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RESOLUTION #82-2013

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by the Public Safety Committee

WHEREAS, the County, local school districts and many municipalities have building security measures in place to protect employees and the public; and

WHEREAS, tampering with, bypassing or attempting to bypass those security measures put many people at risk; and

WHEREAS, currently there is not a County ordinance that penalizes individuals for tampering with, bypassing or attempting to by-pass security measures at the County, schools or other municipal buildings.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 10.045 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

10.045 COUNTY, SCHOOL AND MUNICIPAL BUILDING SECURITY

(1) Definitions

(a) "Entry Control Point" means a location and associated facilities and/or personnel established to screen persons and articles entering the security area or any physical barrier intended to restrict access.

(b) "Security area" means all portions of a County, school or municipal facility that have been designated as requiring additional security or the screening of persons entering therein for the safety and security of the public and employees, posted with sufficient signage to alert the public of its presence, whether or not any security officers are present or any particular post is manned.

(2) No person shall:

(a) Disobey the lawful order of any security, or law enforcement officer.

(b) Bypass or attempt to bypass any security measure, including but not limited to posted or locked doors, entry control points, or signage restricting the movement of persons.

(c) Aid or abet another person in any attempt to bypass any security measure.

(d) Fail to comply with any lawfully posted sign or placard.

(e) Attempt to disable, bypass, tamper with, or otherwise affect the proper operation of any security device, sign, placard, or physical barrier.

(f) Attempt to gain unlawful access to a security area, or remain in a security area

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without permission.

(3) Penalty:

Any person who violates any provision of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$50.

25.04 PENALTY PROVISIONS.

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<u>10.045</u>	<u>Building Security Violation</u>	<u>50.00</u>	<u>186.00</u>
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[The remainder of section 25.04 remains unchanged]

Approved by the Public Safety Committee this _____ day of _____, 2013.

Consent Agenda Item: _____ YES _____ NO

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Offered and passage moved by: _____
 _____ Supervisor
 _____ Supervisor
 _____ Supervisor
 _____ Supervisor
 _____ Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this _____ day of _____, 2013.

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_____ Defeated

_____ Mary Bartelt, County Clerk

_____ Ted Cushing, County Board Chair