

**CITY OF WEST ALLIS  
ORDINANCE O-2023-0001**

**ORDINANCE UPDATING RULES AND PROCESS RELATED TO PARK RENTAL  
PERMIT AND ALCOHOL CONSUMPTION IN PUBLIC PLACES**

**AMENDING SECTIONS 6.03(8) AND 11.13; RENUMBERING SECTION 6.09**

**WHEREAS**, the common council desires to streamline the park permitting process and update language related to alcohol consumption in public places;

**NOW THEREFORE**, the common council of the City of West Allis do ordain as follows:

**SECTION 1:**        **AMENDMENT** “6.03 Public Welfare And Peace” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

6.03 Public Welfare And Peace

1. Destruction of Property.
  - a. Fences, Walls, Trees, etc. No person shall willfully, maliciously or wantonly destroy, remove, throw down or injure any fence, hedge or wall enclosing any orchard, garden or any field whatever on land belonging to or lawfully occupied by another, or to open or leave open, throw down, injure, remove or destroy any gate or bars in such fence, hedge or wall, or cut down, root up, sever, injure, destroy or carry away, when severed, any fruit, shade, ornamental or other tree or any shrub, root, plant, fruit, flower, grain or other vegetable production in the City.
  - b. Park Property, Statues, etc. No person shall break or otherwise injure any tree, shrub or plant; break, soil or deface any fountain, statue or other ornamental structure; damage any grass plot; or, in any way, injure, soil or deface any square, sidewalk or ground in the City or any public property in any public park or any other public place, which has been declared to be a public park and under the control of the City, whether the same shall be owned, leased or held in trust by the City, or held in trust for the use of the City.
  - c. Gardens, Crops, etc. No person shall enter any enclosed or unenclosed garden or orchard located within the City, without the consent of the owner, tenant, lessee or his or her agent and there cut down, injure, damage, destroy, pull out, eat or carry away any portion of the garden, including any growing thing, crop, seed, soil, fertilizer, water supply, tools, implements, racks, support or any other protective device or any other thing useful for the development, cultivation, maintenance and use of the garden.

2. Posting Signs, Advertisements or Displays. No person shall put up, erect, fasten, post, paint or maintain any sign, picture, poster, advertisement, symbol, structure, display or any other item of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, structure or building of any kind placed upon any street, alley, public way or public ground. **[Ord. O-2008-0003, 2/5/2008]**
3. Open Air Meetings.
  - a. Where Prohibited. No person shall hold any open air meetings for any purpose whatsoever on West Greenfield Avenue between South 69th Street and South 76th Street or on any side street or in any alley abutting thereon, within one hundred twenty (120) feet on either side of West Greenfield Avenue.
  - b. Permit Required. Any person properly qualified may secure a permit for use of the park located at South 70th Street and West National Avenue for such purpose, providing permission is first obtained from the Park Board of the City.
4. Disorderly Conduct with a Motor Vehicle.
  - a. No person shall, within the City of West Allis, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, minibike, all-terrain vehicle or any other motorized vehicle, engage in violent, dangerous, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary, deliberate or intentional: spinning of wheels, squealing of tires, revving of the engine, blowing of the horn, causing the engine to backfire, causing the vehicle in motion to raise one or more of its wheels off the ground or causing the vehicle to otherwise be operated in an erratic or dangerous manner under circumstances which tend to cause or provoke a disturbance.
  - b. Any person who shall violate this subsection shall upon conviction be subject to a forfeiture in the amount of \$300.00 for each offense.
5. Diseased and Infected Trees, Hedges, etc.
  - a. Inspection by Superintendent of Forestry and Public Grounds; Notice; Removal. The Superintendent of Forestry and Public Grounds (hereafter “the Superintendent”) may inspect trees, vines, hedges, plants, logs and branches within the City right-of-way and those trees, vines, hedges, plants, logs, and branches as the Superintendent determines may pose a danger to persons using the City right-of-way in order to determine whether they are healthy or diseased. If any such tree, vine, hedge, plant, log or branch is found dead, diseased, infected or infested and, in the opinion of the Superintendent, is likely to spread any disease or is found to harbor destructive insects or, if any tree, vine, hedge, plant, log or branch is dangerous to the public, the Superintendent shall give a written order to the owner, agent or occupant of such premises of such condition and direct that the owner, agent or occupant to remove and destroy the tree, vine, hedge, plant, log or branch. The owner, agent, or occupant of such premises of such condition will have thirty (30)

