

CHAPTER 1

GENERAL CODE PROVISIONS

1.01 MARINETTE COUNTY CODE

- (1) Title
- (2) Amendments

1.02 DEFINITIONS

- (1) Statutory Terms
- (2) Code Terms

1.03 ORDINANCE HISTORY NOTES

1.04 RESERVE - REPEAL OF ORDINANCES

1.05 RESERVE - ORDINANCES NOT REENACTED

1.06 JURISDICTION

1.07 RESPONSIBILITY FOR ACTS

1.08 PROVISIONS AS CONTINUATION OF EXISTING

1.09 CONFLICT OF PROVISIONS

- (1) Chapters
- (2) Sections
- (3) Statutes

1.10 SEVERABILITY OF PROVISIONS

1.11 GENERAL PENALTY

- (1) Violations
- (2) Amendments
- (3) Reference

1.12 EFFECTIVE DATE

- (1) Code
- (2) Subsequent Ordinances

1.13 CODE REVISIONS

1.14 FILING OF DOCUMENTS

1.01 MARINETTE COUNTY CODE

- (1) **Title.** This code of ordinances shall be known and cited as the Marinette County Code of Ordinances.
- (2) **Amendments.** Any additions or amendments to this code, when adopted in such form as to indicate the intention of the Board of Supervisors to make the same a part of this code, are incorporated in this code, so that a reference to the Marinette County Code of Ordinances includes such additions and amendments.

1.02 DEFINITIONS

- (1) **Statutory Terms.** Terms used in this code, unless otherwise specifically defined in this code, have the meaning prescribed by the statutes of the State of Wisconsin for the same terms.
- (2) **Code Terms.** Terms used in this code have the following meanings:
 - (a) **Code** means the Marinette County Code of Ordinances.
 - (b) **County** means Marinette County.
 - (c) **County Board** or **Board of Supervisors** means the County Board of Supervisors of Marinette County and similarly the title of any other board commission or official refers to such board, commission or official of Marinette County unless otherwise stated.
 - (d) **Mandatory** or **Permissive** actions. The use of **shall** means an action is mandatory. The use of **may** means an action is permissive.
 - (e) **Ordinances** mean the ordinances of Marinette County and all amendments thereto, including this code.
 - (f) **Person** means any natural individual, firm partnership, corporation, company, association, club, joint venture, estate, trust or any group or combination acting as a unit and the individuals constituting such group or unit; and the plural as well as the singular number and the masculine gender includes the feminine and neuter genders, unless the intention to give more limited meaning is disclosed by context. As applied to partnerships, the word person includes the members of the partnership; as applied to corporations it includes the officers, agents or employees responsible for the act referred to.
 - (g) **State** means State of Wisconsin.
 - (h) **Wisconsin Statutes** and its abbreviation as **Wis. Stats.** Means the Wisconsin Statutes 2001-2002, as amended from time to time.

1.03 ORDINANCE HISTORY NOTES

The ordinance numbers and dates appearing in parentheses after sections in this Code are not intended to have any legal effect but are merely intended to indicate history of the ordinance adopted by the Board of Supervisors.

1.04 RESERVE – REPEAL OF ORDINANCES

1.05 RESERVE – ORDINANCES NOT REENACTED

1.06 JURISDICTION

Unless otherwise provided in this code, this code applies to acts performed within the limits of Marinette County.

1.07 RESPONSIBILITY FOR ACTS

Every person concerned in the commission of an act prohibited by this code, whether he or she directly commits the act, or counsels, aids, or abets in its commission, may be prosecuted and on conviction is punishable as if he or she had directly committed such act.

1.08 PROVISIONS AS CONTINUATION OF EXISTING

The provisions of this Code, insofar as they are substantially the same as legislation previously adopted by the county relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

1.09 CONFLICT OF PROVISIONS

- (1) **Chapters.** If the provisions of different chapters conflict with each other, the provisions of each individual chapter shall control all issues arising out of the events and persons intended to be governed by that chapter.
- (2) **Sections.** If the provisions of different sections of the same chapter conflict with each other, the provision which is more specific in its application to the events or persons raising the conflict shall control over the more general provisions.
- (3) **Statutes.** To the extent that the provisions of this Code of Ordinances conflict with the Wisconsin Statutes, administrative rules or regulations, or federal statutes, rules or regulations, said statutes, rules or regulations shall control.

1.10 SEVERABILITY OF PROVISIONS

Each section, paragraph, sentence, clause and provision of this code is severable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code, nor any part thereof other than that affected by such decision.

1.11 GENERAL PENALTY

- (1) **Violations.** Unless another penalty is expressly provided by this Code for any particular provision or section every person convicted of a violation of any provision of this Code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any code adopted herein by reference shall be punished by a forfeiture of not more than five hundred dollars (\$500.00) and costs of prosecution, or in default of payment, by imprisonment not to exceed six (6) months. Each act of violation and every day of any such violation shall constitute a separate offense.
- (2) **Amendments.** The penalty provided by this section shall apply to the amendment of any section of this Code or any code adopted herein by

reference whether or not such penalty is reenacted in the amendatory ordinance.

- (3) **Reference.** Reference to any section of these ordinances shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

1.12 EFFECTIVE DATE

- (1) **Code.** The Marinette County Code of Ordinances shall take effect as provided by state law.
- (2) **Subsequent Ordinances.** All ordinances passed by the Marinette County Board of Supervisors subsequent to the adoption of the Code of Ordinances, except when otherwise specifically provided, shall take effect from and after their publication.

1.13 CODE REVISIONS

As each ordinance becomes effective, the County Clerk shall forward such ordinance to the County Administrator's office who shall incorporate the revision into the Code.

1.14 FILING OF DOCUMENTS

Whenever any standard rule or regulation is codified and adopted, it shall be deemed incorporated in this Code. The County Administrator's office shall file, deposit and retain an office copy of the Code. The Code shall be a public record open for examination by any person during courthouse office hours, subject to such orders or regulations as the County Administrator may prescribe for preservation.

(Ord #266 8/26/03, Ord #307 12/19/06)