

Senate Bill 471

Date published:
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CHAPTER 85, LAWS OF 1967

AN ACT to create 963.10 and 963.11 of the statutes, relating to special inspection warrants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

963.10 and 963.11 of the statutes are created to read:

963.10 SPECIAL INSPECTION WARRANTS. (1) All state, county, city, village and town officers and their agents and employes, charged under statute or municipal ordinance with powers or duties involving inspection of real or personal property including buildings, building premises and building contents, for, without limitation because of enumeration, such purposes as building, housing, electrical, plumbing, heating, gas, fire, health, safety, environmental pollution, water quality, waterways, use of water, food, zoning, property assessment, meter, and weights and measures inspections and investigations, shall be deemed peace officers for the purpose of applying for, obtaining and executing special inspection warrants under s. 963.11.

(2) Except in cases of emergency where no special inspection warrant shall be required, special inspection warrants shall be issued for inspection of personal or real properties which are not public buildings or for inspection of portions of public buildings which are not open to the public only upon showing that consent to entry for inspection purposes has been refused. The definition of "public building" under s. 101.01 (12) applies to this section.

963.11 SPECIAL INSPECTION WARRANT FORMS. The following forms for use under s. 963.10 are illustrative and not mandatory:

AFFIDAVIT

STATE OF WISCONSIN.....County. In the.....court
of the.....of.....

A. F., being duly sworn, says that on the.....day of....., A. D., 19....., in said county, in and upon certain premises in the (city, town or village) of.....and more particularly described as follows: (describe the premises) there now exists a necessity to determine if said premises comply with (section.....of the Wisconsin statutes) and/or (section.....of ordinances of said municipality). The facts tending to establish the grounds for issuing a special inspection warrant are as follows: (set forth brief statement of reasons for inspection, frequency and approximate date of last inspection, if any, which shall be deemed probable cause for issuance of warrant).

Wherefore, the said A. F. prays that a special inspection warrant be issued to search such premises for said purpose. . . . (Signed) A. F.

Subscribed and sworn to before me this.....day of.....,19...
.....Judge of the.....Court

SPECIAL INSPECTION WARRANT

STATE OF WISCONSIN,.....County in the.....court of
the.....of.....

THE STATE OF WISCONSIN, to the sheriff or any constable or any peace officer of said county:

Whereas, A. B. has this day complained (in writing) to the said court upon oath that on the.....day of....., A. D., 19....., in said county, in and upon certain premises in the (city, town or village) of.....and more particularly described as follows: (describe the premises) there now exists a necessity to determine if said premises comply with (section.....of the Wisconsin statutes) and/or (section.....of ordinances of said municipality) and prayed that a special inspection warrant be issued to search said premises.

Now, therefore, in the name of the state of Wisconsin you are commanded forthwith to search the said premises for said purposes.

Dated this.....day of....., 19.....,
Judge of the.....Court.

INDORSEMENT ON WARRANT

Received by me:....., 19....., at.....o'clock. . . M.....
Sheriff (or peace officer)

RETURN OF OFFICER

STATE OF WISCONSIN.....Court,County

I hereby certify that by virtue of the within warrant I searched the named premises and found the following things (describe findings).

Dated this.....day of....., 19.....,Sheriff
(or peace officer)

Approved July 20, 1967.