

CHAPTER 9

HEALTH AND SANITATION

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9.01 HEALTH OFFICER.

(1) How Appointed. The Village President, at the annual organizational meeting of the Village Board, shall, subject to approval of the Village Board, appoint a Health Officer.

(2) Replacement of Health Officer. Whenever a Health Officer fails to perform the duties of his office, the Village President shall discharge such officer and immediately appoint a new officer, subject to approval of the Village Board.

(3) Powers and Duties. The Health Officer shall take such measures as shall be most effective for the preservation of the public health. The Village President, subject to approval of the Village Board, may appoint persons to aid him. The Health Officer shall perform any acts authorized to be taken by the Board of Health under the Wisconsin Statutes.

9.02 GRADE "A" MILK REQUIRED.

No person shall sell, offer or expose for sale any milk or milk products other than Grade "A" milk and milk products as those terms are defined in Wis. Adm. Code, Ch. Ag 80, issued by the State Department of Agriculture and State Board of Health, which are hereby incorporated in this section by reference as if fully set forth herein. The clerk is directed to file a copy of such regulations in his office for public inspection.

9.03 KEEPING OF ANIMALS AND FOWL.

(1) Sanitary Requirements. All structures, pens, buildings, stables, coops or yards wherein animals or fowl are kept shall be maintained in a clean and sanitary condition free

of rodents, vermin and objectionable odors. Interior walls, ceilings, floor, partitions and appurtenances of such structures except structures or houses occupied by no more than one dog, cat, rabbit, skunk or similar animal kept as a pet, shall be whitewashed or painted annually or more often as the Health Officer shall direct.

(2) Animals Excluded from Food Handling Establishments. No person shall take or permit to remain any dog, cat or other live animal on or upon any premises where food is sold, offered for sale or processed for consumption by the general public.

(3) Location of Livestock Restricted. No person shall keep any chicken, duck, goose, or other fowl, or any other horse, cow, pig or any other kind of livestock within the Village of Bagley except in areas of the Village which have not been platted into blocks and lots and further except in any area used primarily for agricultural purposes.

(4) Allowance of up to 6 chickens per property. Up to six (6) chickens (or combination of up to five (5) chickens and one (1) rooster) are allowed per property. The chickens/rooster must be confined to a pen or coop and not be allowed to roam freely. The chickens/rooster must be kept a minimum of 50 feet from the dwelling of any neighbor.

9.04 DISPLAYED FOOD AND DAIRY PRODUCTS.

The provisions of s. 97.66 of the Wisconsin Statutes relating to covering and display of food and dairy products are hereby adopted by reference and incorporated in this code as if fully set forth herein.

9.05 SALE OF UNWHOLESOME OR TAINTED FOOD PROHIBITED.

No person shall sell, offer for sale or hold for sale any meat, fish, fruits, vegetables or other articles of food or drink which is not fresh or properly preserved, sound wholesome and safe for human consumption or the flesh of any animal which died by disease. The Board of Health is hereby authorized and directed to seize and destroy any articles of food or drink which are offered or held for sale to the public which have become tainted, decayed, spoiled or otherwise unwholesome or unfit for human consumption.

9.06 RESTAURANT REGULATIONS.

(1) Definition. The term "restaurant" as used in this section shall mean any place, kitchen or conveyance where meals or lunches are prepared for sale, sold or served to transients or the general public.

(2) General Sanitation. All restaurant premises shall be kept clean and free of litter or rubbish. All garbage and rubbish shall be kept in suitable, airtight containers so as not to become a nuisance and shall be disposed of daily in a sanitary manner. No living or sleeping room, urinal, water closet, ash pit or coal bin shall connect directly with any room

used for preparation, storing or serving food. Between May 1 and October 1, all doors, windows and apertures shall be effectively screened and doors shall be self-closing to prevent the entrance of flies. All equipment shall be kept clean and free from dust, dirt, insects and other contaminating material.

(3) Cleanliness and Health of Employees.

(a) Clothing and Conduct. All restaurant employees or workers shall wear clean clothing, hair nets or caps and shall keep their hands clean at all times while engaged in handling foods, drink, utensils or equipment. Employees or workers shall not expectorate or use tobacco in any form in any area in which food is prepared.

(b) Disease. No person infected with any disease in a communicable form or who is a carrier of any contagious disease shall work in any restaurant and no restaurant owner or operator shall employ any such person to work in any restaurant.

(c) Duty of Board of Health. If the Board of Health shall suspect that an employee or worker in any restaurant is afflicted with any disease in communicable form, it shall notify such employee to cease working in any restaurant in the Village until he shall present a certified statement of a reputable physician or other satisfactory evidence that he is free from communicable disease.

(4) Water Supply and Plumbing. In every restaurant adequate safe water pressure shall be convenient and available in any room where food is prepared or utensils washed. Private water supplies shall be tested for purity not less than once every 6 months in the manner directed by the Board of Health. Plumbing shall be so designed, installed and maintained to prevent contamination of the water supply, food, drink or equipment.

