired heating device; specifically the part of such a structure extending above a roof.

14.14.012 Permit Required. The City shall require that a permit to install and operate shall be applied for and approved for any outdoor solid fuel-fired device installed after the effective date of this Ordinance. The permit fee shall be established by the City Council. Forms used for application/permit shall be standard building permit forms used by the City. The City Fire Inspector shall review and inspect all applications to install an outdoor solid fuel-fired device, prior to City Council consideration of the permit.

14.14.014 Minimum Requirements. All outdoor solid fuel-fired devices installed within the city limits are required to meet emission standards currently required by the Environmental Protection Agency (EPA) and the Underwriters' Laboratories, Inc. (UL) listing. Installation, operation and maintenance are required to be in accordance with manufacturer's written instructions and shall be submitted to the City for review and approval, prior to issuing the permits. All outdoor solid fuel-fired devices are subject to public nuisance as described in this article.

14.14.016 Stack or Chimney Requirements. All outdoor solid fuel-fired devices shall have an attached permanent stack that extends at least three (3) feet above the highest portion of the roof line of any building or structure regularly occupied by people closer than 150 feet from the device, other than the buildings or structures of the owner of the device. All stacks and chimneys shall be designed, constructed, and maintained to withstand horizontal wind pressures of not less than 30 pounds per square foot in accordance with the manufacturer's listing, and shall have a band at the top of the chimney or stack with guy wires attached sized per manufacturer's recommendations.

14.14.018 Restrictions on Placement. Outdoor solid fuel-fired devices shall be located at least 25 feet from the property line, and at least 25 feet from any structure on the permit holder's property. The outdoor solid fuel-fired device shall not be located in any front yard or side yard.

14.14.019 Restrictions On Keeping and Storing Solid Fuels/Wood Piles. Unless stored inside a structure or building, solid fuels and/or wood to be used as solid fuel shall be stored in an orderly pile or rank; shall be located in the rear yard only; shall be placed not less than 3 feet from any adjoining or rear lot line or 4 feet from any alley; and shall not exceed 6 feet in height. Any existing wood storage/solid fuel storage which is not in compliance with this Ordinance shall be removed or placed to be compliant with this Ordinance within six months of the effective date of this Ordinance.

14.14.020 Dates of Operation. Outdoor Solid fuel-fired devices may not be operated during the months of May, June, July, August, and September.

14.14.022 Existing Devices. All outdoor solid fuel-fired devices existing prior to the effective date of this Ordinance shall obtain a permit pursuant to Section 14.14.012 of City Ordinances. All such devices shall become in compliance with City Ordinances within six (6) months of the effective date of this Ordinance. At that time, those devices not in compliance, shall be removed or replaced.

14.14.024 Materials That May Not Be Burned. Unless a specific written approval has been obtained from the Department of Natural Resources, the following materials may not be burned in an open fire, incinerator, furnace, stove or any other indoor or outdoor incineration or heating device:

- a) Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- b) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to restriction in Chapter NR 590, Wisconsin Administrative Code.
- c) Asphalt and products containing asphalt.

- d) Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservative.
- e) Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- f) Rubber including tires and synthetic rubber-like products.
- g) Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance.

14.14.026 Public Nuisance. Dense smoke, noxious fumes, gas and soot, cinders, or live sparks produced by a solid fuel-fired heating device or by an outdoor solid fuel-fired device that interfere substantially with the comfortable enjoyment of life, health, or safety of another person or the public may be declared a public nuisance and ordered abated pursuant to City Ordinances 9.32 and 7.28.

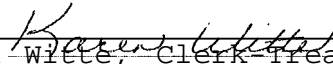
14.14.028 Violations - Penalties. Any person, firm or corporation violating any provision of this Chapter shall be issued a municipal citation of not less than \$20.00 nor more than \$500.00, together with court costs, and every day of violation shall constitute a separate offense.

Adopted this 12 day of December, 2006.

 (J)

Rod Moen, Mayor

ATTEST:



Karen Witte, Clerk-Treasurer

Chapter 14.16

FAIR HOUSING

Sections:

- 14.16.010 Declaration of Policy
- 14.16.020 Definitions
- 14.16.030 Unlawful Practices in This Ordinance
- 14.16.040 Exemptions
- 14.16.050 Procedure
- 14.16.060 Penalties

14.16.010 Declaration of Policy. It is hereby declared to be the policy of the City of Whitehall to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, ancestry, national origin, sex, handicap, marital status or person maintaining a household, lawful source of income, place of birth or age and, to that end, to prohibit discrimination in housing by any person. (March 10, 1981).

