

File No. 71617 Body

DRAFTER'S ANALYSIS: This City Attorney Reviser's Ordinance, corrects certain parts of the Madison General Ordinances (MGO), the City's code of ordinances.

The proposed changes in this ordinance are as follows:

- Section 2.18 is amended to correct MGO citations.
- Table in Section 1.08(3) is amended to correct an MGO citation.
- Section 20.16(1)(b) is amended to correct a typo.
- Section 31.13(9) is amended to correct the subparagraph reference in Sec. 33.24.
- Section 10.05(8)(e). is amended to correct a typo.
- Section 34.24(15)(e)5.v. is amended to correct a typo.
- Section 33.30 is amended to correct title.
- Section 34.3100 is amended to correct a reference.
- Section 38.10(4)(e)1. is amended to correct a reference.
- Section 9.25(5)(b)4.h. is amended to correct a reference.
- Section 9.23(6)(f)4. is amended to correct a typo.

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

1. Subsection (1) of Section 2.18 entitled "Majority Vote of All Members Required" of the Madison General Ordinances is amended as follows:

"(1) All laws, ordinances, rules, resolutions and motions shall be passed by an affirmative vote of a majority of all the members of the Common Council unless an extraordinary vote is required by law. When an extraordinary vote is required, the respective extraordinary majority shall be of all the members of the Common Council. This rule is subject to any exceptions set out in other sections of the Ordinances. ~~the exceptions set out in Secs. 2.13(2), 2.185, 9.21(4)(g), 28.182(6)(c), MGO.~~"

2. Table of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations and Complaints for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended as follows:

Offense	Ord. No./Adopted Statute No.**	Deposit*
Failure to comply with facility access permit	10.057(69)	<u>\$250</u> ¹ \$100, 1st \$250, 2nd \$500, 3rd/more

¹ A new or revised forfeiture range must be approved by the Municipal Judge prior to adoption. The above-referenced deposit has been so approved.

3. Subdivision (b) of Subsection (1) of Section 20.16 entitled "Credits" of the Madison General Ordinances is amended as follows:

"(b) Present land dedications and physical improvements made ~~far~~ for the construction of the public facility;"

4. Subsection (9) entitled "DC Downtown Core and UMX" of Section 31.13 entitled "Districts of Special Control for Purposes of Signs" of the Madison General Ordinances is amended as follows:

"(9) DC Downtown Core and UMX . In the DC Downtown Core and UMX districts, all signs shall conform to the "Downtown Urban Design Guidelines" published by the Urban Design Commission and referenced in Sec. 28.074, in addition to the provisions of this ordinance. The procedure for review of signs in the DC Downtown Core and UMX districts is set forth in Sec. 33.24(4)(g)4.d.b. (Duties of the Secretary)."

5. Subdivision (e) entitled "Guarantees" of Subsection (8) entitled "Right-of-Way Repair/Restoration" of Chapter 10.05 entitled "Occupancy of Rights-of-Way" of the Madison General Ordinances is amended as follows:

"(e) Guarantees . The Permittee guarantees its work and shall maintain it for thirty-six (36) months following its completion. During either period, the Permittee shall, upon notification from the Department, correct all repair and restoration work to the extent necessary, using the method required by the Department. Said work shall be completed within ten (10) calendar days of the receipt of the notice from the Department, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonable or unreasonable under Subsection (11)(b)."

6. Sub-subparagraph v. of subparagraph a. entitled "Requirements" of paragraph 5. entitled "Landscaping and Open Space" of subdivision (e) entitled "Basis for Design Review" of subsection (15) entitled "Urban Design District No. 8" of Section 34.24 entitled "Urban Design Commission" of the Madison General Ordinances is amended as follows:

"v. Terraces shall have a minimum width of ten (10) feet to accommodate growth of canopy trees."

7. Title of Section 33.30 entitled "Boards, Commissions, and Committees" of the Madison General Ordinances is amended as follows:

"33.30 JEFFREY CLAY ERLANGER CIVILITY IN PUBLIC DISCLOSURE DISCOURSE AWARD."

8. Definition under Section 34.3100 entitled "Pop-Up Canopy" of the Madison General Ordinances is amended as follows:

"IFC Chapter ~~34~~ 31 applies to a pop-up canopy. The following only apply to a pop-up canopy in use for less than nine (9) consecutive days at a single event:"

9. Paragraph 1. of subsection (e) entitled "Suspension and Revocation of License" of subdivision (4) entitled "Alcohol Beverage License Demerit Point System" of section 38.10 entitled "Revocation, Suspension or Nonrenewal of License" of the Madison General Ordinances is amended as follows:

"1. The Committee shall use ~~(1) through (3)~~ a. through c. below as a guide to determine the appropriate sanction for the license holder who has accumulated demerit point violations:"

10. Subparagraph h. of paragraph 4. of subdivision (b) entitled "Renewal of Registration" of subsection (5) entitled "Registration Process" of section 9.25 entitled "Registration of Landlords of Chronic Nuisance Properties" of the Madison General Ordinances is amended as follows:

"(h) If the circumstances in ~~iii. or iv.~~ f. or g. above exist, the Clerk shall hold the registration and fee in abeyance until the identified code violations are cured or the code violation

charges are dismissed by a Court or the City. Upon either of such event occurring, the Clerk shall promptly issue the license.”

11. Paragraph 4. of subdivision (f) entitled “Prohibited Consideration of Age of Mobile Home” of subsection (6) entitled “Rental Agreement Limitations” of section 9.23 entitled “Regulations of Mobile Homes and Mobile Home Parks” of the Madison General Ordinances is amended as follows:

“4. It shall be considered a prohibited consideration of the age of a mobile home to require a tenant to make alterations, modifications or improvements to a mobile home that is older ~~that~~ than five (5) years, when the mobile home is otherwise in good repair and in conformance with applicable governmental regulations, and the mobile home is in compliance with park rules and regulations in effect at the time the mobile home originally entered the park.”