

**Legistar File No. 87834 Body**

DRAFTER'S ANALYSIS: This City Attorney Revisor'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 1.08(3) is amended to remove a footnote reference.
- Section 2.40(2)(k) is amended to fix a grammatical error.
- Section 3.12(13) is amended to fix a spelling error.
- Section 5.03(1) is amended to fix a job title.
- Section 13.205(3) is amended to fix a punctuation error.
- Table in Section 25.09(2)(d)2. is amended to fix an MGO reference.
- Table in Section 28.032 is amended to fix a spelling error.
- Table Section 28.142(4)(c) is amended to fix a spelling error.
- Section 38.10(1)(ag) is amended to fix an MGO reference.

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

1. 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 by amending therein the following:

<u>"Offense</u>	<u>Ord. No./Adopted Statute No.</u>	<u>Deposit *</u>
Disorderly conduct while under the influence of alcohol.	24.02(3)	\$300
Disorderly conduct directed at an election official.	24.02(4)	\$500 <sup>[9]</sup>
Prohibition of noises disturbing the public peace.	24.04	\$100"

2. Subdivision (k) of Subsection (2) entitled "Definitions" of Section 2.40 entitled "Lobbying Regulated" of the Madison General Ordinances is amended as follows:

"(k) "Lobbying expenditure" means an expenditure related to the performance of lobbying, whether received in the form of an advance or subsequent reimbursement. The term includes an expenditure for conducting research or for providing or using information, statistics, studies or analyses in communicating with a covered City official, that would ~~that would~~ not have been incurred but for lobbying. "Lobbying expenditure" also includes all expenditures required to be reported in sub. (10)(a)1.a. - e."

3. Subsection (13) entitled “Inconsistent Ordinances” of Section 3.12 entitled “Department of Planning and Community and Economic Development” of the Madison General Ordinances is amended as follows:

“(13) Inconsistent Ordinances. To the extent that any existing ordinance or part of an ordinance is contrary to or inconsistent herewith, such ordinance or part of such ordinance is hereby ~~superceded~~ superseded.”

4. Subsection (1) of Section 5.03 entitled “Duties of the Chief of Police” of the Madison General Ordinances is amended as follows:

“(1) The Chief of Police shall have general supervision over the Police Department and be responsible for the efficiency thereof. In the case of absence, disability or suspension of the Chief of Police, the duties of the Chief of Police shall be performed by the ~~Deputy~~ Assistant Chief of Police and in the event of absence, disability or suspension of the ~~Deputy~~ Assistant Chief of Police, the duties of the Chief of Police shall be performed by that Inspector of Police who was first appointed to that office and has had the longest continuous service therein. In the case of the suspension or removal of the Chief of Police the salary of the ~~Deputy~~ Assistant Chief of Police or the Inspector of Police who performs the duties of the Chief of Police in accordance with this Ordinance shall be the same salary as that being earned by the Chief of Police.”

5. Subsection (3) of Section 13.205 entitled “Tampering with Water Utility Mains and Property” of the Madison General Ordinances is amended as follows:

“(3) Any person violating this section may be subject to a forfeiture of not less than two hundred dollars (\$200) nor more than two thousand dollars (\$2,000), ~~each~~ Each day or portion thereof shall be considered a separate violation.”

6. Table within Paragraph 2. entitled “Chronic Nuisance Crimes” of Subdivision (d) of Subsection (2) entitled “Definitions” of Section 25.09 entitled “Chronic Nuisance Premises” of the Madison General Ordinances is amended by amending therein the following:

<b>“Nuisance Activities</b>	<b>MGO/Wis. Stat.</b>
Violations of the Fire Prevention Code	Ch. 34, MGO
Possessing an open container which contains alcohol beverages or consuming alcohol beverages upon any public street	Sec. 38.07 <del>(7)</del> <u>(8)</u> , MGO
Violations of the Minimum Housing Code	Ch. 27, MGO”

7. Table 28C-1 entitled “Residential Districts” of Section 28.032 entitled “Residential District Uses” of the Madison General Ordinances is amended by amending therein the following:

“Table 28C-1

Residential Districts
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	SR-C1	SR-C2	SR-C3	SR-V1	SR-V2	TR-C1	TR-C2	TR-C3	TR-C4	TR-V1	TR-V2	TR-U1	TR-U2	TR-R	TR-P	Supplemental Regulations Sec. 28.151
Residential - Family Living																
Multi-family dwelling (25-36 units)					C						C	C	P		P	
Multi-family dwelling (37-60 units)					C						C	C	C		P	
Multi-family dwelling (>60 units)					C							C	C		P	

8. Table within Subdivision (c) of Subsection (4) entitled "Landscape Calculations and Distribution" of Section 28.142 entitled "Landscaping and Screening Requirements" of the Madison General Ordinances is amended by amending therein the following:

"Plant type	Points	Minimum Size at Installation
Landscape furniture for public seating and/or transit connections	5 points per "seat"	*Furniture be within developed area, <del>publically</del> <u>publicly</u> accessible, and cannot comprise more than 5% of total required points"

9. Subdivision (ag) of Subsection (1) of Section 38.10 entitled "Revocation, Suspension, or Nonrenewal of License" of the Madison General Ordinances is amended as follows:

- (ag) No violations of Section 38.04(1)(a)(2)(a) may be considered under this Subsection unless the licensee or permittee has committed another violation within one year preceding the violation. If a licensee or permittee has committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered under this Subsection.