

Date: Tuesday, February 2, 2016
Time: 6:20 pm
Place: City Hall

JUDICIARY AND ORDINANCE REVIEW COMMITTEE

- A. CALL TO ORDER & ROLL CALL
- B. CORRECTION OF MINUTES
- C. BUSINESS

1. ORDINANCE AMENDING SECTION 9-2-1, REPEALING AND RECREATING SECTION 9-2-17(A), RENUMBERING SECTIONS 9-2-22, 9-2-23, 9-2-24, 9-2-25 AND 9-2-26 AND CREATING SECTION 9-2-22 OF THE MONROE CITY CODE: POSSESSION OF LIVE CHICKENS

Review and Recommend to Council for Public Hearing and Adoption

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	15 min.

Documents: [D116 Section 9-2-22 Possession of Live Chickens 2016-01-27.pdf](#)

2. ORDINANCE REPEALING AND RECREATING CHAPTER 11-6 OF THE MONROE CITY CODE: MUNICIPAL AIRPORT

Review and recommend to Council for Public Hearing and Adoption

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	10 min.

Documents: [D122 Chapter 11-6 Monroe Municipal Airport 2016-01-28.pdf](#)

3. ORDINANCE REPEALING AND RECREATING TITLE 7 OF THE MONROE CITY CODE: FIRE REGULATIONS

Review and recommend to Council for Public Hearing and Adoption

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	15 min

Documents: [D123 Title 7 Fire Regulations 2016-01-28.pdf](#)

4. REVIEW PROPOSED CODE REVISIONS FOR TITLE 3 BUSINESS REGULATIONS CHAPTER 15: ELECTRONIC ALARMS

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	5 min.

Documents: [Codification - 03-15 Electronic Alarms \(00000002\).pdf](#)

5. REVIEW PROPOSED CODE REVISIONS FOR TITLE 9: POLICE REGULATIONS

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	10 min.

Documents: [Codification - Title 09.pdf](#)

6. REVIEW PROPOSED CODE REVISIONS FOR TITLE 10: VEHICLES AND TRAFFIC

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	10 min.

Documents: [Codification - Title 10.pdf](#)

D. BUSINESS PRESENTED BY MEMBERS

May make brief informative statements or bring up items to be discussed at a future meeting.

E. ADJOURNMENT

This Committee may take any action it considers appropriate related to any item on this agenda.

Request from persons with disabilities who need assistance to participate in this meeting, including need for an interpreter, materials in alternate formats, or other accommodations, should be made to the Office of the City Clerk at (608) 329-2564 with as much advance notice as possible so that proper arrangements can be made.

Members: Chairperson Louis Armstrong, Charles Koch, Chris Beer, and Alternate Richard Thoman

Public Hearing Date: _____/_____/_____

**ORDINANCE AMENDING SECTION 9-2-1, REPEALING AND RECREATING SECTION 9-2-17(A),
RENUMBERING SECTIONS 9-2-22, 9-2-23, 9-2-24, 9-2-25 AND 9-2-26 AND CREATING
SECTION 9-2-22 OF THE MONROE CITY CODE: POSSESSION OF LIVE CHICKENS**

THE COMMON COUNCIL of the city of Monroe do ordain as follows:

SECTION 1: Section 9-2-1 of the Monroe City Code is hereby amended to add the following definitions

“Chicken” means a domestic chicken of the subspecies *Gallus gallus domesticus*.

“Chicken run” means a fenced enclosure attached to a coop.

“Coop” means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.

“Rooster” means a male chicken of any age, including a capon or otherwise neutered male chicken.

“Slaughter” means to kill by any means.

SECTION 2: Section 9-2-17(A) of the Monroe City Code is hereby repealed and recreated to read as follows:

(A) Unless expressly authorized elsewhere in this code, it shall be unlawful for any person to own, keep, harbor or have custody of any of the following on any property or in any residence, household or dwelling unit within the city:

- (1) Any farm animals, except rabbits;
- (2) Any poisonous animal; and
- (3) Any vicious animal.

SECTION 3: Sections 9-2-22 through 9-2-26 of the Monroe City Code are hereby renumbered as Sections 9-2-23 through 9-2-27.

SECTION 4: Section 9-2-22 of the Monroe City Code is hereby created to read as follows:

9-2-22: Possessing chickens: No person shall, without first obtaining a permit under this section possess any live chicken, nor construct any coop or chicken run.

(A) **Chickens allowed:** Pursuant to a permit issued under this section a person may possess up to 6 female chickens in a coop or in a coop and connected chicken run on any lot in the city that contains only a one-family dwelling. No roosters shall be allowed to be kept under this section.

(1) **Rear yard only:** Coops and chicken runs shall be located in the rear yard. No part of the coop or chicken run shall be located in the front yard or side yard of any lot.

(2) **Setback requirements:** No part of the coop or chicken run shall be located within 10 feet of any lot line, unless the rear or side lot is contiguous to an alley in which case the coop or chicken run shall not be located within 3 feet of the lot line abutting such alley. No portion of the coop or chicken run shall be located within 25 feet of any principal structure located on any adjacent lot.

(3) **Cleanliness:** Coops and chicken runs shall be kept clean, dry, odor free and in a sanitary condition at all times in such a manner as to not disturb the use or enjoyment of adjoining property due to noise, odor or any

**Ordinance Amending Section 9-2-1, Repealing and Recreating Section 9-2-17(A),
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Creating Section 9-2-22 of the Monroe City Code: Possession of Live Chickens**
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other adverse impact.

(4) **Construction and maintenance of coop:** A coop shall have an interior enclosed area of not less than 4 square feet per chicken and a total enclosed area of not more than 24 square feet and shall be constructed from conventional building materials in a workmanlike fashion or be a pre-manufactured enclosed structure designed specifically for the keeping of urban chickens. Such coop shall be secure and impermeable to rodents, wild birds and predators, including dogs and cats, and shall be constructed or modified in a fashion to provide a humane environment for the chickens, including adequate ventilation, adequate sun, adequate shade and adequate protection from adverse weather.

(5) **Construction and maintenance of chicken run:** A chicken run shall not exceed in size the greater of 40 square feet or one percent of the rear yard area, but in no case more than 100 square feet, and shall be constructed in a workmanlike fashion of wire normally used for the containment of chickens.

(6) **Confinement:** Between sunrise and sunset, chickens may be allowed outside of the coop in the chicken run. Chickens shall be secured within the coop between sunset and sunrise.

(B) **Application for permit:** An application for a chicken permit shall be made using forms provided by the city clerk and shall contain an accurately scaled drawing showing the location of the proposed coop and any chicken run, distances to lot lines and distances to the nearest adjoining principal structure, together with dimensions of the coop and chicken run.

(1) If the applicant is not the owner of the parcel, the property owner shall sign the application before a notary public certifying approval for the use of the premises for this purpose and such notary shall affix his or her seal upon the application.

(2) The application shall be accompanied with satisfactory evidence that the applicant has registered the proposed location with the Wisconsin department of agricultural trade and consumer protection pursuant to section 95.51 of the Wisconsin statutes and section ATCP 17 of the Wisconsin administrative code.

(3) A permit fee shall be paid by the applicant when the application is submitted.

(C) **Review of application:** The city clerk shall review each application to determine whether the application is complete. The city clerk may conduct such investigation into the content of the application as he or she considers necessary and shall within 10 days following the filing thereof refer such application to the building inspector and police chief for review and comment. Within 20 days following the filing of the application the city clerk shall refer such application to the license committee for review and a recommendation to the council to approve or deny the application.

(D) **Permit year:** The permit year shall be August 1 through July 31 of the succeeding year.

(E) **Assignment of permit:** No permit shall be issued, assigned, or otherwise transferred to any person other than the person to whom such permit is originally issued.

(F) **Miscellaneous:**

(1) All food supplies maintained for the chickens kept under this section shall be stored in a secure and rodent-proof container.

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(2) Food meant for human consumption or scraps of such food shall only be fed to chickens within the coop and such food shall be prohibited within a chicken run.

(3) All waste generated by the operation of the coop or chicken run, or both, including, chicken carcasses, manure, droppings and spoiled feed, shall be properly disposed of in a sanitary manner.

(4) The zoning administrator or any law enforcement officer may enter a lot at any reasonable time to determine if a property is in compliance with this section.

(G) **Penalty:** A person who violates any provision of this section shall upon conviction be subject to a class 4 forfeiture for the first offense in a 12 month period, a class 3 forfeiture for the second offense in a 12 month period and a class 2 forfeiture for the third or subsequent offense in a 12 month period. A person who is convicted of more than two violations of this section in a 12 month period shall be ineligible to receive a renewal permit under this section for a period of one year after the date of the last conviction.

SECTION 5: This ordinance shall be in full force on the day following its passage and official publication.

Dated the _____ day of _____, 2016
Passed the _____ day of _____, 2016
Published the _____ day of _____, 2016

Mayor

City Clerk

**ORDINANCE REPEALING AND RECREATING CHAPTER 11-6
OF THE MONROE CITY CODE: MUNICIPAL AIRPORT**

THE COMMON COUNCIL of the City of Monroe do ordain as follows:

SECTION 1: Chapter 11-6 of the Monroe City Code is hereby repealed and recreated to read as follows:

Chapter 6: MUNICIPAL AIRPORT

- 11-6-1 Declaration of purpose
- 11-6-2 Zones designated
- 11-6-3 Zoning maps
- 11-6-4 Definitions
- 11-6-5 Airport manager
- 11-6-6 Commercial activities
- 11-6-7 Operator licenses; classification and description
- 11-6-8 Operator license application
- 11-6-9 Leases
- 11-6-10 Airport operation
- 11-6-11 Aircraft operation
- 11-6-12 Flying clubs
- 11-6-13 Airport activity clubs
- 11-6-14 Civil Air Patrol
- 11-6-15 Vehicular traffic regulation
- 11-6-16 Pedestrians
- 11-6-17 Building regulations
- 11-6-18 Schedule of charges
- 11-6-19 Appeals and review
- 11-6-20 Penalties:
- 11-6-21 Precedence
- 11-6-22 Severability

11-6-1: Declaration of purpose: The purpose of this chapter is to facilitate a sound economic base upon which the airport will thrive and grow and to insure the public receives reliable, safe and nondiscriminatory treatment in the conduct of authorized activities at the airport. This chapter is also intended to protect the public health, safety and welfare and to foster and promote the continued development of the airport in a safe and efficient manner.

11-6-2: Zones designated:

(A) Zones: All zones established by this section are as shown on maps entitled "Height limitation zoning map-Monroe municipal airport-Monroe, Wisconsin" and dated January 17, 1989, and shall be and remain on file in the office of the city clerk.

(B) Authority: All other titles and chapters of this code are incorporated in this chapter by reference. Whenever any provision of this chapter conflicts with any other provisions of this code, the provision in this chapter shall apply.

11-6-3: Zoning maps: The board shall identify the zoning areas it adopts and note the boundaries of each area upon zoning maps which shall be made a part of this chapter. The maps shall be identified as "Zoning map A – Monroe municipal airport", and "Zoning map B - Monroe municipal airport". These maps shall be filed with the city clerk. The maps and all notations, references, and other information shown upon the maps shall be as much a part of this chapter as if the matters and information set forth on the maps were fully described in this chapter. The maps may be amended from time to time by resolution of the board.

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11-6-4: Definitions: In this chapter:

"Above ground level" means the vertical distance between any aircraft and the ground beneath the aircraft as measured in feet. The elevation of the ground shall be the highest ground surface or top of any structure or obstruction within a 2,000 foot horizontal distance of the aircraft.

"Activity license" means any license, permit or other authorization that is required by the United States government or the state for the conduct of a person's business.

"Aeronautical activities" means all activities that involve, make possible, or are required for the operation of aircraft, or which contribute to or are required for the safety of such operation.

"Aircraft" means all contrivances used for flight in air or space, including, but not limited to, airplanes, airships, dirigibles, helicopters and gliders.

"Airport" means the land, developments, and improvements that are owned, leased, or otherwise controlled by the city and operated as the Monroe municipal airport.

"Airport activity club" means any nonprofit Wisconsin corporation, nonprofit limited liability company or nonprofit partnership organized for: a) sky diving; b) parachuting; c) balloon flights; d) operation of ultra-light aircraft; e) operation of model or radio controlled aircraft flights; f) any other purpose related to the airport that is not otherwise addressed in a classification of an airport user under this chapter.

"Airport hazard" means any structure, object of natural growth, use of land, or other activity that obstructs the air space required for the flight of aircraft landing, taking off, or otherwise using the Airport.

"Applicant" means a person that makes application for an operator license, a lease authorizing use of a portion of the airport, or both.

"Apron areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "apron".

"Board" means the airport board of management as established by the city.

"Certified air carrier" means any carrier conducting any aeronautical activity operating under federal aeronautical regulations part 121 or 135.

"Club aircraft" means an aircraft that is owned and operated by a flying club or an airport activity club.

"Commercial activity" means any activity conducted at, on, or from the airport, that is intended to produce revenue payable to the person conducting such activity.

"Commercial aviation areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "commercial aviation areas".

"Commercial carrier" means any nonscheduled fare generating aircraft.

"Commercial hangar area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "commercial hangar area".

"Commercial hangar" means any hangar, other than an industrial hangar, that is used or intended to be used either directly or indirectly for any commercial activity.

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"Concession" means any nonaeronautical revenue producing facility or service for the convenience of the public using the airport.

