

ORDINANCE NO. 668 – 02/11

**AMENDING CHAPTER 50 OF THE WALWORTH COUNTY CODE OF ORDINANCES
RELATING TO INTERJURISDICTIONAL AGREEMENTS FOR THE PLACEMENT
OF OUT-OF-COUNTY RESIDENTS IN WALWORTH COUNTY**

**THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:**

**PART I: That Section 50-9 of the Walworth County Code of Ordinances is hereby created
to read as follows:**

“Sec. 50-9. Interjurisdictional Agreements Required.

(a) It is the intent of this section to allow appropriate Crisis Intervention services and to prevent the taxpayers of Walworth County from paying the costs associated with residents of other jurisdictions when those residents are placed in certain temporary living situations within Walworth County.

(b) This ordinance requires certain facilities that accept such placements of out-of-county residents to obtain and maintain current Interjurisdictional Agreements, thus effectively facilitating proper Crisis Intervention services and relieving Walworth County taxpayers of unnecessary expenses.

(c) For the purposes of this ordinance, an Interjurisdictional Agreement shall consist of a written document containing the following:

- (1) The name of the person being placed in Walworth County from another jurisdiction (Subject) and the date placement is to be effected.
- (2) The physical address and telephone number where the subject is to be placed (Placement).
- (3) The type of license or certification held by the placement (e.g., Skilled Nursing Facility, Child Family Foster Home, Adult Family Home, Community-Based Rehabilitation Facility).
- (4) The name and mailing address of the legal entity holding the license or certification identified in item three, above (Licensee).
- (5) The name, mailing address, telephone number, and after-hours contact information for the jurisdiction placing the subject (Home Jurisdiction).
- (6) The legal status of the Subject (e.g., §51.20, §55.12, §48, §938, §54, Voluntary).

1 (7) A statement that the subject remains a resident of the Home Jurisdiction, and that
2 the Home Jurisdiction retains financial responsibility for the subject, including
3 costs associated with §51.15 Emergency Detention or §55.13 Emergency
4 Protective Services, while placed in Walworth County.
5

6 (8) Any special instructions deemed necessary by the Home Jurisdiction for after-
7 hours care or hospitalization.
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9 (9) Signatures of authorized representative of both Licensee and Home Jurisdiction.
10

11 (d) An Interjurisdictional Agreement shall be provided to the Walworth County
12 Department of Health and Human Services at or before the date of placement of the Subject in
13 Walworth County. Current documentation of Subject's legal status shall accompany the
14 Interjurisdictional Agreement.
15

16 (e) The Interjurisdictional Agreement and documentation of legal status shall be
17 updated and provided to the Walworth County Department of Health and Human Services by the
18 Licensee within five (5) calendar days of any changes to the agreement or client's legal status.
19

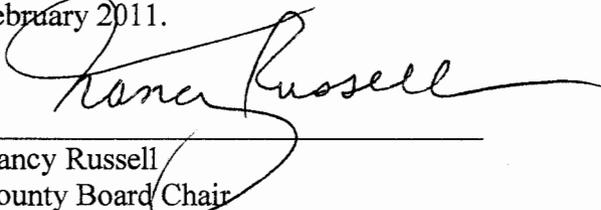
20 (f) Penalty. Any person, firm, or corporation who fails to comply with the provisions
21 of this ordinance shall, upon conviction thereof, forfeit not less than twenty five dollars (\$25.00)
22 nor more than one hundred dollars (\$100.00) and costs of prosecution for each violation. Each
23 day a violation exists or continues shall constitute a separate offense. Each subject residing at
24 the placement facility shall constitute a separate violation.
25

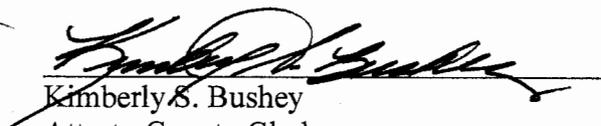
26 (g) Passive enforcement. The penalty provisions of this ordinance shall be invoked
27 when a Subject receives Crisis Intervention services through Walworth County, including but not
28 limited to §51.15 Emergency Detention or §55.13 Emergency Protective Services. The
29 Walworth County Corporation Counsel's Office shall prosecute each violation utilizing
30 appropriate civil remedies.
31

32 (h) Exemption: An Interjurisdictional Agreement under this ordinance shall not be
33 required for any person placed from a county that is a current signatory to an Intercounty
34 Agreement on Adult Venue to which Walworth County is also a party."
35

36 **PART II: This Ordinance shall become effective upon passage.**
37

38 **PASSED and ADOPTED** by the Walworth County Board of Supervisors this 8th day of
39 February 2011.
40

41 
42 _____
43 Nancy Russell
44 County Board Chair
45
46



Kimberly S. Bushey
Attest: County Clerk

This Resolution/Ordinance was:
Adopted: Roll Call/U.C./Voice
Rejected/Referred/Laid Over
Ayes: Noes: Absent:
Date 2-8-11

1 County Board Meeting Date: February 8, 2011

2 Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

<u>DA 36</u> 1/28/11	<u>N. Andersen</u> 1/31/11
David A. Bretl Date	Nicole Andersen Date
County Administrator/Corporation Counsel	Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