14.16.020 Definitions. As used in this Ordinance:

- a) Dwelling shall mean any building, structure, or portion thereof which is occupied as or designated for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction thereon of any such buildings or structure.
- b) Person includes a single individual.
- c) Family includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy and receivers.
- d) To Rent Includes to lease, sublease, to let and otherwise grant for consideration the right to occupy premises not owned by the occupant.
- e) Discrimination or discriminatory housing practice means any difference or treatment based upon race, color, religion, ancestry, national origin, sex, handicap, marital status of the person maintaining a household, lawful source of income, place of birth, or age; or any act that is unlawful under this ordinance.

(March 10, 1981).

14.16.030

14.16.030 Unlawful Practices in This Ordinance. In connection with any of the transactions set forth in this section which affect any housing accommodation on the open market or in connection with any public sale, purchase, rental, financing or lease of any housing accommodation, it shall be unlawful within the City of Whitehall for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above to:

- a) Refuse to sell, purchase, rent or lease, or deny to or withhold any housing accommodation from a person because of his race, color, religion, ancestry, national origin, sex, handicap, marital status of the person maintaining a household, place of birth or age.
- b) To discriminate against any person in the terms, conditions or privileges of the sale, purchase, rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith.
- c) To represent to a person that any housing accommodation is not available for inspection, sale, purchase, rental or lease when, in fact, it is so available, or to refuse to permit a person to inspect any housing accommodation because of his race, color, religion, ancestry, national origin, sex handicap, marital status or the person maintaining a household, lawful source of income, or place of birth or age.
- d) o make, publish, print, circulate, post or mail, or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy, or to sign or to use a form of application for the sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, which indicates any discrimination or any intent to discriminate.
- e) To induce directly or indirectly or attempt to induce directly or indirectly the sale, purchase, rental or lease for the listing for any of the above, of any housing accommodation by representations regarding the entry or prospective entry into the neighborhood of a person or person of a particular race, color, religion, or national origin.

- f) To retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this article, or because he has filed a complaint, testified, assisted in or participated in any manner in any investigation proceeding, hearing or conference under this ordinance.
- g) For any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part, in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loans or other financial assistance because of the race, color, religion, ancestry, national origin, sex, handicap, marital status, lawful source of income, place of birth or age of such person or any person associated with him or her in the connection of such loan or other financial assistance or the purpose or for the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwelling in relation to which such loan or other financial assistance is to be made or given.
- h) To deny any qualified person access or membership or participation in any multiple listing service, real estate brokers organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, ancestry, national origin, sex, handicap, marital status, lawful source of income, place of birth or age.

(March 10, 1981).

14.16.040 Exemptions. This ordinance shall not apply to:

- a) A religious organization, association, or society or any nonprofit institution or organization operating, supervised, or controlled by or in conjunction with the religious organization, association, or society, which limits the sale, rental, or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or which gives preference to such persons, unless membership in such a religion is restricted on account of race, color, national origin, sex, handicap, or lawful source of income, place of birth or age.

- b) A private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, and which limits the rental or occupancy of such lodgings to its members or gives preference to its members.
- c) Any single-family house sold or rented by an owner: PROVIDED, that such private individual owner does not own more than three such single-family houses at any one time; PROVIDED FURTHER, that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within a 24 month period; PROVIDED FURTHER, that such bona fide private individual owner does not own any interest in, nor is there owned or served on his behalf, under any express or voluntary agreement titled to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time; PROVIDED FURTHER, the sale or rental of any such single-family house shall be accepted from the application of this ordinance only if such house is sold or rented:
 - 1) Without the use of any manner of the sales or rental facilities or the sale or rental services of any real estate broker, agent or salesman or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent salesman, or person; an
 - 2) Without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of the provisions of 42 United States Code Section 3604(c) or Section 14.16.030 of this ordinance; but nothing in this provision shall prohibit the use of attorneys, title companies, and other such professional assistance as necessary to perfect or transfer the title.
- d) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, or if the owner actually maintains and occupies one of such living quarters as his residence.

14.16.050 Procedure. Any person aggrieved by an unlawful practice prohibited by this ordinance may file a complaint with the chairperson of the Trempealeau County Housing Authority 30 days after the aggrieved person become aware of the alleged

14.16.050 -- 14.16.060

unlawful practice has occurred. The Chairperson of the Trempealeau County Housing Authority shall receive each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this ordinance shall cause the Chairperson of the Trempealeau County Housing Authority to forward the complaint and findings to appropriate state and federal agencies. (March 10, 1981).

14.16.060 Penalties. Any person violating any provision of this ordinance, shall, upon conviction thereof, for the first violation, forfeit not less than \$100 nor more than \$1,000. (March 10, 1984).

