

AMENDED

AGENDA

CITY OF STURGEON BAY
COMMUNITY PROTECTION & SERVICES COMMITTEE

Thursday, November 14, 2019

4:30 p.m.

Council Chambers, City Hall – 421 Michigan Street

1. Roll Call
2. Adoption of Agenda
3. Public Comment on Agenda and Non-Agenda Items
4. Consideration of: Fire Department Re-Inspection Fees
- 5. Consideration of: Social Media Policy**
6. Consideration of: Coal Tar Sealants
7. Discussion of: CBD Oil Licensing and Regulations
8. Adjourn

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:
Date: 11/13/19
Time: 1:00 p.m.
By: SSO

Committee: Community Protection & Services
Dan Williams, Chr.
Kirsten Reeths
Seth Wiederanders

EXECUTIVE SUMMARY

TITLE: Create City of Sturgeon Bay Fire Department Ordinances for Fire Re-Inspection Fee's

BACKGROUND: Sturgeon Bay Fire Department provides Fire Inspections in the City in order to remain in compliance to receive Wisconsin 2% fire dues annually. The 2% dues are in place to assist in offsetting the cost of fire inspecting, thus not allowing us to charge for the primary inspection. Recently our re-inspections have grown substantially due to the last Wisconsin SPS 2% fire dues audit which identified the need to clear inspection failures prior to completing the next scheduled inspection. With the large number of re-inspections and the lack of businesses complying, we have returned in many cases more than 8-10 times in the attempt of clearing violations. The inspector's time and related equipment have been a draw on the departments operating budget and have shown the need for a full-time fire inspector. Sturgeon Bay Fire Department has worked out a part-time fire inspector/Fire Prevention position to assist in the completion and compliance for inspections. The related fees are in attempt to the offset the re-inspections and related duties.

FISCAL IMPACT: Revenue to the City Of Sturgeon Bay

RECOMMENDATION: Create the City of Sturgeon Bay Fire Department Ordinances 6.23 (2)(d) Fees for Fire Re-Inspections as attached.

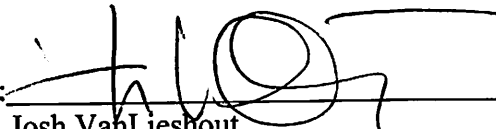
PREPARED BY:



Tim Dietman
Fire Chief

11/11/2019
Date

REVIEWED BY:



Josh VanLieshout
City Administrator

11/11/19
Date

City of Sturgeon Bay ORDINANCE NO. 6.23

Include new language into 6.23(2)(d) –Fees for Fire Re-inspections

If after a regular fire inspection, violation(s) of this code are noted and order(s) are issued requiring a re-inspection, and the person fails to comply with the orders prior to the time of re-inspection, a flat fee of \$75 shall be assessed. If the inspector must return for a second or subsequent re-inspection and all of the violations have not been corrected an additional flat fee of \$75.00 shall be assessed for each re-inspection. Re-inspection fees that are not timely paid after invoice is mailed to the owner of the property effected by the violation(s), shall be entered on the tax roll as a special charge against said lot or parcel of land pursuant to the provisions of § 66.0627, Wis. Stats., for collection and settlement under ch. 74, Wis. Stats.

City of Sturgeon Bay

Social Media Use Policy

PURPOSE

To address the fast-changing landscape of the Internet and the way citizens communicate and obtain information online, City of Sturgeon Bay Departments may consider using social media technologies. As more citizens in our community include the use of social media technologies to receive and share information and communicate their opinions, it is imperative for the City to incorporate social media technologies into the existing communication infrastructure. Where appropriate, the use of social media technologies in work-related activities, events, and announcements is encouraged to enhance customer service, increase citizen involvement, and to further the goals of the organization.

It is the policy of the City that a standard for interaction with social media tools and their associated technology is hereby established.

STAFF GUIDELINES / DEPARTMENT USE OF SOCIAL MEDIA ACCOUNTS

- Creation of all City of Sturgeon Bay social media sites require approval of the City Administrator.
- City social media sites are an extension of the City's communication infrastructure.
- The City's official website (<https://www.sturgeonbaywi.org/>) will remain the City's primary and predominant Internet presence.
- Whenever reasonable, content posted to a City social media site should also be available on the City's official website, and should contain links directing users back to the City's official website for in-depth information, forms, documents, and online services necessary to conduct business with the City.
- All content should be accurate and factual, and non-editorial in nature.
- The best and most appropriate uses of social media tools fall generally into two categories:
 - As channels for disseminating time-sensitive information as quickly as possible (e.g. emergency information, cancellations/closures)
 - As marketing/promotional channels that increase the City's ability to broadcast its messages to the widest possible audience (e.g. recreation program information, etc.)
- Social media accounts will be regularly monitored and maintained by Authorized Users (Departmental supervisors or designated persons) who are responsible for the content and upkeep of City social media sites. The conduct of Authorized Users shall comply with all appropriate City policies and standards.
- Social Media accounts should enable features for public comments, if such capability exists, and comply with and enforce the posted **Social Media Terms of Use Agreement**.
- Authorized Users reserve the right to restrict or remove any content that is deemed in violation of this Social Media Use Policy, and/or any applicable law found not to be in accord with City purposes and policies, or for any other reason.
- When practical, questions and comments received from citizens on social media should be responded to within 48 business hours to better serve the public and encourage conversation on social media.
- Any exceptions to the policy are subject to the prior review and approval of the City Administrator.

