

LEGISTAR # 49649 - Body

DRAFTER'S ANALYSIS: This proposal amends Sec. 1.08(3)(a), MGO, to increase the cash deposits for parking citations issued for violations of either Sec. 12.137 or Sec. 12.134, MGO. Sections 12.137 and 12.134, MGO, remain unchanged by this proposal.

In addition, Sec. 12.141(5), MGO, sets forth the forfeiture range for violations of Sec. 12.137, MGO, including a maximum forfeiture of forty dollars (\$40) for a first offense. Similarly, Sec. 12.141(1), MGO, sets forth the forfeiture range for violations of Sec. 12.134, MGO, including a maximum forfeiture of fifty dollars (\$50) for a first offense. Since this proposal increases the cash deposit for both violations to forty dollars (\$40), Sections 12.141(5) and 12.141(1), MGO, also remain unchanged by this proposal.

Moreover, there are no corresponding state statutes that limit the City's ability to increase the cash deposits for these violations.

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

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 and amending therein the following:

<u>"Offense</u>	<u>Ord. No./Adopted Statute No.</u>	<u>Deposit</u>
Overtime parking--1 hour zone (non-metered).	12.134	<u>\$3540</u>
Overtime parking--2 hour zone, 8 AM-6 PM (non-metered).	12.137	<u>\$3540"</u>

EDITOR'S NOTES:

1. New or revised bail deposits must be approved by the Municipal Judge prior to adoption. The above-referenced deposit has been so approved.
2. Section 12.137, MGO, reads, in part, as follows:
"No person shall park, stop or leave standing any vehicle whether attended or unattended, for more than two hours between the hours of 8:00 a.m. and 6:00 p.m. on any day except Sundays and holidays, and except certain other days where stated, on any of the following streets or parts of streets."
3. Section 12.134, MGO, reads, in part, as follows:
"No person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than one hour between the hours of 8:00 a.m. and 6:00 p.m. on any day except Sundays and holidays on any of the following streets or parts of streets."
4. Section 12.141(5), MGO, reads as follows:
"(5) Any person violating any provisions of Sections 12.137 inclusive and 12.139 shall be subject to a forfeiture of not less than eight dollars (\$8) nor more than forty dollars (\$40) for the first offense and not less than ten dollars (\$10) nor more than one hundred dollars (\$100) for the second or subsequent conviction within a year. In the event the vehicle is towed, the forfeiture shall be not less than thirty dollars (\$30) nor more than seventy dollars (\$70)."
5. Section 12.141(1), MGO, reads as follows:
"(1) Any person violating any provision of Sections 12.128(1), (3), (14), and (16), 12.130, 12.1334 except 12.1334(99), 12.134 to 12.136 inclusive, 12.138(9), or 12.140, shall be subject to a forfeiture of not less than ten dollars (\$10) nor more than fifty dollars (\$50) for the first offense and not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for the second or subsequent conviction within a year."