

City of Black River Falls  
**COMMON COUNCIL – AGENDA**

Tuesday – March 3, 2026 – 6:00 PM  
City Hall – 101 S. Second Street, Black River Falls, WI

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**Join Zoom Meeting:**

<https://us02web.zoom.us/j/86241711746?pwd=3j1mdQUH6aHx285zbIkyh27Na3byaM.1>

**Or Dial:** 1-312-626-6799

**Meeting ID:** 862 4171 1746

**Password:** cityhall

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Reading of the Minutes of the February 3, 2026 Special Common Council Meeting –  
Action
5. Citizens in Attendance
6. Committee Reports:
  - a. Committee of the Whole February 18, 2026
  - b. Utility Commission February 23, 2026
7. Application for Class “B” Beer and “Class B” Liquor Alcohol Beverage License from Docsider, LLC for the premises located at N6600 Riverview Drive – Action
8. Application for Temporary Alcohol Beverage License from Black River Falls Athletic Boosters, Inc. for the Falls Taste Festival on May 2, 2026 at 388 Melrose Street (Milt Lunda Memorial Arena) – Action
9. **ORDINANCE 901** – An ordinance repealing and recreating Section 11.04 of the Code of Ordinances regarding garbage and rubbish collection – 1<sup>st</sup> Reading
10. **ORDINANCE 902** – An ordinance repealing and recreating Section 1.57 of the Code of Ordinances regarding destruction of public records – 1<sup>st</sup> Reading
11. Meetings: Committee of the Whole **Wednesday, March 18, 2026 6:00 PM**
12. Adjourn

Posted: February 26, 2026

The Common Council met at City Hall in the City of Black River Falls on February 3, 2026 at 6:00 P.M. Alderpersons Peloquin, M. Rave, E. Rave, and Gearing-Lancaster were present. Alderpersons Ammann (6:05pm), Dougherty, and Wussow attended remotely via Zoom meetings. Alderperson Busse was excused. Mayor J. Eddy presided.

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It was moved by Alderperson M. Rave, seconded by Alderperson Gearing-Lancaster to dispense with the reading of the minutes of the January 6, 2026 Common Council meeting and approve as presented. Motion carried.

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#### **CITIZENS IN ATTENDANCE**

There were no citizen in attendance.

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#### **COMMITTEE REPORTS**

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It was moved by Alderperson Peloquin, seconded by Alderperson M. Rave to place on file the minutes of the January 15, 2026 Airport Commission meeting. Motion carried.

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It was moved by Alderperson E. Rave, seconded by Alderperson Dougherty to place on file the minutes of the January 19, 2026 Utility Commission meeting. Motion carried.

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It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson E. Rave to approve the minutes of the January 21, 2026 Committee of the Whole meeting. Motion carried.

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The Committee of the Whole met at City Hall in the City of Black River Falls on January 21, 2026 at 6:00 P.M. Alderpersons Peloquin, Busse, and Gearing-Lancaster were present. Mayor Eddy and Alderpersons Ammann, E. Rave, Dougherty, and Wussow attended remotely via Zoom meetings. Alderperson M. Rave was excused. Council President Joel Busse presided.

1. There were no citizens in attendance.
2. It was moved by Alderperson Ammann, seconded by Alderperson Wussow to approve Amendment #9 to the Employee Handbook establishing a Generative Artificial Intelligence (AI) Use policy. Motion carried.
3. It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Peloquin to approve the Ad Hoc Branding Committee's recommendation for a new City logo using the "B" icon and the SuperClarendon text font as presented. Motion carried.
4. The Department Head monthly reports were reviewed. Department heads present were Darryl Nelson, Travis Brown, Cara Hart, Mark Nordahl, and Brad Chown. Jarod Meyer was excused.
5. The Fire Chief advised the new Lifepack 35 monitors have been received. Training is scheduled for February 10<sup>th</sup> and 12<sup>th</sup>, and they hope to have them in service by the end of February.
6. It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Dougherty to award the bid for rubble crushing to PGA, Inc out of Weston, WI at a cost of \$4.60 per ton and a \$5,000 mobilization fee. Motion carried.
7. The Chief of Police introduced Josh Radaj as the new Patrol Sergeant. Sgt. Radaj was present and answered questions from Council members.
8. Financial reports for December 2025 will be presented at a later date after all December invoices have been paid and expensed back to 2025.
9. It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to adjourn. Motion carried at 6:26pm.

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It was moved by Alderperson Peloquin, seconded by Alderperson M. Rave to adjourn. Motion carried at 6:08pm.

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A. Brad Chown  
City Administrator

The Committee of the Whole met at City Hall in the City of Black River Falls on February 18, 2026 at 6:00 P.M. Alderpersons Ammann, Peloquin, Dougherty, Gearing-Lancaster, and Wussow were present. Alderperson E. Rave attended remotely via Zoom meetings. Alderpersons M. Rave and Busse were excused. Mayor J. Eddy presided.

