

ORDINANCE NO. 2004-02
TOWN OF RUSH RIVER

An ordinance to establish regulations to preserve and conserve wetlands in the Town of Rush River.

The Town Board of Rush River do hereby ordain as follows:

Section 1. Wetlands definition: A wetland is an area where water is at, near or above the surface long enough to be capable of supporting aquatic or hydrophytic (water loving) vegetations and which has soils indicative of wet conditions.

Section 2. Construction near wetlands.

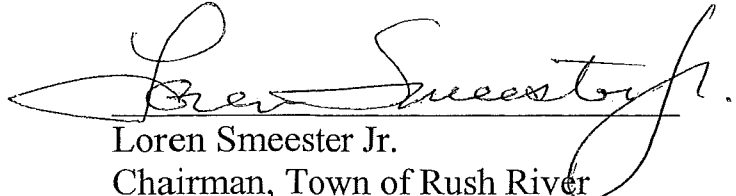
- A. Any property owner desiring to build or develop lands lying within two hundred feet of a wetland must contact DNR, County and local authorities to obtain information about and adhere to all laws and regulations concerning protection of wetlands.
- B. No structures of any kind whatsoever, or any harvesting of timber, shall take place within two hundred feet of any wetland.
- C. Where authorization from proper State, County and local authorities is obtained to disturb and utilize a wetland area, a new wetland area shall be established in the Town having an equal or greater size that the original wetland. The replacement parcel must be established prior to disturbing the existing wetland. The replacement parcel must at least equal the size of the original wetland parcel, not merely that part of the original wetland area which was disturbed or eliminated by authorized activity. The replacement wetland area shall be constructed at the complete expense of the person disturbing the original wetland area and a Department of Natural Resources of U.S. Fish and Wildlife technician must advise with respect to the

technician to develop the substitute wetland area and monitor the construction process. The replacement wetland must not interfere with the use of lands adjoining or surrounding same. The Town Board must approve the size and location of the replacement wetland.

D. These regulations shall only apply to wetland areas of one acre or more in size.


Section 3. Penalty. Any person violating the Ordinance shall be subject to a penalty of not less than \$100.00 nor more than \$500.00, plus the costs of prosecution and court costs, for each day the violation continues.

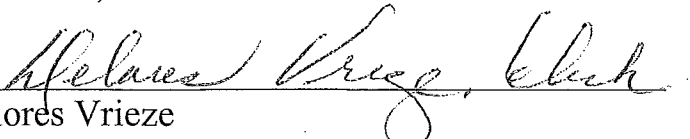
This ordinance was developed by the Town of Rush River Comprehensive Planning Commission and presented to the Town of Rush River Town Board this 9 day of March 2004.


Loren Smeester Jr.
Chairman, Town of Rush River
Planning Commission

This ordinance shall take effect upon passage and posting.

Passed and adopted this 9 day of March 2004.


Donald E. Schumacher
Chairman, Town of Rush River


Delores Vrieze
Clerk, Town of Rush River

Approved

Randy W. Stillings

Randy W. Stillings
Supervisor, Town of Rush River

William M. Findlay

William M. Findlay
Supervisor, Town of Rush River

I, Delores Vrieze, upon adoption of this ordinance by the
Town Board did on the 9th day of March, 2004,
post same in the following three places in the Town of Rush
River:

Town Hall

Arctic Glass

Clerks Home

Delores Vrieze, Clerk
Delores Vrieze, Clerk

Ordinance No. 2004-04-2009

Town of Rush River

An Ordinance adopting the form, and relating to issuance of citations for violations of ordinances.

WHEREAS, Section 66.0113, Stats., authorizes municipalities so electing to utilize the citation method of enforcement for ordinances; and

WHEREAS, The Town has the authority to enact ordinances and to adopt the citation method under 66.0113, Stats., as the Town has heretofore been authorized by its electors to exercise Village powers;

NOW THEREFORE, the Town Board of the Town of Rush River do ordain as follows:

SECTION 1 – FORM OF CITATION

Citations issued by the Town shall contain the following:

- a. The name and address of alleged violator;
- b. The factual allegations describing the alleged violation;
- c. The time and place of the offense;
- d. The name and section of the ordinance violated;
- e. A designation of the offense in a manner that can readily be understood by a person making a reasonable effort to do so;
- f. The time at which the alleged violator may appear in court;
- g. A statement which in essence informs the alleged violator:
 1. That a cash deposit based on the schedule established by this ordinance may be made, which shall be delivered or mailed to the Town Clerk at least twenty-four hours prior to the time of the scheduled courts.
 2. That if a cash deposit is made, no appearance in court is necessary unless he or she is subsequently summoned.
 3. That if a cash deposit is made and the alleged violator does not appear in court at the time specified, he or she will be deemed to have entered a plea of no contest, and submitted to a forfeiture or, if the court does not accept the plea of no contest, that a summons will be issued commanding him or her to appear in court to answer the complaint.
 4. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons

or an arrest warrant concerning the defendant, or treat the nonappearance as a plea of no contest and enter judgment and /or that the municipality may commence an action to collect the forfeiture.

5. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statements required under "G" herein has been read. Statement shall be sent or brought with the cash deposit.
6. Such other information as the Town deems necessary.

SECTION 2 - SCHEDULE OF DEPOSITS

The following schedule of cash deposits is established for use with citations issued under this ordinance.

<u>Ordinance Title</u>	<u>Offense</u>	<u>Deposits & Costs</u>
No. 2004-02	Construction near Wetlands violation	\$739.00 (includes \$500 fine \$239.00 costs)
No. 2005-01	Violation of burning	Not less than \$50 or cost of fire call
No. 2008-01	Dog at Large	\$50 first incident \$100 for subsequent incidents

Deposits shall be made in cash, money order or certified checks delivered to the Town Clerk who shall provide a receipt thereof and promptly forward all such funds to the Town Treasurer.

SECTION 3 – ISSUANCE OF CITATION

The Town Chairperson shall direct the Town Clerk to issue citations with respect to any ordinances of the Town. Citations may also be issued by any Deputy Sheriff of St Croix County.

Approved by:

Town of Rush River Planning Commission

Sandi Hazvo

This 16 Day of December, 2008

Passed and adopted this 13 Day of January, 2009

**Town of Rush River
St Croix County, Wisconsin**

By: Donald E. Schumacher
Donald E. Schumacher
Town Chairman

Attest: Delores Vrieze, Clerk
Delores Vrieze
Town Clerk

Approved: Randy Stillings
Randy Stillings
Supervisor
William M. Findlay
William M. Findlay
Supervisor

I, Delores Vrieze, upon adoption of this Ordinance by the Town Board, did on the 13th day of January, 2009, post same in the following three places

1. Town Hall
2. Hammond Windows & Doors
3. Clerk's office

Delores Vrieze, Clerk Delores Vrieze, Clerk