"Crop dusting" means the spraying of powdered or liquid insecticide or fertilizer on crops from the air.

"Emergency equipment" means ambulances, crash rescue and fire fighting apparatus and such other equipment as is necessary to safeguard airport runways, taxiways, structures, ramps, and other property in emergency situations.

"FAA" means the federal aviation administration of the United States government.

"FCC" means the federal communications commission of the United States government.

"Flying club" means a nonprofit Wisconsin corporation, nonprofit limited liability company or nonprofit partnership of five or more individuals, organized for the purpose of making aircraft available to its stockholders, members or partners.

"Gross income" means the monthly gross income of the relevant person derived from the use of airport facilities, calculated by generally accepted accounting methods.

"Hangar" means any structure designed or used for aeronautical purposes, or in which space is provided for aircraft storage or service.

"Hangar approach apron" means the developed area between a taxiway and any hangar over which aircraft may be moved.

"Height zones" means those areas represented on zoning map A - Monroe municipal airport.

"Industrial aircraft" means an aircraft that is owned by a business entity, and operated for free transportation of owners and other individuals or property.

"Industrial hangar areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "industrial hangar areas".

"Industrial hangar" means any hangar owned by a person that is used exclusively for storage or maintenance of industrial aircraft.

"Lease" means a contract for the letting of land or tenement for a specified period of time. For an operator engaged in a short term commercial activity the term of a license issued to such operator authorizing use of airport property for a specified period of time shall be considered a lease of such property for the period of time set forth in the license.

"Leasehold improvements" means any modification, alteration or repair, either structural or nonstructural in nature, performed by or at the direction of a tenant.

"Manager" means the individual empowered by the board to administer, oversee, and control the construction, operation, and maintenance of the airport.

"Municipal hangar" means any hangar owned, leased or otherwise controlled by the city.

"Municipal terminal area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "municipal terminal area".

"Nonconforming use" means a structure, tree, or use of land that does not conform with the use regulations covering the area in which it is situated as of the effective date of this chapter.

"NFPA" means national fire protection association.

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"NOTAM" means a notice containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

"NTSB" means the national transportation safety board of the United States government.

"Operating privileges" means the privilege or right to use the airport or airport facilities for private, commercial, or any other purpose.

"Operator" means any person that has received an operator license.

"Operator license" means written authority, granted by the city, allowing a person to conduct commercial activity on or from the airport.

"Parking space" means a space designated for the parking of a single vehicle by lines painted or otherwise durably marked.

"Private aircraft" means an aircraft owned by an individual and operated for noncommercial purposes by such owner.

"Private aircraft" includes an aircraft used in the owner's business, so long as such use is incidental to the business, and no income is directly attributable to the use of the aircraft.

"Private hangar area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "private hangar areas".

"Private hangar" means any hangar other than a municipal hangar, industrial hangar, or commercial hangar.

"Public area" means any area of the airport open to the public, including the terminal, vehicle parking, and park areas, as designated on zoning map B - Monroe municipal airport.

"Public thoroughfare" means all public areas designed and used for the passage of pedestrians or vehicles.

"Radio hazard" means any use of land or other activity that creates electrical interference with radio communication between the airport and aircraft.

"Ramp" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "ramp".

"Rotorcraft" means all aircraft supported in flight partially or wholly by rotating airfoils.

"Runway" means any sod or hard-surfaced area designated for the taking off and landing of aircraft.

"Shop" means any structure capable of housing one or more aircraft while same are being repaired.

"Short term commercial activity" means a commercial activity that is operated for not more than 30 consecutive days or more than a cumulative total of 60 days in any calendar year.

"Standard construction specifications" means a) FAA "Standards for specifying construction of airports" and b) all other federal, state and city building codes and other rules or regulations controlling construction on public airports.

"State" means the state of Wisconsin and all subdivisions thereof, including, but not limited to, the state department of transportation, bureau of aeronautics.

"Structure" means any object constructed or installed by any person.

"Supervisor" means the operator responsible for the daily operation and management of the airport, under the

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supervision of the manager with duties as specified in a contract between the operator and the city.

"T-hangar" means a T-shaped area within a hangar capable of housing one airplane, whether such area is demarcated by walls or other means.

"Taxiway" means the sod and paved areas designated solely for the taxiing of aircraft, represented by the area on zoning map B - Monroe municipal airport labeled "taxiway".

"Tenant" means any person that has entered into a written lease with the city for use of facilities at the airport.

"Tie down area" means that area designed for the parking, tying down, and storage of aircraft, and represented by the area on Zoning map B - Monroe municipal airport labeled "tie downs".

"Transient aircraft" means an aircraft not using the airport as a base of operations.

"Tree" means any object of natural growth that will grow to a height of more than five feet, excluding farm crops that are cut to the ground at least once each year.

"Ultra-light aircraft" means any aircraft used or intended to be used for manned operation for recreation or sport purposes that does not have any United States or foreign airworthiness certificate and that: a) If unpowered, weighs less than 155 pounds; or b) If powered 1) weighs less than 254 pounds empty weight, excluding floats and safety devices that are intended for deployment in potentially catastrophic situations; and 2) has a fuel capacity not exceeding five U.S. gallons; and 3) is not capable of more than 55 knots calibrated airspeed at full power in level flight; and 4) has a power-off stall speed which does not exceed 24 knots calibrated airspeed.

"User" means any person that uses any portion of the airport for any purpose.

"Utility and service area" means those areas of the airport represented by zoning map B - Monroe municipal airport labeled "utility and service area".

"Vehicle" means every device, excluding aircraft, in, upon, or by which any individual or property may be transported, including snowmobiles and any other recreation device.

11-6-5: Airport manager:

(A) The manager shall be appointed by the board annually in January. The manager shall serve a one year term, unless removed by the board for violation of this chapter.

(B) The manager shall act within the scope of authority granted to him or her by the board. In addition to the general management of the airport, the manager shall be responsible for all duties delegated to him or her by the board.

(C) The manager or his or her designee shall have the authority to issue a NOTAM closing the entire airport or any part thereof, if, in the manager's opinion, conditions of the airport or any part thereof are unsafe for landing or take-off. The manager shall notify the FAA flight service station of the NOTAM in writing immediately following its issuance. When the manager determines that the airport is again safe, he or she shall provide written notice of that determination to the FAA flight service station and the control tower in writing.

(D) The manager shall have the authority to authorize uses of the airport within the authority granted to him or her, so long as such uses do not interfere with the safe and efficient operation of the airport.

(E) The manager shall be responsible for the safekeeping of all lost items given to him or her for 60 days. If such items are not claimed within 60 days after the manager obtains custody of such item, the manager may dispose of such item as he or she sees fit, without liability to any person. The manager shall be under no duty to determine the owner or other person entitled to possession of such item.

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(F) The manager shall attend all meetings of the board, unless excused by the chairperson of the board.

11-6-6: Commercial activities:

(A) License required. No person shall conduct any commercial activity before obtaining an operator license from the city that authorizes such activity. The city may require that a lease be signed by an applicant before issuing an operator license to such applicant.

(B) Other approvals. Every person conducting a commercial activity shall maintain in good standing all necessary state and federal certificates and activity licenses required for the conduct of such commercial activity during the term of any lease or operator license issued under this chapter and shall maintain at all times insurance coverage for such commercial activity conforming to the minimum requirements established from time to time by the board.

(C) Term of license. An operator license issued under this chapter shall be for a term ending on the next June 30 following the date of issuance.

11-6-7: Operator licenses; classification and description:

(A) There shall be 11 categories of operator licenses:

(1) Operator license category I; line services:

A) The operator shall be authorized to sell and dispense aviation fuels, lubricants, or other aviation petroleum products. The operator shall provide all necessary ramp assistance in the parking of aircraft as is necessary to provide such services.

B) The operator shall operate under contract with the city. The terms of this contract and services to be performed shall be negotiated annually.

C) The operator shall have available such emergency aircraft starting equipment, fire extinguishers, aircraft engine heaters, portable pressure tanks, towing equipment, and other service equipment as is necessary for the proper conduct of the operator's duties. The board shall provide an itemized list of such required equipment to any applicant for a category I operator license.

D) The operator shall make available all generally used aviation fuel and shall provide parking and tie down services for aircraft. The operator may provide services for washing aircraft, inflation of tires, changing of aircraft engine oil, and other minor repairs not requiring a certified mechanics rating.

E) The operator may be required to operate the unicom, and to make available pilots' aeronautical maps, weather information, current issues of the "Airman's guide and flight information manual".

(2) Operator license category II; flight instruction:

A) The operator shall be authorized to provide flight training, including, but not limited to, flight review, biannual flight check, advanced rating and ground school instruction, necessary to prepare an individual to take all examinations required to obtain a pilot's license or rating.

B) The operator shall have available at least one FAA certified flight instructor to cover the type of training offered. Such instructor shall be an employee of the operator, or shall have a category II operator license from the city.

C) The operator shall comply with relevant sections of FAA part 141 regulations.

(3) Operator license category III; aircraft charter and air taxi:

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A) The operator shall be authorized to provide air transportation of individuals or property to the general public for hire, including charter and commercial operations as defined in the federal aviation act and FAA part 135 regulations as amended or replaced.

B) The operator shall have available at least one pilot rated by the FAA to permit the flight activity offered by the operator. Such pilot shall be an employee of the operator or shall have a category III operator license from the city.

(4) Operator license category IV; aircraft sales:

A) The operator shall be authorized to sell new or used aircraft through franchises, licensed dealerships, or distributorships.

B) The operator shall provide adequate arrangements for repair and servicing of aircraft during any sales guarantee or warranty period. The operator shall not conduct any repair or servicing of aircraft beyond the sales guarantee or warranty period.

C) The operator shall have available at least one individual having a current private pilot certificate and hour requirements as specified by the FAA for the type and category of aircraft to be demonstrated for sale. Such pilot shall be an employee of the operator or shall have a category IV operator license from the city.

D) An applicant must file proof that it holds a valid sales or distributorship franchise with the city clerk before being granted a category IV operator license.

(5) Operator license category V; aircraft rental:

A) The operator shall be authorized to rent aircraft for operation by student pilots or other pilots not employed by the operator.

B) The operator shall have properly certificated airworthy aircraft available for rental. The operator shall either own such aircraft, or shall rent such aircraft under a written lease. The operator shall provide all documentation regarding the ownership or lease of the aircraft to the city upon demand.

C) The operator shall have on hand, at all times, proper checklists and operating manuals for every aircraft available for rental.

D) Before entering into an agreement to rent or lease an aircraft to any person, the operator shall deliver to such person written notice which contains all of the following information:

1) Whether the operator maintains insurance coverage for liability arising from the use or maintenance of the aircraft.

2) If liability coverage is provided, the limits of such coverage, the amount of any deductible and a statement that the lessee may obtain from the lessor or the lessor's insurance agent a copy of a certificate of coverage that provides further information about any limitations of coverage or other terms of coverage.

E) The operator shall have available at least one FAA certified flight instructor having a current commercial pilot license. This flight instructor shall either be an employee of the operator or shall have a category II operator license from the city.

(6) Operator license category VI; Aircraft airframe and power plant repair and maintenance:

A) The operator shall be authorized to maintain and repair aircraft, power plants, and accessories, and may sell aircraft parts and accessories.

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B) The operator shall have available at least one individual who is certified by the FAA with ratings appropriate for the work being performed, who shall hold either an airframe or a power plant rating, or both. This individual shall be an employee of the operator or shall hold a category VI operator license from the city.

C) The operator shall have available the equipment, supplies and parts, sufficient to perform all maintenance and repairs upon airframes or air power plants under manufacturer's recommendations of the aircraft being serviced. If such equipment, supplies and parts are not immediately available, the operator shall have a source of supply from which the same can be obtained upon a reasonable notice.

D) The operator shall file with the city clerk all FAA certifications required to operate its business under this operator license category.

(7) Operator license category VII; Aircraft painting or repair of interiors:

A) The operator shall be authorized to paint aircraft and repair, rehabilitate, and renovate aircraft interiors.

B) The operator shall provide the building necessary for painting operations, if the operator provides that service. Such building shall include a segregated painting area meeting all applicable federal, state and local code requirements.

C) The operator shall have at least one individual available during normal hours of operation who is qualified to do repairs for which the operator is licensed. Such individual shall be an employee of the operator or shall hold a category VII operator license from the city.

(8) Operator license category VIII; FAA authorized repair station for avionic sales and services:

A) The operator shall be authorized to engage in the operation of an FAA authorized repair station to repair aircraft radios, instruments and accessories for general aviation aircraft, and to sell new or used aircraft radios, instruments and accessories.

B) The operator shall have available at least one individual who is a FCC rated repair technician. Such individual shall either be an employee of the operator or shall hold a category VIII operator license from the city.

C) The operator shall file its FAA license and its FCC rating with the city clerk.

(9) Operator license category IX; Aircraft parking and storage: The operator shall be authorized to engage in the temporary or permanent parking or storage of aircraft.

(10) Operator license category X; Specialized commercial flying services:

A) The operator may provide air transportation for only those activities that are expressly authorized by the operator license issued to such operator.

B) The operator shall lease from the city an area of sufficient size from which to safely conduct business.

C) Each operator engaged in the business of crop dusting or other commercial use of chemicals shall:

1) Except as otherwise authorized by the manager, provide a centrally drained, paved area of not less than 2,500 square feet for aircraft loading, washing and servicing.