1. There were no citizens in attendance.
2. The Department Head monthly reports were reviewed. Department heads present were Darryl Nelson, Travis Brown, Cara Hart, and Brad Chown. Jarod Meyer attended remotely via Zoom meetings. Mark Nordahl was excused.
3. The City Administrator and Alderperson Dougherty advised the quality of VoIP phone calls should be equal to or better than landline. There was a good turn out for the Make My Move launch call and local stakeholders are excited about the program. The Administrator also answered questions on Skyline Golf Course. He shared some of the financial struggles they have been experiencing for quite some time and advised they are seeking resolutions. If this isn't resolved, the management of the golf course could come back to the City which would require some difficult conversations. The clubhouse was included on the solar feasibility study to see if that could offset the high utility costs they experience year round.
4. Mayor Eddy shared that all of the EMS staff he has talked to are very happy with the new system and they feel less burn out.
5. The Street Superintendent addressed a question on the recurring water main breaks occurring on N. 8<sup>th</sup> Street. Water mains are ultimately the Water Department's responsibility, but it is believed the main lines are resting on top of sandstone and when the ground moves with the frost the pipes do not move and end up breaking. This will most likely be addressed if/when we redo N. 8<sup>th</sup> Street, but trying to fix it now would require tearing up a large area of N. 8<sup>th</sup> Street. There was another water main break on Alder Street which also has one patch after another in one area.
6. The Mayor commented on the video Market & Johnson posted on the work that has been done at Marks Field and it looks good. The Parks & Recreation Director agreed, and the project is close to completion.
7. It was moved by Alderperson Wussow, seconded by Alderperson Gearing-Lancaster to approve the vouchers for December 2025 Check #76412 - #76534 Totaling \$845,331.94. Motion carried.
8. It was moved by Alderperson Dougherty, seconded by Alderperson Peloquin to approve the City Treasurer's Report for December 2025. Motion carried.
9. It was moved by Alderperson Dougherty, seconded by Alderperson Gearing-Lancaster to approve the Revenue & Expense Reports for December 2025. Motion carried.
10. It was moved by Alderperson Wussow, seconded by Alderperson Gearing-Lancaster to approve the vouchers for January 2026 Check #76535 - #76661 Totaling \$1,492,497.53. Motion carried.
11. It was moved by Alderperson Dougherty, seconded by Alderperson Wussow to approve the City Treasurer's Report for January 2026. Motion carried.
12. It was moved by Alderperson E. Rave, seconded by Alderperson Ammann to approve the Revenue & Expense Reports for January 2026. Motion carried.
13. It was moved by Alderperson Wussow, seconded by Alderperson Peloquin to adjourn. Motion carried at 6:25pm.

A. Brad Chown  
City Administrator

BLACK RIVER FALLS UTILITY COMMISSION MEETING MINUTES

February 23, 2026

Utility Commission President John Lund called a meeting of the Black River Falls Municipal Utility Commission to order on February 23, 2026 at 3:30 p.m. in the Utility Conference Room at 349 South McKinley Street. Commissioners in attendance were Justin Dougherty, Jay Eddy, and Don Mathews. Commissioner Jeff Amo was excused. Also present were General Manager Casey Engebretson, Office Manager Sam Linehan, and Garrett Aleckson (Banner Journal).

A motion was made by Commissioner Eddy and seconded by Commissioner Mathews to approve the minutes from the January 19, 2026 regular meeting.

Aye: Lund, Dougherty, Eddy, and Mathews  
Motion carried.

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to approve the accounts payable vouchers; CK #43509 – 43584 and EP #100990 - 100999 – Totaling \$657,342.86.

Aye: Lund, Dougherty, Eddy, and Mathews  
Motion Carried.

The Commission reviewed the January 2026 arrears. Casey Engebretson and Sam Linehan informed the Commission that the auditors were on-site February 10-11 for preliminary field work. The final audit is expected to be completed in May. The auditors relayed that the field work was very efficient and praised the work of Sam, Sandy, and Cherie.

Casey Engebretson summarized the realignment of accounts at Security Financial Bank, resulting in additional interest earnings on a number of accounts.

Casey Engebretson presented the Commission with the 2025 Annual Phosphorus Multi Discharger Variance payment-to-counties. The total owed to counties for 2025 is \$17,573.79. This amount is lower than the payment owed for 2023 and 2024. Casey commended Billy and Collin for their fine work at the WWTP.

Casey Engebretson presented an estimate for the concrete recoating of the UV disinfection tanks at the WWTP. Summit Infrastructure, LLC submitted a quote for \$21,050.00. Casey recommended approving this work.

