

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF HALES CORNERS

ORDINANCE NO. 17 - 3

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO UPDATE THE PROVISIONS PERTAINING TO PUBLIC POOLS AND WATER ATTRACTIONS TO PROVIDE FOR CONSISTENCY WITH CURRENT AND BEST PRACTICES AND THE REGULATIONS ADMINISTERED BY THE STATE OF WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

WHEREAS, the Village Health Department has become an agent for the Wisconsin Department of Agriculture, Trade and Consumer Protection to administer the retail food and recreational establishments program; and

WHEREAS, revision of the Municipal Code is necessary to be consistent with current and best practices and with the provisions of the Wisconsin Statutes and the Wisconsin Administrative Code as they pertain to the regulation of public pools and water attractions; and

WHEREAS, the Village Board having reviewed the proposed amendments to the Municipal Code, specifically, amendments to certain provisions of §11.14 PUBLIC SWIMMING POOLS, and having determined that they are reasonable and necessary to protect and promote the health, safety and welfare of the Village.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: §11.14(7) of the Municipal Code of Hales Corners, Wisconsin, is hereby amended to read as follows: delete: “11.13”, and in place thereof, insert: “11.14”.

SECTION 2: §11.14(8) of the Municipal Code of Hales Corners, Wisconsin, is hereby amended to read as follows: delete: “Chapter HSS 171 Public Swimming Places and Chapter HSS 172 Safety Maintenance and Operation of Public Swimming Pools, of the Wisconsin Administrative Code”, and in place thereof, insert: “Chapter 97 of the Wisconsin Statutes and Chs. ATCP 74 and 76, Wis. Adm. Code”.

SECTION 3: §11.14(14) of the Municipal Code of Hales Corners, Wisconsin, is hereby amended to read as follows:

License Fee. Public swimming pool license fees are subject to the following requirements:

- (a) The fees for services and activities performed by the Department in carrying out its responsibilities under this Code shall be published in the Village of Hales Corners Health Department Fee Schedule;
- (b) License fees shall accompany the license application;
- (c) There will be no proration of license fees, with the exception of requirements for agent status;
- (d) No license fee paid shall be refunded unless the license is denied;
- (e) Local pre-inspection fees shall be charged and shall include all inspection-related activities prior to the establishment doing business. Pre-inspection fees may be applicable for all new operations, changes in operation, remodeling or extension. Pre-inspection fees are not refundable; and
- (f) Failure to correct a violation that requires a second follow-up inspection and any subsequent re-inspections shall require a re-inspection fee.

SECTION 4: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED and ADOPTED this 14th day of March, 2017.



Robert G. Ruesch
Robert G. Ruesch, Village President

Countersigned:
Sandra M. Kulik
Sandra M. Kulik, Administrator/Clerk