2) Abide by all state and federal regulations relating to safe storage and containment of noxious and hazardous waste and stored chemicals. Where no such regulations exist, the operator shall follow all reasonable procedures for handling such materials as are required by the manager.

3) Provide the city with copies of all applicable permits and approvals required by the Wisconsin

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department of agriculture, trade and consumer protection and any other applicable regulatory agency.

4) Place facilities related to such operations in a location on the airport which will provide the greatest safeguard to the public, as directed by the manager.

5) Provide tank trucks or similar facilities for the handling of liquid spray and mixing liquids.

6) Provide adequate ground equipment for the safe handling and safe loading of dusting materials.

D) The operator shall have at least one individual on duty during appropriate business hours who holds a current FAA commercial certificate properly rated for the aircraft to be used and the type of operation to be performed.

(B) No operator license shall be transferred without the prior approval of the board. The board may require a complete application from the intended transferee before considering any transfer.

(C) Nothing in this chapter shall be interpreted to give any operator or applicant a right to an exclusive license or right of operation.

11-6-8: Operator license application:

(A) Application requirements: An applicant shall make a written application on forms prescribed by the city. The application shall contain the following information:

(1) Applicant's legal name, business address and business telephone number.

(2) If applicant is other than a natural person, the following information:

A) The legal basis upon which the applicant exists, including the home state of the applicant and if the home state is other than Wisconsin the basis upon which the applicant is authorized to do business in Wisconsin.

B) The legal name, home and business addresses, telephone number and e-mail addresses [if any] of each officer, director or other person possessing authority to act on behalf of the applicant and the nature of such authority.

(3) The business that the applicant intends to conduct at the airport.

(4) A description of the space or area on the airport needed to conduct the commercial activity and a request to use such space or area.

(5) Applicant's intended use of airport land, buildings, and other facilities.

(6) The legal name, home and business address, telephone number and e-mail address [if any] of each person who will be responsible for the operator's day to day operations at the airport.

(7) Proof of compliance with all applicable state and federal requirements. Such proof shall include, but shall not be limited to, proof that the applicant holds current licenses for the business that applicant intends to conduct or proof that the applicant has the qualifications necessary to obtain and maintain such licenses.

(8) Proof of insurance with coverage limits that comply with the minimum requirements established from time to time by the board.

(B) Documents: As a part of the application, the applicant shall provide:

(1) Copies of the owner's aircraft registration and aircraft lease documents.

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(2) Copies of all activity licenses, permits, and certificates needed for the type of operation to be performed.

(C) Fees: The fee for processing an application for any license required by this chapter shall be set by the board. Such fee shall be tendered at the time the application is submitted.

(D) Action on the application:

(1) No application shall be considered until the complete application is submitted to the board or the board's designee and the required application fee has been paid. An application that meets all the requirements of subsections 11-6-8(A) and (B) of this chapter shall be considered complete.

(2) The board or the board's designee shall review each complete application to determine whether the applicant has adequately demonstrated that the applicant has complied with those items set forth in this chapter. The board or the board's designee may conduct such investigation into the content of the application as considered necessary. If such investigation is conducted by the board's designee he or she shall within 30 days following the filing of the application refer such application to the board for final action or administratively approve or deny such application if authorized to do so by the board. Failure by the designee to approve or deny an application for which approval authorization has been delegated by the board within 30 days following the filing thereof shall be deemed to be a denial thereof as of the 30th day following the filing of such application unless such application has been referred to the board for final action. The board shall consider an application referred to the board for action within 30 days following the referral. Failure of the board to act upon an application within 30 days following the referral shall be deemed to be a denial thereof as of the 30th day following such referral.

(3) The board's designee, or the board if an application is referred to the board for final decision, may condition approval of the application upon the addition of such terms and conditions as may be considered necessary to protect the public, ensure safe operation of the airport, and ensure appropriate development of the business and of the airport.

(4) A final decision on the application shall be made within 60 days following submission of a complete application, including a decision approving or denying any request for the lease of a municipal hangar. If an application is denied, the reasons for such denial shall be given to the applicant in writing and the application fee shall be refunded to the applicant.

(E) The applicant shall be under a continuing duty to report changes in the information on the approved application to the city clerk.

(F) Issuance of license: Each approved license shall be issued by the city clerk within 10 days following approval thereof. No activity for which a license is required shall be undertaken by an applicant until a license authorizing such activity has been issued.

(G) Other approvals: Issuance of a license shall not relieve the applicant from obtaining other licenses and approvals required by the city or other governmental authority having jurisdiction.

11-6-9: Leases:

(A) Application. Any person that wants to lease land or improvements on the airport shall file an application with the board or the board's designee. Such application shall include:

(1) The applicant's legal name, business address and business telephone number.

(2) If the applicant's is other than a natural person, the following information:

A) The legal basis upon which the applicant exists, including the home state of the applicant and if the home state is other than Wisconsin the basis upon which the applicant is authorized to do business in Wisconsin.

B) The legal name, home and business address, telephone number and e-mail address [if any] of each

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officer, director or other person possessing authority to act on behalf of the applicant and the nature of such authority.

(3) The applicant's intended use of airport land, buildings, and other facilities, including the estimated number of takeoffs and landings per year.

(4) An estimate of costs to be incurred by the applicant for development and improvements to the airport to provide the intended service.

(5) A schedule for development and construction of improvements.

(6) The legal name, home and business address, telephone number and e-mail address [if any] of each person who will be involved with the use of the leased premises at the airport.

(7) A current financial statement or other information adequate to demonstrate, to the satisfaction of the board, that the applicant has the financial resources to fulfill the applicant's obligations under the lease.

(8) A statement setting out the involvement of the applicant, or any officer, director or agent of the applicant, with any other person operating at the airport at the time of such application. If the applicant or any officer, director or agent of the applicant, is involved with such other person as an officer, director or agent, the applicant shall also state whether such other person is in conformance with all leases, operator licenses, and other contracts between the city and the such other person.

(9) Copies of the owner's aircraft registration and aircraft lease documents.

(10) Proof of insurance with coverage limits that comply with the minimum requirements established from time to time by the board.

(B) Action on the application:

(1) No application shall be considered until the complete application is submitted to the board or the board's designee. An application that meets all the requirements of subsection 11-6-9(A) of this chapter shall be considered complete.

(2) The board or the board's designee shall review each complete application to determine whether the applicant has adequately demonstrated that the applicant has complied with those items set forth in this chapter. The board or the board's designee may conduct such investigation into the content of the application as considered necessary. If such investigation is conducted by the board's designee he or she shall within 30 days following the filing of the application refer such application to the board for final action or administratively approve or deny such application if authorized to do so by the board. Failure by the designee to approve or deny an application for which approval authorization has been delegated by the board within 30 days following the filing thereof shall be deemed to be a denial thereof as of the 30th day following the filing of such application unless such application has been referred to the board for final action. The board shall consider an application referred to the board for action within 30 days following the referral. Failure of the board to act upon an application within 30 days following the referral shall be deemed to be a denial thereof as of the 30th day following such referral.

(3) Approval of the application may be conditioned upon the addition of such terms and conditions as may be considered necessary to protect the public, ensure safe operation of the airport, and ensure appropriate development of the business and of the airport.

(4) A final decision on the application shall be made within 60 days following submission of a complete application. If an application is denied the reasons for such denial shall be given to the applicant in writing.

(5) The applicant shall be under a continuing duty to report changes in the information on the approved application to the city clerk.

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(6) The applicant shall enter into a written lease with the city within 30 days after a final decision approving the application. This time period may be extended for good cause.

(7) If the applicant does not enter into a written lease with the city within the time set forth in this section, the approval shall be considered withdrawn and the application voided. The applicant may then file a new application under this chapter, which application shall be reviewed according to the provisions of this chapter.

(C) Every lease shall contain, at a minimum, the following information and provisions:

(1) The time period covered by the lease;

(2) The amount to be paid for the annual rental of space;

(3) A description of the structures and land to be used by the lessee;

(4) A description of the business to be operated, if any;

(5) A requirement that the lessee obtain and maintain insurance as required by this chapter, with the city named as an additional insured;

(6) A requirement that the lessee maintain the leased premises in good condition and a listing of such maintenance requirements;

(7) A requirement that any modification of the lease shall be made in a writing signed by the lessee and by a representative of the board;

(8) A provision that the lessee shall not sublease the leased premises without prior written authorization from the board;

(9) If the lessee is an operator that is to be open to the public, the lease shall contain a requirement that the lessee have its business open and services available at reasonable hours and provide for qualified personnel to be in attendance during normal operating hours;

(10) If the lessee is an operator whose business involves air transportation, the lease shall contain a requirement that the lessee have available at least one properly certified aircraft equipped for the type of transportation offered;

(D) No lessee shall transfer or assign any lease without prior written authorization of the board. If lessee is an entity, the sale or other transfer of a majority ownership interest in such entity shall be considered to be a transfer. The board's authorization to transfer or assign shall not be unreasonably withheld.

(E) It is in the public interest that the city encourage airport development in those areas where substantial construction costs are incurred by lessees, particularly when such construction is of industrial hangars, commercial hangars or private hangars on airport property. To encourage such construction, the board may approve long-term leases, low-rent leases, leases that provide for re-examination and readjustment of rates and charges at specified times during the lease term, and any other type of lease that furthers this public interest.

(F) Each lessee shall keep its leased property free from all fire hazards.

(G) All lessees shall supply and maintain adequate and readily accessible fire extinguishers approved by underwriters laboratories.

(H) No person shall effect structural or decorative change of any structure without prior written permission of the board.

(I) Lessees shall be fully responsible for all damages to buildings, equipment, real property, and appurtenances in the

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ownership or custody of the airport caused by negligence, abuse or carelessness by the lessee's employees, agents, customers, visitors, suppliers, or persons with whom the lessee does business.

(J) Lease rates. Rates for leasing city owned or controlled property at the airport shall be set from time to time by resolution of the board.

(K) Insurance. Every lessee of city owned or controlled property at the airport shall maintain at all times insurance coverage conforming to the minimum requirements established from time to time by the board.

11-6-10: Airport operation:

(A) Finances:

(1) All revenue derived from the use of the airport shall be collected by the city treasurer. The city treasurer shall maintain records of all such receipts, and shall deposit such revenue into a separate and segregated fund.

(2) The expenditures from such fund shall be made only upon approval of the board or the board's designee.

(3) The revenues shall be used only for maintenance, operation, improvement, acquisition, and general management expenses of the airport.

(B) Zone uses:

(1) Apron areas shall only be used for temporary parking and servicing of aircraft.

(2) Commercial aviation areas shall only be used for the conducting of business activities by operators, and storage of aircraft and materials connected with such commercial activities.

(3) Commercial hangar areas shall only be used for storage of commercial aircraft and storage of motor vehicles when such aircraft is in use.

(4) Industrial hangar areas shall only be used for storage of industrial aircraft and storage of motor vehicles when such aircraft is in use.

(5) The Municipal terminal area shall be maintained by the city for the use of all patrons of the airport.

(6) Private hangar areas shall only be used for the storage of private aircraft and storage of motor vehicles when such aircraft is in use.

(7) Public areas shall be open for the use of the public for any use reasonably related to the use of the airport and not otherwise prohibited by this chapter.

(8) Tie down areas shall only be used for the long term parking, tying down, and storage of aircraft.

(9) The utility and service area shall be reserved for use by persons expressly authorized by the board.

(C) Special activities: No person shall conduct any of the following activities on, from, or over the airport without the prior approval of the board:

(1) Aerobatic flight.

(2) Ground demonstration.

(3) Fly-in.

(4) Balloon flights.

(5) Parachuting.

(6) Flour bombing.

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- (7) Sky diving.
- (8) Operation of ultra-light aircraft.
- (9) Operation of model or radio controlled aircraft flights.
- (10) Meetings, conventions, picnics or other such gatherings involving more than 10 people.
- (11) Any other activity that is outside of the normal operation of the airport and that may affect the safe or efficient operation of the airport.

(D) Cleaning of Aircraft: No person shall use any volatile, flammable liquid having a flash point of less than 130 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose unless such operations are conducted in a room specifically set aside and state approved for that purpose. Such room shall be properly fireproofed and shall be equipped with adequate, readily accessible, state approved fire extinguishing apparatus.

(E) Flammable and combustible materials storage:

(1) Liquids: Flammable and combustible liquids may be stored in a hangar or other structure at the airport only in strict conformity with NFPA standard no. 30 (Flammable and combustible liquids code-2015 edition) and any subsequent editions amendatory and supplemental thereto.

(2) Signal flares: No person shall keep or store any signal flare or other similar material in any hangar or other structure on the airport, unless such material is stored in rooms or cabinets specifically approved for such purpose by underwriter laboratories. This type of material may be kept in aircraft provided it is in approved receptacles installed in the aircraft for storage of such material.

(F) Doping and painting:

(1) No doping of areas larger than two square feet shall be conducted on the airport, except in properly fireproofed and ventilated rooms or buildings in which all illuminations, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion-proof, spark-proof and vapor-proof. In addition, all doors and windows in such room shall open easily. Such room shall meet all federal, state and local building codes.

(2) Painting of more than 10 square feet shall not be permitted on the airport except in licensed repair shops.

(3) No aircraft painting or doping is permitted in any municipal hangar.

(G) Fueling and defueling aircraft:

(1) Fueling operations:

A) No aircraft shall be fueled or defueled while the engine is running.