A motion was made by Commissioner Dougherty and seconded by Commissioner Eddy to approve the quote for the recoating of the UV tanks in the amount of \$21,050.00.

Aye: Lund, Dougherty, Eddy, and Mathews  
Motion Carried.

Casey Engebretson presented a quote from EPS for the repair of the braking mechanism and seal replacement for the Plant No.1 Load Tap Changer (LTC), in the amount of \$32,920.00. Casey stated staff discussed spending money on an older unit and if system reliability would suffer if this transformer was taken out-of-service. Staff felt this transformer is needed to ensure we are able to serve system load, either during the summer high peaking periods or when other substations are out-of-service for testing. Casey recommended approving this work.

A motion was made by Commissioner Mathews and seconded by Commissioner Dougherty to approve the quote for the LTC repair in the amount of \$32,920.00.

Aye: Lund, Dougherty, Eddy, and Mathews  
Motion carried.

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Casey Engebretson informed the Commission that the actuator gears had sheared for Gate #1 on the dam. The actuator was sent in and repaired at a cost of \$6,412. A new actuator was also ordered for a spare at a cost of \$13,122. The actuator on Gate #5 has been causing issues. Staff will monitor and look to have it rebuilt in the future if issues persist.

Casey Engebretson reviewed the new internet and phone service costs with the Commission. Casey has been working with City Administrator Brad Chown on proposals for a new phone system. Casey and Brad have decided to procure phones and VOIP service with Cytracom. Cytracom offers new phones and the monthly VOIP service with no long-term contracts. A quote for phones/VOIP was also received from Brightspeed. Costs were comparable, however, Cytracom was chosen due to no contract terms, free replacement hardware every three (3) years, and the ease of compatibility/communication between the City and the Utility. Casey has signed a contract to switch internet/fiber from Lumen to Brightspeed. Once these new services are installed, both the City and the Utility will realize measurable savings.

Casey Engebretson presented the WPPI Wholesale Electric Invoice to the Commission with an overview/description of the charges. Casey answered questions from the Commission.

Next Meeting: March 30, 2026 @ 3:30 p.m.

A motion was made by Commissioner Mathews and seconded by Commissioner Eddy to adjourn the meeting at 4:10 p.m.

Aye: Lund, Dougherty, Eddy, and Mathews  
Motion Carried.

Casey Engebretson, General Manager  
comm.mtg.minutes.2.23.2026

Form  
AB-200

# Alcohol Beverage License Application

For Municipal Use Only	
Municipality	CITY OF BLACK RIVER FALLS
License Period	

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer ..... \$ \_\_\_\_\_     Class "B" Beer ..... \$ \_\_\_\_\_  
 "Class A" Liquor ..... \$ \_\_\_\_\_     "Class B" Liquor ..... \$ \_\_\_\_\_  
 "Class A" Liquor (cider only) \$ \_\_\_\_\_     Reserve "Class B" Liquor \$ \_\_\_\_\_  
 "Class C" Liquor (wine only) \$ \_\_\_\_\_

Fees	
License Fees	\$
Background Check Fee	\$
Publication Fee	\$
<b>Total Fees</b>	<b>\$</b>

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### Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship) Doxside LLC			
2. Business Trade Name or DBA Doxside LLC			
3. FEIN <del>0084823</del> 41-4012716		4. Wisconsin Seller's Permit Number 456-1032274636-02	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization WI		7. Date of Organization 1/18/2026	8. Wisconsin DFI Registration Number D084823
9. Premises Address N6600 Riverview Dr.			
10. City Black River Falls		11. State WI	12. Zip Code 54615
13. County Jackson	14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Black River Falls		15. Aldermanic District
16. Premises Phone 715-284-3020	17. Premises Email		18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. 36x60 Building with two bar areas a small kitchen and a bar there on outside cooler and a dock for sitting and viewing the river. ILS Almost 6 acres has docks and a boat ramp 2 separate parking lots			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

### Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages.  Yes  No

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . .  Yes  No beverages.

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . .  Yes  No  
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? . . .  Yes  No  
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
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5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. . . . .  Yes  No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? . . . . .  Yes  No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? . . . . .  Yes  No

**Part C: Individual Information**

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Kundinger	Derek	Owner	715-896-4680

**Part D: Attestation**

One of the following must sign and attest to this application:

- sole proprietor      • one general partner of a partnership      • one corporate officer      • one member of an LLC

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Kundinger	First Name Derek	M.I. R
Title Owner	Email dkundinger@hotmail.com	Phone 715-896-4680
Signature 		Date

**Part E: For Clerk Use Only**

Date Application Was Filed With Clerk Feb. 10, 2024	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk 			Date Provisional License Issued (if applicable)

COPY

Date:

Re: Conditional Surrender of Alcohol Beverage Licenses



To: City of Black River Falls,

(DTJ Properties,LLC) ("Seller") hereby conditionally surrenders all alcohol beverage licenses for (McSweets Irish Pub) with premises at (N6600 Riveview Drive Black River Falls, WI) contingent on said licenses for the same premises being issued to Derek R. Kundinger dba Docside LLC ("Buyer"), who has applied for such licenses and is otherwise qualified under Wisconsin law.

