



City of Ladysmith

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Mayor	532-2656	Comptroller	532-2651	City/County Library	532-2604
Administrator	532-2653	Director of Public Works	532-2603	Police Department	532-2186
Clerk	532-2613	Bldg. Inspector	532-2603	Municipal Court Clerk	532-2613
Treasurer	532-2655	Asst. Director Public Works	532-2654		

Meeting Notice

Legal Affairs Committee

Monday, November 1, 2021

5:15pm Ladysmith City Council Chambers

107 W. 2nd St S.

Ladysmith, Wisconsin

INVITATIONS TO: Legal Affairs Committee Members (J. Pohlman III, M. Platteter, J. West), Mayor, Council President, Adm., Police Chief, Atty., Clerk, media

AGENDA

- 1) Approval of July 19, 2021 Legal Affairs Minutes.
- 2) Discussion and possible action on Vaping and city ordinances including correcting duplicate ordinance numbers/letters.

SEC. 11-5-4 PURCHASE OR POSSESSION OF TOBACCO PRODUCTS

(a) State Statute Adopted. The City of Ladysmith adopts the provisions of Section 134.66 778.25(1)(a) of Wisconsin Statutes, these sections adopted by reference and incorporated herein. (1) "Cigarette" has the meaning given in s. 139.30(1). (2) "Tobacco Products" has the meaning given in s. 139.75(12). (3) "Law Enforcement Officer" has the meaning given in s. 30.50(4s). (b) Except as provided in Sub. (3), no person under eighteen (18) years of age may do any of the Following: (a) Buy or attempt to buy any cigarette or tobacco product. (b) Falsely represent his or her age for the purpose of receiving any cigarette or tobacco product. (c) Possess any cigarette or tobacco product. (c) A person under eighteen (18) years of age may purchase or possess cigarettes or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer licensed under s. 134.65(1). (d) A law enforcement officer shall seize any cigarette or tobacco product involved in any violation of Sub. (2) committed in his or her presence. (e) If any section of this ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected. Title 11 Offenses by Juveniles 336 (f) Penalties. Any person under the age of eighteen (18) years of age who commits a violation under Para. (2) shall forfeit \$25 for each offense. Ord. #98-12 adopted October 12, 1998.

- 3) Discussion and possible action of a new ordinance 11-6-5 (?) entitled Public Nuisances Affecting Peace and Safety including correcting duplicate ordinance numbers/letters:

SEC. 11-6-5 (?) DRUG OR CRIMINAL GANG HOUSES

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of Section 11-6-2.

Drug House. Any building or structure that is used to facilitate the delivery, distribution or manufacture, as defined in s. 961.01 (6), (9) and (13) respectively, of a controlled substance, as defined in s. 691.01 (4), or a controlled substance analog, as defined in s. 961.01 (4m), and any building or structure where those acts take place, is a public nuisance.

Gang House. In this subsection, "criminal gang" has the meaning given in s. 939.22 (9). Any building or structure that is used as a meeting place of a criminal gang or that is used to facilitate the activities of a criminal gang, is a public nuisance and may be proceeded against under this section.

Termination of Tenancy. A property owner may terminate the tenancy of a tenant if the property owner received written notice from a law enforcement agency, as defined in s. 165.83 (1)(b) that a nuisance under Sec. 11-6-5(1) exists in that tenant's rental unit or was caused by that tenant on the property owner's property and if the property owner gives the tenant written notice requiring the tenant to vacate on or before a date at least 5 days after giving of the notice. The notice shall state the basis for its issuance and the right of the tenant to contest the termination of tenancy in an eviction action under ch. 799, Wis. Stats. If the tenant contests the termination of tenancy, the tenancy may not be terminated without proof by the property owner by the greater preponderance of the credible evidence of the allegation in the notice from the law enforcement agency that a nuisance under Sec. 11-6-5(1) exists in that tenant's rental unit or caused by that tenant.

- 4) Discussion and possible action on SEC 10-4-2 APPLICABILITY OF TRAFFIC REGULATIONS TO ALL-TERRAIN VEHICLES. Create section B: Liability Insurance

It is required to have liability insurance to operate on city streets in the City of Ladysmith. Open for discussion/altering.

- 5) Adjourn.

Note: Persons requiring reasonable additional services to participate at this meeting should call City Hall at 532-2600 or write to the City Clerk at the above address on or before 2 p.m. on Friday preceding the meeting to make arrangements for such services.

Prepared on 10/27/21 by A. Christianson

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