Chapter 14.20
UNIFORM NUMBERING SYSTEM
ORDINANCE

The Common Council of the City of Whitehall do ordain as follows:

Chapter 14.20 of the Whitehall Municipal Code in regard to Principal Structure Numbering is hereby created to read as follows:

14.20.010 Purpose. It is the purpose of this Ordinance to promote the public health, safety, convenience, and general welfare; to establish and regulate the uniform county-wide numbering system as authorized pursuant to Sections 59.97 of the Wisconsin Statutes.

14.20.020 Uniform Numbering System. A uniform numbering system of numbering principal structures of improved properties in the City of Whitehall is hereby adopted. The system adopted by Trempealeau County and maps produced by Ehlert and Associates which are filed in the City Clerk's Office are hereby adopted and made part of this Ordinance.

14.20.030 Establishment By Ordinance. The City Council shall, by Ordinance, establish a uniform number address system to be used in the City.

14.20.040 Extent/Description of System:

A. The City uniform address system shall extend over the entire incorporated areas of the City of Whitehall, except for those areas already using the system of an unincorporated area. Any unincorporated area, upon presentation of a written request from the governing body of such town board to the City Council, may also be included in the City uniform address system. The system is an extension of the system adopted by Trempealeau County.

B. Home/building identification numbers will be affixed to each property. Trempealeau County will provide uniform numbers for principal structures in existence at or prior to the time of project implementation for all Cities providing a written request prior to project implementation (October, 1995). Thereafter, new structure numbers will be at the expense of the owner. Identification numbers must be affixed to the property within 60 days of being issued.

14.20.050 Assignment and Location of Numbers.

A. Trempealeau County will provide for every person owning, controlling, occupying, or using any house, store, storeroom, or building situated on premises fronting any public way as provided in Section 14.20.040, a permanent marker on such premises indicating the assigned number. Any house number existing at the time the provisions of this Ordinance take effect and that is different than the newly assigned number shall be removed at the time the new number is installed.

B. One number shall be assigned to apartments, mobile home parks, etc. Individual units shall be referred to by apartment number, mobile home number, etc. A separate number will be assigned to duplex units, town houses, etc.

C. The official number for each developed property shall be posted in a manner as to be visible from the street. The number shall be affixed to the property frontage facing the street it is addressed to. The number shall be displayed in a lighted area free of foliage or other covering materials.

14.20.060 System Administration/Main-

A. The City shall be responsible for the enforcement and maintenance of the uniform address system in the City of Whitehall. These duties shall include assignment of all new addresses, providing markers, updating maps, making available new maps as needed, making periodic checks of the City to insure that the provisions of this Ordinance are being complied with, and any other duties necessary

Affidavit of Publication

STATE OF WISCONSIN
Trempealeau County J ss.

.....'@?. .P....fi'Y.:lj.«:....., being duly sworn, doth depose and say that he (she) is an authorized representative of THE WHITEHALL TIMES, a newspaper published at Whitehall, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on

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(Signed)

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.....T 1. "?.&!C.....(Title)

Subscribed and sworn to before me this ?./.. day of

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f. dr. U. Jacobson
Notary Public, Trempealeau County, Wisconsin

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Affidavit of Publication

STATE OF WISCONSIN /
Trempealeau County } ss.

..... .hjq; (... A.:S9:.... -J.C....., being duly sworn, doth depose and say thathe (she) is an authorized representative of THE WHITEHALL TIMES, a newspaper published at Whitehall, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on

.....Q.!7.....

THE COMMON COUNCIL OF THE CITY OF WHITEHALL DO ORDAIN AS FOLLOWS:

Section 14.20.050 of the Whitehall Municipal Code in regard to Uniform Numbering System — Assignment and Location of Numbers is hereby amended to include the following:

14.20.050 Assianment and Location o(Null]bers.

D. In addition to the official home/building identification numbers that are required to be posted as above, each residential apartment shall display an apartment designation (apartment number or letter). The apartment designation is required to be affixed to the outside of the main entrance door to each respective apartment. (.....)

Mopted this eighth day of June 1999. . .

f • Is/ Keith Johnson Mayor
Is/ Lynn Johnson Clerk-Treasurer

(Pub. June 17, 1999)

.....W.....

(Signed)(.. .4.!.;{/ t£.':::.....

.... (.?..... (Title)

Subscribed and sworn to before me this!7. day of

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Fredrick A. J...
Notary Public, Trempealeau County, Wisconsin

My Commission expires ... April 27, 2003

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Chapter 14.20

UNIFORM NUMBERING SYSTEM ORDINANCE

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Chapter 14.20 of the Whitehall Municipal Code in regard to Principal Structure Numbering is hereby created to read as follows:

14.20.010 Purpose. It is the purpose of this Ordinance to promote the public health, safety, convenience, and general welfare; to establish and regulate the uniform county-wide numbering system as authorized pursuant to Sections 59.97 of the Wisconsin Statutes.