This conditional surrender shall be null and void if the Buyer's license application is denied or not issued for any reason. Until such time as the licenses are issued to the Buyer, I understand that I remain responsible for compliance with all applicable provisions of Wisconsin Statutes and municipal ordinances.

Upon approval and prior to issuance of the licenses to the Buyer, I agree to physically surrender said licenses in person at City Hall allowing for the issuance of said licenses to the Buyer.

Should you require any additional information, I may be contacted at the number or email listed below.

Sincerely,  
  


Theron and JoAnn Sweet  
DTJ Properties,LLC  
715-299-1415  
Jpsweet317@gmail.com

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Form AB-220

Temporary Alcohol Beverage License

Municipality Black River Falls

License(s) Requested	Fees	
	<input checked="" type="checkbox"/> Temporary "Class B" Wine <input checked="" type="checkbox"/> Temporary Class "B" Beer	License Fees
	Background Check	\$
	Total Fees	\$ 10.00

Part A: Organization Information

1. Organization Name  
Black River Falls Athletic Boosters Inc

2. Organization Permanent Address  
PO Box 1147

3. City  
Black River Falls

4. State  
WI

5. Zip Code  
54615

6. Mailing Address (if different from permanent address)

7. FEIN  
26-1318922

8. Date of Organization/Incorporation  
9/21/2007

9. State of Organization/Incorporation  
SOIC 3

10. Phone  
N/A

11. Email  
brfathleticboosters@gmail.com

12. Organization type (check one)  
 Bona Fide Club       Church       Fair Association/Agricultural Society       Veteran's Organization  
 Lodge/Society       Chamber of Commerce or similar Civic or Trade Organization under ch. 181, Wis. Stats.

13. Is this organization required to hold a Wisconsin Seller's permit? .....  Yes  No

14. Wisconsin Seller's Permit Number (if applicable)

Part B: Individual Information

List the name, title, and phone number for all officers, directors, and agent of the organization. Include an Individual Questionnaire (Form AB-100) for each person listed below. Attach additional sheets if necessary.

Corporations must also include Alcohol Beverage Appointment of Agent (Form AB-101).

Last Name	First Name	Title	Phone
Grant	Erica	Pres.	715 896-3232
Nichols	Perry	Vice Pres	715- <del>896</del> <sup>299</sup> -5160
Cogswell	Andy	Secretary	715-896-3497
Holcomb	Hentzer	Treasurer	715-896-9967
Wirtz	Ron	Event Coordinator	715 896-9273

Continued ->

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<b>Part C: Event Information</b>			
1. Name of Event (if applicable) Falls Taste Fest			
2. Dates of Operation May 2, 2026		3. Hours of Operation 2-6 pm	
4. Premises Address 388 Melrose St (Lunda Memorial Arena)			
5. City Blacks River Falls		6. State WI	7. Zip Code 54615
8. County Jackson	9. Governing Municipality <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Blacks River Falls		10. Aldermanic District
11. Organizer of Event (if not the named applicant) BRF Athletic Boosters		12. Email and/or Phone Number for Organizer of Event brfathleticboosters@gmail.com	
13. Organizer Website Facebook - BRF Athletic Boosters Club		14. Event Website Same	
15. Premises Description - Describe the building or buildings and any outside areas where alcohol beverages and records are sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.  Event is @ Lunda Memorial Arena, uses front area & ice rink (no stands)			

<b>Part D: Attestation</b>		
Who must sign this application? • one officer or director of the nonprofit organization		
<p><b>READ CAREFULLY BEFORE SIGNING:</b> Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant organization and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate according to the law, including but not limited to, purchasing alcohol beverages from Wisconsin-permitted wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.</p>		
Last Name Wirtz	First Name RON	M.I.
Title Event Coordinator	Email ronald.a.wirtz@gmail.com	Phone 715-896-4273
Signature Ron Wirtz	Date 2/23/26	

<b>Part E: For Clerk Use Only</b>	
Date Application Was Filed With Clerk Feb. 23, 2026	License Number
Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk Thomas Lemman	

## CITY OF BLACK RIVER FALLS ORDINANCE NO. 901

### AN ORDINANCE REPEALING AND RECREATING SECTION 11.04 OF THE CODE OF ORDINANCES FOR THE CITY OF BLACK RIVER FALLS, JACKSON COUNTY, WISCONSIN REGARDING GARBAGE AND RUBBISH COLLECTION

The Common Council of the City of Black River Falls, Jackson County, Wisconsin, do ordain as follows:

#### SECTION 1.

Section 11.04 shall be repealed and recreate to read as follows:

**11.04 GARBAGE AND RUBBISH COLLECTION.** (1) ADMINISTRATION. The Street Superintendent shall oversee the collection, removal and disposal of garbage, rubbish, and recyclable material in the City.

