

1 FROM THE OFFICE OF JOSPEH J. CZARNEZKI

2  
3 MILWAUKEE COUNTY CLERK

4  
5 County Ordinance No. 11-6

6  
7 File No. 11-124

8  
9 AN ORDINANCE

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12 The County Board of Supervisors of the County of Milwaukee does ordain as  
13 follows:

14 **SECTION 1.** Section 47.023 of the General Ordinances of Milwaukee County is  
15 amended as follows:

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17 **47.023. Penalties.**

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19 Any person violating any of the provisions of sections 47.02, 47.021 or 47.022  
20 shall, for each offense, forfeit a penalty not to exceed one hundred dollars (\$100.00),  
21 the cash deposit thereof shall be fifty dollars (\$50.00) and the penalty assessment shall  
22 be six dollars (\$6.00), and in default of payment, thereof, shall be imprisoned in the  
23 county jail or house of correction for a period not to exceed ninety (90) days, in the  
24 discretion of the court. ~~Violations of this section are not controlled by, or subject to, the~~  
25 ~~procedures set forth in chapter 63 of the Code.~~

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27 **SECTION 2.** Section 47.10 of the General Ordinances of Milwaukee County is  
28 amended as follows:

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30 **47.10. Use of motor vehicles in parks.**

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32 (14) *Stipulations for parking violations; procedure.* Persons to whom a summons has  
33 been issued to appear at the office of the county sheriff for violating the provisions of  
34 section 47.10(9) of chapter 47 of the Code may, within seventy-two (72) hours after 6:00  
35 p.m. on the day of the violation, enter into a stipulation with the county as provided in s.  
36 347.27, Wis. Stats. The violator may stipulate as follows: that the facts of the violation  
37 are true; that he/she pleaded to the violation by entering a plea of guilty or nolo  
38 contendere; that the plea which he/she makes is reduced to writing on the stipulation.  
39 The violator shall then sign the stipulation, print his/her name, post office address,  
40 his/her operator's license and the date of his/her birth on the stipulation. The violator  
41 shall then and there pay to the sheriff the sum of twenty-seven dollars (\$27.00). The  
42 violator shall further stipulate to forfeit said sum of twenty-seven dollars (\$27.00) to the  
43 county effective upon the expiration of seventy-two (72) hours after 6:00 p.m. of the day  
44 of the violation. The sheriff shall remit such sum to the treasurer of the county.  
45 Violators of section 47.10(9) who do not timely enter into such stipulation shall be  
46 punished as provided in section 47.29(1) of the Code. ~~Violations of this section are not~~

47 ~~controlled by, or subject to, the procedures set forth chapter 63 of the Code.~~

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49 **SECTION 3.** Section 47.16 of the General Ordinance of Milwaukee County is amended  
50 as follows:

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52 **47.16. Disorderly conduct; smoking prohibited.**

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54 (4) Any person violating any of the provisions of subsection (1) of this section shall,  
55 for each offense, forfeit a penalty not to exceed ~~two hundred fifty~~ five hundred dollars  
56 (~~\$250.00~~ \$500.00); the cash deposit thereof shall be ~~sixty two hundred fifty~~ dollars  
57 (~~\$60.00~~ \$250.00) and the penalty assessment shall be seven dollars and twenty cents  
58 (\$7.20), and in default of payment thereof, shall be imprisoned in the county jail or  
59 house of correction of the county for a period not to exceed ninety (90) days in the  
60 discretion of the court.

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62 **SECTION 4.** Section 47.36 of the General Ordinances of Milwaukee County is repealed  
63 and recreated as follows:

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65 **47.36. Citation authority.**

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67 (1) In addition to other applicable enforcement procedures and pursuant to the  
68 authority of Wis. Stat. s. 66.0113, the director of the department of parks, recreation and  
69 culture may issue citations in accordance with s. 63.09 of the Code to any person who  
70 violates any of the provisions of chapter 47 of the Code.

