

Legislation Details (With Text)

File #: 11643 **Version:** 1 **Name:** Health ord
Type: Ordinance **Status:** Passed
File created: 8/12/2008 **In control:** BOARD OF HEALTH FOR MADISON AND DANE COUNTY
On agenda: 10/7/2008 **Final action:** 10/7/2008
Enactment date: 10/24/2008 **Enactment #:** ORD-08-00120

Title: Amending Sections 7.01, 7.02, 7.05, 7.085, and 7.44 of the Madison General Ordinances to create uniformity with the IGA, repealing and recreating Sec. 7.03 to establish definitions for the Chapter, repealing and creating Sec. 7.04 to establish appeal procedures for humane officer abatement orders, amending Sec. 7.06 to remove reference to the Madison General Hospital, and amending Sec. 7.29 to permit a humane officer to enforce the ordinance.

Sponsors: Lauren Cnare

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/7/2008	1	COMMON COUNCIL	Adopt	Pass
9/18/2008	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/2/2008	1	COMMON COUNCIL	Referred	
8/12/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

Amending Sections 7.01, 7.02, 7.05, 7.085, and 7.44 of the Madison General Ordinances to create uniformity with the IGA, repealing and recreating Sec. 7.03 to establish definitions for the Chapter, repealing and creating Sec. 7.04 to establish appeal procedures for humane officer abatement orders, amending Sec. 7.06 to remove reference to the Madison General Hospital, and amending Sec. 7.29 to permit a humane officer to enforce the ordinance.

Body

DRAFTER'S ANALYSIS: In 2007 the Intergovernmental Agreement (IGA) was adopted which further provided for the unification of the City and County Health Departments. The various ordinance changes listed below are presented so that there is uniformity between the IGA that was previously adopted and the MGO's. Section 7.03 is repealed and created to establish a Definition Section to insure that the language found throughout Chapter 7 is in conformity with the language found within the IGA. Section 7.04 is repealed and created to establish an appeal process for abatement orders issued by Humane Officers under Wis. Stat. § 73.11. This ordinance is required under the statute section. Section 7.05 is amended so that the Director of Public Health can designate an individual to handle violations of this Section. Section 7.29 is amended so that a humane officer is permitted to inspect premises and determine if a violation of this section has occurred.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 7.01 entitled "Board of Health for Madison and Dane County" of the Madison General Ordinances is amended to read as follows:

“7.01 BOARD OF HEALTH FOR MADISON AND DANE COUNTY.

- (1) Creation. The Board of Health for Madison and Dane County (BOHMDC) is hereby created to serve as the Board of Health for the ~~City of Madison Department of Public Health and the Dane County Division of Public Health and upon full merger, will serve as the Board for the Madison and Dane County Health Department~~ Department of Public Health for Madison and Dane County.
 - (2) Composition, Terms. The Board of Health for Madison and Dane County shall consist of eight (8) members. Appointees who are not elected officials shall have a demonstrated interest or competence in the field of public health or community health and shall reflect the diversity of the community.
 - (a) The Mayor shall appoint one (1) alder member subject to confirmation by the Common Council.
 - (b) The County Executive shall appoint one (1) supervisor member subject to confirmation by the County Board. The supervisor shall reside outside the City.
 - (c) The Mayor and the County Executive shall jointly appoint six (6) members. A good faith effort shall be made to appoint one (1) licensed physician, one (1) environmental health expert, and one (1) registered nurse. The physician shall be appointed from a list submitted by the Dane County Medical Society. The nurse shall have experience in community health practice.

The appointments shall be as follows:

 1. Three (3) members shall be City residents and shall be subject to confirmation by the Common Council.
 2. Three (3) members shall be County residents who reside outside of the City and shall be subject to confirmation by the County Board.
 3. The board members' term shall be as follows:
 - a. The alder and supervisor terms shall be for two (2) years.
 - b. ~~Four (4) board members terms shall be for three (3) years. (Two each from city and county.)~~ The remaining six (6) board members terms shall be for three (3) years, staggered so that two (2) board members' term expire each year (one each from the city and the county). In January, 2008, these board members shall determine, by lot, which members have initial terms of one (1), two (2) or three (3) years. Thereafter the terms shall be for three (3) years.
 - c. ~~Two (2) board members terms shall be for four (4) years. (One each from city and county.)~~
 - d. The board member's term shall be automatically terminated and a vacancy created upon his or her absence from three (3) consecutive meetings.
 - (d) Officers. By majority vote of members present the Board of Health for Madison and Dane County shall elect officers on an annual basis. Elected officials of the City and County may not serve as Board officers. Officers shall include:
 1. Chairperson, to preside at meetings;
 2. Vice Chairperson, to preside at meetings in the Chairperson's absence.
 3. Any other officer(s) the Board so chooses.
 - (e) Rules. The Board may adopt rules for the purposes of exercising its responsibilities for public health under the statutes, the City and County ordinances. The Board of Health for Madison and Dane County shall:
 1. Meet at least quarterly.
 2. Establish rules for its operation.
 3. Adhere to state laws regarding open meetings and public records.
 4. Consider five (5) members present as a quorum.
 5. Establish bylaws as desired.
- (3) Powers and Duties. The Board of Health for Madison and Dane County shall govern the