days from the date of the order to correct the defect. The owner, agent, or occupant may request an extension to correct the defects which will only be granted for good cause at the discretion of the Superintendent of Forestry and Public Grounds. The owner, agent, or occupant who received the order may appeal the order to the Administrative Appeals Review Board (hereafter “the Board”) by submitting a written objection to the City Clerk’s Office within 30 days of the order. Upon receipt of a timely appeal, the Board shall hold a hearing on the appeal, during which the Board may review any pertinent information and may accept oral and written statements from any person. In the event the owner, agent or occupant shall fail to comply with the orders within the time specified, the Superintendent may enter upon and remove or contract for the removal of the diseased, infected or infested trees, vines, hedges, plants, logs or branches or any part thereof.

- b. Transportation Permit Required. No person, firm or corporation shall carry or transport in, out of or through the City, any dead, diseased, infected or infested trees, vines, hedges, plants, logs and branches. All commercial and professional arborists shall, upon removal of any dead, diseased, infected or infested trees, vines, hedges, plants, logs and branches, get a permit from the Superintendent to carry or transport the same to an approved and designated disposal area, as directed by the Superintendent.
- c. Sale and Planting of Cottonwood Trees Prohibited. No person shall hereafter sell or plant within the City any *populus sargentii*, commonly known as the plains cottonwood, or the *populus deltoides*, commonly known as the eastern cottonwood, both such species also commonly known as the cottonwood poplar.

6. Fraud on Tavern Keeper.

- a. No person, having obtained food, lodging, beverage or other service at a tavern, shall intentionally abscond without paying for it; nor, while a patron at a tavern, shall intentionally defraud the keeper thereof in any transaction arising out of such relationship.
- b. Under this subsection, prima facie evidence of any intent to defraud or to abscond is shown by:

The refusal of payment upon presentation when due and the return unpaid of any bank check or order for the payment of money given by any patron to any tavern in payment of any obligation arising out of such relationship as patron; or,

The failure or refusal of any patron at a tavern to pay, upon written demand, the established charge for food, beverages of any kind or other services actually rendered; or,

The giving of false information or the presenting of false or fictitious credentials for the purpose of obtaining credit, food, beverages or other services; or,

The drawing, endorsing, issuing or delivering to any tavern of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for food, beverages of any kind or other service, knowing at the time that there is not sufficient credit with the drawee bank or other depository for payment in full of the instrument drawn.

7. Consumption and Possession of ~~Alcohol~~Fermented Malt Beverages ~~and Intoxicating Liquors.~~

- a. No person ~~shall consume any fermented malt beverage or intoxicating liquor in or~~ may consume alcohol beverages or possess alcohol beverages in an open container while upon any public way street, alley, sidewalk, or City-owned property. This provision does not apply to any of the following: park or other public place
  - i. Any premises where a City-issued license or permit allows the consumption of alcohol
  - ii. Within a community event declared under this subsection if the alcohol beverage was lawfully obtained at the community event or a licensee adjacent to the community event
  - iii. At the farmers market if the alcohol beverage was lawfully obtained at the farmers market
  - iv. The consumption of fermented malt beverages on a commercial quadricycle.
- b. ~~No person shall have in his possession any fermented malt beverage or intoxicating liquor in or upon any public street, alley, sidewalk, park or other public place, unless such beverage or liquor is in the unopened original container or sealed original package (Reserved).~~
- c. ~~No person shall drink from or open a container of fermented malt beverage or intoxicating liquor in a motor vehicle, which is parked or standing upon a public street, alley, municipal parking lot or other public place (Reserved).~~
- d. ~~The holder of a Class "B" fermented malt beverage or intoxicating liquor license shall make every reasonable effort to discourage his patrons from taking fermented malt beverages or intoxicating liquor from the licensed premises, when such beverages or liquor are served for consumption on the premises, unless the patron is directly entering a community event as described in par. (e)~~ No person licensed or permitted to sell alcohol beverages may knowingly allow another person to leave that licensed or permitted premises while carrying an alcohol beverage in an open container, except to enter a community event adjacent to the premises. No person may leave a premises licensed or permitted to sell alcohol beverages while carrying an alcohol beverage in an open container, except to enter a community event adjacent to the premises.
- e. The Common Council may, by resolution, designate a specified public way or city-owned property gathering to be the location of a community event, during which event, the prohibitions ~~The resolution shall describe the premises of the community event, the date and time of the community event, and any other~~

conditions upon the consumption of alcohol beverages on the premises of that community event~~set forth in this section shall not apply at the location and the date(s) and time specified in the resolution. The resolution shall identify the designated community event and shall set forth the date or dates, time, and geographic location in which the prohibitions set forth in this section shall not apply.~~

