

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

January 19, 2010
Board of Estimates

Amending Section 1.08(3)(a) to increase bail deposit amounts and amending Sec. 8.14(3)(c) and (f), Sec. 8.16, Sec. 12.045(6), Sec. 12.79(1) and Sec. 12.141(10) of the Madison General Ordinances to increase penalty ranges for various parking violations.

Drafted by: Maureen O'Brien

Date: January 12, 2010

SPONSORS: Mayor Cieslewicz

DRAFTER'S ANALYSIS: This ordinance increases the bail deposit amount for various parking violations by five dollars (\$5), and increases some of the corresponding penalty ranges to accommodate the increases.

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

1. Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

<u>"Offense</u>	<u>Ord. No.</u>	<u>Deposit</u>
Weight of vehicles in municipal parking lots.	8.14(2)(a)	\$100 <u>105</u>
Backing into stalls/Out of indicated space (municipal lot).	8.14(2)(b)	\$40 <u>45</u>
Expired meter - municipal parking facility.	8.14(2)(c)1.a.	\$20 <u>25</u>
Overtime parking at meter in municipal parking facility.	8.14(2)(c)1.b.	\$40 <u>45</u>
Failure to pay before exiting a municipal parking facility staffed by an attendant.	8.14(2)(c)2.	\$0-20 \$20 <u>25</u>
		\$20.05-50.00 \$50 <u>55</u>
		\$50.05 or more \$100 <u>105</u>
Failure to pay before exiting unattended municipal parking facility.	8.14(2)(c)3.	\$0-20 \$20 <u>25</u>
		\$20.05-50.00 \$50 <u>55</u>
		\$50.05 or more \$100 <u>105</u>
		\$100 <u>105</u>

Approved as to form:

Trespassing in parking facility - Unsatisfied parking tickets.	8.14(2)(d)4.a.	<u>\$400105</u>
Trespassing in parking facility - Unpaid Parking Fee Notices ("PFN").	8.14(2)(d)5.	<u>\$400105</u>
Parking trailers in municipal parking facilities.	8.14(2)(e)	<u>\$400105</u>
Unauthorized motorized vehicles prohibited on public lands.	8.16	<u>\$5055</u> , 1 st <u>\$100</u> , 2 nd /subsequent
Parking in Law Park outside designated area.	8.18(1)(a)	<u>\$2025</u>
Expired meter in Law Park.	8.18(1)(c)1.	<u>\$4015</u>
Overtime parking in Law Park.	8.18(1)(c)2.	<u>\$2025</u>
No parking, Permit only, Law Park	8.18(1)(c)3.	<u>\$2025</u>
Parking at Brittingham Boathouse regulated	8.18(2)(a)	<u>\$2530</u>
Parking at Brittingham Bathhouse regulated	8.18(2)(b)	<u>\$2530</u>
Parking at Olbrich Bathhouse regulated	8.18(3)	<u>\$2530</u>
Parking at the Gates of Heaven Synagogue regulated (3 hrs.)	8.18(4)(a)	<u>\$2530</u>
No parking at the Gates of Heaven Synagogue, 10 p.m. - 4 a.m.	8.18(4)(b)	<u>\$2530</u>
Lake access permit display.	8.215(2)	<u>\$5055</u>
Street maintenance (Posted 48 Hrs. Except Meters).	12.045(2)	<u>\$2025</u>
Bicycle Parking violations.	12.76(4)	<u>\$4015</u>
Overtime Parking - 20 minute zone (non-metered).	12.127	<u>\$3035</u>
Leaving keys in car.	12.128(1)	<u>\$4045</u>
Street storage (48-hour limit).	12.128(3)	<u>\$2025</u>
Vehicle Abandonment.	12.128(4)	<u>\$7580</u>
Repairing vehicles on street (other than emergency repairs).	12.128(5)	<u>\$4045</u>
No parking (specified times - City-County basement garage).	12.128(6)	<u>\$4045</u>
No parking motor vehicle on highway without gas cap.	12.128(7)(a)	<u>\$4015</u>
No parking of vehicle leaking gas, oil, other fluids.	12.128(7)(b)	<u>\$3540</u>

Parking on private driveway (without permission of owner/lessee).	12.128(8)	<u>\$4045</u>
Violation of truck loading zone.	12.128(10)	<u>\$3540</u>
Parking unregistered vehicle.	12.128(12)	<u>\$5055</u>
Unauthorized parking on school property.	12.128(13)	<u>\$4045</u>
No parking on terrace.	12.128(14)	<u>\$4045</u>
No parking in certain specified places	12.128(15)	<u>\$4045</u>
No parking within 4 feet of mailbox.	12.128(16)	<u>\$2025</u>
No heavy truck parking in residential districts (in excess of 6,000 lbs.).	12.129(1)	<u>\$100105</u>
No motor bus idling in residential districts.	12.129(2)	<u>\$4045</u>
15-minute bus parking.	12.130(4)	<u>\$4045</u> - 1st \$50 - 2nd in 12 mos. \$100 - 3rd or subsequent in 12 mos.
Bus zone or cab stand.	12.131	<u>\$4045</u>
No parking (use specified periods indicated).	12.133	<u>\$4045</u>
No Stopping, Standing, Parking in towaway or commuter zone.	12.1331(4)	<u>\$4045</u>
Alternate side parking 8 a.m.- 4 p.m.	12.1334(99)	<u>\$2025</u>
Overtime parking--30 minute zone (non-metered).	12.1336	<u>\$3035</u>
Overtime parking--15 minute zone, 8 AM - 5 PM (non-metered).	12.1338	<u>\$3035</u>
Street sweeping parking restrictions.	12.1339	<u>\$3035</u>
Overtime parking--1 hour zone (non-metered).	12.134	<u>\$3035</u>
Overtime parking--1 hour zone, misc. time periods (non-metered).	12.136	<u>\$3035</u>
Overtime parking--2 hour zone, 8 AM-6 PM (non-metered).	12.137	<u>\$3035</u>
Failure to remove residential parking permit.	12.138(9)(c)	<u>\$2025</u>
Residential Parking Permit violation (on vehicle not listed on permit/failure to surrender revoked permit/copy, reproduce or resell permit).	12.138(10)(a)-(d)	<u>\$100105</u>
Overtime parking - 2 hour zone, 8 AM-6 PM misc. periods on streets.	12.139	<u>\$3035</u>