~~Madison Department of Public Health, the Dane County Division of Public Health and the Madison and Dane County Health Department~~ Department of Public Health for Madison and Dane County and shall assure the enforcement of state and local public health laws and regulations. The Board shall may adopt rules implementing policies adopted by the Common Council and the County Board.

The Board of Health for Madison and Dane County shall:

- (a) Provide supervision to the Director.
 - (b) Assess public health needs and advocate for the provision of reasonable and necessary public health service.
 - (c) Develop policy and provide leadership that fosters local involvement and commitment that emphasizes public health needs and that advocates for equitable distribution of public health resources and complimentary private activities commensurate with public health needs.
 - (d) Assure that measures are taken to provide an environment in which individuals can be healthy.
 - (e) Determine Program Services priorities and assign the funding levels related to those priorities, subject to approval of the City and County.
 - (f) Use the State's Health Plan, Healthiest Wisconsin 2010, as the focus for the Department.
 - (g) Assure the enforcement of state public health statutes, public health rules and City and County public health ordinances.
 - (h) Otherwise carry out obligations of a Board of Health under Wisconsin law.
 - (i) When entering into contracts, the Board may do so in its own name, for the benefit of the City and the County.
- (4) Delegation of Authority. The Board of Health for Madison and Dane County may delegate responsibility for redesign, planning, implementation, coordination, and evaluation of Program Services to the Director and his or her management team.
 - (5) Program Services. The Board of Health for Madison and Dane County shall have the authority to act on behalf of the Department of Public Health for Madison and Dane County Health Department, ~~the City Department of Public Health and the County Division of Public Health~~ and enter into contracts for the purchase of services to the Madison and Dane County Health Department, the City and the County. The Board of Health for Madison and Dane County may delegate that authority to the Director.
 - (6) Legal Counsel. The Board of Health for Madison and Dane County shall have the authority to retain outside counsel, subject to approval of the City and County.
 - (7) Limitations of Powers in First Year. After the confirmation of the Board of Health for Madison and Dane County and until amended by a subsequent agreement between the City and the County, contracts in excess of \$50,000 and regulations established by Board of Health for Madison and Dane County shall be brought to the Common Council and the Board of Supervisors for approval. During this time period the Board of Health for Madison and Dane County may approve contracts under \$50,000 to provide public health services. The Board of Health for Madison and Dane County may apply for combined grants or program operations on behalf of the City and the County or for individual grants on behalf of the City and County where appropriate.
 - (8) Other Duties. The BOHMDC shall have the duties and obligations set forth in the Intergovernmental Agreement between the City of Madison and Dane County."

2. Duplicate Section 7.01 entitled "Public Health Commission" of the Madison General Ordinances is hereby repealed.

3. Section 7.02 entitled "Director of Public Health" of the Madison General Ordinances is amended to read as follows:

"7.02 DIRECTOR OF PUBLIC HEALTH. The Mayor and the County Executive jointly shall appoint the Local Health Officer whose title shall be Director of the Department of Public Health for Madison and Dane County Health Department ~~and the City Department of Public Health and the County Division of Public~~

Health, subject to confirmation of the Common Council and the County Board. The Director shall be a resident of Dane County. The Board of Health for Madison and Dane County shall provide supervision of the Director and shall be responsible for any personnel decisions, other than appointment and dismissal, regarding the Director. The Director shall have direct responsibility for the transition to and operation of the Department of Public Health for Madison and Dane County Health Department. ~~Until otherwise established, the Director shall be on the payroll of and be eligible for benefits of either the City or the County, but not both.~~

4. Duplicate Section 7.02 entitled "Director of Public Health" of the Madison General Ordinances is hereby repealed.

5. Section 7.03 entitled "Salaries Fixed by Ordinance or Resolution for the Director of Public Health and the City Health Inspectors, Etc." is hereby repealed and recreated to read as follows:

