

GENERAL ORDINANCE NO. 31-10

AN ORDINANCE
REPEALING SECTION 27.610 AND
CREATING SECTION 8.097,
GREEN BAY MUNICIPAL CODE,
RELATING TO BEEKEEPING

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 27.610, Green Bay Municipal Code, is hereby repealed.

27.610 BEEKEEPING. The keeping or raising of bees is a public nuisance and is prohibited.

SECTION 2. Section 8.097, Green Bay Municipal Code, is hereby created to read:

8.097 BEEKEEPING.

(1) **DEFINITIONS.** The following words, as used in this ordinance, shall have the meanings ascribed to them:

(a) "Apiary" shall mean all hives kept for the purpose of beekeeping and any area within 10 feet of such hives.

(b) "Beekeeping" means intentionally creating, fostering or maintaining a colony of honeybees.

(c) "Hive" shall mean a structure built to accommodate a colony of honeybees.

(d) "Honeybee" shall mean any life stage of the European honeybee (*Apis mellifera*)

(2) **BEEKEEPING BY PERMIT ONLY.** No person shall engage in beekeeping without having first obtained a permit from the Humane Officer and having paid a permit fee of \$10. In reviewing a permit application, the Humane Officer shall consider the number of honeybees to be possessed, their location, the facilities to be used for such purpose, and the likelihood of a public or private nuisance being created. Any person denied a permit may appeal to the Protection & Welfare Committee.

(3) **MANNER OF KEEPING.**

(a) All hives shall have combs which are kept in sound and usable condition and removable for inspection.

(b) The apiary shall be entirely located on one parcel of land.

(c) There shall be a flyway consisting of a solid wall, fence, vegetation, or combination thereof at least 6 feet in height erected along any property line located within 25 feet of an apiary.

(d) A property owner shall cause any abandoned hive to be removed from the property.

(e) No hive may house a colony of insects other than honeybees.

(f) The provisions of Sections 8.06(1), Green Bay Municipal Code, do not apply to beekeeping.

(4) **ILLEGAL COLONIES OR HIVES.** If the Humane Officer finds any hive kept in violation of this ordinance, he or she may order the violation corrected within 30 days. If the property owner fails to correct the violation within 30 days, the hive in violation may be destroyed and/or removed from the municipality by the Humane Officer, or his or her designee, and the cost thereof shall be charged back to the property owner as a special charge pursuant to Wis. Stat. § 66.0627.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 21st day of September, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 32-10

AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING MONDAY – FRIDAY 7:00 AM – 7:00 PM zone:

BROADWAY, west side, from a point 110 feet south of Hubbard Street to a point 280 feet north of Walnut Street

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following 15-MINUTES PARKING 7:00 AM – 7:00 PM zone:

BROADWAY, west side, from a point 220 feet south of Hubbard Street to a point 264 feet south of Hubbard Street

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-HOUR PARKING MONDAY – FRIDAY 7:00 AM – 7:00 PM zones:

BROADWAY, west side, from a point 110 south of Hubbard Street to a point 220 feet south of Hubbard Street

BROADWAY west side, from a point 264 feet south of Hubbard Street to a point 280 feet north of Walnut Street

SECTION 4. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 21st day of September, 2010.

APPROVED:

James J. Schmitt

Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 33-10

AN ORDINANCE
AMENDING SECTION 29.307,
GREEN BAY MUNICIPAL CODE,
RELATING TO TRAFFIC REGULATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.307, Green Bay Municipal Code, is hereby amended by adding thereto the following YIELD condition:

CLASSIC DRIVE at DAVIES AVENUE

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 21st day of September, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 34-10

AN ORDINANCE
CREATING SECTION 29.309,
GREEN BAY MUNICIPAL CODE,
RELATING TO IMPOUNDMENT AND
SEIZURE OF DEVICES AND VEHICLES
CAUSING EXCESSIVE NOISE

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.309, Green Bay Municipal Code, is hereby created to read:

29.309 IMPOUNDMENT AND SEIZURE OF LOUD DEVICES AND VEHICLES.

(1) DEFINITIONS. For the purposes of this ordinance, the following terms or phrases shall have the meanings below:

(a) "Noise violation" shall mean a violation of:

1. § 29.101, Green Bay Municipal Code, adopting § 346.94(16), Wis. Stats., or

2. § 29.101, Green Bay Municipal Code, adopting § 346.945, Wis. Stats.

(b) "Sound-producing device" shall mean a radio, electric sound amplification device, or any other sound-producing device.