(5) Cleansing of Utensils and Equipment. In order to insure proper cleansing and disinfection of glasses, cups, dishes and other eating utensils in restaurants, they shall be thoroughly washed and sanitized after each use.

9.07 GROCERY STORE AND MEAT MARKET SANITATION.

No person shall operate a grocery store or meat market within the Village of Bagley, in an unsanitary, filthy or unclean manner so as to endanger the health of patrons or other persons. In all grocery stores and meat markets, refrigerators or refrigerator counters shall be kept in sanitary condition and shall maintain a temperature of 40 degrees Fahrenheit or below. Spoiled or unwholesome food shall be removed from the refrigerator immediately upon detection. The walls and ceilings of the store and stockrooms shall be kept clean and painted. Basements shall be clean and orderly and all refuse or garbage kept inside the premises must be placed in metal containers properly covered and disinfected when necessary. Meat grinders, hooks and all other utensils must be cleaned at the end of each work day. All unwrapped bakery or confectionery products shall be handled in such a

manner that they do not come in direct contact with the hands of the individual selling them. The operator of the store or market shall be responsible for compliance with this section.

9.08 MEAT INSPECTION.

No person shall sell, have, keep or expose for sale for human consumption the flesh of meat food products of any cow, calf, sheep, swine, horse or goat in the Village of Bagley unless the same shall have been slaughtered, inspected or prepared under the supervision of a United States Government inspector or in accordance with the regulations governing the inspection of meat as prescribed by the United States Department of Agriculture Bureau of Animal Industry, Title 9, ch. 1 (a), C. F. R. The Board of Health may authorize the sale of meat or meat food products which have been slaughtered, inspected or prepared under the supervision of any municipal inspector or health officer in accordance with the prescribed standards which he determines to be substantially similar to the above regulations of the United States Department of Agriculture.

9.09 CONTROL OF WEEDS, GRASSES AND PLANTS

(1) The Village Clerk-Treasurer shall annually on or before May 15th publish as required by Wisconsin Statute 66.0407(4) a notice that every person is required by law to destroy all noxious weeds on lands in the Village which he/she owns, occupies or controls.

(2) Noxious Weeds and Rank Growth Prohibited.

(a) No person owning, occupying or controlling property within the Village of Bagley shall permit such property to become overgrown with any weeds, grasses, or plants so as to constitute a public nuisance, as defined in sec. 12.02 of the Municipal Code of the Village of Bagley.

(b) No person owning, occupying or controlling property within the Village of Bagley shall permit the lawn or vegetation on such property to exceed the height of six (6) inches. This shall apply whether the property is occupied or unoccupied.

(c) Noxious weeds are as defined in Wisconsin Statute 66.0407(1) which includes but is not limited to; Canada thistle, leafy spurge, field bindweed or any other such weeds.

(d) Rank growth of vegetation including all weeds, grasses and plants over twelve (12) inches in height excluding trees and shrubs is prohibited.

(3) It shall be the duty of the Director of Public Works or his/her designee to enforce this section and if any person shall fail to comply, the owner or occupant shall be provided with written notice. After a minimum of two (2) days from written notice, should the property not compliant with this section, the Village shall destroy such weeds, mow the lawn, etc in the manner deemed to be the most economical method and the expense thereof, including the cost of billing and other administrative expenses, shall be charged against such

lots. Unpaid charges are subject to being placed on the tax roll as a special charge or special tax when applicable. When not applicable to place on the tax roll, the Village will utilize a reasonable method as substitute.

(a) The Village will track time taken to destroy weeds, mow the lawn, etc to bring a property in compliance with this section. The property owner will be charged an hourly rate with a minimum of one (1) hour charged. First offense shall be \$50 per hour, each additional offense shall be \$100 per hour. Offenses reset each calendar year. Should the Village incur any other expenses, including but not limited to damages to Village equipment used, the property owner shall be responsible for reimbursement of those expenses.

9.10 RIGHT OF HEALTH OFFICER TO ENTER PREMISES.

The Health Officer or any agent of the Health Officer shall have the right to enter and examine any public premises or any place where meat, fish, poultry, game, milk, bakery goods or other foodstuffs are stored, prepared or dispensed for public consumption and to inspect or examine any vehicle transporting such foodstuffs for the purpose of enforcing the provisions of this chapter. Any person who shall hinder, obstruct or prevent the Health Officer from entering or from carrying out his examination of such premises or vehicle shall upon conviction thereof forfeit not less than \$10.00 nor more than \$100.00, together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs are paid but not exceeding 30 days.

9.11 ABATEMENT OF HEALTH NUISANCES.

The Board of Health shall have the power to abate health nuisances in accordance with s. 146.14 of the Wisconsin Statutes which is hereby adopted by reference and made a part of this section as if fully set forth herein.

9.12 PENALTIES.

The penalty for violation of any provision of this chapter shall be a penalty as provided in s. 15.04 of this code. A separate offense shall be deemed committed on each day in which the violation occurs or continues.