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**WOOD COUNTY ORDINANCE #101
PROHIBITED DISCHARGES**

The Board of Supervisors, for Wood County, Wisconsin do ordain as follows: That Section 1 of the Code of Ordinances of Wood County, relating to prohibited discharges, be created to provide as follows:

Chapter 101 .01 PROHIBITED DISCHARGES

(1) Prohibited Discharges. No person, partnership, organization, association, firm or corporation and no employee or agents thereof shall discharge cause to be or allowed to be discharged, leaked, or spilled upon any public street, alley, or public property, or unto the ground, surface waters, subsurface waters, or aquifers, or on any private property within Wood County (except those areas specifically licensed for waste disposal or landfill activities and to receive such materials) any explosive, flammable or combustible solid liquid or gas, any radioactive material at or above Nuclear Regulatory Restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.

These prohibited discharges will include the dangers and hazardous road conditions created by Automatic Irrigation Systems which allow any irrigation material to be sprayed onto State, County, Town or any other Municipal Roadways, through the negligence of either the system owners and/or operators.

(2) Containment, Cleanup and Restoration. Any person, partnership, organization, association, firm or corporation and employees or agents thereof in violation of paragraph (1), shall, upon direction of the Emergency Government Office begin immediate actions to cease the discharge, leak, leach or spill and to contain, cleanup and remove to an approved repository the offending materials and to restore to it's original condition, with the offending person, partnership, organization, association, firm or corporation being responsible for all expenses incurred. Should any person, partnership, organization, association, firm or corporation fail to engage the necessary men and equipment to comply or to complete the requirement of this section, the Office of Emergency Government may order the required actions to be taken by public or private resources and allow the recovery of any and all costs incurred.

(3) Site Access. Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to Emergency Response Personnel and to Police and Fire Department Personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.

(4) Public Protection. Should any prohibited discharge occur that threatens the life,

safety and health of the public at, near, or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect life and limb, the Coordinator of Emergency Government, his assistant, or the senior police or fire officials on the scene of the emergency may order an evacuation of the area or take other appropriate protective steps for a period of time until appropriate action can be taken.

(5) Enforcement. Sworn law enforcement officers at all levels within the County, shall have authority to issue citations or complaints under this section.

(6) Civil Liability. Any person, partnership, organization, or association, firm or corporation in violation of this section shall be liable for any expenses incurred or damage sustained by Wood County by reason of such violations.

(7) Penalties. Any person, partnership, organization or association, firm or corporation in violation of this section shall forfeit to Wood County upon conviction thereof not to exceed Two Hundred Dollars (\$200) plus the costs of prosecution and in default of payment thereof, imprisonment in the County jail for ten (10) days. Each day of violation shall constitute a separate offense.

Chapter 101 .02 EFFECTIVE DATE

That this ordinance shall be effective upon adoption and publication as provided by law.