

Village Of Brooklyn

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Ordinance Committee **January, 17th 2011 Minutes**

Members Present: Mark Bruner, David Natzke and Steven Lust also present President Nadine Walsten and Police Chief James Barger.

Meeting was called to order at 6:36pm.

Motion: Mark Bruner/David Natzke to approve Nov 15th, 2010 Ordinance Committee meeting minutes w. *Motion was carried unanimously*

The Committee and President Nadine Walsten had discussed the Recodification of our ordinances that needs to be reviewed. Walsten had gave out a completed updated copy of Chapter 1 General Provisions that was approved by the last Ordinance Committee and a Draft of Chapter 49 Miscellaneous Provisions section 49.01 Trees and Shrubs, to be review by the Public Works Committee.

Chapter 25 Animals was reviewed by the committee, along with recommendations from Chief James Barger and Walsten. Motion was made by: Mark Bruner/David Natzke to approve Chapter 25 along with MCC recommendations with to the following changes:

Sec. 25.11. Animal bite. 1

Any animal known to have bitten any person shall be immediately seized by any police officer or duly authorized humane society officer, and the police officer or humane society officer shall report the same at once to the police department for its observation and attention. The animal so seized shall be placed in a veterinary hospital in the village or nearest the village, for observation for a period of ~~ten (10)~~ fourteen (14) days at the expense of the owner of the animal. If the animal has not been seized, the owner shall on demand of the person bitten, a police officer or an officer of the humane society, immediately deliver the animal to the veterinary hospital nearest the village to be held for a period of ~~ten (10)~~ fourteen (14) days for observation at the expense of the owner of the animal. Reports at the end of the observation shall be made without delay to the police department or attending physician by telephone and confirmed in writing. Any person who refuses or fails to deliver the animal as aforesaid shall be subject to the forfeiture and penalties as provided in section 25.13. Any police officer or humane society officer, shall upon seizing the animal known to have bitten any person, turn the same over to some veterinary surgeon or pound keeper in the village or nearest to the village, who shall hold the animal until claimed by the owner or directed to kill the same by a village police officer. Any animal known to have bitten any person, and which has been kept for a period of seven (7) days, the owner here not being able to be ascertained by the exercise of reasonable diligence, may be ordered killed by any village police officer.

To.

Any animal known to have bitten any person shall be immediately seized by any police officer or duly authorized humane society officer, and the police officer or humane society officer shall report ~~the same~~ at once to the police department for its observation and attention. The animal so seized shall be placed in ~~the nearest~~ veterinary hospital. ~~in the village or nearest the village~~. For observation for a period of ~~ten (10)~~ fourteen (14) days at the expense of the owner of the animal. If the animal has not been seized, the owner shall on demand of the person bitten, a police officer or an officer of the humane society, immediately deliver the animal to the veterinary hospital nearest the village to be held for a period of ~~ten (10)~~ fourteen (14) days for observation at the expense of the owner of the animal. Reports at the end of the observation shall be made without delay to the police department or attending physician by telephone and confirmed in writing. Any person who refuses or fails to deliver the animal as aforesaid shall be subject to the forfeiture and penalties as provided in section 25.13. Any police officer or humane society officer, shall upon seizing the animal known to have bitten any person, turn the same over to some veterinary surgeon or pound keeper in the village or nearest to the village, who shall hold the animal until claimed by the owner or directed to kill the same by a village police officer. Any animal known to have bitten any person, and which has been kept for a period of seven (7) days, the owner ~~having not being able to be identified~~ ~~here not being able to be ascertained~~ by the exercise of reasonable ~~effort~~ diligence, may be ~~disposed of~~ ordered killed by any village police officer.

Sec. 25.13. Penalty.

Any person violating any provision of this chapter shall be subject to a forfeiture of not less than twenty-five (25) dollars nor more than two-hundred, fifty (250) dollars for each offense. Each day of the violation shall constitute a separate offense.