"7.03 DEFINITIONS. Whenever the terms "Health Department", "Department of Public Health", "City Department of Public Health", "Madison Public Health Department", "Department" or "City of Madison Health Department" are found within this Chapter they shall be given the definition of the "Department of Public Health for Madison and Dane County". Whenever the term "Director of Public Health", "Director" or "Director of Health" are found within this Chapter they shall be given the definition of the "Director of the Department of Public Health for Madison and Dane County or his/her designee." Whenever the term "Commission", "Board of Health" or "Board" are found within this Chapter they shall be given the definition of the "Board of Health for Madison and Dane County".

6. Section 7.04 entitled "Contagious Hospital" is hereby repealed and created to read as follows:

"7.04 HUMANE OFFICERS ABATEMENT ORDERS.

- (1) The Board of Health for Madison and Dane County is hereby designated and authorized, pursuant to Wis. Stat. § 173.03(2), to affirm, modify, or withdraw abatement orders issued under Wis. Stat. § 173.11 by any humane officer or law enforcement officer.
- (2) Any person named in an abatement order may appeal such order to the Board of Health for Madison and Dane County within ten (10) days of service of the order. The notice of appeal must state the grounds for the appeal with specificity. The Board of Health for Madison and Dane County shall schedule a hearing to be held within ten (10) days of the receipt of the notice of appeal, unless the appellant agrees to a later date. The Board of Health for Madison and Dane County shall make reasonable efforts to notify the appellant, the officer issuing the abatement order, and any other interested party of the hearing and the opportunity to present evidence and testimony at the hearing. The hearing shall be informal in nature. Within ten (10) days after the hearing, the Board of Health for Madison and Dane County shall determine whether to affirm, modify and affirm, or withdraw the abatement order and shall issue their decision in writing and serve it upon the appellant and other interested parties.
- (3) Any person adversely affected by a decision under subsection (2) may seek judicial review by commencing an action in circuit court within thirty (30) days after the date that the decision is issued."

7. Section 7.05 entitled "Inspection of Health Conditions--Access to Premises--Power to Abate Health Nuisances" is amended to read as follows:

"7.05 INSPECTION OF HEALTH CONDITIONS--ACCESS TO PREMISES--POWER TO ABATE HEALTH NUISANCES.

- (1) It shall be the duty of the Director of Public Health, ~~Health Inspectors,~~ and Chief of Police and ~~each of them,~~ their designee and they shall have the power, whenever they may deem it necessary, and whenever they shall be so required by the Director of Public Health in order to promote the public health, to enter upon any premises and into any house to ascertain every nuisance that may exist, and examine into the condition and the number of persons inhabiting such house, and to inspect the cellars, privies, cesspools, and drains of such premises, and to order the dispersion or removal of families or persons from buildings or apartments so much crowded as to be suspected of being infected or liable to be infected with any pestilential or other dangerous disease, and from houses which are not fit for human habitation and to order the abatement and removal of such nuisances in any such house, or on such premises. The Director of Public Health, Health Inspector, or any member of the Police Department shall have

the right to enter upon any premises and into any house to ascertain whether or not such house or premises are connected with the public sewer system of the City and to examine into the condition and manner of the construction of such sewer connection, and to inspect the cellars, cesspools, privies, drains, and grease-traps on such premises, and in case they find any violation of any ordinance of the City regulating the manner of construction of such sewer connections, or in the manner in which it is being used by the occupants of any building or premises, they shall immediately report such violation to the City Engineer, and the Plumbing Inspector.