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72 (2) The director of the department of parks, recreation and culture is authorized to  
73 delegate the authority to issue citations as set forth in subsection (1) to any officer or  
74 employee under her/his supervision, provided that such delegation of authority is in  
75 writing and is kept on file in the department.

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77 **SECTION 5.** Sections 63.09(2)(a), 63.09(2)(b), and 63.09(2)(g) of the General  
78 Ordinances of Milwaukee County are amended as follows:

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80 **63.09. Enforcement procedure.**

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82 (2) *Citations.*

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84 (a) *Adoption.*

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86 (1) To expedite the resolution of ordinance violations, the county board  
87 hereby adopts the citation enforcement procedure authorized by s. ~~66.119~~ 66.0113,  
88 Wis. Stats., to enforce designated sections of the Code.

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90 (b) *Effect of citation.* The citation shall have legal effect specified in s. ~~66.119~~  
91 66.0113, Wis. Stats., and a duly issued citation shall confer subject matter jurisdiction  
92 upon the circuit court for the county.

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(g) *Persons authorized to issue citations.* Any law enforcement officer employed by the county, the county district attorney, his/her deputies or assistant, may issue citations for those violations of the general ordinances for which the citation method is approved. The director of the department of parks, recreation and culture and her/his designee may issue citations to any person who violates any of the provisions of chapter 47 of the Code in conformity with Wis. Stat. s. 66.0113.

**SECTION 6.** Section 63.09(2)(d) of the Milwaukee County General Ordinances (schedule of cash deposits and penalties) is amended as follows:

CHAPTER 47				
47.02	(2)	Noise—Parades and processions	\$ 50.00	\$500.00
	<del>(3)</del> -(b)(4)	Interference with permittees prohibited	\$ 50.00	\$500.00
	<del>(4)</del> -(b)(5)	Interference by permittees	\$ 50.00	\$500.00
	<del>(5)</del>	<del>Parades and processions—</del>	<del>\$ 50.00—</del> -	<del>\$500.00—</del>
<u>47.021</u>		<u>Cards, handbills, sign, etc.</u>	<u>\$20.00</u>	\$500.00
<u>47.022</u>		<u>Noise</u>	<u>\$50.00</u>	<u>\$500.00</u>
47.03	(1)	Games and amusements	\$ 20.00	\$500.00
	(2)	Interference prohibited	\$ 50.00	\$500.00
47.04	(1)	Sales and solicitation of sales	\$ 75.00	\$500.00
	<del>(2)</del>	<del>Cards, handbills, signs, etc.—</del>	<del>\$ 20.00—</del> -	<del>\$500.00—</del>
47.05	(1)	Use of firearms and fireworks; hunting with bow and arrow; trapping	\$100.00	\$500.00
	(2)	Times for the setting off of fireworks displays on county-owned parks and parkways	\$ 50.00	\$500.00
	(3)	Throwing stones/missiles	\$ 50.00	\$500.00
	(4)	Making of fires	\$100.00	\$500.00
	(5)	(a) Littering	\$ 50.00	\$500.00
		(b) Breaking bottle	\$ 50.00	\$500.00

47.06	(1)	Disturbance of animals	\$ 50.00	\$500.00
	(2)	Animals not allowed	\$ 50.00	\$500.00
	(3)	Dogs prohibited	\$ 50.00	\$500.00
	(4)	Dogs not permitted in zoological gardens	\$ 50.00	\$500.00
	(6)	Dog and cat litter nuisance	\$ 50.00	\$500.00
47.07	(1)	Fish	\$ 20.00	\$500.00
	<del>(2)</del>	<del>Waterfowl; game birds</del>	<del>\$ 50.00</del> -	<del>\$500.00</del>

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**SECTION 7.** The provisions of this ordinance shall be effective upon passage and publication.

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**Adopted by the Milwaukee County Board of Supervisors**

**March 17, 2011**