To:

Any person violating any provision of this chapter shall be subject to a forfeiture ~~of not less than twenty-five (25) dollars nor more than two-hundred, fifty (250) dollars for each offense. Each day of the violation shall constitute a separate offense~~ as defined by Village fee and Penalties schedule which shall be changed by the Village Board from time to time.

Motion carried unanimously.

Chapter 23 Offenses Against The Public Peace, Order Curfew And Other Matters was reviewed by the committee, along with recommendations from Chief James Barger and Walsten. With to the following changes along with MCC recommendations:

Sec. 23.06. Regulation of firearms.

(C) Firearms may be discharged by a person at his home or on his premises in the lawful defense of his life.

To:

(C) Firearms may be discharged by a person at his home or on his premises in the lawful defense of his life.

Delete **Sec. 23.10. Excessive vehicle noise.** (This covered in chapter 32)

No person shall operate a motor vehicle so as to create excessive noise and disturb the peace by either:

- (1) Repeatedly "revving up" the motor unnecessarily while the motor vehicle is not in motion;
- (2) Causing the tires of the motor vehicle to squeal in an unreasonably loud manner whether accelerating from a stopped position or from a lower speed;
- (3) Repeatedly blowing the horn of the motor vehicle;
- (4) Excessive noise from motor vehicle stereo/radio; or
- (5) Excessive noise from motor vehicle exhaust system.

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Sec. 23.13. Issue of worthless check.*

(A) Whoever issues any check or other order for the payment of money less than ~~\$1,000~~ \$2500 which, at the time of issuance, he or she intends shall not be paid shall be subject to a forfeiture not to exceed \$500.

To:

(A) Whoever issues any check or other order for the payment of money less than ~~\$1,000~~ \$2500 which, at the time of issuance, **the person** ~~he or she~~ intends ~~shall~~ not be paid shall be subject to a forfeiture not to exceed \$500

Sec. 23.15. Obstructing street and sidewalks prohibited. (Will be move to chapter 32)

No person shall stand, sit, loaf or loiter or engage in any sport or exercise on any public street, sidewalk, bridge or public ground within the village in such a manner as to prevent or obstruct the free passage of pedestrian or vehicular traffic thereon or to prevent or hinder free ingress or egress to or from any place of business or amusement, church, public hall or meeting place.

(Ord. of 9-8-1997, § 23.15)

Chapter 32 Street, Traffic, And Sidewalks was updated and reviewed by the committee, along with recommendations from Chief James Barger and Walsten. Motion was made by: Mark Bruner/David Natzke to approve Chapter 32 along with MCC recommendations, to send to Safety Committee for review with changes.

Motion carried unanimously

Motion was made by: Mark Bruner/David Natzke to change 32.08

(C) (H) Calendar parking. 6

(1). No parking will be allowed between the hours of 3:00 a.m. and 7:00 a.m. on Hotel Street between Commercial Street (Hwy 92) to N. Rutland Ave from 11/15 through April 15th - of each year.*

(2) No parking will be allowed between the hours of 1:00 am and 7 am from November 15th through April 15th of each year on any other street in the Village.*

To:

(C) ~~(H)~~ Calendar parking. 6

(1). No parking will be allowed between the hours of 3:00 a.m. and 7:00 a.m. on Hotel Street between Commercial Street (Hwy 92) to N. Rutland Ave (Hwy MM) from November 15th 11/15 through April 1st 4/1st of each year.*

(2) No parking will be allowed between the hours of 1:00 am and 7:00 am from November 15th through April 1st 4/1st of each year on any other street in the Village.*

Motion carried unanimously

Special Assessments Chapter 47.57 was revised by Steven Lust impart of recommendations from the P&Z Commission. The committee and Walsten reviewed the revised chapter 47.57 with some changes, and have agreed to send this back to the P&Z Commission for review.

Motion was made by: Mark Bruner/David Natzke to approve Chapter47.57 with changes and send to P&Z Commission for review. *Motion carried unanimously*

Motion: Mark Bruner/David Natzke to adjourn the meeting at 9:05 pm. *Motion carried unanimously.*

Steven Lust: Chair