(2) COLLECTION AND DISPOSAL. Garbage or rubbish of any nature, not prepared or placed in compliance with the following regulations, shall not be collected:

(a) Receptacles. Any resident having garbage to dispose of shall prepare the same for collection by draining, wrapping and placing it in a suitable receptacle. Receptacles shall be standard type garbage containers, shall be made of metal or plastic, shall be watertight, shall have a tight fitting cover, shall be equipped with handles, and shall have a capacity of not more than 32 gallons and weigh no more than 50 pounds when full. Receptacles shall be kept clean and in a sanitary condition at all times. Heavy duty plastic bags securely tied and designed for garbage use may be used in lieu of the standard metal and plastic garbage receptacles. Paper bags, 5 gallon pails or 55 gallon steel or cardboard barrels or drums are not allowed for garbage containers.

(b) Collection. 1. Placement of Receptacles. In areas where legally opened alleys exist, garbage collection shall be made from the alley with the garbage receptacles being placed at the alley line for collection. In other areas, garbage receptacles shall be placed within 5 feet of the curb line for collection and, where there is no curb, the receptacles shall be placed within 5 feet of the edge of the shoulder of the roadway. During the snow season, the receptacles shall be kept shoveled out. Receptacles shall be removed from the curb line or edge of the roadway within 24 hours after collection.

2. Time and Frequency. The City Street Department shall provide for the collection of solid waste from residential units once each week and the collection of recyclable materials from residential units once every two weeks. Collection shall be curb side and shall take place between the hours of 7:00 A.M. and 3:30 P.M. All recyclables and solid waste are to be set within 5 feet of the edge of the street by 7:00 A.M. on the day of collection to assure pick up.

(3) PROHIBITED MATERIALS. Ammunition shall not be placed with garbage or rubbish for collection, but shall be brought to the Police Department.

## CITY OF BLACK RIVER FALLS ORDINANCE NO. 901

(4) PROHIBITED ACTS. (a) Improper Placement of Recyclables, Garbage and Rubbish. It shall be unlawful for any person to deposit, throw or place any recyclable, garbage or rubbish of any kind on or within any public street, alley, park, sidewalk, gutter or other public place or on or within any private property or premises, whether owned, kept or controlled by such person or not, unless such garbage or rubbish is placed and left for collection or removal as provided herein. However, composting, following recognized standards, shall be permitted.

(b) Improper Placement of Recyclables, Garbage and Rubbish in Dumpsters. It shall be unlawful for any person to deposit, throw or place any garbage or rubbish of any kind on or within any dumpster or other container belonging to others which is located on public or private property or premises within the City unless the owner of the dumpster or other container or the Street Superintendent, as appropriate, gives written approval to deposit, throw or place any garbage or rubbish on or within such dumpsters or other containers on or within said property or premises. This written approval may be withdrawn upon 10 days' written notice.

(c) Placement of Recyclables, Garbage or Rubbish by Nonresidents Prohibited. It shall be unlawful for any nonresident of the City to deposit, throw or place any garbage or rubbish of any kind on or within any public street, alley, park, sidewalk, gutter or other public place or on or within any private property or premises.

(d) Scavenging. It shall be unlawful for any person to disturb, remove or carry away rubbish, refuse, garbage or recyclable material that has been placed for collection unless written approval has been received from the Street Superintendent or the resident.

(5) REJECTION OF RECYCLABLES, GARBAGE AND RUBBISH. Any recyclables, garbage or rubbish not placed in accordance with the provisions of this section may be rejected, in which case a violation tag shall be filled out and left with the householder indicating the reason for such rejection. Garbage and rubbish so tagged shall be removed from where it is placed within 24 hours of the time said garbage or rubbish was scheduled for pickup.

(6) REFUSE SOURCE SEPARATION. To assist in the recycling of recyclable refuse and to prolong the useful life of the landfill, and to reduce the social and financial costs of disposing of refuse, each residence shall be required to separate all recyclable refuse generated.

(7) SEPARATION REQUIRED. If the separation requirements of this section are not met by residential users, the property owners shall be responsible for disposing of materials not picked up by the City or its agent at their own expense. The disposal of said materials shall be deposited in an approved landfill site within 7 days of notice or be subject to ch. 10 of this Code. Commercial and industrial users shall be required to adopt and implement reasonable methods of recycling and shall, within one year from the date hereof, have on file with the office of the City Clerk either a written plan for recycling or shall file a copy of a contract with a private contractor which includes recycling reasonably appropriate to test or industry involved. Failure to comply with the recycling provisions of this section may subject property owners to penalties which shall be set forth in a separate ordinance to be enacted in the future.



