



# City of West Allis

## Legislation Text

File #: O-2010-0023, Version: 2

An Ordinance to Amend Subsection 2.19(8)(b), Repeal Subsection 5.10(22), Re-number Subsection 5.10(23), Repeal and Recreate Section 5.14 and Create Section 5.19 of the West Allis Revised Municipal Code Relating to the Fire Prevention Code, Penalties and Citation Authority.

The Common Council of the City of West Allis do ordain as follows:

PART I. Subsection 2.19(8)(b) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

2.19 MUNICIPAL JUDGE.

\* \* \*

(8) Stipulations.

\* \* \*

(b) Schedule of Deposits. The basic amounts of the deposits established pursuant to section 800.03(3) of the Wisconsin Statutes are set forth below for convenient reference and shall be accompanied by any penalty assessments, costs and surcharges applicable by law.

<u>Section</u>	<u>Violated Violation Description</u>	<u>Deposit</u>
5.10	Fire Prevention Code	\$250.00
5.10	Cause Fire by Tobacco Smoking	\$100.00
5.10	Removal and Destruction of Tags and Signs	\$500.00

\* \* \*

PART II. Subsection 5.10(22) of the Revised Municipal Code of the City of West Allis is hereby repealed.

PART III. Subsection 5.10(23) of the Revised Municipal Code of the City of West Allis is hereby re-numbered to 5.10(22).

PART IV. Section 5.14 of the Revised Municipal Code of the City of West Allis is hereby repealed and recreated to read:

5.14 PENALTIES.

(1) Any person who shall violate any of the provisions of this Code or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the time limits fixed herein, shall severally for each and every violation or noncompliance, forfeit not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00), together with the costs of prosecution, and in default of payment thereof, by imprisonment in the Milwaukee County House of Correction until such forfeiture and costs are paid, but not more than the number of days set forth in sec. 800.095(a) of the Wisconsin Statutes. The imposition of a penalty for any violation shall not excuse the violation, or permit it to continue,

and all such persons shall be required to correct or remedy such violations within a reasonable time.

(2) Each and every day that a violation of this Chapter occurs constitutes a separate offense.

(3) The application of the above penalties shall not be held to prevent the enclosed removal of prohibited conditions by injunctive action or other legal or equitable means.

PART V. Section 5.19 of the Revised Municipal Code of the City of West Allis is hereby created to read:

5.19 CITATION AUTHORITY.

The Fire Chief, and designated officers, shall have the duty to enforce the Fire Prevention Code through the exercise of citation power. The form of the citation shall be determined by the Fire Chief.

PART VI. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby amended.

PART VII. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Repeal&Recreate Sec 5.14 & Create 5.19