

Chapter 19
ORDINANCE NO. 2011-02

**AN ORDINANCE TO REPEAL AND RECREATE
AN ORDINANCE ESTABLISHING THE POWERS AND DUTIES OF THE
TOWN OF TROY WATER PATROL**

The Town Board of the Town of Troy, Walworth County, Wisconsin **DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1: Town of Troy Ordinance No. 2011-02 entitled "An Ordinance to Repeal and Recreate and Ordinance Establishing the Powers and Duties of the Town of Troy Water Patrol" is hereby repealed.

SECTION 2: An Ordinance establishing the Powers and Duties of the Town of Troy Water Patrol is hereby created as follows:

1. Organization of Water Patrol. The Town of Troy Water Patrol shall consist of one supervisor, and such officers and assistants as from time to time may be appointed by the Town Board.
2. General Powers of Water Patrol Officers. Every member of the Water Patrol shall:
 - a. Familiarize himself/herself with the ordinances of the Town and the Wisconsin State Statutes related to offenses occurring on public waters in the Town and attend to the enforcement of such ordinances and Statutes by all lawful means.
 - b. Help prevent crimes, misdemeanors and violations of the Town ordinances occurring on public waters in the Town and within 1,000 feet of the shore of such public waters, and at all indoor and outdoor areas of the Town of Troy Town Hall property, (such areas to be known as the "limited jurisdiction") and protect the health, safety, public peace and order of the Town and its inhabitants within such limited jurisdiction.
 - c. See that the necessary permits and licenses issued by the State or Town are in the possession of or properly displayed by any person engaged in an activity or business on public waters within the Town for which such permit or license is required and that the terms of such permits or licenses are complied with.

3. Rules and Policies for the Water Patrol. The supervisor of the Water Patrol shall establish and promulgate rules of conduct, directives and policies and procedures and prescribe such duties for individual numbers as he/she may deem necessary for the effective and efficient command and operation of the Water Patrol, provided no such rules of conduct, directive, policy or procedure or assignment shall be in conflict with Wisconsin State Statutes, Town of Troy Ordinances, Town of Troy Personnel Rules and Regulations, or other applicable laws.

4. Offenses Against State Laws Subject to Forfeiture. The following Statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the Town of Troy and shall be enforceable by the Town Water Patrol. The penalty for commission of such offenses hereunder shall be as described in the general penalty ordinance of the Town which is Town Ordinance No. 2011-02, including such amendments and recreation of such ordinance as maybe adopted from time to time. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this ordinance.

<u>Statute Number</u>	<u>Title of Statute</u>
29.601(3)	Throwing Refuse in Waters
125.07	Under-Age Drinking
287.81	Littering
939.05(2)	Aiding and Abetting
940.19(1)	Battery
943.01(1)	Damage to Property
943.13	Trespass to Land
943.14	Trespass to Dwelling
944.20	Lewd and Lascivious Behavior
946.40	Refusing to Aid Officers
946.41	Resisting or Obstructing Officer
947.01	Disorderly Conduct

SECTION 3: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or

portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 11th day of May, 2011.

TOWN OF TROY



John Kendall, Town Chair

ATTEST:



Ruth Polinski, Town Clerk

Published and/or posted this 13th day of May, 2011.

RESOLUTION 2011-3**A RESOLUTION ESTABLISHING A SCHEDULE OF DEPOSITS
PURSUANT TO ORDINANCE NO. 2011-2
WHICH ESTABLISHES THE TOWN OF TROY WATER PATROL**

WHEREAS, under applicable laws, the Town Board of the Town of Troy is responsible for the establishment of a Schedule of Deposits for all municipal ordinance violations authorized under the Town of Troy Municipal Ordinances; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Town Board of the Town of Troy, Walworth County, Wisconsin as follows:

SECTION 1: That the Schedule of Deposits attached hereto and incorporated by reference as Exhibit "A" shall be, and hereby is, established for use with citations issued for violation of the Town of Troy Municipal Ordinances.

SECTION 2: SEVERABILITY.

The several sections of this Resolution are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the resolution. The remainder of the resolution shall remain in full force and effect. Any other resolutions whose terms are in conflict with the provisions of this Resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This Resolution shall take effect immediately upon its passage and publication and/or posting as provided by law.

Adopted: May 11, 2011

TOWN OF TROY

John Kendall
John Kendall, Chairman
Town of Troy

ATTEST: Ruth Polinski
Ruth Polinski, Town Clerk

EXHIBIT "A"
SCHEDULE OF DEPOSITS
MUNICIPAL BOND AMOUNTS

ADOPTED: May 11, 2011

SECTION NUMBER	OFFENSE	DEPOSITS AND COSTS
29.601(3)	Throwing Refuse in Waters	\$50.00 and costs
125.07	Under-Age Drinking	State Bond
287.81	Littering	\$50.00 and costs
939.05(2)	Aiding and Abetting	\$100.00 and costs
940.19(1)	Battery	\$100.00 and costs
943.01(1)	Damage to Property	\$100.00 and costs
943.13	Trespass to Land	\$50.00 and costs
943.14	Trespass to Dwelling	\$100.00 and costs
944.20	Lewd and Lascivious Behavior	\$50.00 and costs
946.40	Refusing to Aid Officers	\$100.00 and costs
946.41	Resisting or Obstructing Officer	\$100.00 and costs
947.01	Disorderly Conduct	\$50.00 and costs
(various)	(all other municipal ordinance violations)	\$50.00 and costs

COSTS INCLUDE

Penalty Surcharge	26% of deposit
Jail Surcharge/Crime Lab Drug Surcharge	\$23.00
Circuit Court Costs	\$25.00
Court Services Fee (JISS/CSSS)	\$89.50

Y:\Resolutions\Bond Schedule.TOT.04-22-11