



## Legislation Details (With Text)

**File #:** 07159      **Version:** 1      **Name:** enforcement authority for noise violations  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/1/2007      **In control:** BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD  
**On agenda:** 10/16/2007      **Final action:** 10/16/2007  
**Enactment date:** 11/2/2007      **Enactment #:** ORD-07-00147  
**Title:** Amending Section 1.08(4) of the Madison General Ordinances to allow the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development, or designee, to issue citations for violations of the City's Noise Control Regulation Ordinance, Section 24.08 of the Madison General Ordinances.  
**Sponsors:** Michael E. Verveer  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
10/16/2007	1	COMMON COUNCIL	Adopt	Pass
9/18/2007	1	BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/7/2007	1	COMMON COUNCIL	Refer	
8/1/2007	1	Attorney's Office/Approval Group	Approved As To Form	
8/1/2007	1	Attorney's Office	Fiscal Note Required / Approval	
8/1/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
8/1/2007	1	Attorney's Office	Referred for Introduction	

### Fiscal Note

No expenditure is required.

### Title

Amending Section 1.08(4) of the Madison General Ordinances to allow the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development, or designee, to issue citations for violations of the City's Noise Control Regulation Ordinance, Section 24.08 of the Madison General Ordinances.

### Body

DRAFTER'S ANALYSIS: This proposal amends Section 1.08(4) of the Madison General Ordinances to authorize the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development, or designee, to issue citations for violations of the City's Noise Control Regulation Ordinance, Section 24.08 of the Madison General Ordinances. This proposal corrects an oversight made during the enactment of Section 24.08. Specifically, while Section 24.08(4)(b) gives the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development the primary responsibility for the enforcement of the Noise Control Regulation Ordinance, including the responsibility for issuing citations for violations of this ordinance, the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development, or designee, was not given the corresponding authority to issue citations for violations of this section under Section 1.08(4) of the Madison General Ordinances. This proposal would correct this oversight and give the Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and

Economic Development, or designee, the authority to issue citations for violations of Sec. 24.08.

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

Subsection (4) entitled "Issuance of Citations" 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 amending therein the following:

"(4) Issuance of Citations. Any law enforcement officer may issue citations for enforcement of any ordinances authorized under this ordinance. In addition, the following officials of the City of Madison are hereby authorized to issue citations for enforcement of those ordinances specified only. Such officials may delegate this authority to their subordinates upon approval by the Common Council.

<u>Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
Director of the Neighborhood Preservation and Inspection Division of the Department of Planning and Community and Economic Development or designee.	Section 9.13, License for Selling on Public Streets, Section 12.128(14), Off-Driveway Parking; Section 12.145(1)(d), No Street Vending from Parking Meter; Section 36.30, Cable TV Connections; Chapter 22, Consumer Protection and Weights and Measures; <u>Section 24.08, Noise Control Regulation</u> ; Chapters 18, 19, 27, 28, 29, 30, 31 and 37."