14.20.020 Uniform Numbering System. A uniform numbering system of numbering principal structures of improved properties in the City of Whitehall is hereby adopted. The system adopted by Trempealeau County and maps produced by Elert and Associates, which are filed in the City Clerk's Office are hereby adopted and made part of this Ordinance.

14.20.030 Establishment By Ordinance. The City Council shall, by Ordinance, establish a uniform number address system to be used in the City.

14.20.040 Extent/Description of System.

A. The City uniform address system shall extend over the entire incorporated areas of the City of Whitehall, except for those areas already using the system of an unincorporated area. Any unincorporated area, upon presentation of a written request from the governing body of such town board to the City Council, may also be included in the City uniform address system. The system is an extension of the system adopted by Trempealeau County.

B. Home/building identification numbers will be affixed to each property. Trempealeau County will provide uniform numbers for principle structures in existence at or prior to the time of project implementation for all cities providing a written request prior to project implementation (October, 1995). Thereafter, new structure numbers will be at the expense of the owner. Identification numbers must be affixed to the property within 60 days of being issued.

14.20.050 Assignment and Location of Numbers.

A. Trempealeau County will provide for every person owning, controlling, occupying, or using any house, store, storeroom, or building situated on premises fronting any public way as provided in Section 14.20.040, a permanent marker on such premises indicating the assigned number. Any house number existing at the time the provisions of this Ordinance take effect and that is different than the newly assigned number shall be removed at the time the new number is installed.

B. One number shall be assigned to apartments, mobile home parks, etc. Individual units shall be referred to by apartment number, mobile home number, etc. A separate number will be assigned to duplex units, town houses, etc.

C. The official number for each developed property shall be posted in a manner as to be visible from the street. The number shall be affixed to the property frontage facing the street it is addressed to. The number shall be displayed in a lighted area free of foliage or other covering materials.

14.20.060 System Administration/Maintenance.

A. The City shall be responsible for the enforcement and maintenance of the uniform address system in the City of Whitehall. These duties shall include assignment of all new addresses, providing markers for new addresses, providing replacement markers, updating maps, making available new maps as needed, making periodic checks of the City to insure that the provisions of this Ordinance are being complied with, and any other duties necessary to insure the continued maintenance of the uniform address system. A fee for replacement markers, covering the cost of said markers, shall be paid to the City Clerk's Office by the property owner or proprietor.

B. The City Clerk shall issue, at the owners expense, a set of numerals for each new principal structure. In so doing, he/she shall issue only numerals for the number assigned under the provisions of this Ordinance. The application for the number to be completed by the owner prior to the issuance of a building permit for the principal structure. The application to be accompanied by the appropriate fee. Identification numbers must be affixed to the property within 60 days of being issued.

14.20.070 Penalties.


A. Violation of this Ordinance shall be punishable by a fine of \$2.00. Each separate day such violation is continued shall constitute a separate offense. In addition, if any person fails or refuses to post the number as required by this Ordinance, the City shall cause the numbers to be affixed to the structure and shall charge the owner or proprietor all costs involved in affixing the number.

B. The removal, damaging, defacing, alteration, or destruction of the uniform address sign which indicates a premises assigned number or the removal, damaging, alteration, or destruction of an address system sign marker intentionally by one who has no right to so act may be punished by a fine of not more than \$100.00. In addition, any violation of this section which is a repeat offense may be subject to a penalty not exceeding \$200.00 for each repeat offense.

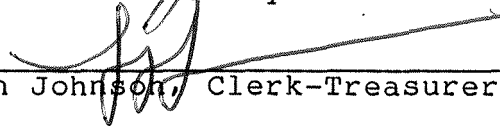
14.20.080 Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

14.20.090 Effective Date. This Ordinance shall take effect upon approval and publication as provided by law.

Adopted this 12 day of September, 1995.



Keith Johnson, Mayor



Lynn Johnson, Clerk-Treasurer


THE COMMON COUNCIL OF THE CITY OF WHITEHALL DO ORDAIN AS FOLLOWS:

Section 14.20.050 of the Whitehall Municipal Code in regard to Uniform Numbering System - Assignment and Location of Numbers, is hereby amended to include the following:

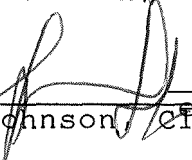
14.20.050 Assignment and Location of Numbers.

D. In addition to the official home/building identification number-s that are required to be posted as above, each residential apartment shall display an apartment designation (apartment number or letter). The apartment designation is required to be affixed to the outside of the main entrance door to each respective apartment.

Adopted this 8 day of June, 1999.



Keith Johnson, Mayor



Lynn Johnson, Clerk-Treasurer