B) No aircraft shall be fueled or defueled while the engine is being warmed by application of heat from the exterior of the engine.

C) No aircraft shall be fueled or defueled while such aircraft is in a hangar or other enclosed space unless such aircraft is fueled or defueled in connection with repair or maintenance operations by an operator holding a license authorizing such repair or maintenance operations.

D) No individual shall smoke within 100 feet of an aircraft being fueled or defueled.

E) No individual shall operate any radio transmitter or receiver in an aircraft during fueling or defueling.

F) No individual shall switch any electrical appliance off or on in an aircraft during fueling or defueling.

G) No individual shall use any material or equipment during fueling or defueling of aircraft which is likely

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to cause any spark or flame.

H) No person shall start the engine of any aircraft when there is any excess fuel under such aircraft.

I) Fueling hoses and equipment shall be maintained in good, nonleaking condition. All fueling hoses and equipment shall be approved by the national board of fire underwriters.

J) All hoses and equipment used in fueling or defueling operations on the airport shall be equipped with a grounding device approved by the manager.

K) No aircraft shall be fueled or defueled while passengers are on board, unless the aircraft doors are locked open.

L) All persons engaged in the fueling and defueling of aircraft shall exercise due care to prevent the overflow of fuel during such operations.

M) All persons engaged in the fueling or defueling of aircraft shall remove all volatile liquids spilled during such operations.

N) No person shall use any portable container for storage or transport of fuel, except:

- 1) Under circumstances constituting an emergency under any local, state or federal rule or regulation.
- 2) Those uses pertaining to airport maintenance.

(H) Weapons and explosives: Unless expressly authorized by a clearly preemptive state or federal law, no person shall carry or cause to be carried any weapon or explosive on the airport, except as follows:

- (1) Legally encased sporting guns for transshipment.
- (2) Peace officers acting within the scope of their employment.
- (3) Post office employees acting within the scope of their employment.
- (4) Airport employees acting within the scope of their employment.
- (5) Members of the armed forces of the United States on official duty.
- (6) Persons with written authorization of the board or the board's designee to harvest game on the airport.

(I) Flammable liquids:

(1) No person shall carry or cause to be carried on the airport any flammable liquid, except petroleum products, solvents, or other liquids used in the normal fueling, repair, or operation of aircraft.

(2) No person shall carry or cause to be carried in the airport terminal any flammable liquid of any type.

(J) Use of roads and walkways:

(1) No person shall travel on the airport other than on the roads, walks or places provided for the particular class of traffic.

(2) No person shall occupy the roads or walkways in such a manner as to hinder or obstruct their proper use.

(K) Animal restrictions: No animal shall be permitted on the airport, except:

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- (1) Seeing eye dogs, or dogs assisting the handicapped;
- (2) Animals that are to be transported by air, and that are properly confined for such transportation;
- (3) Animals restrained by leash not more than six feet long, or otherwise properly confined.

(L) Use of shop areas: No shop, garage, equipment or facility shall be used by any person other than one to whom the item is leased, or an employee of such person.

(M) Solicitation: No person shall solicit fares, alms, or funds for any purpose on the airport without prior permission of the board.

(N) Open-flame operations: No person shall conduct open-flame operations on the airport without the written permission of the manager.

(O) Smoking: No person shall smoke on the airport apron, in any hangar or shop, service station area, gasoline storage area or in any building, room or within 100 feet of any fueling or defueling operations or where otherwise prohibited by state law.

(P) Trash:

- (1) All waste, rags, and other rubbish shall be kept in metal containers with self-closing covers.
- (2) All waste, rags, and other rubbish shall be removed by each operator and lessee daily.

(3) Each operator and lessee shall be responsible for the proper storage, transporting and disposal of all waste, rags, and other rubbish generated by that person. If any such material escapes from the vehicle transporting it, the person transporting it shall be responsible for cleanup of such material. If the person does not clean up such material to the satisfaction of the manager, the manager shall have the material satisfactorily cleaned up, and shall charge the person with the cost of such clean up.

(4) No person shall permit the accumulation or storage of crates, boxes, barrels or other containers on its premises.

(5) Trash and garbage containers shall only be placed in areas designated by the manager.

(6) Every user shall keep the area for which that user is responsible clean and sanitary at all times.

(7) No fuels, oils, dopes, paints, solvents, or acids shall be disposed of or dumped anywhere on the airport. All such materials shall be disposed of as required under federal, state, and local law.

(Q) Property damage: Any person damaging any light or fixture shall report such damage to the manager's office immediately. Such person shall be fully responsible for any costs required to repair or replace the damaged item.

(R) Floor care: Each user shall keep the floors of the hangars, hangar areas and terminal apron and ramp areas used by them clean and clear of oil, grease and other materials or stains, except as specifically authorized by the board.

(S) Storage of Equipment: No person shall store or stack materials or equipment in such a manner as to constitute a hazard to people or property.

(T) Municipal hangar regulations:

(1) Each person using a municipal hangar shall extinguish all lights and disconnect all electrical appliances before leaving such hangar.

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(2) Each person using a municipal hangar shall close and secure the hangar doors when leaving the hangar for more than one hour.

(3) Each person using a municipal hangar shall report any malfunctioning of hangar doors or equipment to the manager promptly.

(U) Equipment and miscellaneous in apron area:

(1) All ramp equipment shall be parked and kept in a neat and orderly manner.

(2) No receptacles, chests, cases, or housing shall remain on the apron or ramp areas except as approved in writing by the manager.

(V) Miscellaneous provisions:

(1) No person shall engage in a course of conduct that adversely affects the safe or efficient operation of the airport, airport employees, or other airport personnel.

(2) No person shall resist or obstruct an airport employee while such employee is doing any act in an official capacity and with lawful authority. "Obstruct" includes, without limitation, knowingly giving false information to the employee with intent to mislead him or her in the performance of his or her duty.

(3) During time of war or national emergency, the board may grant a right of use of any or all airport facilities to the United States of America for military use. All rights of use of all airport users are subject to such grant. If such right of use is granted, it shall suspend all operating privileges of all other users of the airport, and shall not be considered a taking of property.

(W) No person shall engage in any activity that:

(1) Obstructs the view of persons operating aircraft on the ground at the airport.

(2) Makes it difficult for pilots to distinguish between airport lights and other lights.

(3) Results in glare in the eyes of pilots using the airport.

(4) Impairs visibility in the vicinity of the airport.

(5) Endangers or is hazardous to the landing, taking off or maneuvering of aircraft using the airport.

(6) Creates a radio hazard on or in the immediate vicinity of the airport.

11-6-11: Aircraft operation:

(A) Aircraft registration:

(1) The owners of all aircraft based on the airport shall register their aircraft with the manager's office within seven days after bringing the aircraft on the airport, and before beginning operations.

(2) If there is any change in the ownership of a registered aircraft, the registered owner or owners shall report such change of ownership to the manager within seven days following the transfer of ownership. The new owner or owners shall register the aircraft within 14 days following the transfer of ownership.

(B) Aeronautical activities: All aeronautical activities at the airport and above the airport, shall be conducted in

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conformity with orders issued by the board and the current pertinent provisions of the Wisconsin state aeronautics board.

(C) Accidents and incidents:

(1) Any person involved in any aircraft accident or incident occurring on the airport shall, within 10 business days, make a full written report thereof to the manager. Such report shall be made on a form provided by the manager.

(2) When a written report of an accident or incident is required by FAA regulations, a copy of such report shall be submitted to the manager in lieu of the report required by this section.

(3) All disabled aircraft, parts of such aircraft, and all debris related to such aircraft shall be promptly removed from all areas where the public can see such items and from the landing area.

(4) If any person refuses to move a disabled aircraft as directed by the manager, the manager may have the aircraft towed away at the expense of the aircraft owner or operator. Neither the city, the board, the manager, nor any person towing such aircraft at the direction of the manager shall be liable for any damage that may result in the course of, or at any time following, such towing.

(5) Subsections (C)(1) through (C)(4) of this section shall be subject to NTSB Regulation 830.

(D) Warm-up: No aircraft shall perform warm-up or engine test operations in any area that would result in a hazard to other aircraft, persons or property.

(E) Taxiing rules:

(1) Each individual operating an aircraft shall visually inspect the area surrounding the aircraft before beginning any operation involving the movement of the aircraft.

(2) No person shall taxi an aircraft until he or she has determined that there will be no danger of collision with any individual or object as a result of such taxiing.

(3) No aircraft shall be taxied in a careless or reckless manner.

(4) No aircraft shall be taxied except at a safe and reasonable speed.

(5) All aircraft shall be taxied under prescribed taxiing patterns.

(6) No person shall start or run any engine in any aircraft unless a competent person is in the aircraft attending the engine controls.

(7) Blocks shall be placed in front of the wheels of all aircraft before starting any engine on such aircraft unless such aircraft is provided with adequate brakes.

(8) No person shall run any engine of an aircraft so as to cause damage to other aircraft or property, or in such a manner as to blow paper, dirt, or other materials across taxiways or runways in such manner as to endanger the safety or operations on the airport.

(F) Landing and take-offs:

(1) Each person landing or taking off from the airport shall follow the following procedures:

A) Landing aircraft shall maintain traffic pattern altitude until turning onto base leg before commencing final approach.

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B) Aircraft taking off from the airport shall climb out straight ahead from the end of the runway until at least 400 feet above ground level. However, aircraft making practice take-offs and landings, shall make their first turn at a point at least 1,000 feet beyond end of the runway and at an altitude of not less than 400 feet above ground level, continuing to climb after their first turn until the aircraft reaches an altitude of at least 800 feet above ground level.

C) Each person landing or taking off from the airport shall maintain a left-handed rectangular traffic pattern, unless otherwise directed by the manager.

(2) Take-offs and landings over populated areas shall be kept to a minimum for public safety and convenience.

(3) Pilots possessing a student permit only shall only land or take off at the airport while on a cross-country flight to further their aeronautical knowledge, or while under the supervision of a qualified instructor.

(4) No motorless aircraft, nor any aircraft with a total loaded weight of more than 30,000 pounds, shall land or take off from the airport without the prior authorization of the manager.

(G) Aircraft parking: No person shall park any aircraft on other than the apron areas or tie down areas without the prior written permission of the manager.

(H) Rotorcraft shall not operate within 200 feet of any area where light aircraft is parked or operating, except for refueling operations.

(I) Miscellaneous regulations: No person shall use oil warming devices or electrical heating devices for an aircraft unless such devices are an integral part of the aircraft.

(J) Reckless flying; penalty:

(1) In this subsection, "drug" means:

A) Any substance recognized as a drug in the official U.S. pharmacopoeia and national formulary or official homeopathic pharmacopoeia of the United States or any supplement to either of them;

B) Any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or other conditions in persons or other animals;

C) Any substance other than a device or food intended to affect the structure or any function of the body of persons or other animals; or

D) Any substance intended for use as a component of any article specified in subsections (J)(1)A) to (J)(1)C) of this subsection, but does not include gases or devices or articles intended for use or consumption in or for mechanical, industrial, manufacturing or scientific applications or purposes.

(2) In this subsection, "controlled substance" has the meaning set forth in the controlled substances act under the Wisconsin statutes.

(3) No individual may operate an aircraft in the air or on the ground or water while under the influence of intoxicating liquor or controlled substances or a combination thereof, under the influence of any other drug to a degree which renders him or her incapable of safely operating an aircraft, or under the combined influence of intoxicating liquor and any other drug to a degree which renders him or her incapable of safely operating an aircraft, nor operate an aircraft in the air or on the ground or water in a careless or reckless manner so as to endanger the life or property of another. In determining whether the operation was careless or reckless the court shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics. The court shall make a written report of all convictions, including bail or appearance money forfeitures obtained under this

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subsection to the Wisconsin department of transportation, which shall send the report to the proper federal agency.

(4) Any person violating any provision of this subsection shall upon conviction be subject to a class 5 forfeiture for the first offense and a class 2 forfeiture for the second or subsequent offense.

11-6-12: Flying clubs:

(A) Each member of a flying club must be a bona fide partner, member or shareholder in the club. The ownership of a flying club shall be divided equally among the partners, members or shareholders.

(B) No flying club shall derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance, and replacement of its aircraft.

(C) Club aircraft may only be operated by bona fide club members. Such aircraft shall not be used for hire, charter, air taxi, or other commercial activities.

(D) Flight instruction may be given in club aircraft to club members, so long as such flight instruction is given by an operator holding a Category II operator license. The giving of such instruction shall not be considered commercial use of club aircraft.

(E) Each flying club shall file a complete list of the club's membership with the city clerk. Such list shall be updated upon any change of membership, but no less often than annually. Such list shall set forth each club member's name, address, telephone number, type of ownership interest in the club, and the extent of that ownership interest.

(F) Each flying club shall enter into a lease at the airport.

(G) Each flying club shall provide the city with copies of aircraft registrations for each club aircraft.

(H) Each flying club shall maintain a master flight log describing the use category of each of the club's aircraft and the purpose of each flight made. When a flight is made for flight instruction, the log entry shall also include the student's name, the flight instructor's name, and the flight instructor's operator license number. This log shall be made available to the board upon request.

(I) Each flying club shall maintain insurance with coverage limits that comply with the minimum requirements established from time to time by the board and shall file proof of such insurance with the board or the board's designee.