Overtime parking - 2 AM - 5 AM.	12.140	\$3035
Overtime limit - streets (meter zone).	12.145(1)(b)	\$3035
Expired meter – multispace.	12.145(1)(e)	\$2025
No parking bicycles on State Street Pedestrian (except in designated bicycle racks).	12.167(2)	\$4045
State St. Automobile Parking for purposes not allowed.	12.915(5)(a)	\$4045
State St. Automobile Permit Violations.	12.915(5)(c)	\$4045
State St. Automobiles - Manner of Parking.	12.915(5)(d)	\$4045
State St. Automobile - Loading Zone violation.	12.915(5)(e)	\$4045
State St. Automobile parking more than 30 minutes.	12.915(5)(f)	\$4045
No Stopping, Standing, Parking of “Motor Trucks” on State St. during restricted hours.	12.915(6)(a)	\$4045
State St. “Motor Truck” Parking for purposes not allowed.	12.915(6)(b)	\$4045
State St. “Motor Truck” Loading Violation.	12.915(6)(d)	\$4045
State St. “Motor Truck” - Manner of Parking.	12.915(6)(e)	\$4045
No Stopping, Standing, Parking of “Large Motor Trucks” on State St. during restricted hours.	12.915(7)(a)	\$4045
State St. “Large Motor Truck” Parking for purposes not allowed.	12.915(7)(b)	\$4045
State St. “Large Motor Truck” Loading Violation.	12.915(7)(d)	\$4045
State St. “Large Motor Truck” Manner of Parking.	12.915(7)(e)	\$4045
State St. “Large Motor Truck” idling.	12.915(7)(f)	\$4045
State St. Food Delivery Vehicles Regulations.	12.915(9)(a)	\$3540
Posted fire lanes.	34.19	\$5055

2. Subdivision (c) of Subsection (3) entitled “Penalty” of Section 8.14 of the Madison General Ordinances is amended to read as follows:

“(c) Any person violating Subsections (2)(c)2. or 3. of this ordinance shall be subject to a forfeiture of not less than five dollars (\$5) nor more than one hundred and fifty dollars (~~\$400~~ \$150).”

3. Subdivision (f) of Subsection (3) entitled “Penalty” of Section 8.14 of the Madison General Ordinances is amended to read as follows:

“(f) Any person violating any of the other subsections of this ordinance shall be subject to a fine of not less than five dollars (\$5) nor more than one hundred and fifty dollars (~~\$400~~ \$150).”

4. Section 8.16 entitled "Unauthorized Motorized Vehicles Prohibited on Public Lands" of the Madison General Ordinances is amended to read as follows:

"It shall be unlawful to operate or park any unauthorized motorized vehicle in or upon any portion of public land including, but not limited to, parks, median strips, parkways, school grounds or open space easements, unless designated as a park drive, roadway, parking area or temporary parking area within such public land. Every temporary parking area shall be designated by signs and the extent of its limits shall be clearly marked. "Motorized vehicle" means any self-propelled device in, upon or by which any person or property is or may be transported or drawn. Any person violating the provisions of this ordinance shall be subject to a fine of not less than twenty-five dollars (\$25) nor more than ~~forty one~~ hundred dollars (~~\$50~~100) for the first offense and not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) for the second or subsequent conviction within a year."

5. Subsection (6) of Section 12.045 entitled "Emergency Regulations" of the Madison General Ordinances is amended by amending therein the following

"(6) Any person violating the provisions of Sec. 12.045(2) and (3) shall be subject to a forfeiture of not less than ten dollars (\$10) nor more than ~~twenty three~~ thirty dollars (~~\$20~~30) for the first offense and not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50) for the second or subsequent conviction within a year. In the event the vehicle is towed, the forfeiture shall be not less than forty dollars (\$40) nor more than seventy dollars (\$70)."

6. Subsection (1) of Section 12.79 entitled "Penalty for Violating Sections 12.74 Through 12.782" of the Madison General Ordinances is amended by amending therein the following

"(1) Any person violating any provision of Sections 12.76(1) to (4), 12.78(6), 12.782(3) and (4) may be required to forfeit not more than ~~twenty~~ forty dollars (~~\$20~~40)."

7. Subsection (10) of Section 12.141 entitled "Penalties for Violating Sections 12.122 Through 12.140" of the Madison General Ordinances is amended by amending therein the following

"(10) Any person violating Section 12.128(13), 12.128(15) or any Section 12.131, 12.132 or 12.133 shall be subject to a forfeiture of not less than twenty dollars (\$20) nor more than ~~forty~~ sixty dollars (~~\$40~~60) for the first offense and not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) for the second or subsequent conviction within a year."

EDITOR'S NOTE: New or amended bail deposits must be approved by Municipal Judge prior to adoption. These deposits have been so approved.