



Legislation Details (With Text)

File #: 15061 **Version:** 1 **Name:** Penalty range amounts
Type: Ordinance **Status:** Passed
File created: 6/9/2009 **In control:** PUBLIC SAFETY REVIEW COMMITTEE
On agenda: 6/15/2010 **Final action:** 6/15/2010
Enactment date: 6/23/2010 **Enactment #:** ORD-10-00063

Title: Amending Sections 23.07(10) and 24.12(8) of the Madison General Ordinances to increase penalty range amounts for Unlawful Trespass and Menacing or Aggressive Panhandling Prohibited.

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Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/15/2010	1	COMMON COUNCIL	Adopt	Pass
3/9/2010	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/23/2010	1	COMMON COUNCIL	Re-refer	Pass
2/16/2010	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER	
1/19/2010	1	COMMON COUNCIL	Referred	Pass
11/19/2009	1	EQUAL OPPORTUNITIES COMMISSION		
9/10/2009	1	EQUAL OPPORTUNITIES COMMISSION	Refer	
7/14/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/9/2009	1	EQUAL OPPORTUNITIES COMMISSION	Refer	Pass
6/16/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	Refer	
6/16/2009	1	COMMON COUNCIL	Referred	
6/9/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No significant impact on General Fund revenues or City operations is anticipated.

Title

Amending Sections 23.07(10) and 24.12(8) of the Madison General Ordinances to increase penalty range amounts for Unlawful Trespass and Menacing or Aggressive Panhandling Prohibited.

Body

DRAFTER'S ANALYSIS: This amendment eliminates the penalty ranges for 1st, 2nd and 3rd offenses of Unlawful Trespass and establishes a penalty range of \$50 to \$500 regardless of what number of offense occurs. The bail deposit remains the same. This amendment also increases the penalty range for Menacing or Aggressive Panhandling from \$200 to \$500. Currently bail deposits are authorized under MGO Section 1.08 for a 3rd offense of this ordinance to be written at an amount of \$300. This change insures the penalty

range is in conformity with the available bail deposits.

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

1. Subsection (10) of Section 23.07 entitled "Unlawful Trespass" of the Madison General Ordinances is amended by amending therein the following:

"(10) Any person violating ~~for the first time~~ any of the provisions of Subsections (1) or (2) of this section shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than ~~three~~five hundred dollars (\$~~300~~500); any person violating any of the provisions of Subsections (1) or (2) of this section within twelve months of a single previous violation of either Subsection (1) or (2) shall be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than four hundred dollars (\$400); any person violating any of the provisions of Subsections (1) or (2) of this section within twelve months of any two or more previous violations of either Subsection (1) and/or (2) shall be subject to a forfeiture of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500); any person violating any provision of Subsection (3) of this section shall be subject to a forfeiture of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000); any person violating any provision of Subsection (5) or (9) of this section shall be subject to a forfeiture of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200); and any person violating any of the provisions of Subsections (6) or (7) or (8) of this section shall be subject to a forfeiture of not more than three hundred dollars (\$300)."

2. Subsection (8) entitled "Penalty" of Section 24.12 entitled "Menacing or Aggressive Panhandling Prohibited" of the Madison General Ordinances is amended by amending therein the following: "(8) Penalty. Any person violating this section shall be subject to a forfeiture of not less than ten dollars (\$10) nor more than ~~\$200~~five hundred dollars (\$500), notwithstanding any provision of this chapter setting a different penalty."