- (2) Unlawful to Refuse Access for Examination of Health Conditions on Premises. It shall be unlawful for any person to refuse to the Director of Public Health, ~~Health Inspectors~~ and his/her designee, or any member of the Police Department, free access to any building or premises for the purpose of examining the health conditions therein or thereon or to hinder or obstruct the free examination of such building or premises.
- (3) Search Warrant. Whenever the Director of Public Health or his/her designee shall deem it necessary for the preservation of the health of the inhabitants of the City to enter any building in the City for the purpose of examining into or removing or preventing any health nuisance, source of filth, or cause of sickness, and shall be refused such entry, or the building is unoccupied, the Director of Public Health or ~~any Health Inspector~~ or his/her designee may make complaint under oath to the judge of the County Court of Dane County, stating the facts in the case, and request such court ~~shall thereupon~~ to issue a warrant ~~directing a policeman~~ officer of the City, commanding ~~him~~ the officer to take sufficient aid, and being accompanied by the Director of Public Health or ~~a Health Inspector~~ his/her designee, ~~between the hours of sunrise or sunset, to repair~~ to the place where such nuisance, source of filth or cause of sickness complained of may be, and if upon inspection the same shall, in the judgment of such persons inspecting, exist, to destroy or remove the same under the direction of the Director of Public Health.
- (4) Abatement of Health Nuisances. Whenever any health nuisance, source of filth or cause of sickness shall be found on private property, the Director of Public Health or his/her designee shall order the owner or occupant thereof to remove or abate the same at ~~his~~ the owner's expense within a reasonable time which shall be specified in the notice and if ~~the~~ owner shall refuse or neglect to comply with such order, the owner shall be subject to a fine of not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and each day on which any person shall so refuse or neglect to comply with such order after service of the same may be considered a separate offense and a separate penalty collected therefor. Whenever such owner or occupant shall refuse or neglect to remove or abate said condition, ~~said Board~~ the Director of Public Health shall cause the same to be removed or abated and the City shall recover the expenses incurred thereby from the said owner or occupant, or from such other person as shall have caused or permitted the same. In case the owner is absent from the City, notice to the person who receives the rent or has charge of the property shall be deemed notice to the owner. If any owner or occupant is required to remove any nuisance, source of filth or cause of sickness by filling up low or marshy places upon the property owned or occupied by him or her and fails or neglects to do so within the time specified in the notice, then the Director of Public Health shall cause such work to be done by the Superintendent of Streets appropriate entity and the cost thereof shall be collected from the owner of the premises. When the Director of Public Health or his/her designee shall cause any such health nuisance, source of filth or cause of sickness existing on private property to be removed or abated in accordance with the provisions of this section, and the owner of such property fails to pay for the expense of such removal or abatement, then the costs thereof shall be levied and collected as a special tax upon the lot or land upon which such work was done."

8. Subsection (4) entitled "Removal of Persons Afflicted With Communicable Diseases" of Section 7.06 entitled "Contagious Disease" of the Madison General Ordinances is amended to read as follows:

- "(4) Removal of Persons Afflicted With Communicable Diseases. The Director of Public Health, Health Inspectors and the Chief of Police and each of them is authorized to remove or cause to be removed,

when so instructed by the Director of Public Health, any person afflicted with any dangerous communicable disease to ~~the Communicable Disease Unit located at the Madison General Hospital, or~~ such place as may be deemed expedient and appropriate; and they shall, under the direction of the Director of Public Health, destroy any furniture, clothing, or other property which may cause the spreading of such disease, or cause it to be removed or disinfected.”

9. Subdivision (d) entitled “Director of Public Health” of Subsection (1) entitled “Definitions” of Section 7.085 entitled “Regulations Governing Soda Fountains” of the Madison General Ordinances is amended to read as follows:

“(d) Director of Public Health. The term “Director of Public Health” shall mean the Director of Public Health ~~of the City of for Madison and Dane County~~ or his/her authorized representative.”

10. Subsection (2) of Section 7.29 entitled “Relating to Keeping of Fowl Within the City of Madison” of the Madison General Ordinances is amended to read as follows:

“(2) The Director of Public Health shall, upon complaint or on his own initiative, inspect, or order a Public Health Inspectors Sanitarian or a Humane Officer to inspect, premises upon which fowl are kept and ascertain and determine whether the conditions are unsanitary or if for any reason a nuisance is caused thereby. If the Director of Public Health determines that conditions are unsanitary, or if for any reason a nuisance exists, he shall order the owner or occupant of the premises to abate the nuisance and it shall thereupon be unlawful to keep such fowl on the premises.”

11. Subdivision (d) of Subsection (1) of Section 7.44 entitled “Public Swimming Pool Licenses” of the Madison General Ordinances is amended to read as follows:

“(d) In addition to any other remedies provided by Sec. 7.44 of the Madison General Ordinances, Comm 90 and/or HFS Section 172, any license issued pursuant to this subsection may be suspended for up to thirty (30) days or revoked by the Director of Public Health for noncompliance with the provisions of Sec. 7.44 of the Madison General Ordinances, Comm 90 and/or HFS Section 172. Upon denial of a license or revocation or suspension of the license of any operator of a public swimming pool the operator may appeal the determination of the Director of Public Health to the Board of Health for Madison and Dane County within ten (10) days of the determination by filing a notice of appeal with the City Clerk who shall then promptly notify the members of the ~~Commission~~ Administrative Hearings Committee of the appeal who shall promptly convene for consideration of the appeal. By majority vote, ~~the Commission~~ the Committee may reverse or modify the determination of the Director of Public Health. Any further appeal shall be to the Circuit Courts of Dane County.”