# Current Language

## HEALTH AND SANITATION 11.03(19)

section, any authorized officer, employee or representative of the City may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the City who requests access for the purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.

(b) Any person who violates a provision of this section may be issued a citation by a City police officer to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

(c) Penalties for violating this section may be assessed as follows:

1. Any person who violates sub. (16) above may be subject to a forfeiture of \$50 for a first violation, \$200 for a second violation and not more than \$2,000 for a third or subsequent violation.

2. Any person who violates a provision of this section, except sub. (16) above, may be subject to a forfeiture of not less than \$10 nor more than \$1,000 for each violation.

(d) Each incident of violation shall be a separate offense and each day or part thereof during which a violation occurs shall be deemed a separate offense.

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**11.04 GARBAGE AND RUBBISH COLLECTION.** (1) ADMINISTRATION. The Public Works Director shall oversee the collection, removal and disposal of garbage and rubbish in the City, much of which shall be accomplished through a private contractor.

(2) COLLECTION AND DISPOSAL. Garbage or rubbish of any nature, not prepared or placed in compliance with the following regulations, shall not be collected:

(a) Receptacles. Any person having garbage to dispose of shall prepare the same for collection by draining, wrapping and placing it in a suitable receptacle. Receptacles shall be standard type garbage containers, shall be made of metal or plastic, shall be watertight, shall have a tight fitting cover, shall be equipped with handles or bail, and shall have a capacity of not more than 32 gallons and weigh no more than 50 pounds. Receptacles shall be kept clean and in a sanitary condition at all times. Heavy duty plastic bags securely tied and designed for garbage use may be used in lieu of the standard metal and plastic garbage receptacles. Paper bags, 5 gallon pails or 55 gallon steel or cardboard barrels or drums are not allowed for garbage containers.

(b) Collection. 1. Placement of Receptacles. In areas where legally opened alleys exist, garbage collection shall be made from the alley with the garbage receptacles being placed at the alley line for collection. In other areas, garbage receptacles shall be placed within 5 feet of the curb line for collection by the Contractor for the City and, where there is no curb, the receptacles shall be placed within 5 feet of the

## HEALTH AND SANITATION 11.04(2)

edge of the shoulder of the roadway. During the snow season, the receptacles shall be kept shoveled out. Receptacles shall be removed from the curb line or edge of the roadway within 24 hours after collection.

2. Time and Frequency. All recyclable materials and solid waste from residential units and from small commercial establishments shall be collected by a contractor engaged by the City on a once-a-week basis. Collection shall be curb side and shall take place between the hours of 6:30 A.M. and 6:30 P.M. All recyclables and solid waste are to be set within 5 feet of the edge of the street by 6:30 A.M. on the day of collection to assure pickup.

(3) PROHIBITED MATERIALS. Ammunition shall not be placed with garbage or rubbish for collection, but shall be brought to the Police Department.

(4) PROHIBITED ACTS. (a) Improper Placement of Recyclables, Garbage and Rubbish. It shall be unlawful for any person to deposit, throw or place any recyclable, garbage or rubbish of any kind on or within any public street, alley, park, sidewalk, gutter or other public place or on or within any private property or premises, whether owned, kept or controlled by such person or not, unless such garbage or rubbish is placed and left for collection or removal as provided herein. However, composting, following recognized standards, shall be permitted.

(b) Improper Placement of Recyclables, Garbage and Rubbish in Dumpsters. It shall be unlawful for any person to deposit, throw or place any garbage or rubbish of any kind on or within any dumpster or other container belonging to others which is located on public or private property or premises within the City unless the owner of the dumpster or other container or the Director of Public Works, as appropriate, gives written approval to deposit, throw or place any garbage or rubbish on or within such dumpsters or other containers on or within said property or premises. This written approval may be withdrawn upon 10 days' written notice.

(c) Placement of Recyclables, Garbage or Rubbish by Nonresidents Prohibited. It shall be unlawful for any nonresident of the City to deposit, throw or place any garbage or rubbish of any kind on or within any public street, alley, park, sidewalk, gutter or other public place or on or within any private property or premises.

(d) Scavenging. It shall be unlawful for any person to disturb, remove or carry away rubbish, refuse, garbage or recyclable material that has been placed for collection unless written approval has been received from the Public Works Director or the resident.

(5) REJECTION OF RECYCLABLES, GARBAGE AND RUBBISH. Any recyclables, garbage or rubbish not placed in accordance with the provisions of this section may be rejected by the collector, in which case he shall fill out and leave a tag with the householder indicating the reason for such rejection. Garbage and rubbish so tagged shall be removed from where it is placed within 24 hours of the time said garbage or rubbish was scheduled for pickup.

