

## CHAPTER 41

### COMMUNICABLE DISEASE

#### 41.01 DEFINITIONS

Definitions enumerated - the following definitions apply throughout the entire ordinance.

- (A) “Communicable disease” means any disease that the Wisconsin Department of Health Services determines, by rule, to be communicable in fact.
- (B) “Municipality” means any city, village, or town.
- (C) “Outbreak” means an unusual aggregation of health events that are grouped together in a short time period and limited geographic area.
- (D) “Public gathering” means an assembly or meeting of people that is accessible to or shared by all members of the community or otherwise generally related to business or community interests. “Public gatherings” includes assemblies, meetings or crowds in any location that is open to the public at large.

#### 41.02 AUTHORITY

This Ordinance is adopted pursuant to the authority granted by Wisconsin Statute Chapters 251 and 252.

#### 41.03 PURPOSE AND INTENT

The purpose and intent of this Ordinance is to protect the public health, safety, convenience, and general welfare of the people and communities of St. Croix County.

#### 41.04 JURISDICTION

Pursuant to Wis. Stat. § 251.08, jurisdiction of this Ordinance by the St. Croix County Health Department shall extend to the entire area within St. Croix County, except that jurisdiction does not extend to cities, villages, and towns that have local health departments.

#### 41.05 LOCAL HEALTH OFFICER’S AUTHORITY AND DUTIES

- (A) Wis. Stat. § 252.03 and Wis. Admin. Code DHS § 145.06 (as each currently exists or is hereafter revised) are incorporated herein by reference as if fully set forth.
  - (1) The St. Croix County Health Officer upon the appearance of any communicable disease outbreak, epidemic, or pandemic in St. Croix County, will immediately investigate all the circumstances and make a full report to the Wisconsin Department of Health Services.

- (2) The St. Croix County Health Officer will promptly take all measures necessary to prevent, suppress and control communicable diseases, and will report to the County Board the progress of the communicable diseases outbreak, epidemic, or pandemic and the measures used against them, as needed to keep the County Board fully informed, or at such intervals as the Wisconsin Secretary of Health may direct.
  - (3) The St. Croix County Health Officer may inspect schools and other public buildings within his or her jurisdiction as needed to determine whether the buildings are kept in a sanitary condition.
  - (4) The St. Croix County Health Officer may do what is reasonable and necessary for the prevention and suppression of disease and may forbid public gatherings when deemed necessary to control outbreaks or epidemics and shall advise the Wisconsin Department of Health Services of measures taken. This provision includes the implementation of local orders for the prevention and suppression of disease.
  - (5) No person may interfere with the investigation under this ordinance of any place or its occupants by the St. Croix County Health Officer.
- (B) Wis. Stat. § 252.06 (as it currently exists or is hereafter revised) is incorporated herein by reference as if fully set forth.
- (1) The St. Croix County Health Officer may require isolation and/or quarantine of a subject confirmed to have a communicable disease or of an individual who has been in contact with a subject confirmed to have a communicable disease.
  - (2) If the Health Officer suspects or is informed of the existence of any communicable disease, the Health Officer shall at once investigate and make or cause such examinations to be made as are necessary. The diagnostic report of a physician, the notification or confirmatory report of a parent or caretaker of the patient, or a reasonable belief in the existence of a communicable disease shall require the local health officer immediately to quarantine, isolate, require restrictions or take other communicable disease control measures in the manner, upon the persons and for the time specified in rules promulgated by the department. If the local health officer is not a physician, he or she shall consult a physician as speedily as possible where there is reasonable doubt or disagreement in diagnosis and where advice is needed. The local health officer shall investigate evasion of the laws and rules concerning communicable disease and shall act to protect the public.

#### **41.06 ADMINISTRATION**

- (A) General Provisions. The Prevention and Control of Communicable Disease shall be

interpreted, administered, and enforced by the St. Croix County Health Officer.

- (B) Powers. The Health Officer shall have all powers necessary to enforce the provisions of this Ordinance without limitation by reasoning of enumeration, including the following.
  - (1) Issuance of local orders for the prevention, suppression, and control of communicable diseases.
  - (2) To enter any building, with a special inspection warrant issued under Wis. Stat. § 66.0119, to inspect the same and remove therefrom any person affected by a communicable disease, if necessary to prevent, suppress, and control communicable disease.

#### **41.07 ENFORCEMENT**

- (A) Any person who violates or obstructs this ordinance or an order of the St. Croix County Health Officer is subject to:
  - (1) The issuance of a citation pursuant to Chapter 1 of the St. Croix County Code of Ordinances and Wis. Stat. § 66.0113. A citation may be issued by the local Health Officer or any law enforcement officer.
  - (2) A forfeiture of not less than \$100 nor more than \$500 may be imposed upon conviction or adjudication, plus the cost of prosecution for each violation if so ordered by the court.
  - (3) The issuance of a summons and complaint, and entry of a civil judgment for forfeiture and (temporary or permanent) injunctive relief.
- (B) Each day a violation constitutes a separate offense.
- (C) Any other action authorized by this Ordinance or by other applicable laws as deemed necessary by the Health Officer.
- (D) The initiation of one action or penalty under this Section does not exempt the apparent violator from additional actions and/or penalties listed in this Section.
- (E) Initiation of Legal Action. Legal action shall be initiated against a violator, as requested by the Health Officer in accordance with the following:
  - (1) The Office of Corporation Counsel shall be responsible for all cases where a court-imposed forfeiture and/or injunction is being sought.

**41.08 SEVERABILTY**

- (A) Severability. Each section, paragraph, sentence, clause, word, and provision of the Ordinance is severable, and if any provisions shall be held unconstitutional or invalid for any reason such decisions shall not affect the remainder of the Ordinance nor any part thereof other than that affected by such decision.

**41.10 EFFECTIVE DATE**

The County Clerk shall cause this Ordinance to be published in the official County newspaper. This Ordinance shall take effect and be in force on the day after its publication.

Ordinance No. \_\_\_\_\_(2020) – \_\_\_\_\_, 2020

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