EDITOR’S NOTE:

1. Duplicate Section 7.01 currently reads as follows:

“7.01 PUBLIC HEALTH COMMISSION.

(1) Membership.

(a) Regular Members. There is created a Public Health Commission which shall be advisory to the Director of the Department of Public Health, the Mayor and Common Council consisting of nine (9) members appointed by the Mayor, subject to confirmation by the Common Council. Members shall be appointed on the basis of their knowledge and interest in public health. At least three (3) of these members shall be persons who are not elected officials or employees of the governing body that establishes the health department. In appointing the members who are not elected officials or employees, a good faith effort shall be made to appoint a registered nurse and a physician. Members shall reflect the diversity of the community. At least one (1) member shall be an Alderperson and all others may be citizen members. The Director of the Department of Public Health or her/his designee shall be an ex officio member of the Commission without vote and shall serve as secretary.

(b) Alternate Members. In addition to the above mentioned members, the Mayor shall on an annual basis, appoint two (2) alternate members. The alternates may be either alderpersons or citizen members. The first alternate shall act with full power and authority when any other member of the Commission is absent or refuses to act. The second alternate shall act only when the first alternate is absent or refuses to act or when more than one (1) member of the Commission is absent or refuses to act.

- (2) Terms. The Alderperson member of the Commission shall be appointed in April for a term of two (2) years beginning on the first day of May. The full term of the citizen members shall be for three (3) years beginning on the first day of May of the year of appointment and until the successor is appointed and confirmed. At the organization meeting of the Common Council preceding the end of any of the citizen members' terms, the Mayor shall appoint a successor for full terms and shall submit the appointments to the Common Council for confirmation.
- (3) Duties. The Commission shall have the following duties:
 - (a) Recommend policy to the Director of the Department of Public Health, Mayor and Common Council in the area of public health services.
 - (b) Establish policies in the area of public health services to be followed by the Department of Public Health subject to the approval of the Common Council.
 - (c) Review and make recommendations to the Director of Public Health on the annual public health services budget; such recommendations or a statement that the Commission has no recommended changes shall be filed at the time the budget is filed with the Mayor.
 - (d) Investigate new and innovative methods for delivery of public health services.
 - (e) Stimulate coordinated intercommunity and intracommunity planning for the delivery of public health services.
 - (f) Seek ways to involve citizens in the continuing assessment of public health services needs.
 - (g) Cooperate with other agencies in public health concerns.
 - (h) Seek to improve accessibility of public health services to citizens who have language and other barriers.
 - (i) Establish public health services priorities and criteria for choices between those services which are provided directly by the City and those which are purchased from other agencies subject to the approval of the Common Council.
 - (j) Work to improve coordination and follow-up in connecting City residents with available health services.
 - (k) Make recommendations to the Director of Public Health, Mayor and Common Council for legislation to improve public health services.
 - (l) Establish subcommittees as necessary to provide broad community contact and participation and to collect information, explore problem areas and make recommendations to the Commission on particular health issues.
 - (m) Hold public hearings to collect information about the community's concerns and needs in the area of public health.
 - (n) Make such rules for the conduct of its meetings and business as may be required.
- (4) Meetings. The Commission shall meet at least once each month as a regular meeting and at such other times as the Chair may direct.
- (5) Advice on Selection of Public Health Director. The Commission shall advise the Mayor in the selection of the Public Health Director.
- (6) Sunset Provision. Through an Intergovernmental Agreement, the City of Madison and Dane County are in the process of merging the Madison Department of Public Health and the Dane County Division of Public Health into the Madison and Dane County Health Department. As a result of this merger, the Public Health Commission and the Dane County Board of Health will be dissolved and the Board of Health for Madison and Dane County (BOHMDC) will be created. The BOHMDC will be created upon the authorized appointments of all the members by the Common Council and the Dane County Board of Supervisors.
- (7) Upon confirmation of the members of the BOHMDC, Section 7.01 of the Madison General Ordinances is repealed and replaced by Section 7.01 as set forth herein.
- (8) Effective at the time set forth in Sub. (7), above, there is hereby created a new Section 7.01 of the Madison General Ordinances to read as follows:"
 2. Duplicate Section 7.02 currently reads as follows:

"7.02 DIRECTOR OF PUBLIC HEALTH.

