



## Legislation Details (With Text)

<b>File #:</b>	181152	<b>Version:</b>	2
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	11/5/2018	<b>In control:</b>	COMMON COUNCIL
<b>On agenda:</b>		<b>Final action:</b>	2/26/2019
<b>Effective date:</b>			
<b>Title:</b>	A substitute ordinance relating to penalties for littering.		
<b>Sponsors:</b>	ALD. STAMPER, ALD. WITKOWSKI, ALD. LEWIS, ALD. PEREZ, ALD. RAINEY, ALD. HAMILTON, ALD. JOHNSON, ALD. DODD, ALD. BAUMAN		
<b>Indexes:</b>	LITTER		
<b>Attachments:</b>	1. Proof of publication		

Date	Ver.	Action By	Action	Result	Tally
11/5/2018	0	COMMON COUNCIL	ASSIGNED TO		
2/14/2019	0	PUBLIC SAFETY AND HEALTH COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/26/2019	1	COMMON COUNCIL	SUBSTITUTED	Pass	14:0
2/26/2019	1	COMMON COUNCIL	PASSED	Pass	14:0
3/5/2019	1	MAYOR	SIGNED		
3/14/2019	1	CITY CLERK	PUBLISHED		

181152  
SUBSTITUTE 2

ALD. STAMPER, WITKOWSKI, LEWIS, RAINEY, PEREZ, HAMILTON, JOHNSON, DODD AND BAUMAN

A substitute ordinance relating to penalties for littering.

79-16-1-a am

79-16-1-d am

This ordinance eliminates the \$25 to \$500 penalty range for the first littering offense on public or private premises, and the \$50 to \$500 range for each subsequent offense, and stipulates the penalty for all littering on public or private premises be a flat \$500 including all forfeitures, penalties, fees and assessments levied by the municipal court.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part. 1: Section 79-16-a and d of the code is amended to read:

### 79-16. Penalty.

1. FORFEITURE. a. Any person who violates any provision of this subchapter except ss. 79-5.5, 79-11 and 79-12 shall forfeit ~~[[not less than \$25 nor more than \$500]]~~ >>\$500 including all forfeitures, penalties, fees and assessments levied by the court<< for the first offense and ~~[[not less than \$50 nor~~

more than \$500]] for each subsequent offense [[, and the costs and disbursements of such action and in default thereof, shall be imprisoned in the county jail or house of correction for not less than one day nor more than 20 days, until such forfeiture costs are paid.]]>>. A person in default thereof, who fails to discharge the imposed forfeiture through community service, or other means, satisfactory to the court may be subject to judicial remedies as provided by law.<<

d. Any person who violates ss. 79-11 or 79-12-1 shall forfeit [[not less than \$50 nor more than \$500]] >>\$500 including all forfeitures, penalties, fees and assessments levied by the court<< for the first offense and [[not less than \$100 nor more than \$500]] for each subsequent offense and any offense occurring between the hours of 8:00 p.m. and 5:00 a.m. on a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved [[, and the costs and disbursements of such action, and in default thereof, shall be imprisoned in the county jail or house of correction for not less than 2 days nor more than 20 days, until such forfeiture costs are paid.0]]>>. A person in default thereof, who fails to discharge the imposed forfeiture through community service, or other means, satisfactory to the court may be subject to judicial remedies as provided by law.<<

Part. 2: This ordinance takes effect April 1, 2019.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB 172696 - 3  
Aaron Cadle  
February 25, 2019