

CHAPTER X (TEN)

PUBLIC HEALTH AND SANITATION

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10.01 ORGANIZATION OF BOARD OF HEALTH.

See Section 1.04 of this Code.

10.02 DUTIES OF BOARD OF HEALTH.

(1) GENERAL POWERS.

The Board of Health shall possess and exercise all of powers conferred upon such Board by the Statutes of Wisconsin, particularly Chapter 141 thereof, the rules and regulations of the State Board of Health and the ordinances of the Village of Bloomington, and shall assume the care and supervision of the health and sanitary conditions of the schools and the general administration of health work in the Village.

(2) RULES AND REGULATIONS.

The Board shall take such measures and make such rules and regulations as shall be most effectual for the preservation of public health. All orders and regulations shall be published in a county newspaper with circulation in the Village of Bloomington.

10.03 DUTIES OF HEALTH OFFICER.

(1) GENERAL POWERS.

The health officer under the direction of the district health officer shall:

- A. Make an annual sanitary survey and maintain a continuous sanitary supervision over his territory.

B. Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance thereof.

C. Promote the spread of information as to the causes, nature and prevention of prevalent diseases, and the preservation and improvement of health.

D. Enforce the health law and rules and regulations of the State Board of Health.

E. Take steps necessary to secure prompt and full reports by physicians of communicable diseases, and prompt and full registration of births and deaths.

F. Keep and deliver to his successor a record of all his official acts.

(2) ENFORCEMENT OF LAWS AND REGULATIONS.

The health officer and board of health shall enforce the health laws of the State of Wisconsin, particularly Chapter 141 of the Wisconsin Statutes, the rules and regulations of the State Board of Health and of the Village Board of Health, and the ordinances of the Village of Bloomington.

(3) TO PROVIDE RECORD BOOKS, QUARANTINE CARDS, ETC.

All record books, quarantine cards and other material needed by the board, except such as is furnished by the State Board of Health, shall be supplied by the health officer at municipal expense, upon order of the Village Board of Health.

(4) REPORTS.

A. Reports to the State Board of Health.

The health officer and the clerk of the Village Board of Health shall each report to the State Board of Health their transactions and such facts as shall be required and at such times as required, and shall also make special reports when required.

B. Reports to the Village Board.

(a) The health officer shall make an annual report to the Village Board as to the state of health of the Village. He shall also from time to time make such other reports as he may deem necessary.

(b) The health officer shall report his recommendations regarding the state of cleanliness and his inspection findings of the various premises operating under liquor license, fermented malt beverage license, and other licenses.

10.04 CONTAGIOUS DISEASES.

The health officer shall perform all duties prescribed to him by the State Board of Health regarding contagious diseases, particularly Chapter 143 of the Wisconsin Statutes.

10.05 PENALTY FOR VIOLATION OF HEALTH REGULATIONS.

Any person who shall hinder, delay or obstruct, or who shall violate, neglect or refuse to obey any order, rule or regulation of the Board of Health, shall upon conviction be subject to penalties as provided in section 15.04 of this code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

10.06 HEALTH NUISANCE PROHIBITED.

(1) NUISANCES DEFINED.

A nuisance, under this section, is any source of filth or cause of sickness. The health officer may order the abatement or removal of a nuisance on private premises, and if the owner or occupant fails to comply, the health officer or his agent may enter upon the premises and abate or remove such nuisance.

(2) REMOVAL.

If a health nuisance is found on private property, the local Board of Health shall order its abatement or removal within 24 hours, and if the owner or occupant fails to comply he shall be subject to the penalty provisions as provided in subsection 15.04 of this code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

(3) RIGHT OF HEALTH OFFICER TO ENTER PREMISES.

The health officer shall have the right to enter and examine any public or private premises or any place where meat, fish, poultry, game, milk, bakery goods or other such 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 carrying out his examination of such premises or vehicle shall upon conviction thereof forfeit not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars together with the costs of prosecution and in default of payment of such forfeiture or costs shall be imprisoned in the county jail until such forfeiture and costs are paid but not exceeding a period of 90 days.

(4) COST OF ABATEMENT.

The cost of abatement or removal of a nuisance by health officers may be collected from the owner or occupant, or person causing, permitting or maintaining the nuisance, or such cost may be charged against the premises, and upon certificate of the health official, assessed against the real estate as are other special taxes.

(5) TESTING OF WELL WATER.

The health officer shall test the water in any well which by reason of its location may be liable to contamination and shall ascertain its fitness for drinking and cooking purposes.

(6) KEEPING OF ANIMALS AND FOWL REGULATED.

A. When a Health Nuisance.

No person, firm or corporation shall keep any horses, cattle, sheep, calves, hogs or any other animals, or ducks, chickens or other fowl within the limits of the Village of Bloomington in any unsanitary condition, or within such proximity of dwelling houses, or in any manner so as to be a nuisance.

B. Inspection by Health Officer.

The Village Health Officer shall upon complaint or upon his own initiative inspect premises upon which animals or fowls are kept, and ascertain or determine whether the conditions are unsanitary, or if for any reason a

nuisance is caused thereby. If the said Health Officer determines that conditions are unsanitary or a nuisance does exist, he shall so notify the owner or occupant of the premises, and it shall thereupon be unlawful to keep such animal or fowl upon said premises.

