



Legislation Details (With Text)

File #: 15184 **Version:** 1 **Name:** Landmarks violations
Type: Ordinance **Status:** Passed
File created: 6/23/2009 **In control:** LANDMARKS COMMISSION
On agenda: 7/7/2009 **Final action:** 7/21/2009
Enactment date: 8/11/2009 **Enactment #:** ORD-09-00119

Title: Amending Sections 33.19(2) and 33.19(16) of the Madison General Ordinances to increase penalties for violations of the Landmarks Ordinance and to add a definition of 'person.'

Sponsors: Bridget R. Maniaci

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/21/2009	1	COMMON COUNCIL	Adopt	Pass
7/13/2009	1	LANDMARKS COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/7/2009	1	COMMON COUNCIL	Referred	
6/23/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

There may be a modest increase in General Fund revenues derived from fines and forfeitures, but no significant fiscal impact is anticipated.

Title

Amending Sections 33.19(2) and 33.19(16) of the Madison General Ordinances to increase penalties for violations of the Landmarks Ordinance and to add a definition of 'person.'

Body

DRAFTER'S ANALYSIS: This amendment increases the forfeiture amount for violations of Section 33.19, the Landmarks Ordinance. It adds forfeitures for repeated violations within a thirty-six (36) month period. Also added is a definition of 'person' that addresses a concern that forfeitures for multiple violations will be avoided by the creation of multiple business entities.

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

1. Subsection (2) entitled "Definitions" of Section 33.19 entitled "Landmarks Commission" of the Madison General Ordinances is amended by amending or adding therein the following:

"(2) Definitions.

Person means any individual, association, corporation or business entity. For purposes of repeated violations of the provisions of this chapter, any association, corporation or business entity is considered the same as another association, corporation or business entity if they share at least one (1) officer."

2. Subsection (16) entitled "Penalties for Violations" of Section 33.19 entitled "Landmarks Commission" of the Madison General Ordinances is amended by amending or adding therein the following:

"(16) Penalties for Violations. Any person violating any provision of this section shall be subject to a minimum forfeiture of ~~not more than~~ two hundred fifty dollars (\$200250) and a maximum forfeiture of five hundred dollars (\$500) for each separate violation. A second offense within thirty-six (36) months shall be subject to a minimum forfeiture of five hundred dollars (\$500) for each separate violation. A third violation within thirty-six (36) months shall be subject to a minimum forfeiture of one thousand

dollars (\$1000) for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense.”