

Legislation Details (With Text)

**File #:** 12414      **Version:** 1      **Name:** Water Pollution/Nonstorm water  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/21/2008      **In control:** BOARD OF HEALTH FOR MADISON AND DANE COUNTY  
**On agenda:** 12/2/2008      **Final action:** 12/2/2008  
**Enactment date:** 12/23/2008      **Enactment #:** ORD-08-00140

**Title:** Amending Sections 7.46(10) and 7.47(13) to increase the respective penalties and amending Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for a violation.

**Sponsors:** Lauren Cnare, Larry Palm

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/2/2008	1	COMMON COUNCIL	Adopt	Pass
11/20/2008	1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/28/2008	1	COMMON COUNCIL	Referred	
10/21/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

A minimal increase in revenues is anticipated. No appropriation is required.

**Title**

Amending Sections 7.46(10) and 7.47(13) to increase the respective penalties and amending Sec. 1.08(3) of the Madison General Ordinances to establish a bail deposit for a violation.

**Body**

DRAFTER'S ANALYSIS: This ordinance would increase the penalties for violations of water pollution control and unregulated discharging of nonstorm water and establishes a bail deposit for a violation.

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

1. Subsection (10) entitled "Penalty" of Section 7.46 entitled "Water Pollution Control" of the Madison General Ordinances is amended to read as follows:

"(10) Penalty. Any person failing to comply with this ordinance may be subject to a fine of not less than ~~twenty-five~~ fifty dollars (\$~~2550~~) no more than ~~five hundred dollar~~ two thousand dollars (\$~~500~~2000). Each day of violation shall constitute a separate offense."

2. Subsection (13) entitled "Penalty" of Section 7.47 entitled "Regulations of Discharge of Nonstorm Water" of the Madison General Ordinances is amended to read as follows:

"(13) Penalty. Any person who shall violate the provisions of this ordinance or who shall refuse to comply with any lawful order issued pursuant to the provisions of this ordinance shall be fined not less than ~~twenty-five~~ fifty dollars (\$~~2550~~) nor more than ~~two hundred dollar~~ two thousand dollars (\$~~200~~2000) for each and every violation hereof, each day of violation shall constitute a separate offense."

3. 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 the following:

<u>"Water Pollution.</u>	<u>7.46</u>	<u>\$200, 1<sup>st</sup></u> <u>500, 2<sup>nd</sup> w/in 5 years</u> <u>1,000, 3<sup>rd</sup> &amp; subsequent w/in 5 years</u>
<u>Discharge of NonStorm Water.</u>	<u>7.47</u>	<u>\$200, 1<sup>st</sup></u> <u>500, 2<sup>nd</sup> w/in 5 years</u> <u>1,000, 3<sup>rd</sup> &amp; subsequent w/in 5 years"</u>

EDITOR'S NOTE: New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved, provided the penalty range is increased.