

ORDINANCE NO. 2023-01

AN ORDINANCE ADOPTING AND ENACTING THE REPUBLISHED CODE FOR THE CITY OF DODGEVILLE, WISCONSIN; PROVIDING THE PENALTY FOR VIOLATION OF THE REPUBLISHED CODE; PROVIDING AN EFFECTIVE DATE OF THE REPUBLICATION.

THE COMMON COUNCIL OF THE CITY OF DODGEVILLE, IOWA COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The republished Code entitled "Municipal Code of Dodgeville, Wisconsin" republished by Municode, consisting of chapters 1 through 25, each inclusive, is adopted.

Section 2. Additions or amendments to the Code when passed in such form as to indicate the intention of the city to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 3. Penalties.

(a) *General Penalty.* Except as provided in subsections (b) or (c) below, whenever so provided in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

(1) *First Offense, Penalty.* Any person who shall violate any provision of this Code subject to a penalty, except for parking violations, shall, upon conviction thereof, forfeit not less than \$20.00 nor more than \$100.00, together with the costs of prosecution and, in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until said forfeiture and costs are paid, but not

exceeding 90 days.

(2) *Second Offense, Penalty.* Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$200.00 for each such offense, together with the costs of Prosecution and, in default of payment of such forfeiture and costs, shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid, but not to exceed 6 months.

(b) *Penalty for Minors.* In the event proceedings are commenced against children aged 16 or older for violations of chapter 7 of this Code, or children 14 years of age or older for other violations of this Code, except chapter 7, the provisions of Wis. Stats., §§ 48.17(2), 48.237, 48.37, 48.343 and 48.344, shall be applicable.

(c) *Penalty Under Uniform Deposit Schedule.* The penalty for any violation of this Code for which a deposit is specified under section 9.22(c) and 9.22(d) of this Code shall be no less than \$10.00 nor more than \$1,000.00 together with costs, fees and/or assessments allowed or required by law; provided, however, that the penalty for violation of an ordinance with a statutory counterpart shall not exceed the maximum forfeiture imposed by such counterpart.

(d) *Continued Violations.* Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.

(e) *Execution Against Defendant's Property.* Whenever any person fails to pay

any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the City, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.

(f) *Schedule of Penalties*. The schedule of penalties for violations of this Code shall be as provided in section 25.04(f) of the Code.

Section 7. This ordinance shall become effective the 13th of January, 2023 or 1 day after publication.

Passed and adopted by the Common Council of the City of Dodgeville, Wisconsin this 3rd day of January, 2023.



Mayor

APPROVAL AS TO FORM AND LEGALITY:



City Attorney

ATTEST:



City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the Dodgeville Common Council, held on the 3rd day of January, 2023.



City Clerk