~~f. No person may possess alcohol beverages within a community event unless that person may lawfully sell that alcohol beverage or that person obtained the alcohol beverage from a person who may lawfully sell that alcohol beverage at the community event~~(Reserved).

#### 8. Fireworks Prohibited.

- a. Definition. In this section, "fireworks" means anything manufactured, processed or packaged for exploding, emitting sparks or combustion, which does not have another common use, but does not include any of the following:
- i. Fuel or lubricants.
  - ii. A firearm cartridge or shotgun shell.
  - iii. A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
  - iv. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
  - v. A cap containing not more than one quarter (1/4) gram of explosive mixture, if the cap is used or possessed or sold for use, in a device which prevents direct bodily contact with the cap when it is in place for explosion.
  - vi. A model rocket engine.
  - vii. Tobacco or a tobacco product.
- b. Prohibition.
- i. No person may sell any fireworks in the City of West Allis.
  - ii. Exceptions. This section does not prohibit a resident, wholesaler, dealer or jobber from selling fireworks at wholesale, if that wholesaler, dealer or jobber ships or delivers the fireworks outside of this state in sealed opaque containers by, as defined in secs. 194.01(5), (11) and (14) of the Wisconsin Statutes, common motor carrier, contract motor carrier or private motor carrier engaged in the business of shipping or delivering property, or to a person or group granted a permit under sec. 167.10 of the Wisconsin Statutes.
- c. Possession and Use, State Statutes Adopted. Possession and use of fireworks shall be regulated according to the provisions of sec. 167.10 of the Wisconsin Statutes, as the same are from time to time amended, which are hereby adopted and incorporated by reference herein.
- d. Enforcement.
- i. In addition to other penalties prescribed under this section, the City may petition the Circuit Court for an order enjoining any violation of this ordinance or of sec. 167.10 of the Wisconsin Statutes.

- ii. Any fireworks stored, handled, sold, possessed or used by the person who violates any provision of this section shall be seized. The fireworks shall be destroyed after conviction for a violation and otherwise returned to the owner.

e. Penalties.

- i. Any person who shall violate any provision of this section shall, upon conviction, pay a forfeiture of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), together with the costs of the action and, upon default of payment thereof, shall be imprisoned in the Milwaukee County House of Correction for a period not to exceed ninety (90) days or until such forfeiture and costs are paid. Each day during which a violation of this section is permitted to exist shall be deemed to be a separate violation.

~~{Ord. 6386, 5/19/1998; Ord. O-2006-0030, 6/6/2006}~~

**SECTION 2:**            AMENDMENT “11.13 Parks And Parklands” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

11.13 Parks And Parklands

- 1. Definition. When used to describe a location, "park" means any of the following locations:

<b>Name</b>	<b>Location</b>
<u>Arnold Klentz Park</u>	<u>2601 South 72nd Street</u>
<u>Burnham Pointe Park</u>	<u>6031 West Burnham Street</u>
<u>Honey Creek Park</u>	<u>1981 South 84th Street</u>
<u>Joyce Radtke Skate Park</u>	<u>8338 West National Avenue</u>
<u>Kopperud Park</u>	<u>South 76th Street and West Pierce Street</u>
<u>Liberty Heights Park</u>	<u>6101 West Orchard Street</u>
<u>Mini Park #1</u>	<u>South 58th Street and West Beloit Road</u>
<u>Mini Park #2</u>	<u>South 60th Street and West National Avenue</u>
<u>North Greenfield Railroad Station Park</u>	<u>8139 West National Avenue</u>
<u>Reservoir Park</u>	<u>9621 West Lapham Street</u>
<u>Rogers Park</u>	<u>2010 South 75th Street</u>
<u>Rogers Playground</u>	<u>2014 South 56th Street</u>
<u>Roosevelt Park</u>	<u>947 South 58th Street</u>
<u>Veterans Memorial Park</u>	<u>6900 West National Avenue</u>
<u>West Allis Dog Park</u>	<u>11200 West Hayes Avenue</u>
<u>West Allis Farmer's Market</u>	<u>6501 West National Avenue</u>

