



Buffalo County Resolution

Drafted By: Sheriff Mike Osmond

County Department: Law
Enforcement/Emergency Mgt.

Presented Month/Year:

March 2026

Involved Committees:

Law Enforcement/Emergency Mgt.
Finance

Fiscal Impact: YES / NO

ORDINANCE #26-03-01 AN ORDINANCE RELATING TO PUBLIC NUISANCE PROPERTIES

The Board of Supervisors of Buffalo County hereby ordains as follows:

A. Definitions

The following definitions apply through the entirety of this ordinance.

No person shall reside at, maintain, lease, own, rent or otherwise occupy any residence, business, dwelling or other building where any of the following nuisances are allowed to occur:

1. Such “nuisance property” has generated three or more calls for law enforcement service for nuisance activities on separate days in one month, or six or more calls in a twelve-month period. “Nuisance activities” are defined as any of the following activities, behaviors or conduct whenever engaged in by property owners, operators, tenants, occupants or persons associated with a property, whether or not a citation or arrest was made for the violation:
 - a. An act of harassment, as defined in § 947.013, Wis. Stats, as may be amended or renumbered.
 - b. Battery, substantial battery or aggravated battery, as defined in § 940.60, Wis. Stats, as may be amended or renumbered.
 - c. Indecent conduct, as defined in § 944.20(1), Wis. Stats, as may be amended or renumbered.
 - d. Prostitution or keeping a place of prostitution, as defined in § 944.30 and § 944.34, Wis. Stats, as may be amended or renumbered.
 - e. Possession, manufacture or delivery of a controlled substance or related offenses, as defined in Ch. 961, Wis. Stats, as may be amended or renumbered.



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- f. Gambling or other offenses, as defined in § 945.02, Wis. Stats, as may be amended or renumbered.
 - g. Illegal discharge of a firearm, as defined in § 941.20, Wis. Stats, as may be amended or renumbered.
 - h. Any other offense that substantially annoys, injures or endangers the comfort health, repose and safety of the public.
 - i. Any other offense that greatly offends the public morals or decency.
 - j. Any other offense against public peace and orderly conduct as defined in this Code of Ordinances.
2. Notwithstanding Chapter 125 of the Wisconsin Statutes, as may be amended or renumbered, allowing a property or place to be used for the purpose of facilitating the consumption of alcohol beverages by underage persons.
3. "Person" means any individual, firm, corporation, limited liability company, society, institution, public body or any other entity.
4. "Sheriff" means the Buffalo County Sheriff and his/her designees.

B. General Provisions

1. Title. This ordinance shall be referred to as the "Buffalo County Public Nuisance Ordinance."
2. Effective Date. This ordinance shall be effective upon passage and publication.
3. Administration. This ordinance shall be administered by the Buffalo County Sheriff.
4. Interpretation. The provisions of this ordinance shall be interpreted to be minimum requirements and shall be liberally construed in favor of Buffalo County and shall not be deemed a limitation or repeal of any power granted by the Wisconsin Statutes.

C. Enforcement

1. Notice. Whenever the Sheriff determines that there is a nuisance property as described in Subsection A of this Ordinance, the Sheriff may notify the property owner in writing. The notice shall contain the street address or legal description sufficient to identify the property, a description of the nuisance activities that have occurred at the property, a statement indicating that the potential forfeiture costs if remedial action not taken, and a notice as to the appeal rights of the owner. The notice shall be delivered via certified mail or personal service.



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2. Abatement plan. Any property owner receiving notice pursuant to this Subsection C shall meet with the Sheriff within 10 days of receipt of such notice. The parties shall review the problems occurring at the property. Within 20 days of this meeting, the property owner shall submit to the Sheriff a written abatement plan to end the nuisance activity on the property. The plan shall also specify the name, address, and telephone number of a person living within 60 miles of the property who can be contacted in the event of further police, fire, or inspection contact.
3. Additional nuisance activity. Whenever the Sheriff determines that additional nuisance activity has occurred at a premises for which notice has been issued pursuant to Subsection B, that this nuisance activity has occurred not less than 30 days after notice has been issued, and that reasonable efforts have not been made to abate the nuisance activity, the Sheriff may issue a forfeiture citation.
4. The District Attorney's office shall be authorized to prosecute any violations of this ordinance.
5. Each violation of a provision of this Ordinance shall be subject to a forfeiture not to exceed \$1,000 plus statutory costs. Each day during which the violation(s) continues shall be considered a separate offense.
6. Cash deposits, costs and assessments shall be paid to the Buffalo County Clerk of Circuit Court. The Clerk shall issue receipts for said payments.
7. The term "statutory costs" in this Ordinance includes but is not limited to the penalty assessment, jail assessment and crime laboratories and drug enforcement assessments.

D. Authority

This Ordinance is adopted pursuant to the authority granted by Chapters 59 and 823 of the Wisconsin Statutes, as may be amended from time to time.

E. Severability and Repeal

1. Severability - Each section, paragraph, sentence, clause, word and provision of this Ordinance is severable, and if any provisions shall be held unconstitutional or



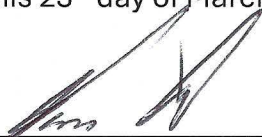
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invalid for any reason, such decisions shall not affect the remainder of this ordinance nor any part thereof other than that affected by such a decision.

2. Repeal - All other ordinances or parts of ordinances of Buffalo County inconsistent or conflicting with this ordinance to the extent of the inconsistency only, are hereby repealed.

This ordinance shall take effect upon passage and publication as required by Section 59.09, Wisconsin Statutes.

Adopted by the Buffalo County Board of Supervisors this 23rd day of March 2026.



Dennis Bork, County Board Chairperson

ATTEST:

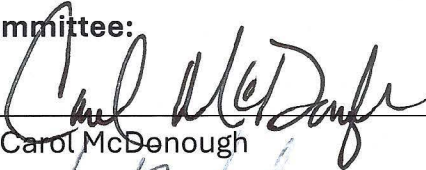


Lisa Schmitt, County Clerk

Law Enforcement/Emergency Management Committee:



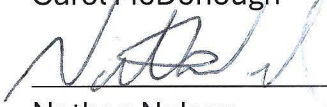
Michael Taylor



Carol McDonough



John Hadley

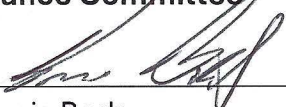


Nathan Nelson

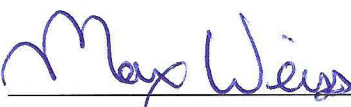


Robert Sendelbach

Finance Committee



Dennis Bork



Max Weiss



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A handwritten signature in black ink, appearing to read "Steve Nelson", written over a horizontal line.

Steve Nelson

A handwritten signature in black ink, appearing to read "William Bruegger", written over a horizontal line.

William Bruegger

A handwritten signature in black ink, appearing to read "Brian Michaels", written over a horizontal line.

Brian Michaels