



Legislation Details (With Text)

File #: 80045 **Version:** 1 **Name:** Remove Minimum Penalty Amounts
Type: Ordinance **Status:** Passed
File created: 9/25/2023 **In control:** Attorney's Office
On agenda: 10/3/2023 **Final action:** 10/17/2023
Enactment date: 10/27/2023 **Enactment #:** ORD-23-00095
Title: Amending Various Sections of the Madison General Ordinances to Remove Minimum Penalty Amounts.
Sponsors: Yannette Figueroa Cole, Juliana R. Bennett
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
10/17/2023	1	COMMON COUNCIL	Adopt	Pass
10/16/2023	1	CITY-COUNTY HOMELESS ISSUES COMMITTEE	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Pass
10/11/2023	1	PUBLIC SAFETY REVIEW COMMITTEE	Return to Lead with the Recommendation for Approval	
10/3/2023	1	CITY-COUNTY HOMELESS ISSUES COMMITTEE	Refer	
10/3/2023	1	COMMON COUNCIL	Refer	
9/25/2023	1	Attorney's Office	Referred for Introduction	

Fiscal Note

Any fiscal impacts would be minimal. No additional City appropriation required.

Title

Amending Various Sections of the Madison General Ordinances to Remove Minimum Penalty Amounts.

Body

DRAFTER'S ANALYSIS: This ordinance amends MGO Secs. 8.26(4), 8.265(2), 8.39(12), and 9.54 (15) to remove minimum penalty amounts.

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

1. Subsection (4) of Section 8.26 entitled "Temporary Structure Prohibited Without Permit" of the Madison General Ordinances is amended as follows:

"(4) Any person violating the provisions of subsection (1) shall be subject to a forfeiture of ~~not less than fifty dollars (\$50) nor more than up to~~ two hundred dollars (\$200)."

2. Subsection (2) entitled "Penalty" of Section 8.265 entitled "Lodging in Parks Prohibited" of the Madison General Ordinances is amended as follows:

“(2) Penalty. Any person who violates this section shall be subject to a forfeiture of ~~not less than twenty-five dollars (\$25) nor more than~~ up to two hundred dollars (\$200). Each and every day during which a violation continues shall be deemed to be a separate violation.”

3. Subsection (12) entitled “Penalty” of Section 8.39 entitled “Olin Terrace Use Permit” of the Madison General Ordinances is amended as follows:

“(12) Penalty . Any person who shall do any of the following may be subject to a forfeiture of ~~not less than thirty dollars (\$30) nor more than~~ up to three hundred dollars (\$300) for each violation:

- (a) Hold, sponsor or conduct any special use of Olin Terrace or Olin Terrace Pedestrian Way for which a use permit is required without first having obtained a permit as herein provided; or
- (b) Knowingly participate in an activity for which a special use permit is requested without a valid permit having been granted or after a permit has been terminated pursuant to sub. (9) above; or
- (c) As an applicant, knowingly fail to comply with a condition of the permit; or
- (d) Provide false or inaccurate information on the special use application; or
- (e) Disobey a lawful order of a police officer after the officer has informed the person of the condition of the permit that has been or is being violated; or
- (f) Violate the rules of conduct in Sec. 8.39(6)(l) or any other subsection of this ordinance.”

4. Subsection (15) entitled “Enforcement, Penalty” of Section 9.54 entitled “Equipment Placement on Sidewalks and Terraces, Permits for Information Tables and Expressive Street Vending” of the Madison General Ordinances is amended as follows:

“(15) Enforcement, Penalty. The Vending Coordinator and Director of Planning and Community and Economic Development are authorized to enforce this Ordinance. Any person violating any provision of this Ordinance, upon conviction thereof, is subject to a forfeiture of ~~not less than ten dollars (\$10) and not more than~~ up to two-hundred dollars (\$200) for each separate violation, and all applicable court costs and fees. Each day or portion thereof that a violation continues shall be considered a separate offense.”