(2) DEVICE IMPOUNDMENT. At the time of issuing a citation for a noise violation, the issuing officer may impound the sound-producing device used in the commission of the noise violation if the person charged with such violation is the owner of the sound-producing device and has two or more prior convictions of a noise violation within a three-year period. Upon disposition of the citation for a noise violation, payment of any forfeiture imposed and request by the rightful owner of the sound-producing device impounded under this subsection, the device shall be returned to the requester.

(3) **DEVICE SEIZURE.** At the time of issuing a citation for a noise violation, the issuing officer may seize the sound-producing device used in the commission of the noise violation if the person charged with such violation is the owner of the sound-producing device and has three or more prior convictions of a noise violation within a three-year period. Upon disposition of the citation for a noise violation, payment of any forfeiture imposed and request by the rightful owner of the sound-producing device impounded under this subsection, the device shall be returned to the requester unless disposed of in the following manner:

(a) Within 30 days after the seizure of the property or the date of conviction, whichever is earlier, the city attorney may commence an action to forfeit the device to the city by filing a summons, complaint and affidavit of the person who seized the device with the Clerk of Brown County Circuit Court and, within 90 days after filing, serve authenticated copies of those papers upon the person from whom the property was seized.

(b) Upon service of an answer, the action shall be set for hearing within 60 days of the service of the answer but may be continued for cause or upon stipulation of the parties. If no answer is served, the court may render a default judgment.

(c) The city shall have the burden of satisfying or convincing to a reasonable certainty by the greater weight of the credible evidence that the sound-producing device was used in the commission of a noise violation.

(d) No liability is imposed by this ordinance upon any authorized law enforcement officer or employee engaged in the lawful performance of duties.

(4) **VEHICLE IMPOUNDMENT.** If the sound-producing device may not be easily removed from the vehicle and the vehicle is owned by the person charged with the noise violation, the issuing officer may impound the vehicle for not more than five working days to permit the city, or its authorized agent, to remove the sound-producing device. After removal of the sound-producing device from an impounded vehicle, and after the owner of the vehicle has paid the cost of impounding the vehicle and removing the sound-producing device, the vehicle shall be returned to its rightful owner.

(5) **ABANDONED DEVICE OR VEHICLE.** Any impounded vehicle which has remained unclaimed for a period of 90 days after disposition of the citation shall be disposed following the procedure for an abandoned vehicle under § 342.40, Wis. Stats. Any impounded sound-producing device shall be disposed of by public auction if it has:

(a) Remained unclaimed for a period of 90 days after disposition of the citation, or

(b) Been forfeited to the city under sub. (3).

(6) INAPPLICABLE TO MOTORCYCLES. This ordinance does not apply to a sound-producing device on a motorcycle.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 21st day of September, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

GENERAL ORDINANCE NO. 35-10

AN ORDINANCE
AMENDING SECTION 13-521(b)(5),
GREEN BAY MUNICIPAL CODE,
REGARDING CONSTRUCTION OF FENCES
(TA 10-08)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 13-521(b)(5), Green Bay Municipal Code, is amended by amending as follows:

(5) Fences shall be constructed so that the structural supporting elements are located on the ~~inside (facing away from the street)~~ **side which is visible to the fence owner (inside) so that the structure/supporting elements of the fence are less visible to adjoining properties and public rights-of-way.**

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 21st day of September, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

PLANNING ORDINANCE NO. 1-10

AN ORDINANCE
AMENDING THE OFFICIAL MAP
OF THE CITY OF GREEN BAY TO
ESTABLISH A ROAD PATTERN
WEST OF SOUTH NORTHVIEW ROAD
AND SOUTH OF FINGER ROAD
(OMA 10-01)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended to establish a road pattern west of South Northview Road and south of Finger Road, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 21st day of September, 2010.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Chad J. Weininger
Clerk

LEGAL DESCRIPTION FOR
PLANNING ORDINANCE NO. 1-10
AMENDING THE OFFICIAL MAP
OF THE CITY OF GREEN BAY TO
ESTABLISH A ROAD PATTERN
WEST OF SOUTH NORTHVIEW ROAD
AND SOUTH OF FINGER ROAD

Parcel No. 21-188-6

NE1/4 NE1/4 SEC12 T23N R21E EX W 330 FT OF N 264 FT & EX E 165 FT OF N 264 FT EX PRT DESC IN 839 R 94 & EX 5 CSM 81 & EX HWY & EX J2865-42 & EX 10 CSM 279 & EX 18 FT STRIP DESC IN J5244-21

Parcel No. 21-190

NW1/4 NE1/4 SEC 12 T23N R21E EX N 11 ACRES & EX RD & EX RD IN 2377218