TERMS OF USE AGREEMENT

It shall be the policy of the City that the following agreement must be posted on each social media site established and maintained by the City. The agreement will also be posted on the City website (<https://www.sturgeonbaywi.org/>) for easy access.

Social Media Terms of Use Agreement

While this is an open forum, please keep your comments clean and appropriate. Inappropriate comments are subject to deletion by the administrator of this account. If you do not comply with the terms of use outlined below, your message will be removed. If you post inappropriate content a second time, your profile may be blocked from posting any more information to the site.

This forum is not monitored at all times. DO NOT use this forum to report emergency situations or time sensitive issues. Please call City Hall at 920-746-2900.

Please remember the following rules when posting:

1. Content should be related to the subject matter of the social media site where it is posted.
2. ***If your post violates any of the below rules, it will be deleted:***
 - Content is graphic, obscene, or explicit.
 - Content that is abusive, threatening, hateful, or intended to defame anyone or any organization.
 - Content that suggests or encourages illegal activity.
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity, sexual orientation, lawful source of income, or arrest/conviction record.
 - Content posted by persons whose profile picture or avatar, username, or email address contains any of the aforementioned prohibited conduct.
 - Solicitations or advertisements, including but not limited to, promotion or endorsement of any private financial, commercial, or non-government agency.
 - Content attempting to defame or defraud any person or private financial, commercial, or governmental agency.
 - Content that compromises the safety or security of the public or public systems.
3. You participate at your own risk and take personal responsibility for your comments, your username, and all information provided.
4. The appearance of external links on this site does not constitute official endorsement by or on behalf of the City.
5. For more information, please contact City Hall at 920-746-2900 during normal business hours.



ABCs on CBD

Barry J. Blonien, Attorney, Boardman & Clark, LLP

In what feels like the blink of an eye, one can now find countless products containing CBD being sold everywhere throughout the state. Municipal employees may be wondering about the substance, its legality, and whether villages, towns, and cities can and should take any steps to regulate retail sales within their territory. This article provides a big-picture overview for those who may not be familiar with the topic.

CBD is one of the chemical compounds found in cannabis. CBD does not appear to have any psychotropic effects associated with THC found in marijuana (that is, it does not cause a “high”), but it may offer relief for patients suffering from a range of maladies, including epilepsy, PTSD, and insomnia. Indeed, in 2018 the FTC approved the drug Epidiolex, which is a CBD oral solution for the treatment of rare seizure disorders.

The Agriculture Improvement Act of 2018 (better known as the “2018 Farm Bill”) removed hemp and its byproducts from the Controlled Substances Act, as long as the hemp-based product contains no more than 0.3 percent THC on a dry-weight basis. But that does not mean the legal status of CBD is clear. To the contrary, the Food and Drug Administration maintains that the federal Food, Drug, and Cosmetic Act prohibits the addition of CBD to food products or dietary supplements sold in interstate commerce, and the Alcohol and Tobacco Tax and Trade Bureau of the U.S. Department of the Treasury has recently announced that it will not currently approve the use of CBD as an

ingredient in wine, beer, or liquor. That said, the FDA is actively exploring the issue in rulemaking proceedings and may provide greater clarity soon regarding federal law.

Products containing THC are not legal to sell or possess in Wisconsin, but possession of CBD is legal with a certification from a physician that the CBD is being used to treat a medical condition. And once the state follows the lead of the federal government and removes hemp-derived CBD from the list of controlled substances, anyone may then possess and use CBD products under state law. See Wis. Stat. § 961.11(4g) (stating that “if cannabidiol is rescheduled or deleted as a controlled substance under federal law, the controlled substances board shall similarly treat cannabidiol under this chapter as soon as practically possible . . .”) The state has created an “industrial hemp” program to be administered by the Wisconsin Department of Agriculture, Trade, and Consumer Protection (“DATCP”), requiring DATCP to promulgate rules “to maximize opportunity for a person to plant, grow, cultivate, harvest, sample, test, process, transport, transfer, take possession of, sell, import, and export industrial hemp to the greatest extent authorized by federal law.” Wis. Stat. § 94.55(2). Former Attorney Brad Schimel issued a statement indicating that the sale of products made from industrial hemp are lawful and will not be subject to prosecution, and current Attorney General Josh Kaul has not given any indication that he intends to take the opposite view.

This confusing legal landscape may make it difficult for municipalities to determine the best way to proceed in order to promote the public health and safety of its residents. Local public nuisance and zoning laws might be available tools that could restrict where retail stores selling CBD may be located and place other reasonable regulations on the business, but municipalities should consult with an attorney to determine the best course for their individual needs and circumstances. And this area is likely to see lots of development and change in the coming years. Rest assured, though, if the CBD craze has not landed in your home town yet, it is likely just a matter of time.

Licensing & Regulation 401

About the Author:

Barry Blonien is an attorney with Boardman Clark. Barry has substantial experience at all stages of litigation, from case analysis before filing a complaint all the way through trial and, if necessary, an appeal. He has worked on complex litigation matters involving constitutional law, civil rights, environmental justice, consumer rights, antitrust, false claims, class actions and collective actions, administrative law, and intellectual property. Contact Barry at bblonien@boardmanclark.com