



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org



October 31, 2017

TO: Public Safety Committee

FROM: Liz Majerus, Staff Attorney

RE: Explanatory Summary for November, 2017 Proposed Ordinance Revisions

4.070 Changes:

Chapter 4 regulates Harbor, Rivers, Bridges and Airport. Subsection (2) of Section 4.070, Navigation Rules, adopts various statutes relating to boating. Historically, through this subsection, the City enforced Wisconsin's intoxicated boating laws. However, due to a change in statutory numbering, our ordinance no longer unambiguously does this. The proposed changes eliminate any perceived jurisdictional issues and allow the City to prosecute intoxicated boating, which the District Attorney's Office believes falls within our jurisdiction.

10.130 Changes:

Section 10.130 regulates Snowmobile usage. Snowmobiling is generally not permitted within the City but legal routes may be established each year by the Chief of Police and/or Parks and Recreation Committee with concurrence of the Director of Parks and Recreation. Further, snowmobiles may lawfully operate on navigable rivers and waterways. To date, the City has not had an ordinance adopting Wisconsin's Intoxicated Snowmobile Laws. This corrects that absence.

14.070 Changes:

Section 14.070 regulates Contributing to Truancy and substantially tracked Wis. Stat. §948.45 regulating same. The proposed corrections render § 14.070 identical to state statute.

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14.560 Changes:

Section 14.560 regulates Public Nuisance Properties. In reviewing the police department's call log to identify possible nuisance properties, we realized that nearly every large apartment complex or trailer park could qualify given the high concentration of rental units there and the normal call volume generated by that number of residents. The Neighborhood Improvement Action Team (NIAT) agreed that establishing a percentage-based nuisance property determination would result in more equitable treatment for these properties while acknowledging their inherent differences from one- and two-family rental dwellings or small- to medium- sized apartment complexes. Further, NIAT agreed that returning the look-back period to twelve months would assist the police department to expand the scope of nuisance abatement regulation.

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