

Resolution 2026-19
Town of East Troy

A Resolution to Extend the Beulah Heights Waterway Closure

Whereas, the soil conditions surrounding the Beulah Heights Culvert if left unmitigated will cause damage to both driveways and real-property as the sidewalls have begun sloughing and liver sand was found to be present on both sides of the construction area. Due to unknown water sources on the inland side infiltrating the jobsite. Mitigation efforts have remained ongoing and are time consuming for the crew, and;

Whereas, § 323.11 Declaration by local government. The governing body of any local unit of government may declare, by ordinance or resolution, an emergency existing within the local unit of government whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the local unit of government. The period of the emergency shall be limited by the ordinance or resolution to the time during which the emergency conditions exist or are likely to exist, and;

Whereas, 323.14(4)(4) Powers during an emergency.

(a) The emergency power of the governing body conferred under s. 323.11 includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency and includes the power to bar, restrict, or remove all unnecessary traffic, both vehicular and pedestrian, from the highways, notwithstanding any provision of chs. 341 to 349.

(b)

1. In this paragraph, "chief executive officer" means any of the following:

- a.** The county executive of a county, the county administrator of a county, or, in a county with an administrative coordinator, the county board chair of a county.
- b.** The mayor or city manager of a city.
- c.** The village president or village manager of a village.
- d.** The town board chairperson of a town.

e. A person acting as, or temporarily filling the role of, a person listed in subd. 1. a. to d.

2. If, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, the chief executive officer or acting chief executive officer of any local unit of government shall exercise by proclamation all of the powers conferred upon the governing body under par. (a) or s. 323.11 that appear necessary and expedient. The proclamation shall not exceed 60 days, unless the proclamation is extended by the governing body. The proclamation shall be subject to ratification, alteration, modification, extension, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation.

NOW, THEREFORE, BE IT RESOLVED: The Beulah Heights Culvert, Waterway Closure will be extended until Wednesday, September 30, 2026.

Dated this 17TH day of July, 2026.

Town of East Troy

By: _____

Joseph G. Jones, Chairman

Attest: _____

Caitlin Owens, Clerk