~~Parks and parklands shall include all lands currently owned by the City of West Allis that are designated as parks, pocket parks, green spaces or boulevards. Also included in the definition is the terrace area between the curb and sidewalk or, in the absence of a sidewalk, the curb and property line of every street and highway within the City. The following are designated as parks: [Ord. O-2016-0052, 11/15/2016]~~

~~Farmer's Market [the Farmer's Market shall be governed pursuant to Section 2.25(3)(b) of the Revised Municipal Code.] Veterans Memorial Park (South 70 Street and West National Avenue). Washington Playground (South 61 Street and West Lapham Street). Kopperud Park (South 76 Street and West Pierce Street). Veterans Housing Park (West Harrison Avenue and South 72 Street). Rogers Park (South 75 Street and West Rogers Street). Rogers Playground (South 56 Street and West Rogers Street). Garfield School Park (South 84 Street and West National Avenue). Honey Creek Park and Settlement (South 84 Street and West National Avenue). Joyce Radtke Park (8320 West National Avenue). Klentz Park (2061 South 72 Street). Liberty Heights Park (1540 South 62~~

~~Street). North Greenfield Railroad Station Park (8139 West National Avenue). Reservoir Park (9621 West Lapham Street). McKinley Park Playground (South 72 Street and West Washington Avenue)~~

2. Board of Public Works. The ~~B~~board of ~~P~~ublic ~~W~~orks shall govern, manage and control all parks, boulevards, green spaces, terrace areas, and parklands within the City in accordance with See Wis. Stat. 27.08(3) of the Wisconsin Statutes.
3. Director of Public Works. ~~Under the direction of the Board of Public Works,~~ The ~~D~~irector of ~~P~~ublic ~~W~~orks shall have authority to:
  - a. ~~m~~Manage, change, improve and maintain parks and parklands as authorized by the board of public works.
  - b. ~~subject to the approval of the Common Council, prepare and a~~Administer the City's policies and procedures for the preservation and use of ~~City~~ parks and parklands, ~~including, but not limited to, adopting rules of conduct and other regulations and instituting a permit system for use of park facilities~~
  - c. Issue park permits
    - i. Application. Any person who wishes to use an area of a park to the exclusion of the general public shall obtain a park permit. The person shall submit an application to the director of public works that includes all the following:
      - (1) Applicant's name, address, phone number, and email address
      - (2) The park rental area for which the applicant is seeking a permit and the date sought
      - (3) Whether alcohol will be consumed at the park
      - (4) Any other relevant information deemed necessary by the director of public works
    - ii. Issuance. The director shall issue a park permit to any applicant if all the following conditions are satisfied:
      - (1) The applicant is at least 18 years old
      - (2) No other park permit has been issued for an overlapping date and time, and no park permit application for an overlapping date and time was submitted prior and is still pending
      - (3) The applicant pays the proper permit fee listed in the Fee Schedule
      - (4) The applicant agrees to be financially responsible for any damages incurred by the city at the park rental area during the permitted time.
      - (5) The applicant agrees to any other conditions imposed by the director of public works.
    - iii. Terms of Use. Each applicant for a park permit shall be bound by the following conditions:
      - (1) A permittee shall ensure that the use of the park rental area does not significantly impair or detract from the use of the remaining area of the park by the public.
      - (2) A permittee shall ensure that all persons utilizing the permitted



rental area comply with all laws.

(3) A permittee shall leave the permitted rental area and any city property or equipment in at least as good of condition as it was upon the permittee's arrival.

(4) A permittee shall ensure no alcohol is consumed in the permitted rental area unless specifically authorized by the park permit.

iv. Cancellation. A permittee may cancel the permit at any time. If a permit is canceled prior to the date of the permit, the director shall retain 20% of the fee amount for administrative expenses and refund the remaining balance. No refund will be issued for cancellations on the date of the permit.

v. Revocation. The director of public works may revoke a permit if the permit holder violates any terms of use. No refund will be issued if a permit is revoked.

