

# **PORTAGE COUNTY CODE OF ORDINANCES**

## **Chapter 1 GENERAL PROVISIONS**

### **1 GENERAL PROVISIONS**

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#### 1.1 ENACTMENT

The code of ordinances presently on file with the Portage County Clerk shall be and hereby is adopted. Section 66.0103 of Wisconsin Statutes authorizes the County Board of Supervisors to adopt a code of general ordinances without publication after such code has been on file with the Portage County Clerk for a period of two weeks prior to enactment; further provided that the County Clerk shall publish the Code in book or pamphlet form.

#### 1.2 PUBLICATION

Copies of said code of ordinances shall be published in text format available via the internet and by computer access at the Portage County Clerk's office.

#### 1.3 OFFICIAL COPY

The Portage County Clerk shall maintain an original copy of said code in his/her office and shall make it available to the public for inspection during business hours. The Portage County Clerk shall also be responsible for and maintain all future changes or additions to said code.

#### 1.4 FUTURE CHANGES

All future proposed ordinances or amendments to ordinances shall be submitted to the Portage County Corporation Counsel for approval as to format prior to their submission to the Portage County Clerk. The County Clerk shall cause all ordinances or amendments to ordinances enacted by the County Board in the future to be incorporated into this Code, in electronic and printed format.

#### 1.5 SEVERANCE

The sections, paragraphs, sentences, clauses and phrases of this entire Code are severable, and if any phrase, clause, sentence or paragraph shall be declared unconstitutional, invalid or unenforceable by the

valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

## 1.6 RECITAL OF STATE LAW

References in this Code to state law shall be to current statutes, laws, and codes lawfully promulgated by the State of Wisconsin, including Wisconsin Statutes and the Wisconsin Administrative Code, unless otherwise specified in this Code.

## 1.7 REPEALER

All ordinances and or parts of ordinances in conflict with the provisions of this code shall be and hereby are repealed, with the exception of tax levy ordinances, appropriation ordinances, ordinances relating to highway or street dedications, vacations or names, franchise ordinances, contract ordinances, and any ordinance or parts of an ordinance referred to herein as being still in force or by necessary implication therein reserved from repeal. Such repeal shall have no effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending under or by virtue of the ordinance repealed.

## 1.8 ENFORCEMENT

Enforcement of the Code of Ordinances shall be by the Portage County Sheriff's Department or as otherwise set forth in each ordinance. Citations shall be issued by the Portage County Sheriff's Department for violations of the Code. In addition, civil action is authorized for enforcement of the code by forfeitures and injunctive relief by the court.

## 1.9 PARTY TO A VIOLATION

1.9.1 Whoever is concerned in the commission of a violation of this Code of Ordinances is a principal and may be charged with and convicted of such a violation although the person did not directly commit it and although the person who directly committed it has or has not been convicted of some other degree of the violation or some other violation or crime based on the same act.

1.9.2 A person is concerned in the commission of a violation of this Code of Ordinances if the person:

- (A) Directly commits the violation; or
- (B) Intentionally aids or abets the commission of it; or
- (C) Is a party to a conspiracy with another to commit or conceal it, or advises, hires, counsels, or otherwise procures another to commit or conceal it. Such a party is also concerned in the commission of any other violation which is committed in pursuance of the intended violation and under the circumstances is a natural and probable consequence of the intended violation; or
- (D) Attempts to commit a violation; or
- (E) Solicits another to commit a violation.

Revised by Resolution No. 194-2004-2006 on 3-21-06

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