



DOOR COUNTY

ORDINANCE NO. 2009-03

AMENDMENT OF CHAPTER 4.17 DOOR COUNTY CODE

The Door County Board of Supervisors does hereby ordain as follows:

WHEREAS, The Law Enforcement & Judiciary Committee has reviewed and recommends amendment of Chapter 4.17 Huber Law and Prisoner Reimbursement to County Costs; and

WHEREAS, Amended Chapter 4.17 is attached as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD THAT, Chapter 4.17 is hereby amended as reflected in Exhibit A.

BE IT FURTHER ORDAINED BY THE COUNTY BOARD THAT This Ordinance supersedes existing Chapter 4.17 Door County Code.

BE IT FURTHER ORDAINED BY THE COUNTY BOARD THAT This Ordinance shall be in full force and effect from and after its enactment and publication.

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ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BEMMANN	✓		
BOGENSCHUTZ	✓		
BRANN	✓		
DeBAKER	✓		
DeWITT	✓		
FISHER	✓		
FONTAINE	✓		
GUNNLAUGSSON	✓		
HAINES	✓		
JEANQUART	✓		
LIEBE	✓		
MEYER	✓		
MOELLER	✓		
MULLIKEN	✓		
NEINAS	✓		
OLSON	✓		
RUNQUIST			✓
SAVARD	✓		
VIRLEE	✓		
ZIPPERER	✓		
	20	0	1

BOARD ACTION

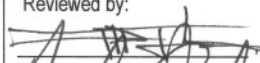
Vote Required: Majority Roll Call Vote of a Quorum

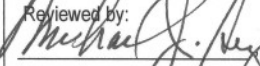
Motion to Approve Adopted

1st Virlee Defeated

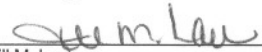
2nd DeBaker

Yes: 20 No: 0 Exc: 1

Reviewed by:  Corp. Counsel

Reviewed by:  Administrator

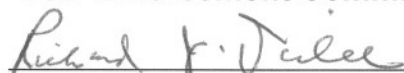
Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 26th day of May, 2009 by the Door County Board of Supervisors.

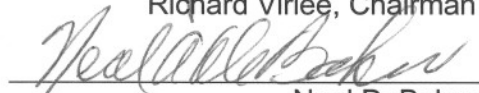

Jill M. Lau
County Clerk, Door County
COUNTERSIGNED

Leo W. Zipperer, Chairman,
Door County Board of Supervisors

Effective Date _____

**SUBMITTED BY:
Law Enforcement Committee**


Richard Virlee, Chairman


Neal DeBaker


Paul DeWitt


Richard Haines


Mark Moeller

4.17 HUBER LAW AND PRISONER REIMBURSEMENT TO COUNTY COSTS**A. AUTHORITY:**

1. Section 303.08 Wisconsin Statutes provides in pertinent part, that "...(e)very person who is gainfully employed or who receives unemployment insurance or employment training benefits while in custody in the jail, shall be liable for charges not to exceed the full per person maintenance and cost of the prisoner's board in the jail as fixed by the county board after passage of an appropriate county ordinance..."; and
2. Section 302.372 Wisconsin Statutes allows a county to seek reimbursement from a prisoner for "...the actual per-day cost of maintaining that prisoner, as set by the county board by ordinance..."; and
3. Sections ~~3023.38~~ and 302.381 Wisconsin Statutes permits a county to collect expenses related to medical care of prisoners from the prisoner or the prisoner's estate.

B. INTENT

1. That any person convicted of a criminal offense, who as a consequence is sentenced to or confined in a county jail, (including a probationer in custody as a condition of probation or under a probation hold) shall reimburse the County for its expenses incurred by reason of his or her confinement pursuant to and in accordance with Sections 303.08 or 302.372 or ~~3023.38~~ Wisconsin Statutes, or as subsequently amended or revised.
2. That County takes the necessary steps, including institution of any appropriate civil suit in a court of competent jurisdiction, for recovery of expenses set forth herein from the prisoner or the prisoner's estate.

C. COSTS for purposes of prisoner reimbursement to the county are:

1. Processing fee of ~~twenty-seven dollars and fifty cents (\$27.50)~~ thirty dollars (\$30.00) per incident.
2. Huber Law prisoner transfer fee (for transfer in to or out of the jail) of fifty dollars (\$50.00)
3. Full per person maintenance and cost of "Huber Law" prisoner's board is ~~seventeen dollars and fifty cents (\$17.50)~~ nineteen dollars (\$19.00) per day.
4. Actual per-day cost of maintaining prisoner in ordinary confinement is:
 - a. ~~ten dollars (\$10.00) for the first day and~~
 - b. five dollars (\$5.00) per day for each subsequent day.
5. A prescription set-up fee of five dollars (\$5.00) for each prescription.
6. Medical Expenses paid by County for prisoner.

D. Home Detention Programs

1. Prisoners placed in a home detention program pursuant to Section 302.425 Wisconsin Statutes are required to pay the County:
 - (a) A one time set-up fee of fifty dollars (\$50.00);
 - (b) A daily fee of twenty dollars (\$20.00); and
 - (c) All costs incurred by the County associated with monitoring the prisoner.
2. Prepayment may be required by the Sheriff as a condition of placement in a home detention program.

This ordinance supersedes any prior ordinance or resolution pertaining to the same subject matter.

(Ord. 18-99, 11/1/99; Ord. 10-00, 5/25/00; Ord. 21-02, 12/17/02; Ord. 2006-17, 9/26/06; Ord. 2007-14, 8/28/07) (Ord. 2008-03; 4/15/08)
(Ord. 2009-03; 4/21/09)