- (1) Effective March 1, 1989, the position of Director of Public Health as it becomes vacant shall be filled according to Sec. 3.54(6)(f) of these ordinances. The Mayor shall consider the recommendation of the Public Health Commission in the selection of the Director. The incumbent of the position as of the above date may enter into an employment contract as described in such section at his or her option.

The Director of Public Health shall have the powers and duties as provided in Sec. 251.06, Wis. Stats. He/she shall be a licensed physician with training or experience in public health work or shall be a person other than a licensed physician with training in and experience in public health administration which shall meet the training and experience requirements established by the State Department of Health and Family Services. He/she shall devote his/her entire time to the duties of the office. He/she shall perform duties and exercise powers in accordance with City Ordinances, State Statutes, and regulations of the State Department of Health and Family Services together with such additional duties as the Public Health Commission, the Mayor or the Common Council may from time to time prescribe.
- (2) Director of Public Health - Designee.
 - (a) There is hereby created the position of Director of Public Health - Designee. The purpose of the position is to provide for an orderly transition in the office of Director of Public Health upon the retirement or other predetermined vacancy by the incumbent. The Designee shall be selected prior to such vacancy and shall upon reconfirmation immediately succeed to the position of Director of Public Health upon such vacancy and shall meet all the qualifications for the Director of Public Health position at the time of his appointment. Upon succession to the office of Director of Public Health the Designee position shall remain vacant until a predetermined vacancy in the office of Director of Public Health becomes apparent.
 - (b) The Director of Public Health-Designee shall be appointed by the Mayor, after consultation with the Public Health Commission, subject to the approval of the Common Council. The Designee shall, under the supervision of the Director of Public Health, work with the Director in the performance of prescribed duties and shall prepare for succession to office so that such transition is carried out in a nondisruptive and orderly fashion. The Director of Public Health shall at all times retain the authority and duties of the office. In addition the Designee shall perform such other duties as may be prescribed by the Public Health Commission, Mayor, Common Council or Director of Public Health
 - (c) The probationary period for the Director of Public Health-Designee shall consist of the entire term as Designee and, in addition, for the first twelve (12) months of service as Director of Public Health. At the time of succession to the office of the Director of Public Health the appointment shall be reconfirmed by the Public Health Commission, Mayor and Common Council. At such time the position of Director of Public Health shall not be reopened for recruitment purposes unless the Designee is not reconfirmed as Director of Public Health.
- (3) Sunset Provision. Through an Intergovernmental Agreement, the City of Madison and Dane County are in the process of merging the Madison Department of Public Health and the Dane County Division of Public Health into the Madison and Dane County Health Department. As a result of this merger, the positions of Director of the City of Madison Public Health Department and of the Dane County Division of Public Health will be dissolved and there will be a Director position created to be the Director of the City of Madison Public Health Department, the Dane County Division of Public Health and for the newly created department, the Madison and Dane County Department of Public Health. The Director position shall be created upon the authorized appointment of the Common Council and the Dane County Board of Supervisors.
- (4) Upon appointment of the new Joint Director as described in Sub. (3), above, Section 7.02 of the Madison General Ordinances is repealed and replaced by Section 7.02 as set forth herein.
- (5) Effective at the time set forth in Sub. (3), above, there is hereby created a new Section 7.02 of the Madison General Ordinances to read as follows:"

3. Section 7.03 currently reads as follows:

“7.03 SALARIES FIXED BY ORDINANCE OR RESOLUTION FOR THE DIRECTOR OF PUBLIC HEALTH AND THE CITY HEALTH INSPECTORS, ETC. The salaries fixed by ordinance for the City Director of Public Health and the City Health Inspectors shall be in full compensation for all services of any kind rendered by them for the City, and all fees paid to and received by them shall be paid to the City Treasurer.”

4. Section 7.04 currently reads as follows:

“7.04 CONTAGIOUS HOSPITAL. There shall be operated in the City of Madison a hospital for the treatment of contagious diseases, which shall be known as the Communicable Disease Unit, and which shall be under the management and control of the Madison General Hospital Association pursuant to the general provisions of the contracts of the Madison General Hospital and the City of Madison of June 13, 1902, July 26, 1941 and March 5, 1949.

The transfer of the location and operation of the Municipal Contagious Hospital from the East Washington Hospital to the Madison General Hospital shall be effective as of August 25, 1953.”