(6) REFUSE SOURCE SEPARATION. To assist in the recycling of recyclable refuse and to prolong the useful life of the landfill, and to reduce the social and financial costs of disposing of refuse, each

## HEALTH AND SANITATION 11.04(6)

residence and residential unit shall be required and each place of business, industry, church, nursing home, school, museum, public or private organization is encouraged to separate all refuse generated.

(7) EXEMPTIONS. This section shall not include or affect civic or charitable organizations which conduct fund drives for recyclable materials.

(8) SEPARATION REQUIRED. If the separation requirements of this section are not met by residential users, the property owners shall be responsible for disposing of materials not picked up by the City or its agent at their own expense. The disposal of said materials shall be deposited in an approved landfill site within 7 days of notice or be subject to ch. 10 of this Code. Commercial and industrial users shall be required to adopt and implement reasonable methods of recycling and shall, within one year from the date hereof, have on file with the office of the City Clerk either a written plan for recycling or shall file a copy of a contract with a private contractor which includes recycling reasonably appropriate to test or industry involved. Failure to comply with the recycling provisions of this section may subject property owners to penalties which shall be set forth in a separate ordinance to be enacted in the future.

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### 11.06 SMOKING, VAPING, AND TOBACCO PRODUCTS PROHIBITED.

(1) Smoking, the use of electronic vaping devices, and the use of tobacco products, is/are prohibited from occurring within the fenced in area surrounding an area commonly referred to as the "All-Abilities Park" located at 1400 Tyler Street in the City of Black River Falls, Wisconsin, or within twenty feet of the outside of said boundary fence.

(2) The following definitions control this Section:

a) "*Smoking*" means burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:

- i. A lighted cigar.
- ii. A lighted cigarette.
- iii. A lighted pipe.
- iv. Any other lighted smoking equipment.

b) "*Electronic vaping device*" means a device that may be used to deliver any aerosolized or vaporized liquid or other substance for inhalation, regardless of whether the liquid or other substance contains nicotine, including an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. "Electronic vaping device" includes a component, part, or accessory of the device, and includes a liquid or other substance that may be aerosolized or vaporized by such device, regardless of whether the liquid or other substance contains nicotine. "Electronic vaping device" does not include a battery or battery charger when sold separately. "Electronic vaping device" does not include drugs, devices, or combination products authorized for sale by the U.S. food and drug administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

c) "*Tobacco products*" means cigars; pipe tobacco; cheroots; stogies; periques;

## CITY OF BLACK RIVER FALLS ORDINANCE NO. 902

### AN ORDINANCE REPEALING AND RECREATING SECTION 1.57 OF THE CODE OF ORDINANCES FOR THE CITY OF BLACK RIVER FALLS, JACKSON COUNTY, WISCONSIN RELATING TO DESTRUCTION OF PUBLIC RECORDS

The Common Council of the City of Black River Falls, Jackson County, Wisconsin, do ordain as follows:

**SECTION 1.** Section 1.57 the Code of Ordinances of the City of Black River Falls is hereby repealed and recreated and shall read as follows:

**PUBLIC RECORDS, DESTRUCTION OF. (1) FINANCIAL RECORDS.** City **officers** may destroy the following non-utility records of which **they are** the legal custodian and which are considered obsolete after completion of an audit by State auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 years after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will, in the future, be fixed by the committee on public records, pursuant to §16.61(3)(e), Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications, stubs and duplicates.
- (e) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
- (f) Receipt forms.
- (g) Special assessment records.
- (h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

**(2) UTILITY RECORDS.** City **officers** may destroy the following utility records of which **they are** the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Ch. 442, Wis. Stats., subject to State Public Service Commission regulations, but not less than 7 years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

- (a) Water, sewer, electrical stubs and receipts of current billings.
- (b) Customers' ledgers.
- (c) Vouchers and supporting documents pertaining to charges not included in plant accounts.
- (d) Other utility records after 7 years with the written approval of the State Public Service Commission.

## CITY OF BLACK RIVER FALLS ORDINANCE NO. 902

(3) **LAW ENFORCEMENT RECORDS.** Subject to all applicable laws to the contrary and inasmuch as the above-referenced Wisconsin Municipal and Related Records Schedule does not address law enforcement records retention and destruction, the City adopts ten (10) years as the time period that law enforcement records for the City of Black River Falls shall be retained before destruction. Notwithstanding the foregoing, the Police Chief for the City of Black River Falls shall be allowed to create a destruction schedule for certain digital records for use by the Police Department and shall forward a signed copy of said schedule, and of any amendment thereto, to the City Administrator.

