

CHAPTER 1

GENERAL PROVISIONS

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1.01 TOWN OF CHASE CODE.

- (1) Title. This Code of Ordinances may be known and cited as the Town of Chase Code.
- (2) Amendments. Any additional ordinances and/or amendments to existing ordinances are incorporated in and made a part of this Code so that a reference to the Town of Chase Code includes all such additions and amendments.
- (3) Numbering of Sections. Each section number of this Code shall consist of two component parts separated by a period; the figure before the period refers to the chapter number and the figure after the period refers to the position of the section within the chapter.
- (4) Numbering Additions. The decimal system shall be used for all additions or amendments to this Code. When a chapter or section is to be added, the new chapter or section shall given a decimal character.

1.02 DEFINITIONS.

- (1) General. Terms used in this Code, unless specifically defined in this Code, have the same meanings prescribed by the Wisconsin Statutes for the same terms; or, if not defined in this Code or the Statutes, then their usual and customary meanings.
- (2) Specific. Terms used in this Code have the following meanings:
 - (a) *“Act”* includes the failure or omission to do something which should have been done, or which was required to be done, under the circumstances then existing.
 - (b) *“Board”* shall mean the Town Board of the Town of Chase; and similarly, the title of any other official, board or commission shall refer to that of the Town of Chase unless otherwise stated.
 - (c) *“Code”* shall mean the Town of Chase Code of Ordinances (this Code).
 - (d) *“County”* shall refer to Oconto County.

- (e) *“Gender, Singular and Plural”*: Every word in this Code, and in any ordinance imparting the masculine gender, may extend and be imparted to females as well as males; and every word imparting the singular number only may extend and be applied to several persons or things as well as to one person or thing; provided these rules of construction shall not be applied to any position which contains express language excluding such construction or when the subject matter or context of such provisions may be repugnant thereto.
- (f) *“Ordinance”* shall refer to an ordinance of the Town of Chase and all amendments thereto included in this Code; and any ordinance passed and published, but not yet included in this Code.
- (g) *“Persons”* shall mean any natural individual, firm, partnership, trust, estate, club, association or corporation. As applied to partnerships or associations, the word includes the partners or members thereof; as applied to corporations, the word includes the officers, agents or employees thereof who are responsible for the act referred to. The singular person includes the plural and the plural includes the singular. The masculine gender includes the feminine and neuter genders, and vice versa.
- (h) *“State”* shall refer to the State of Wisconsin.
- (i) *“Town”* shall refer to the Town of Chase, Oconto County, Wisconsin.
- (j) *“Wisconsin Statutes”* shall refer to the latest publication thereof, and any and all amendments thereto as and when enacted.

1.03 REPEAL OF ORDINANCES.

- (1) Certain Ordinances Repealed. All general ordinances or parts of ordinances heretofore adopted by the Town Board of the Town of Chase, and not included in this Code, are repealed, except the following, which are hereby continued in full force and effect.
 - (a) Ordinances authorizing contracts and/or the issuance of municipal notes or bonds;
 - (b) Ordinances levying taxes and/or making special assessments;
 - (c) Ordinances appropriating funds and/or establishing salaries;
 - (d) Ordinances granting franchises and/or rights to corporations;
 - (e) Ordinances relating to the establishment, dedication, opening, grading, naming, improvement, altering, widening and/or vacating of streets, alleys, sidewalks, parks and/or public grounds;
 - (f) Ordinances respecting the conveyance or acceptance of real property and/or easements in real property;
 - (g) Ordinances authorizing and/or relating to particular public improvements; and
 - (h) Any other special ordinances not in conflict with the provisions of this Code.
- (2) Included Ordinances Continuous. The provisions of this Code, so far as they are the same in substance as those of heretofore existing ordinances, are continuations of such ordinances and not new enactments. Any act done, offense committed,

right accruing or acquired and liability, penalty, forfeiture and punishment incurred prior hereto, shall not be affected but may be enjoyed, asserted, enforced, prosecuted and/or inflicted as fully and to the same extent as if the above repeal had not been effected.

1.04 JURISDICTION. Unless otherwise provided in this Code, this Code applies to acts performed within the Town of Chase, Oconto County, Wisconsin.

1.05 PENALTIES.

- (1) Standard Penalty. Unless another penalty is expressly provided by the Code for any particular provision, section or chapter, any person violating any provision of this Code or any rule or regulation adopted or issued in pursuance thereof, or any provision of any code adopted here by reference, shall, upon conviction, be subject to a forfeiture of not less than \$20.00 nor more than \$10,000.00 plus the cost of prosecution. In default of immediate payment of such forfeiture and costs, such person shall be committed to the Oconto County jail until such forfeiture and costs are paid. Every commitment shall limit the duration of such imprisonment to a definite term not exceeding ninety (90) days.
- (2) Each Day a Violation. Each act of violation, and every day upon which a violation occurs or continues, constitutes a separate offense.
- (3) Applicability. The penalty provided by this section, and/or any section of this Code, applies to the amendment of any section of this Code and any code adopted herein by reference to which the penalty relates, whether or not such penalty is re-enacted in the amendatory ordinances, unless otherwise provided in the amendment.
- (4) Reference to Sections. Reference to any section of this Code shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.
- (5) Failure of Officers to Perform Duties. The failure of any officer or employee of the Town to perform any official duty imposed by this Code shall not subject such officer or employee to the penalty imposed for violation of this Code, unless a penalty is specifically provided.
- (6) Bond Schedule, Non-traffic Violations. The Bond Schedule for non-traffic violations shall be as set forth in the Town of Chase Citation Ordinance.
- (7) Court Authority to Impose Alternative Juvenile Dispositions and Sanctions.
 - (a) For a juvenile adjudged to have violated an ordinance, a court is authorized to impose any of the dispositions listed in §938.343 and §938.344, Wis. Stats., in accordance with the provisions of those Statutes.
 - (b) For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court under §938.343 or §938.344, Wis. Stats., the court is authorized to impose any of the sanctions listed in §938.355(6)(d), Wis. Stats., in accordance with the provisions of those Statutes.
 - (c) This Section is enacted under the authority of §938.17(2)(cm), Wis. Stats.

1.06 RESPONSIBILITY FOR ACTS. Every person concerned in the commission of any act prohibited by this Code, whether he directly commits the act, or in any way directs, encourages, advises, aids or abets its commission, may be prosecuted; and on conviction thereof, is subject to punishment the same as if he had directly committed such act.

1.07 SEPARABILITY OF PROVISIONS. Each section, subsection, paragraph, sentence, phrase, clause and provision of this Code is separable; and, if any provision hereto is held to be unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Code nor any part thereof; and it shall be deemed and is hereby declared that all remaining parts of this Code would have been passed and published the same as if such illegal, invalid or unconstitutional section, subsection, paragraph, sentence, phrase, clause or provision had not been included herein.

1.08 EFFECTIVE DATE. This Code of Ordinances shall take effect upon passage and publication in book form under the authority of the Town Board, as provided by §66.0103 of the Wisconsin Statutes, and other provisions of law.

1.09 COPIES ON FILE. A copy of this Code shall be kept permanently on file, and open and available for public inspection at the office of the Town Clerk.