



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> None	<b>Date:</b>
<b>Common Council Item Number:</b> 20-0440	<b>Date:</b> 4/9/2020
<b>Submitted By:</b> Brian Running	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Rich Abbott, Finance Director <a href="#">Click here to enter text.</a>	<b>City Attorney's Office Review:</b> Brian Running, City Attorney BER
<b>Subject:</b> Ratification of emergency order creating Municipal Code sec. 11.45, regarding municipal enforcement of state DHS Emergency Order #12.	

<p><b>Details:</b></p> <p>The recitals in the Mayor's emergency order and the draft ordinance 11.45 explain the reasoning behind this matter. In a nutshell, the DA advised that enforcement of the state "Safer at Home" order would not be their top priority. Our PD determined that enforcement would be an issue in the City, and requested that we create a municipal ordinance to be able to issue city citations for violations of the Safer at Home order, which would be heard in municipal court. The PD's prediction has been shown true, there have been a number of businesses violating the order and remaining open, and we have used the threat of a municipal citation to gain compliance.</p> <p>This ordinance was created by the mayor's proclamation under Wis. Stats. 323.14(4), which allows the City to do whatever is necessary and expedient for the health, safety, protection, and welfare of the citizens of Waukesha.</p>
<p><b>Options &amp; Alternatives:</b></p> <p>Not ratify the emergency order. This is not recommended, as continued enforcement of the Safer at Home order will be necessary for the duration of the order.</p>
<p><b>Financial Remarks:</b></p> <p>There is no financial impact from a ratification.</p>
<p><b>Executive Recommendation:</b></p> <p>Ratify the Mayor's order creating Mun. Code sec. 11.45, and waive the three-reading rule to allow the ordinance to be effective immediately.</p>