(J) A flying club may conduct noncommercial ground activities involving club members and their immediate families, in the area leased by it, without prior approval. All other activities of a flying club must be approved by the board before the activity is to take place, and no flying club, nor any member of such a club, shall conduct any such activity at the airport without such prior approval.

(K) The area in which a flying club's activities may be conducted shall be designated by the board. The board may change this area from time to time, in the interests of safe and efficient use of the airport. This area may or may not correspond to the area leased by the club.

11-6-13: Airport activity clubs:

(A) No airport activity club shall derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance, and replacement of its aircraft.

(B) Club aircraft may only be operated by bona fide club members. Such aircraft shall not be used for hire, charter, air taxi, or other commercial activities.

(C) Flight instruction may not be given in club aircraft.

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(D) Each airport activity club shall file a complete list of the club's membership with the city clerk. Such list shall be updated upon any change of membership, but no less often than annually. Such list shall set forth each club member's name, address, telephone number, type of ownership interest in the club, and the extent of that ownership interest.

(E) Each airport activity club shall provide the city with copies of aircraft registrations for each club aircraft.

(F) Each airport activity club shall maintain a master flight log describing the use category of each of the club's aircraft and the purpose of each flight made. This log shall be made available to the board upon request.

(G) An airport activity club may conduct noncommercial ground activities involving club members and their immediate families, in the area leased by it, without prior approval. All other activities of an airport activity club must be approved by the board before the activity is to take place, and no airport activity club, nor any member of such a club, shall conduct any such activity at the airport without such prior approval. The board shall not approve an activity unless the applicant provides proof of insurance with coverage limits that comply with the minimum requirements established from time to time by the board.

(H) The area in which an airport activity club's activities may be conducted shall be designated by the board. The board may change this area from time to time, in the interests of safe and efficient use of the airport.

(I) At least 24 hours before each airport activity club activity, except ground activities, the club shall request the manager to file an appropriate NOTAM. Such request shall include the date, beginning time and the ending time of the activity. Such request shall be made by a bona fide officer of the club.

(J) If any aerial activity of an airport activity club is to occur within federal aeronautical regulations part 77 airspace, the club shall provide, at its own expense, appropriate radios, operating on the airport's unicom frequency and meeting all FCC and FAA requirements. No aerial activities shall be conducted by the club unless such radio is operating and attended. The individual attending such radio shall be properly trained in its use and shall notify all nearby aircraft of the club activities. The individual attending such radio shall not be engaged in any other activity during such attendance.

(K) If any aerial activity of an airport activity club is to take place more than 500 feet above ground level the club shall, at all times during such activities, maintain radio contact with VFR advisories with Rockford approach control. The club shall notify Rockford approach control before beginning each such aerial activity and again upon completion of each such activity. The club shall also notify all local air traffic of such activity, on the local unicom frequency, immediately before and upon completion of such activity.

(L) Each airport activity club shall maintain and make available to the manager a club activity record describing each activity conducted by the club, except ground activities on the area leased by the club. Such activity records shall include, at a minimum, names of participants, type of activities, number and times of functions, name and address of radio operator, and the complete radio operation log.

11-6-14: Civil Air Patrol:

(A) Aircraft owned by Civil Air Patrol, Inc., shall not be classified as club aircraft, commercial aircraft, or industrial aircraft.

(B) Civil Air Patrol aircraft shall be operated under Civil Air Patrol regulations.

11-6-15: Vehicular traffic regulation:

(A) Registration: No individual shall operate any motor vehicle on the airport except on public thoroughfare without first registering the motor vehicle with the manager and obtaining written permission for such operation. Emergency equipment is exempt from this provision.

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(B) Licensing: No individual shall operate motorized ground equipment on the airport without a valid operating license for such equipment issued by such individual's state of residence.

(C) Speed limits:

(1) No individual shall operate a motor vehicle on the airport in a reckless or negligent manner, or more than the applicable speed limits.

(2) No individual shall operate a motor vehicle more than 15 miles per hour on the ramp, apron, aircraft parking and hangar areas.

(D) Right of way:

(1) Pedestrians and aircraft shall have the right of way over vehicular traffic at all times.

(2) All vehicles shall pass to the rear of taxiing aircraft.

(E) Accident Reports: Any individual involved in an accident on the airport shall file a written report with the city police department as soon as possible, but not later than 24 hours from the time of the accident.

(F) Lighting requirements:

(1) All vehicles operating on the airport between sunset and sunrise shall have fully operating headlights and tail lights visible for at least 500 feet.

(2) All fuel trucks and service vehicles shall carry an overhead 360 degree revolving amber beacon.

(3) In addition to those requirements set forth in subsections (F)(1) and (F)(2) of this section, all vehicles operating on the airport shall meet all applicable FAA lighting requirements.

(G) Every individual operating a motor vehicle on the airport shall give proper signals, and shall comply with all posted traffic signs.

(H) No individual under the influence of liquor or narcotic drugs shall operate a motor vehicle on the airport.

(I) No individual shall operate any motor vehicle on the airport if such motor vehicle is overloaded or carrying more passengers than that for which the vehicle was designed.

(J) No individual shall ride on the running board of a vehicle or otherwise ride on the outside of a motor vehicle while such vehicle is in motion. For purposes of this subsection, the bed of a pickup truck shall not be considered the outside of a motor vehicle.

(K) No individual shall stand up in the body of a motor vehicle while that motor vehicle is in motion.

(L) No individual shall operate a motor vehicle while any other individual's arms or legs are protruding from the body of such motor vehicle.

(M) No motor vehicle shall be operated on the airport if it is so constructed, equipped, or loaded as to endanger people or property.

(N) No individual shall operate a motor vehicle on the airport unless such vehicle is equipped with exhausts protected by screens or baffles to prevent the escape of sparks and the propagation of flame on the airport.

(O) Parking:

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(1) No individual shall park a motor vehicle on the airport, other than in areas specifically established for parking and in the manner prescribed by signs, lines, or other means, unless such parking is approved in advance by the manager.

(2) A lessee may park automobiles inside leased space only when the aircraft is in use, or when the lessee is on an extended trip by aircraft.

(3) All employees of firms conducting business at the airport shall park in areas specifically designated for employee parking.

(4) Any motor vehicle parked in violation of this section may be towed or otherwise moved at the direction of the manager and at the owner's or operator's expense.

(P) No person shall abandon any motor vehicle on the airport.

(Q) Ground transportation:

(1) No carrier for hire shall load or unload passengers at the airport at any place other than that designated by the manager.

(2) No carrier for hire shall operate on the airport without prior approval of the board.

(3) Emergency vehicles are exempt from the provisions of this section.

11-6-16: Pedestrians:

(A) No pedestrian is allowed on the airport except in the terminal, on public thoroughfares, or on the apron or aircraft tie-down areas while embarking or disembarking from an aircraft, without first registering with the manager and obtaining written permission for his or her presence elsewhere on the airport.

(B) The manager may give permission for pedestrian traffic into prohibited areas. The authority hereby granted may be delegated to the supervisor by the manager.

(C) Right of way:

(1) Pedestrians shall have the right of way over vehicular traffic at all times.

(2) Aircraft shall have the right of way over pedestrians at all times.

(3) All pedestrians shall pass to the rear of taxiing aircraft.

11-6-17: Building regulations:

(A) Before commencement of any construction, alteration, repair or removal of any structure on the airport, the plans for such work shall be presented to the board for its approval. The board shall review such plans to determine if the proposed work conforms with zoning map A - Monroe municipal airport and zoning map B - Monroe municipal airport. The board shall also determine whether the proposed work will be consistent with then-existing structures and the plans for future development of the airport. If the proposed work conforms, and is consistent, the board shall approve the plans for submittal to the building department for its approval. No work shall be allowed unless the plans have been approved by the board and the building department.

(B) No structure shall be constructed, altered, repaired or removed, unless the owner or lessee of such structure has obtained a license approved by the board for such work. Such license shall be posted along with the building permit authorizing such work.

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(C) No tree may be planted without a permit from the board. The building inspector may order any tree planted without a permit to be removed at the expense of the person that planted such tree.

(D) The board shall not authorize the construction, alteration, or repair of any structure that would become a greater hazard to air navigation than it is when the application for license is made.

(E) As a precondition to the issuance of any license under this section, the applicant for such license shall be required to grant the city permission to install, operate and maintain such markers and lights on such structure as are considered necessary to show the presence of an airport hazard. Installation, operation, and maintenance of such markers and lights shall be at the sole expense of the city.

(F) All hangars shall be of metal or masonry construction, or of a pole-type construction with an exterior metal covering.

(G) All construction, alteration, and repair of structures on the airport shall be in compliance with standard construction specifications.

(H) Nothing in this chapter shall be construed to require the removal, lowering or other change or alteration of any nonconforming use. However, any alteration or modification of a nonconforming use commenced after the effective date of this chapter shall be in conformity with this chapter.

(I) The building inspector of the city shall be responsible for enforcing the building regulations set forth in this chapter. The regulations in this chapter are intended to supplement the city building code. To the extent that the provisions of this chapter are inconsistent with the city building code, the provisions of this chapter shall be controlling.

11-6-18: Schedule of charges:

(A) The board shall set, and periodically review, a schedule of fees for certified air carriers. Such fees shall include, but shall not be limited to, landing fees, and floor rental charges. Landing fees shall be based on aircraft weight and frequency of landings. All fees set pursuant to this subsection shall apply equally to all certified air carriers, whether scheduled or nonscheduled.

(B) The board shall set, and periodically review, a schedule of fees for the rental of municipal hangars, public parking areas, and other airport facilities.

(C) The board may require that payment of charges made under this chapter be paid before granting an aircraft clearance to depart from the airport.

11-6-19: Appeals and review:

(A) Appeal and review of any decision of the board under this chapter shall be conducted under chapter 5 of Title 2 of this code.

(B) The board of appeals may, after investigation and public hearing, grant such variances from the provisions of this chapter if it finds:

(1) The granting of the variance will be in the public interest; and

(2) Special conditions exist, and under such special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship to the person requesting the variance; and

(3) The granting of the requested variance will do substantial justice and will be in accord with the spirit of this chapter; and

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(4) The granting of the variance will not create a hazard to the safe, normal operation of the airport.

11-6-20: Penalties:

(A) Except as otherwise noted in this chapter, each violation of this chapter shall be punishable by a Class 1 forfeiture.

(B) Each day or partial day of violation of the provisions of this chapter shall be considered a separate violation.

(C) The board may revoke or suspend any license granted under this chapter for violation of any provision a this chapter, under the procedures set out in chapter 5 of Title 3 of this code for suspension or revocation of licenses.

(D) The board may suspend or revoke the operating privileges of any person for violation of this chapter, or for violation of any other provision of this code, under the procedures set out in chapter 5 of title 3 of this code for suspension or revocation of licenses. A person that has had its operating privileges suspended or revoked shall not be entitled to conduct any commercial or noncommercial activities from or on the airport during the period of such revocation or suspension.

(E) The manager or his or her designee shall be authorized to remove from the airport any individual who violates any provision of this chapter relating to the safe operation of the airport. Such removal may be in addition to, or preceding, any suspension or revocation of a license or operating privileges. The manager shall not be liable to any person for his or her lawful actions under this subsection.

11-6-21: Precedence: This chapter shall not apply to scheduled certificated or scheduled commuter airline operating under FAA part 121 or 135 regulations. However, any scheduled certificated or commuter airline desiring to operate at the airport shall be required to enter into a lease and operating rights agreement with the city, which agreement shall provide for payment of fees, leasing of space and establishment of operating rules and regulations relative to such airlines' operations at the airport.

11-6-22: Severability: The provisions of this chapter are declared to be severable. If any provision of this chapter is declared invalid by a decision of a court of competent jurisdiction, any other provision not specifically invalidated by such decision shall remain valid and in effect.

SECTION 2: This ordinance shall be in full force the day following its passage and official publication.

Dated this _____ day of _____, 2016.

Passed this _____ day of _____, 2016.

Published this _____ day of _____, 2016.

Mayor

City Clerk

Public Hearing Date: _____/_____/_____

**ORDINANCE REPEALING AND RECREATING TITLE 7 OF THE MONROE CITY CODE:
FIRE REGULATIONS**

THE COMMON COUNCIL of the city of Monroe do ordain as follows:

SECTION 1: Title 7 of the Monroe City Code is hereby repealed and recreated to read as follows:

TITLE 7: FIRE REGULATIONS

Chapter 1: FIRE DEPARTMENT

7-1-1: Enabling code:

(A) Fire department established: A department is hereby established to be known as the city of Monroe fire department. This department shall be responsible for the fire protection for the citizens and property within the city of Monroe.

(B) Goals of the fire department:

1. The first and foremost objective of the fire department is to serve, without prejudice or favoritism, all of the community's citizens by safeguarding collectively and individually, their lives against the death dealing and injurious effects of fires and explosions.

2. The second most important objective of the fire department is the safeguarding of the general economy and welfare of the community by preventing major conflagrations and the destruction by fire of large payroll, economically essential industries and businesses.

3. The third objective of the fire department is to serve all of the community's citizens and property owners by protecting their individual material wealth and economic well being against the destructive effects of fire and explosions. In meeting this objective, all property deserves to have an equivalent degree of protection, commensurate with the actual property hazard involved and not with geographical location or monetary value.