C. Penalty.

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

(7) DISPOSAL OF OFFENSIVE MATTER.

A. No person, firm or corporation shall discharge any of the following products into the sanitary or storm sewer systems of the Village of Bloomington:

- (a) Whole milk, skim milk, butter milk, cream whey and all other wastes or by-products from the handling or processing of milk.
- (b) Waste oils of all kinds.
- (c) Dry cleaning fluids.
- (d) All other wastes, the presence of which will be detrimental to the storm or sanitary sewer system.

B. Penalty.

Any person, firm or corporation who shall violate any of the provisions of this subsection shall face a penalty as set forth in subsection 15.04 of this code. A separate offense shall be deemed as committed on each day on which a violation occurs or continues. In addition to the penalty herein provided, there shall also be assessed the cost of repairing any damages resulting from any violation either to the sanitary or storm sewer system or the municipal sewage treatment plant, and also the cost of removing any obstruction created by the discharge into said sewer system of any of the prohibited liquid or solids hereinbefore described.

(8) PRIVY-VAULT, CESS-POOL REGULATED.

A. No person shall remove the contents of any privy-vault, cess-pool, septic tank, or other like offensive matter, within the corporate limits of the Village of Bloomington, except in a securely closed tank and during such hours as permitted by the village health officer.

B. Penalty.

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

10.07 GARBAGE AND UNWHOLESOME MATTER.

(1) EXPOSURE OF GARBAGE AND UNWHOLESOME MATTER PROHIBITED.

No person shall place, throw, permit to flow, or leave any slop, dirty water or other liquid of offensive smell or otherwise nauseous or unwholesome, or any dead carcass, carrion, meat, fish, entrails, manure or other rubbish, or any ashes, garbage, dirt, paper or refuse of any kind or description in or upon any street, gutter, sidewalk, alley, public ground or upon any lot or lands in the Village of Bloomington, nor shall any putrid or decaying matter be kept in a house, cellar, or adjoining out-building for more than twenty-four (24) hours, except in receptacles and in the manner as in this section provided.

(2) METHOD OF DISPOSAL, RECEPTACLES.

Each householder or other person, restaurant or other place of business having garbage or other refuse mentioned in this section to dispose of, who does not otherwise provide for its disposal in a sanitary manner, shall dispose of such garbage or refuse as follows:

A. GARBAGE.

All garbage, offal and decaying matter shall be wrapped and placed in water tight receptacles not exceeding fifteen (15) gallons in capacity provided with a fly-tight and water-tight cover; such receptacles shall be placed on garbage collection days at a convenient point on the premises, street or alley, most accessible to the person collecting the garbage, and it shall be unlawful to put anything but animal or vegetable matter in such receptacles.

B. ASHES, TIN CANS, BOTTLES, ETC.

Ashes, tin cans, bottles and other rubbish of a similar nature shall be placed in receptacles which shall be securely covered and kept at the rear of premises, except such receptacle may be placed on the premises, streets or alley shortly before the contents are collected for disposal.

C. DISTURBANCE OF GARBAGE RECEPTACLES PROHIBITED.

It shall be unlawful for any person or persons, firm or corporation in any manner to disturb, or remove or aid in disturbing or removing any garbage, nauseous substance, ashes, rubbish or refuse after the same has been deposited in containers or otherwise have been placed or set aside for collection or removal as required by ordinance.

D. ENFORCEMENT AND SUPERVISION.

The Director of Public Works shall enforce the provisions of this section and oversee the collection of garbage and rubbish.

(3) PENALTY.

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

10.08 SALE OF IMPURE MEAT PROHIBITED.

No flesh of any animal or fowl shall be kept, sold, or offered for use in the Village of Bloomington if such animal or fowl is or has been affected with tuberculosis, cholera, or other disease, rendering such animal or fowl unwholesome or unsuitable for food; and no cased, blown, plaited, raised, stuffed, putrid, impure, unwholesome or unhealthy meat, fish, birds or fowl shall be held, bought, sold or offered for sale as human food within the Village of Bloomington. Any person violating the provision of this section shall forfeit for each offense not less than Twenty Five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars, 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 to exceed sixty (60) days.

10.09 SALE AND DISTRIBUTION OF MILK PRODUCTS.

(1) GRADE A MILK REQUIRED.

No person shall sell, offer or expose for sale within the Village any milk or milk product other than the Grade A pasturized milk or milk products as defined in Ch. Ag. 80 Wis. Adm. Code.

(2) DUTIES OF HEALTH OFFICER.

The health officer or other person designated by him shall enforce this section.

(3) PENALTY.

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

10.10 SPECIFIC NUISANCES.

A. The following specific acts, omissions, places, conditions, and things are hereby declared to be nuisances:

- (a) All stagnant water in which mosquitoes can multiply.
- (b) Carcasses of animals and fowl.
- (c) Privy vaults and garbage cans which are not fly tight.
- (d) All noxious weeds and other rank growth of vegetation.
- (e) Dense smoke, noxious fumes, gas, soot or cinders in such quantities as to render the occupation of property uncomfortable to a person of ordinary sensibilities.
- (f) All places used or maintained as junk yards or dumping grounds, or for the wrecking or disassembling of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by builders or other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others.
- (g) All other acts, omissions, occupations, and uses of property which are in fact a menace to public health.

B. PENALTY.

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