



Legislation Details (With Text)

**File #:** 34309      **Version:** 1      **Name:** Unlawful Towing from Private Property  
**Type:** Ordinance      **Status:** Passed  
**File created:** 5/28/2014      **In control:** TRANSIT AND PARKING COMMISSION (ended 06/2018)  
**On agenda:** 7/1/2014      **Final action:** 7/1/2014  
**Enactment date:** 7/11/2014      **Enactment #:** ORD-14-00125  
**Title:** Amending Sections 23.561 and 1.08(3)(a) of the Madison General Ordinances to reflect changes to Wis. Stat. § 349.13(3m) related to trespass parking and to establish bail deposits for violating this section.  
**Sponsors:** Paul R. Soglin, John Strasser  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. BODY

Date	Ver.	Action By	Action	Result
7/1/2014	1	COMMON COUNCIL	Adopt	Pass
6/11/2014	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/9/2014	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
6/3/2014	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	Refer	
6/3/2014	1	COMMON COUNCIL	Referred	Pass
5/28/2014	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

There may be a small increase in General Fund revenues derived from forfeitures.

**Title**

Amending Sections 23.561 and 1.08(3)(a) of the Madison General Ordinances to reflect changes to Wis. Stat. § 349.13(3m) related to trespass parking and to establish bail deposits for violating this section.

**Body**

DRAFTER'S ANALYSIS: On July 1, 2014, a new version of Wis. Stat. § 349.13(3m) will be effective as it relates to trespass parking on private property. While the amended statute gives more rights to property owners to remove vehicles engaged in trespass parking, the State makes it illegal to remove vehicles without first notifying a local law enforcement agency of the make, model, vehicle identification number, and registration plate number of the vehicle and the location to which the vehicle will be removed. It also outlaws the towing of vehicles that have been reported as stolen.

Currently, Sec. 23.561 contains a penalty for acts by a towing company that violate the prior version of Wis. Stat. § 349.13(3m). This amendment eliminates the penalty for acts that are no longer illegal and creates a penalty for acts specifically made illegal by the State under the new version of the statute.

Additionally, Sec. 1.08 is amended to reflect appropriate bail deposits for violations of this section.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:  
Please see "BODY" in attachments.