(4) **INSURANCE CLAIM RECORDS.** Subject to all applicable laws to the contrary and inasmuch as the above-referenced Wisconsin Municipal and Related Records Schedule does not address insurance claim records retention and destruction, the City adopts two (2) years as the time period that insurance claim records for the City of Black River Falls shall be retained before destruction.

(5) **OTHER RECORDS.** City officers may destroy the following records of which they are the legal custodian and which are considered obsolete, but not less than 7 years after the record was effective, unless another period has been set by Statute, or by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period:

- (a) Assessment rolls and related records, including Board of Review minutes.
- (b) Contracts and papers relating thereto. Correspondence and communications.
- (c) Financial reports other than annual financial reports.
- (d) Insurance policies.
- (e) Oaths of office.
- (f) Reports of boards, commissions, committees and officials duplicated in the Council minutes. Resolutions and petitions.
- (g) Voter record cards.

(4) **NOTICE REQUIRED.** Unless notice is waived by the State Historical Society, at least 60 days' notice shall be given the State Historical Society prior to the destruction of any record as provided in §19.21(4)(a), Wis. Stats.

(5) **TAPE RECORDINGS.** Any tape recording of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.

(6) **LIMITATION.** This section shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or State administrative regulations.



# Current Language

(8) CONFIDENTIAL INFORMATION. Whenever the Assessor, in the performance of his duties, requests or obtains income and expense information pursuant to §70.47(7)(af), Wis. Stats., such income and expense information that is provided to the Assessor shall be held *by* him  
**GENERAL GOVERNMENT 1.56(8)**

on a confidential basis, except, however, that the information may be revealed to and used by persons in the discharging of duties imposed by law; in the discharge of his official duties, including, but not limited to, use *by* the Assessor in performance of official duties of his office and use by the Board of Review in performance of its official duties; or, pursuant to order of a court, income and expense information provided to the Assessor under §70.47(7)(af), Wis. Stats., unless a court determines that it is inaccurate, is, per §70.47(7)(af), not subject to the right of inspection and copying under §19.35(1), Wis. Stats.

**1.57 PUBLIC RECORDS, DESTRUCTION OF.** (1) FINANCIAL RECORDS. A City officer may destroy the following non-utility records of which he is the legal custodian and which are considered obsolete after completion of an audit by State auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 years after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will, in the future, be fixed by the committee on public records, pursuant to §16.61(3)(e), Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications, stubs and duplicates.
- (e) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Fund.
- (f) Receipt forms.
- (g) Special assessment records.
- (h) Vouchers, requisitions, purchase orders and all other supporting documents pertaining thereto.

(2) UTILITY RECORDS. City officers may destroy the following utility records of which they are the legal custodians and which are considered obsolete after completion of any required audit by the Bureau of Municipal Audit or an auditor licensed under Ch. 442, Wis. Stats., subject to State Public Service Commission regulations, but not less than 7 years after the record was effective unless a shorter period has been fixed by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period, except that water stubs, receipts of current billings and customers' ledgers may be destroyed after 2 years:

- (a) Water, sewer, electrical stubs and receipts of current billings.
- (b) Customers' ledgers.
- (c) Vouchers and supporting documents pertaining to charges not included in plant accounts.
- (d) Other utility records after 7 years with the written approval of the State Public Service Commission.

(3) OTHER RECORDS. Any City officer may destroy the following records of which he is the legal custodian and which are considered obsolete, but not less than 7 years after the record  
**GENERAL GOVERNMENT 1.57(3)**

was effective, unless another period has been set by Statute, or by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such a shorter period:

- (a) Assessment rolls and related records, including Board of Review minutes.
- (b) Contracts and papers relating thereto. Correspondence and communications.
- (c) Financial reports other than annual financial reports.
- (d) Insurance policies.
- (e) Oaths of office.
- (f) Reports of boards, commissions, committees and officials duplicated in the Council minutes. Resolutions and petitions.
- (g) Voter record cards.

(4) NOTICE REQUIRED. Unless notice is waived by the State Historical Society, at least 60 days' notice shall be given the State Historical Society prior to the destruction of any record as provided in §19.21(4)(a), Wis. Stats.

(5) TAPE RECORDINGS. Any tape recording of a governmental meeting of the City may be destroyed, erased or reused no sooner than 90 days after the minutes of the meeting have been approved and published if the purpose of the recording was to make minutes of the meeting.

(6) LIMITATION. This section shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or State administrative regulations.

(7) PRESERVATION THROUGH MICROFILM. Any City officer or the head of any department or division of City government may keep and preserve public records in his possession by means of microfilm or other photographic reproduction method. Such records shall meet the standards for photographic reproduction set forth in §16.61(7)(a) and (b), Wis. Stats., and shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying according to the provisions of State law and this Code.