4. The fourth objective of the fire department is to provide a hazard and disaster mitigation service to the city with fire department manpower and equipment resources. Serious or imminent conditions posing a threat to life and property posed by storm, fire or other serious peril shall require fire department services to cause rapid mitigation of the hazard and facilitate recovery in conjunction with other emergency services.

5. The fifth objective of the fire department shall be to perform services and emergency response as placed upon the Monroe fire department or fire departments as a matter of law or order of a court of law having jurisdiction.

(C) Council responsibilities: The council has three primary responsibilities relating to the fire department: the first is to encourage activities which will reduce the incidence of fires and resulting loss of life and property; the second and third are the provision of the necessary funds and the establishment of the scope and level of service provided by the fire department.

7-1-2: Selection, removal and disciplinary actions:

(A) The fire department shall consist of:

1. One fire chief to be known as the chief of the fire department,

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2. One deputy or assistant fire chief, and

3. Such other officers and firefighters as from time to time are approved by the city's board of police and fire commissioners.

(B) A fire chief shall be appointed by the city board of police and fire commissioners. The fire chief shall be appointed for an indefinite term and shall be removed only for cause according to rules and regulations adopted by the board of police and fire commissioners.

(C) The fire chief shall be selected based upon the individual's demonstrated qualifications in fire prevention, control and management.

7-1-3: Subordinates; reemployment and disciplinary actions: Subsections (4) and (5) of section 62.13 of the Wisconsin statutes are hereby adopted by reference.

7-1-4: Compensation: The firefighters of the fire department shall receive such compensation as may be established from time to time by resolution passed by the council.

7-1-5: Authority of fire chief; powers and administration:

(A) The fire chief shall be responsible for the overall administration of the fire department.

(B) The fire chief shall be administratively responsible to the city administrator. The fire chief shall carry out proper planning, coordination and control within the fire department as well as with other departments of the city.

(C) The fire chief shall be responsible for the development of an organizational structure and related policies and procedures to carry out the goals of the department.

(D) The fire chief shall be responsible for the appointment, assignment and promotion of individuals to positions within the department under personnel policies of the city and section 62.13 of the Wisconsin statutes.

(E) The fire chief shall be responsible to develop a policy to provide and to operate with the highest possible levels of safety and health for department personnel. The prevention and reduction of accidents, injuries, and occupational illness are goals of the fire department and shall be primary consideration at all times. This concern for safety and health applies to all department personnel and to any other persons who may be involved in fire department activities.

(F) The fire chief shall be responsible for the development and administration of the annual fire department budget.

(G) The fire chief shall be responsible for identifying, negotiating, and drafting mutual aid agreements with agencies of other communities to measurably raise the degree of emergency preparedness to each community. Such agreements shall be submitted to the council for review and consideration for approval. Mutual aid agreements in effect at the time of adoption of this chapter are not affected by this chapter.

(H) The fire chief shall be responsible for maintaining liaison with other city departments on matters of importance to the goals of the fire department.

(I) The fire chief shall have command of all members of the department while they are on duty.

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(J) The fire chief shall have the custody of all apparatus and equipment of the department, and it shall be the chief's duty to see that the apparatus and equipment receive proper care and are at all times maintained in a serviceable condition and ready for instant use.

(K) The chief shall perform all duties imposed upon the chief by the Wisconsin statutes and this code.

(L) At the end of each calendar year, the chief shall submit to the council a report on the operations of the fire department during the year, and his or her recommendations for maintenance, improvement and such other matters as relate to the effective operation of the department in the public interest.

(M) The fire chief shall be required to attend public safety committee meetings and any other special meetings upon request.

7-1-6: Control of fire alarm system:

(A) The city fire frequency transmitter, radios and home fire alert units shall be under the control and management of the fire chief. He or she shall be responsible for the constant good repair and working of the same.

(B) The chief of the fire department shall have custody and control of all alert units and shall keep a record of all such units and shall take receipt for the same.

(C) The electric fire and civil defense alarm sirens shall be under the control and supervision of the city fire department who shall have entire care and management of the same. They shall be responsible for the constant good repair and working of the same.

7-1-7: Fire inspection:

(A) Fire inspectors: The chief of the fire department shall designate one or more fire inspectors who may or may not be firefighters of the Monroe fire department to exercise the powers and perform the duties prescribed by this chapter.

(B) Approval of appointment: All such appointments shall be approved by the board of police and fire commissioners and fire inspector so appointed shall hold office unless removed for cause.

(C) Compensation: Compensation of fire inspector or inspectors shall be fixed by resolution of the council.

(D) Inspection schedule. The fire chief may establish the schedule of fire inspections. The fire chief shall base the frequency of the inspections on hazard classification, the proportion of public area, the record of fire code violations, the ratio of occupancy to size and any other factor the chief considers significant. Property other than residential property with 4 dwelling units or less shall be inspected at least once annually or more often if required by state law.

(E) Powers and duties:

1. The fire inspectors are hereby given power and authority to enter any building in the city at any reasonable hour in the performance of their duties under this chapter.

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2. Fire inspectors shall inspect all business buildings in the city to determine the general character of the premises with respect to the disposition of debris, rubbish, wastepaper, rags, oils, waste, explosives and all kinds of inflammable material and the means of access from one part of the building to another, and they may inspect any building in the city to determine if any danger from fire exists by reason of defective chimneys, flues, stoves, ovens, furnaces, boilers, electric wiring, ash houses and receptacles or by reason of any cause.

3. All parts of business buildings shall be cleaned daily and kept free from all inflammable waste material except that combustible material not in actual use may be neatly arranged in a manner to provide passageways and aisles for the convenient movement of the fire department force.

4. All doors and openings, external and internal, in all business buildings shall be kept free from goods, and means of access and free movement shall be provided for the convenient work of the fire department.

5. There shall be no waste rubbish, waste excelsior, waste shavings, wastepaper or other like inflammable materials left in any part of the business buildings over one day except that such materials may be stored within a fireproof room provided with standard fireproof doors and all material of such character shall be destroyed, removed or placed within such fireproof room at the close of each day.

6. The term "business buildings" as used in this section includes hotels, lodging houses, stores, office buildings, warehouses, mills, breweries, factories and public buildings.

7. If the fire inspectors, on such inspection, discover that any provisions of this chapter are being violated, the fire chief is hereby required to give notice thereof in writing to the owners or occupants of such building, requiring them to comply with the provisions of this chapter within 48 hours.

8. If the fire inspectors, on such inspection, discover any danger from fire by reason of any defective condition set forth in subsection (D)2. of this section or from any other cause, the fire inspectors shall give notice in writing to the owner or occupants of any such building of such defects requiring them to make reasonable changes and repairs within 48 hours, and to render the premises as safe as possible from fire.

9. A person who fails to comply with the requirements of any notice this section shall upon conviction be subject to a Class 3 forfeiture. A separate offense exists each calendar day during which any noncompliance occurs or continues.

7-1-8: General authority; combat fires and related emergencies:

(A) The fire official conducting operations to extinguish and control of any fire, explosion or other emergency shall have full power and authority to direct all operations of fire extinguishment or control and to take the necessary precautions to save life, protect property and prevent further injury or damage. In the pursuit of such operations, including the investigation of the cause of such emergency, the fire official may control or prohibit the approach to the scene of such emergency by any vehicle, vessel, aircraft or thing and all persons.

(B) No person shall obstruct the operations of the fire department while working to extinguish any fire, or while responding to other emergencies, or disobey any lawful command of the fire official in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

(C) The fire official in charge of an emergency scene shall have the authority to establish fire line barriers to control access in the vicinity of such emergency, and to place or cause to be placed, ropes, guards, barricades or other obstructions across any street or alley to delineate such fire line barrier. No person, except as authorized by the fire official in charge of the emergency, may cross such fire line barriers.

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(D) No person except a person authorized by the fire official in charge of any emergency scene or a public officer acting within the scope of public duty shall remove, unlock, destroy or tamper with or otherwise molest in any manner any locked gate, door barricade, chain, enclosure, sign, tag or seal which has been lawfully installed by the fire department or by its order or under its control.

(E) A person who violates any provision of this section shall be subject to a Class 2 forfeiture.

7-1-9: False alarms:

(A) No person shall knowingly give or cause to be given any false alarm of fire.

(B) A person who violates any provision of this section shall be subject to a Class 2 forfeiture.

Chapter 2: FIRE PREVENTION; LIMITS AND REGULATIONS

7-2-1: Wisconsin administrative code adopted:

(A) The following chapters of the Wisconsin administrative code are hereby adopted by reference, including amendments, additions and re-codifications thereto:

- SPS 305: Licenses, certification and registration
- SPS 307: Explosives and fireworks
- SPS 310: Flammable, combustible and hazardous liquids
- SPS 314: Fire prevention
- SPS 316: Electrical
- SPS 318: Elevators, escalators and lift devices
- SPS 328: Smoke detectors and carbon monoxide detectors
- SPS 340: Gas systems
- SPS 345: Mechanical refrigeration
- SPS 361-366: Commercial Building Code
- SPS 375-379: Buildings Constructed Prior to 1914

(B) Any act required to be performed or prohibited by any section of the Wisconsin administrative code adopted by reference is required or prohibited by this chapter.

7-2-2: Depositories of ashes: All depositories of ashes within the city limits shall be built of brick, stone or other fireproof material.

7-2-3: Dry grass, weeds, bushes or foliage: The fire chief may order, by written notice, that the owner or occupant of any lot or parcel of land within the city remove therefrom any uncut grass, weeds, bushes or foliage if, in his or her opinion, such grass, weeds, bushes or foliage create a fire hazard. If the uncut grass, weeds, bushes or foliage are not removed within 24 hours after the delivery of such notice, the fire chief shall cause such grass, weeds, bushes or foliage to be removed and the expenses of such removal shall be charged to the owner of the lot or parcel of land from which the grass, weeds, bushes or foliage were removed.

Chapter 3: VOLATILE, TOXIC, GASEOUS, FLAMMABLE MATERIAL, OR OTHER HAZARDOUS SUBSTANCES

7-3-1: Parking of volatile, toxic, gaseous, flammable material, or other hazardous substances transport vehicles: No person shall park or leave standing within 50 feet of any residence between the hours of 8:00 PM and 6:00 AM any vehicle with the capacity to transport volatile, toxic, gaseous, flammable material or other hazardous substances, excluding vehicles' own fuel tank which is required for its operation.

7-3-2: Penalty: A person who violates any provision of this section shall be subject to a class 4 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues.

Chapter 4: RAPID ENTRY KEY LOCK BOX SYSTEM

7-4-1: Rapid entry key lock box system:

(A) Definition: When used in this Chapter “Rapid entry key lock box” means a high security key vault master keyed to the key configuration provided by the Monroe fire department.

(B) Required installation of rapid entry key lock boxes. The following structures shall be equipped with a rapid entry key lock box at a highly visible location approved by the fire chief or his or her designee at or near the main entry to the structure:

1. All buildings within the city having an automatic alarm system or equipped with an automatic fire suppression system, except one, two or three family residential structures.

2. All multiple family residential structures containing four or more living units, whether rental units or condominiums.

3. All buildings or structures having floors at or above 50 feet above ground level.

4. All commercial and industrial buildings identified by fire officials as difficult to access during an emergency.

(C) Permitted installation of rapid entry key lock boxes. Any structure may be equipped with a rapid entry key lock box. If so equipped the rapid entry key lock box shall be placed at a highly visible location approved by the fire chief or his or her designee at or near the main entry to the structure.

(D) Rapid entry key lock box contents.

1. Required keys. The owner of a structure required to have a rapid entry key lock box shall at all times keep a key or keys in the rapid entry key lock box for access to all of the following:

a. Common lobbies or vestibules.

b. Common hallways.

c. Rooms or spaces housing mechanical equipment serving the structure.

d. Alarm panels for any fire or entry alarm systems.

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2. Permitted keys. The owner of a structure required to have a rapid entry key lock box may keep a key or keys in the rapid entry key lock box for access to individual spaces within the structure.

3. Marking and placement of keys. Keys placed in a rapid entry key lock box shall be clearly marked and their placement in the in a rapid entry key lock box shall be organized in a manner approved by the fire chief or his or her designee.

(E) New construction. All new construction subject to the requirements of this chapter shall have a rapid entry key lock box installed before the issuance of a certificate of occupancy.

(F) Existing structures. All structures in existence on the effective date of this chapter to which the regulations of this chapter apply shall have six months from the effective date of this chapter to have a rapid entry key lock box installed and operational.

7-4-2: Penalty: Any person who violates any provision of this chapter shall upon conviction be subject to a Class 5 forfeiture.

Chapter 5: OUTDOOR BURNING, OPEN BURNING AND BURNING OF REFUSE

7-5-1: Purpose: This chapter is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the city due to the air pollution and fire hazards associated with open burning, outdoor burning and refuse burning.

7-5-2: Applicability: This chapter does not apply to the following:

(A) Outdoor grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances upon any lot on which the principal structure is a one or two family dwelling.

(B) Burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse.

(C) The use of propane, acetylene, natural gas, gasoline or kerosene in a device that is intended for heating, construction or maintenance activities.

7-5-3: Severability: Should any portion of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected.

7-5-4: Definitions: In this chapter:

“Campfire” means a small outdoor fire intended for recreation or cooking, not including a fire intended for disposal of Refuse.

“Chimney” means a flue that carries off exhaust from an outdoor wood fired furnace firebox or burn chamber.

“Clean wood” means natural wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

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“Confidential papers” means printed material containing personal identification or financial information that the owner wishes to destroy.