#### 4. Trees and Plant Materials.

##### a. Planting Regulations.

i. The Forestry Division of the Department of Public Works is responsible for the planting of all trees and other plant material in City parks and parklands in accordance with the policies and procedures of the Department.

ii. The Forestry Division shall determine the location and species of all plant materials planted in City parks and parklands.

iii. The Forestry Division may, at its discretion, remove or cause the removal of any tree or plant material located in City parks or on City parklands deemed inappropriate or hazardous.

##### b. Maintenance.

i. The Forestry Division shall be responsible for the maintenance of trees and other plant material on City parks and parklands except as provided herein.

ii. The owner, occupant or person in charge of each lot or parcel of land shall maintain the terrace area between the walk and the curb or, in the absence of a sidewalk, the area between the pavement and the property line.

(1) In lawn terrace areas, grass and weeds shall be maintained at a height not to exceed six (6) inches in length. Noxious weeds shall be destroyed as provided in ~~see Wis. Stat. 66.0407(3) of the Wisconsin Statutes~~. Such areas shall be kept in good condition and repair and free from debris.

(2) In paved terrace areas, the pavement shall be kept free and clear of weeds, vegetative materials and debris.

(3) If the owner, occupant or person in charge of any property fails to maintain the terrace area abutting their property as provided in Paragraphs "a" and "b", the Director of Public Works or his designated agent, after giving five (5) days

written notice to the owner, occupant or person in charge of the property, is authorized to perform the required maintenance. The cost of such maintenance shall be charged against the owner of the property as provided is ~~see Wis. Stat. 66.0703 of the Wisconsin Statutes.~~

(4) In any one (1) calendar year, where, on private property, the Director has authorized required maintenance, as described in Subsection 2c above, subsequent required maintenance shall not require a five (5) day written notice prior to the Director again authorizing the performance of maintenance on said property.

- iii. No person shall plant, cut, prune, or remove any tree or shrub in a City park or parkland or cut, disturb or interfere in any way with the roots of any tree or spray trees or shrubs with any chemical herbicide or insecticide in a City park or parkland, without first receiving permission from the Director of Public Works. Such permission is not required for the use of products associated with the maintenance of turf in the area between the pavement and adjacent property line.
- iv. No person shall break or injure any tree or shrub planted in any City park or parkland.

5. Public Use of Parks. All parks shall be open to use by the public except as limited by this subsection.

a. Hours of Operation. No person may enter or remain in a park in violation of the hours posted by the director of public works unless authorized by a park permit. If no hours are posted, no person may enter or remain in a park between the hours of 10:00 p.m. and 6:00 a.m. unless authorized by a park permit.

b. Temporary Closure. No person may enter or remain in an area of a park closed by the director of public works for construction, maintenance, or other reasons.

c. No Trespass Order. No person may enter or remain in a park during the time that a no trespass order prohibits the person from entering or remaining in that park.

i. Issuance. A police officer may issue and serve a no trespass order to a person if that person has committed a law violation in a park. A no trespass order may be effective for up to 1 year after the date of issuance.

ii. Content. The order shall contain the following information:

- (1) The name of the person against whom it is issued;
- (2) The signature of the issuing police officer;
- (3) The date of issuance;
- (4) The date, time, location, and type of the law violation that justifies the no trespass order;
- (5) The duration of the order;
- (6) A list of the prohibited park(s);

- (7) Notice of the penalties for an act in violation of the order; and
- (8) Notice of the right to appeal the order's issuance.
- iii. Appeal. Any person who has been served a no trespass order may appeal the order by submitting an appeal form to the City Clerk within 10 calendar days of issuance of the no trespass order.
- iv. Scheduling. The City Clerk shall notify the appellant and the City Attorney of the hearing date, time, and location, and shall schedule the hearing no more than 30 days after the appeal is filed.
- v. Hearing. The administrative appeals review board shall hear the appeal. The administrative appeals review board shall uphold a reasonable order, modify the order to ensure the order is reasonable, or rescind the order if it is not reasonable.
- d. Park Permit. No person may enter or remain in a park rental area during the time in which a park permit is effective for that rental area, unless allowed by the permit holder.

