



Legislation Text

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File #: 79504, Version: 2

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**Fiscal Note**

No citations from this section of the ordinance have been issued in the past ten (10) years. No fiscal impact is anticipated with repeal.

**Title**

SUBSTITUTE: Amending Section 23.07(2), repealing Section 23.07(6) of the Madison General Ordinances related to trespassing and amending Section 23.07(13) and 1.08(3) of the Madison General Ordinances to remove associated references.

**Body**

DRAFTER'S ANALYSIS: ~~This repeals MGO 23.07(6)(a) and (b), subsections which focused on trespassing regarding sleeping or possessing items related to sleeping on the property of others. These subsections of the trespass ordinance have not been enforced for at least ten (10) years.~~

The substitute repeals MGO 23.07(6)(a) and (b), subsections of the trespassing ordinance which focused specifically on the behavior of sleeping or possessing items related to sleeping while trespassing. The general trespassing subsection for all behavior including sleeping remains in subsection (2). The substitute proposes amending subsection (2) to clarify that in addition to an owner or occupant, an individual authorized by an owner or occupant can also give notice to a potential trespasser that they must not enter or remain on the premises. This proposed amendment clarifies that owners or occupants may authorize police or others to give notice to trespassers. The substitute also updates the Drafter's Analysis.

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Please see Legistar File No. 79504 Body-Version 2 in Attachments.