“DNR” means the Wisconsin Department of Natural Resources.

“EPA OWHH phase 1 program” means an EPA OWHH (outdoor wood-fired hydronic heater program) phase 1 program administered by the United States environmental protection agency.

“EPA OWHH phase 1 program qualified” means an outdoor wood-fired hydronic heater that has been EPA OWHH phase 1 program qualified, the model has met the EPA OWHH phase 1

“Model” means emission level and has the proper qualifying label and hangtag.

“Fire chief” means the chief of the Monroe fire department, or such other person as he or she or she shall designate.

“New outdoor wood fired furnace” means an outdoor wood-fired furnace that is first installed, established or constructed after the effective date of this chapter.

“Open burning” means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.

“Outdoor burning” means open burning or burning in an outdoor wood-fired furnace.

“Outdoor grilling” means use of a natural gas, LP gas, charcoal or hibachi grill or other similar device for cooking where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.

“Outdoor wood-fired furnace” means any equipment, device, application or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An outdoor wood-fired furnace may also be referred to as an outdoor wood boiler or outdoor wood-fired hydronic heater.

“Refuse” means any waste material, except clean wood, including, but not limited to, food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.

7-5-5: General prohibition on open burning, outdoor burning and refuse burning: Except as expressly authorized by this chapter, outdoor burning is prohibited within the city.

7-5-6: Materials that may not be burned except with permit:

(A) The following materials may not be burned in an open fire, incinerator, outdoor wood-fired furnace, burn barrel, furnace, stove or any other indoor or outdoor incineration or heating device without a permit issued by the city authorizing such burning:

1. Refuse, except used oil burned in a heating device for energy recovery, subject to the restrictions in Chapter NR 590, Wisconsin administrative code.

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2. Asphalt and products containing asphalt.

3. Treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

4. Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

5. Rubber including tires and synthetic rubber-like products.

6. Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled under chapter 3 of title 8 of this code.

(B) No permit may be issued under this section unless the person requesting such permit produces written approval thereof by the fire chief, and only such burning as has been authorized in such written approval shall be authorized by such permit.

7-5-7: Open burning of leaves, brush, clean wood and other vegetative debris: Except as expressly allowed in this section, Open Burning of leaves, weeds, brush, stumps, clean wood, trees and other vegetative debris is prohibited.

(A) Except for barbecue, gas and charcoal grills, no open burning shall be undertaken during periods when the fire chief has issued a burning ban applicable to the area.

(B) Campfires and small outdoor bonfires for cooking, ceremonies or recreation are allowed, if the fire is confined by an Underwriters Laboratories, Inc. approved control device. Bonfires are allowed only if approved by, or under guidelines of, the fire chief.

(C) Burning of trees, limbs, stumps, brush or weeds for clearing or maintenance of a right-of-way is allowed if approved by the fire chief and if such burning complies with all other requirements of this chapter.

(D) In emergency situations, such as natural disasters, burning that would otherwise be prohibited is allowed if specifically approved by the fire chief.

(E) Open burning under this section shall be conducted only pursuant to a permit issued under this chapter.

(F) Open burning under this section shall only be conducted at a location that is at least 50 feet from the nearest building which is not on the same property.

(G) Except for campfires and permitted bonfires, open burning shall only be conducted during daylight hours.

(H) Open Burning shall be constantly attended and supervised by a competent person of at least 18 years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

(I) No materials may be burned upon any street, curb, gutter or sidewalk or on the ice of a lake, pond, stream or other body of water.

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(J) Except for outdoor grilling, no burning shall be undertaken within 20 feet from any combustible material, combustible wall or partition, or exterior building wall penetration, including, without limitation, windows, doors and heating and cooling ducts, unless authorized by the fire chief.

(K) Outdoor grilling shall not be undertaken on any balcony, under any overhanging portion of a structure, or within 10 feet of a structure.

(L) No open burning may be conducted on days when the DNR has declared an ozone action day applicable to the city.

7-5-8: Outdoor wood-fired furnaces: An outdoor wood-fired furnace may not be installed and used in the city except as provided by this section:

(A) No person shall construct, install, establish, operate or maintain an outdoor wood-fired furnace in a way other than in compliance with the applicable sections of this chapter.

(B) No person shall operate an outdoor wood-fired furnace unless such operation conforms to the manufacturer's instructions regarding such operation and the requirements of this chapter.

(C) Each new outdoor wood-fired furnace shall be constructed, established, installed, operated and maintained in conformance with the manufacturer's instructions and the requirements of this chapter. In the event of a conflict between the requirements of this chapter and the manufacturer's instructions, the stricter requirement shall apply.

(D) The owner of a new outdoor wood-fired furnace shall produce the manufacturer's owner's manual or installation instructions to the fire chief or his or her designee to review before installation.

(E) Each new outdoor wood-fired furnace shall be laboratory tested and listed to appropriate safety standards such as UL, CAN/CSA, ANSI or other applicable safety standards.

(F) An outdoor wood-fired furnace shall not be located closer than 50 feet from the nearest building which is not on the same property as the outdoor wood-fired furnace.

(G) Each outdoor wood-fired furnace shall have a chimney that extends at least 15 feet above the ground surface. If there are any residences within 100 feet of the outdoor wood-fired furnace, the chimney shall also extend at least as high above the ground surface as the height of the roofs of all such residences. The building inspector may approve a lesser height on a case by case basis if necessary to comply with manufacturer's recommendations and if the smoke from the lower chimney height does not create a nuisance for neighbors.

(H) If an outdoor wood-fired furnace creates a nuisance, then the owner of such outdoor wood-fired furnace shall abate such nuisance by:

1. Relocating the outdoor wood-fired furnace;
2. Extending the Chimney;
3. Both relocating the outdoor wood-fired furnace and extending its chimney; or

4. Ceasing all operations of the outdoor wood-fired furnace until reasonable steps can be taken to ensure that the outdoor wood-fired furnace will not be a nuisance.

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(I) Outdoor wood-fired furnaces shall be constructed, established, installed, operated and maintained as follows:

1. Fuel burned in an outdoor wood-fired furnace shall be only clean wood, wood pellets, corn products, biomass pellets or other fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas or propane backup.

2. Use of the following fuels in an outdoor wood-fired furnace is prohibited:

a. Rubbish or garbage including, but not limited to, food wastes, food packaging and food wraps.

b. Plastic materials including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

c. Rubber, including tires or other synthetic rubber-like products.

d. Newspaper, cardboard, or any paper with ink or dye products.

e. Any other items not specifically allowed by this chapter.

3. New outdoor wood-fired furnaces, other than EPA OWHH phase 1 program qualified models, shall be located on the property as follows:

A. At least 25 feet from the property line.

b. In compliance with the manufacturer's recommendations and or requirements for clearance to combustible materials.

c. At least 50 feet from any residence that is not served by the outdoor wood-fired furnace.

7-5-9: Fire department practice burns: Notwithstanding contrary provisions of this chapter, the Monroe fire department is hereby authorized to burn a standing building if necessary for firefighting practice and if the practice burn complies with state regulations applicable to such practice burn.

7-5-10: Exemption for burning certain papers: Notwithstanding any contrary provision of this chapter, paper and cardboard products may be used as a starter fuel for a fire that is allowed under this chapter.

7-5-11: Burning permits: Except as expressly allowed in this section, no person shall start or maintain any open burning without a burning permit issued by the fire chief.

(A) An outdoor campfire does not require a permit, if the fire complies with all applicable provisions of this chapter.

(B) Any person responsible for burning leaves, brush, clean wood or other vegetative debris shall obtain a burning permit before starting the fire.

(C) When weather conditions warrant, the fire chief may declare a burning moratorium on all open burning and suspend previously issued burning permits for open burning.

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(D) A burning permit issued under this section shall require compliance with all applicable provisions of this chapter and any additional special restrictions considered necessary to protect public health and safety.

(E) Any violation of the conditions of a burning permit shall be considered a violation of this chapter. Any violation of this chapter or the burning permit shall void the permit.

7-5-12: Liability: A person who ignites open burning, or maintains or intentionally allows open burning to continue, under circumstances where such person could extinguish open burning, shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

7-5-13: Right of entry and inspection: The fire chief or any authorized officer, agent, employee or representative of the city, may inspect any property to enforce, or determine compliance with, the provisions of this chapter.

7-5-14: Enforcement and Penalties:

(A) Enforcement. The fire chief, building inspector and any sworn police officer are authorized to enforce this chapter.

(B) Penalties.

1. A person who violates any provision of this chapter shall be subject to a Class 4 forfeiture for the first violation.

2. A person who violates any provision of this chapter shall be subject to a Class 3 forfeiture upon conviction for the second violation of this chapter within a 12 month period.

3. A person who violates any provision of this chapter shall be subject to a Class 2 forfeiture upon conviction for the third or subsequent violation of this chapter within a 12 month period.

4. In addition to payment of the forfeiture, a person who violates any provision of this chapter shall pay to the city the reasonable cost incurred by the city for prosecution of such violation.

Chapter 6: FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS

7-6-1: Purpose: The purpose of this chapter is to prescribe regulations or the construction and placement of fire hydrants and fire department connections that are consistent with nationally recognized standards in order to facilitate the protection of life, environment, and property from the hazards of fire.

7-6-2: Definitions: In this chapter:

“Fire department connection” means a piped connection outside a structure for the use of the fire department to supply water to a sprinkler system or standpipe.

“National standard thread” means a) for a 2 ½ pipe a screw-thread configuration having an outside diameter of 3.0686 inches and 7.5 threads per inch b) for a 4 ½ pipe a screw-thread configuration having an outside diameter of 5.010 inches and 4.0 threads per inch.

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7-6-3: Minimum fire hydrant specifications: Fire hydrants shall conform to the following minimum specifications:

(A) Fire hydrants in commercial and industrial areas. All fire hydrants in commercial or industrial areas shall have two national standard thread hose outlets of 2 ½ inches in diameter, and one national standard thread hose outlet of 4½ inches in diameter, with a five-inch storz adapter and cap.

(B) Fire hydrants serving fire department connections. Fire hydrants serving fire department connections, wherever located, shall have two national standard thread hose outlets of 2 ½ inches in diameter, and one national standard thread hose outlet of 4½ inches in diameter, with a five-inch storz adapter and cap.

(C) Location of fire hydrants: Fire hydrants shall be located as follows

1. A distance from any building of not less than 1½ times the height of the building. The fire chief may approve a lesser distance if the distance specified in this paragraph cannot be achieved due to site conditions.

2. A distance from a fire department connection of not less than 35 feet or more than 150 feet. The fire chief may approve a lesser or greater distance if the distance specified in this paragraph cannot be achieved due to site conditions.

3. A distance from the curb of a fire lane, or the paved street surface if no curb exists, of between two and five feet.

4. If possible, fire hydrants shall be located off a corner of the building and out of any potential collapse zone.

5. Fire Hydrants shall be spaced no more than 600 feet apart in commercial areas.

(D) Clear space: A three-foot clear space shall be maintained around the circumference of each fire hydrant.

7-6-4: Minimum fire department connection specifications: Fire department connections shall conform to the following minimum specifications:

(A) Location: Fire department connections shall be a minimum three feet and maximum 35 feet from the fire lane and an unobstructed path at least five feet in width approved by the fire chief or his or her designee shall be provided and maintained.

(B) Clear space: A three-foot clear space shall be maintained around the circumference of each fire department connection.

(C) Connector requirements. Every fire department connection shall have a 5 inch storz connector with a 30 degree angle elbow (if applicable) and must be provided with a fire department connection cap approved by the fire chief or his or her designee.

(D) Signage: A metal sign with raised capital letters at least 2 inches tall shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such sign shall read: "AUTOMATIC SPRINKLERS" or "STANDPIPES" or "TEST CONNECTION" or a combination thereof as applicable.

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7-6-5: Unobstructed access to structures: Fire hydrants and fire department connections shall be located so that hose connections do not obstruct access to a structure and the hose lay does not cross a roadway or fire lane.

7-6-6: Painting or color coding of fire hydrants: All fire hydrants, including those existing on the effective date of this chapter, shall be painted yellow. The bonnet and the caps of the fire hydrant shall be painted in color code to indicate the available fire flow conforming to N.F.P.A. standard no 291 (2010 edition) and any subsequent editions amendatory and supplemental thereto. No person shall repaint, decorate, block or attempt to obscure a hydrant in any way without the approval of the fire chief.

7-6-7: Nonconforming fire hydrants and fire department connections: Any fire hydrant or fire department connection that does not meet the requirements of this chapter on the effective date hereof shall be upgraded when such fire hydrant or fire department connection is replaced.

SECTION 2: This ordinance shall be in full force on the day following its passage and official publication.

Dated the _____ day of _____, 2016
Passed the _____ day of _____, 2016
Published the _____ day of _____, 2016

Mayor

City Clerk

TITLE 3: BUSINESS REGULATIONS

Chapter 15: ELECTRONIC ALARMS

3-15-1	Declaration of purpose:
3-15-2	Definitions
3-15-3	Unregulated alarms
3-15-4	Approved alarms
3-15-5	Prohibited alarms
3-15-6	Testing
3-15-7	Notification
3-15-8	Permits, fees, application
3-15-9	Confidentiality and permit distribution
3-15-10	Responsibility and liability
3-15-11	Fees for answering alarms
3-15-12	Revocation of permits
3-15-13	Penalty

3-15-1: Declaration of purpose: The purpose of this chapter is to regulate the installation and use of electronic fire, intrusion and holdup alarms. A primary goal to reduce preventable or avoidable false alarms relayed to the police and fire departments is needed to insure efficient use of the city resources and effective response to requests for emergency aid. It is further intended that persons who cause unnecessary false alarms should bear costs of emergency services response. This chapter is further intended to encourage the installation and maintenance of reliable alarm systems which are an effective means of early detection of criminal activity or possible property loss thereby increasing the present level of protection to persons and property and to provide emergency services with specific information before the alarm to provide a more safe and effective response to such alarm.

