

**BODY – LEGISTAR #36867**

DRAFTER'S ANALYSIS: This ordinance increases the penalty and establishes bail deposits for anyone that disobeys an order issued under the ordinance and provides the Fire Department the authority to write citations for any violations.

\*\*\*\*\*

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

1. Subsection (13) entitled "Penalty" of Section 3.20 entitled "Emergency Management" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

"(13). Penalty. Any person who refuses to comply with any lawful order issued under this section shall be subject to a forfeiture of up to five thousand dollars (\$5000). Each and every refusal to comply with an order shall be considered a separate offense."

2. 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 creating therein the following:

<u>Offense</u>	<u>Ord. No./Adopted Statute No.</u>	<u>Deposit</u>
Failure to comply with lawful order.	3.20	\$500, 1 <sup>st</sup>
		\$1000, 2 <sup>nd</sup>
		\$2000, 3 <sup>rd</sup>
		\$4000, 4 <sup>th</sup>

3. Subsection (4) entitled "Issuance of Citations" 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>Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
Fire Chief, her/his designated Chief Officers and Officers assigned to Fire Prevention and Investigation Divisions.	Chapter 34, Fire Prevention Code; <u>Section 3.20, Emergency Management.</u> "

EDITOR'S NOTES:

1. A new or revised forfeiture range must be approved by the Municipal Judge prior to adoption. This new range has been so approved.

2. Section 3.20(13) currently reads as follows:

"(13) Penalty. Any person who willfully refuses to comply with any lawful order of the Mayor during a state of emergency, shall upon conviction by a court of record forfeit sum not exceeding \$200."