



City of West Allis

Legislation Text

File #: O-2007-0043, **Version:** 1

An Ordinance to Amend Subsection 2.28(3)(c) and to Create Subsections 2.28(4) and (5) of the Revised Municipal Code Relating to Enforcement of Library Board Rules and Regulations.

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

PART I. Subsection 2.28(3)(c) of the Revised Municipal Code of the City of West Allis is hereby amended to read:

2.28 LIBRARY BOARD.

* * *

(3) Library Board Regulations.

* * *

(c) Any person convicted of a violation of the provisions of this subsection shall forfeit a sum not to exceed \$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(4) of the Wisconsin Statutes, or by suspension of the defendant's operating privilege, pursuant to secs. 343.30 and 345.47 of the Wisconsin Statutes. Each and every day that an offense continues constitutes a separate offense. Where there is more than one book, periodical, pamphlet, picture, tape, compact disk, digital video disk, or other article or property involved in any violation, each such item shall constitute a separate offense. The Municipal Judge is hereby empowered to suspend payment of all or any portion of the forfeiture and costs imposed if the person convicted of such offense makes restitution in full to the Library Board for any damage or mutilation or returns such item or items to the Library Board within fifteen (15) days of conviction.

PART II. Subsections 2.28(4) and (5) of the Revised Municipal Code of the City of West Allis are hereby created to read:

2.28 LIBRARY BOARD.

* * *

(4) Library Board Rules Adopted.

(a) The Rules of Conduct adopted and amended from time to time by the Library Board are hereby adopted as if fully set forth herein. No person shall violate a rule of conduct as established by the Library Board.

(b) No person excluded from the library by the Library Board pursuant to sec. 43.52(2) of the Wisconsin Statutes shall enter or remain upon the library premises.

(c) Penalty. Any person convicted of a violation of the provisions of this subsection shall forfeit an amount not less than \$50.00 and not more than \$500.00 for a first offense and not less than \$100.00 and not more than \$1,000.00 for each second and subsequent offense within a one (1) year period, 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(4) of the Wisconsin Statutes, or by suspension of the defendant's operating privilege, pursuant to secs. 343.30 and 345.47 of the Wisconsin Statutes. Each and every day that an offense continues constitutes a separate offense.

(5) Enforcement. Any law enforcement officer may issue citations or, in the alternative, the City Attorney is authorized to issue a summons and complaint for the enforcement of this section.

PART III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

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

ATTO-Amend&Create Subsec2.28(3)(c)(4)&(5)-LB