~~{Ord. O-2005-0025, 6/7/2005}~~

**SECTION 3:**            **REPEAL** “6.09 No Trespass Orders For City Parks” of the City Of West Allis Municipal Code is hereby *repealed* as follows:

REPEAL

~~6.09 No Trespass Orders For City Parks (Repealed)~~

1. Definitions. As used in this section.
  - a. "Parks" means any and all the following locations:
    - i. Arnold Klentz Park (2601 South 72 Street)
    - ii. Burnham Pointe Park (6031 West Burnham Street)
    - iii. Honey Creek Park (1999 South 84 Street)
    - iv. Joyce Radtke Skate Park (8320 West National Avenue)
    - v. Kopperud Park (South 76 Street and West Pierce Street)
    - vi. Liberty Heights Park (1540 South 62 Street)
    - vii. Mini Park (South 58 Street and West Beloit Road)
    - viii. Mini Park (South 60 Street and West National Avenue)
    - ix. Railroad Park (West National Avenue and South 82 Street)
    - x. Reservoir Park (9621 West Lapham Street)
    - xi. Rogers Park '(2023 South 75 Street)
    - xii. Rogers Playground (2014 South 56 Street)
    - xiii. Roosevelt Park (938 South 58 Street)
    - xiv. Veterans Memorial Park (West National Avenue and South 70 Street)
    - xv. West Allis Dog Park (11200 West Hayes Avenue)
    - xvi. West Allis Farmer’s Market (6501 West National Avenue)

- "Assault" means any intentional act to harmfully or offensively contact another person, including attempts or threats.
- b. "Sexual act" means any act of masturbation, sexual gratification, sexual intercourse, physical contact with or exposure of a person's genital or pubic area, buttocks, or, if the person is a female, breast (excluding a mother breast-feeding a child).
2. Authority. The Police Department has the authority to issue and serve no trespass orders informing the recipient that he or she is prohibited from entering or remaining in or upon any or all City parks.
3. An officer may issue an order to a person if:
- a. Said person has received a municipal citation for an incident that occurred in a park; or
  - b. A police officer has probable cause to believe said person has done one (1) or more of the following while in a park:
    - i. Committed an assault on another person;
    - ii. Sold or consumed alcohol;
    - iii. Sold, possessed, or used illegal drugs;
    - iv. Brandished or used any weapon, excluding bats or other devices used during a sporting event in the context of a game;
    - v. Caused damage, including graffiti, to any park property;
    - vi. Committed a sexual act;
    - vii. Acted in a violent, indecent, profane, abusive, unreasonably loud, or otherwise disorderly manner.
4. Order must be in writing. All orders shall be in writing and contain the following elements:
- a. The name of the prohibited person;
  - b. The signature of the issuing police officer;
  - c. The date of issuance;
  - d. The reason for issuance;
  - e. The duration of the order, up to one (1) year;
  - f. A list of the prohibited park(s);
  - g. Notice of the penalties for an act in violation of the order; and
  - h. Notice of the right to appeal the order's issuance.
5. Appeal. A recipient of a no trespass order may appeal issuance or terms of the order by submitting a written appeal to the City Clerk.
- a. Such appeal shall be in writing, and shall be filed with the City Clerk within ten (10) calendar days of issuance of the no trespass order.
  - b. Hearing. The Public Works Committee shall hold a hearing to make a final determination of the validity of the no trespass order.
    - i. The City Clerk shall notify the appellant and the City Attorney of the hearing date, time, and location, and shall schedule the hearing no more than thirty (30) days after the appeal is filed.
    - ii. Proof of a conviction in municipal or circuit court from the incident that led to the issuance of the no trespass order shall be sufficient cause to uphold the issuance of the no trespass order.

6. Penalty. Any person who violates any provision in this section shall, upon conviction, pay a forfeiture not to exceed five hundred dollars (\$500.), together with the costs of prosecution, and upon default of payment thereof, shall be imprisoned in the House of Correction until such forfeiture and costs are paid, but not more than the number of days set forth in Wis. Stats. § 800.095(4). Each and every day of violation constitutes a separate offense.

~~{Ord. O-2012-0038, 9/18/2012}~~

**SECTION 4:            EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Ray Turner	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Rebecca Grill, City Clerk, City Of  
West Allis

\_\_\_\_\_  
Dan Devine, Mayor, City Of West  
Allis