3-15-2: Definitions: In this chapter:

"Alarm business" means any person engaged in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling or servicing alarm systems with the object of gain, benefit or advantage, either direct or indirect.

"Alarm subscriber" means any person who has an alarm system installed or maintained on his or her premises, including but not limited to any person who buys, leases or otherwise obtains an alarm system and contracts or hires an alarm business to monitor, maintain or service the alarm system.

"Alarm system" means an assembly of equipment or devices which receives electrical energy and is arranged to signal a hazard or intruder requiring urgent attention and to which the police department or fire department is expected to respond, including but not limited to automatic holdup alarm systems, burglar alarm systems, manual holdup alarm systems, fire alarms, humidity alarms, temperature alarms and pressure alarms.

"Annunciator" means the instrumentation of an alarm console at the receiving terminal of a signal line through which both visual or audible signals may show when an alarm device at a location has been activated, malfunctions or otherwise indicates line activity.

"Answering service" means a telephone or direct line answering service which receives emergency signals on a continuous basis from alarm systems and immediately relays the message by like voice to the appropriate emergency service.

"Automatic dialing device" means an alarm system which automatically sends a signal over the telephone lines indicating an emergency situation to which emergency police department or fire department services are expected to respond.

"Automatic holdup alarm system" means an alarm system in which the signal transmission is initiated by the alarm system upon detection of certain actions or movements of a person robbing or attempting to rob the premises.

"Burglar alarm system" means an alarm system which signals the entry into the area protected by the system.

"Calendar year" means January 1 through December 31 inclusive.

"Central station" means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.

~~"Direct connect" means an alarm system which has the capacity of transmitting signals directly to the police department or fire department.~~

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"False alarm" means activation of an alarm system by mechanical failure, malfunction, improper installation, negligence of the owner or lessee of the alarm system, or by an undetermined cause. A false alarm includes the testing of the alarm system without prior notice to the police department and fire department of the testing. A false alarm does not include activation of the alarm system by tornado or severe weather storm.

"Fire alarm" means an alarm system designed to signal fire or smoke in the protected area which transmits an emergency signal to the fire department or police department for response.

"Humidity alarm" means an alarm system which activates the emergency signal due to a change in humidity in the protected area.

"Interconnect" means to connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that uses a standard telephone and telephone line to transmit an emergency message upon activation of the alarm system.

"Manual holdup alarm system" means an alarm system in which the signal transmission is initiated by the direct action of the alarm user indicating a crime is in progress.

"Person" means any natural person, partnership, association and body politic and corporate.

"Pressure alarm" means an alarm system in which the emergency signal is activated due to a change or drop in pressure, such as the drop in water pressure in a sprinkler system when activated.

"Primary trunk line" means a telephone line leading directly into the emergency services dispatch center for handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or numbers in sequence therewith.

"Propriety alarm system" means an alarm system which signals to persons on the premises rather than to the police department, fire department or other outside emergency services.

"Supervisory alarm" means an alarm which notifies the police department or fire department of a mechanical problem on the premises and which requires action from the police department or fire department in addition to contacting a responsible person from a list of persons provided by the alarm subscriber.

"Temperature alarm" means an alarm system designed to send an emergency signal activated by a change in temperature.

3-15-3: Unregulated alarms:

(A) This chapter shall not apply to the use of propriety alarm systems.

(B) This chapter shall not apply to the use of motor vehicle alarms unless connected to another alarm system other than a propriety alarm system.

3-15-4: Approved alarms:

~~(A) A direct alarm which sends an emergency signal directly to the alarm panel at the police department may be connected upon approval of an application and issuance of a permit.~~

(B) A central alarm which is received at a central station or answering service which then relates a message by direct live voice contact to the appropriate emergency service may be connected upon approval of an application and issuance of a permit.

3-15-5: Prohibited alarms:

(A) No person shall interconnect any direct dialing alarm or automatic dialing device to a police department or fire department primary trunk line. ~~No direct dialing alarm or automatic dialing alarm installed before the effective date of this chapter shall remain interconnected to any police department or fire department main trunk line.~~

(B) Residential property alarms shall not interconnect ~~at~~ the police ~~department or fire~~ department panel.

3-15-6: Testing:

(A) No alarm business or alarm system designed to transmit emergency messages to the police department or fire department shall be tested or demonstrated without prior notification and approval of the police dispatcher. The fire

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department and police department may advise alarm users or subscribers on proper test procedure.

(B) No alarm system relayed through intermediate services to the police or fire departments may be tested or demonstrated without prior notification and approval of the police chief or fire chief as appropriate. The police department or fire department may inspect or test on-site alarm systems authorized under this chapter.

(C) Alarm systems shall be in compliance with all written response policies of the police department and fire department.

3-15-7: Notification: When the service provided by an alarm business to its subscribers is disrupted for any reason, the alarm business shall immediately notify each of its subscribers by telephone that protection is no longer being provided unless otherwise previously instructed in writing by a subscriber.

3-15-8: Permits, fees, application:

(A) A permit is required before any person installs or maintains, or permits to be installed or maintained, any regulated alarm device as defined in this chapter on any property in the city ~~or any device terminating at the police or fire departments from outside the city.~~

(B) The city clerk shall be the permit issuing authority and may grant a permit to any applicant complying with the provisions of this chapter.

(C) An application for a permit shall be approved by the fire chief, police chief or both as may be appropriate under the circumstances. The fire chief or police chief or both shall make their recommendation to the city clerk which shall serve as the basis for approval or denial of the application for the permit.

(D) Failure to obtain a permit before the installation of an alarm system shall be a violation of this chapter and subjects the violator to the forfeiture provisions of this chapter.

(E) Alarm permits shall be presented on demand to any police officer, fire chief or assistant fire chief or fire inspector.

(F) A person who obtains a permit to install or maintain an alarm device or system at a specified location and desires to move the devices to protect a different location or changes the type of system, shall notify the fire chief and police chief before relocating the system or installing new equipment at an existing location. A new permit is not required for the relocation or installation of new equipment at an existing location so long as the fire chief and police chief have been notified before the relocation of existing equipment or installation of new equipment on an existing site.

(G) Any person who installs or maintains multiple alarm systems to protect multiple locations shall obtain a permit for each address. A separate permit is not required for multiple alarm systems at one location even if the multiple alarms protect multiple areas at that single address.

(H) A permit fee set by resolution of the council shall be paid by the applicant before the issuance of a permit by the city clerk.

(I) The alarm user permit application shall contain the following information:

(1) Name, address, phone number and date of birth of the applicant.

(2) Location of the alarm in the building or area protected where the alarm is to be installed.

(3) The exact location where the alarm is to be installed. In the event of alarms located outside the city limits, this would include the fire number and the distance and direction from the nearest intersecting roadway.

(4) A description of the use of the protected property.

(5) The type of alarm or alarms to be installed.

(6) The name, address and phone numbers of two persons in addition to the user who can be reached in a reasonable amount of time and who are authorized by the alarm user to respond upon request of emergency services.

(7) The approximate date when the alarm device will be installed and operational, and who will install and service the alarm.

(8) The name, mailing address, telephone number and a description of the type of service provided by an answering service or alarm business, if any, who will monitor the alarm and relay emergency messages to the police department or fire department.

(J) The alarm user or subscriber shall notify the police department or fire department in writing of any change in any of the information required under subsection ~~(K)~~ of this ~~chapter~~ section within five days of such change.

3-15-9: Confidentiality and permit distribution:

(A) All information provided on the permit application shall remain confidential and shall be used solely by emergency services personnel, and only in the performance of their duties.

(B) Permits shall be issued by the city clerk upon payment of fees and approval of the permit application of the fire chief or police or both as necessary.

~~(C) A duplicate copy of the permit application shall be provided to the police department communications center upon the approval of each permit application.~~

~~(D)~~ No person shall release information contained on the permit application without the prior written consent of the fire chief or police chief and the permit holder.

3-15-10: Responsibility and liability:

(A) For each alarm activation, the permit holder or his or her agent shall respond to the scene of the alarm when requested by emergency services personnel. Such response shall be prompt to reduce the time emergency personnel are kept from other duties.

(B) Alarms shall be maintained by permit holders so as not to cause false alarms.

~~(C) The city is responsible only for maintaining the equipment from the junction box in city hall to the alarm panel at the police department communications center.~~ All other parts of each system are to be maintained by the alarm user, and any malfunction of those parts ~~not maintained by the city~~ causing a false alarm will be included as a false alarm for the purposes of assessment or revocation.

3-15-11: Fees for answering alarms:

(A) Each false alarm requires response of public safety personnel, involves unnecessary expense to the city, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the city. Such false alarms constitute a nuisance and must be abated.

(B) No person shall intentionally cause the activation of a burglar or fire alarm knowing that no criminal activity, fire or other emergency exists on or near the premises.

(C) Any person owning or maintaining an alarm at one or more addresses shall pay a fee for false alarms to which the police department or fire department respond pursuant to a fee schedule adopted by resolution of the council. A separate account at each address shall be kept for false alarms on criminal activity and false alarms for fires or other emergencies.

(D) On default of fee payment for false alarms, the amount due may be placed on the tax roll as a special charge under section 66.0627 of the Wisconsin statutes. The fees imposed by this section are in addition to any penalties or revocation proceedings which may be imposed under the Wisconsin statutes or this code.

3-15-12: Revocation of permits:

(A) A permit issued pursuant to this chapter may be revoked upon hearing by the public safety committee of the city. Notice setting forth the time, place and nature of the hearing shall be sent by mail or delivered to the permittee at the address shown on the permit application not less than seven days before the hearing.

(B) A permit may be revoked for any of the following reasons:

- (1) The application for a permit contains false statement of a material fact;
- (2) A licensee has repeatedly failed to comply with the provisions of this chapter;
- (3) An alarm system repeatedly actuates false alarms; or
- (4) The actions of the permit holder constitute a hazard to public safety personnel or the public.

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(C) A permit holder may appeal the decision of the public safety committee by filing a written notice of appeal with the city clerk within 10 days after the public safety committee decision. Such appeal shall be heard by the council within 30 days after the filing of the appeal. An appeal timely taken suspends the revocation until the council gives its decision. The city clerk shall give written notice of the time and place of the hearing to the appellant by certified mail or personal delivery not less than seven days before the hearing.

(D) Permit holders shall be notified in writing of any revocation and the effective date of the revocation. If the permit holder subscribes through an answering service or monitoring service, the service shall also be notified in writing by the city of the revocation of the permit.

(E) ~~Alarms under revoked permits shall be disconnected from the police department alarm panel.~~ An alarm shall not be disconnected until the alarm user or subscriber has been served with written notice of his or her permit revocation. The costs for the alarm disconnection shall be paid by the alarm user or subscriber.

(F) Any alarm permit which has been revoked may be reinstated upon a satisfactory showing that the cause of the revocation has been eliminated and upon completion of a permit application and payment of the permit fee.

(G) Any provision of this chapter for revocation of an alarm user's permit that would conflict with the federal bank protection act of 1968 and any subsequent amendment shall not apply to those permit holders.

3-15-13: Penalty: Any person who violates any provision of this chapter shall upon conviction be subject to a Class 3 forfeiture.

Chap. 3-15 history: Reviewed ~~August 3, 2015~~ January 20, 2016

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MEMORANDUM

DATE: December 2, 2015
TO: Judiciary and Ordinance Review Committee-Title 9
FROM: Rex A. Ewald
RE: Re-codification of Title 9

Attached is the 3-column comparison document for Title 9. Column A is Title 9 as it currently exists with all ordinances adopted to date incorporated, but no other changes. Column B is Title 9 as it has been modified through the re-codification process to date with all ordinances adopted to date incorporated. Column C is a comparison using the Microsoft Word document compare utility showing all differences between the text in column A and column B.

Here are my comments on the revisions I made to Title 9:

Chapter 1 POLICE DEPARTMENT

- 9-1-1 Creation; appointment of members:** Capitalization and word substitution changes.
- 9-1-2 Compensation:** Capitalization and word substitution changes.
- 9-1-3 Restrictions on department members:** Capitalization and word substitution changes.
- 9-1-4 Powers and duties of chief:** Capitalization and word substitution changes. Deleted subsection (A) 3. as it is a practice that has not been followed. The Police Chief can report as needed or as requested, but mechanically requiring a quarterly report is administratively cumbersome.
- 9-1-5 Conservators of the peace; powers:** Capitalization and word substitution changes. Deleted subsection (B) and renumbered subsection (C) as (B). The duty embodied in the deleted subsection (B) is inherent in the responsibility of the Chief and does not need to be specifically stated in the code.
- 9-1-6 Police department records:** This section was deleted entirely because the retention and release of records is covered by the Wisconsin Public Records law and this section adds nothing but the potential for conflicting interpretations.

Chapter 2 ANIMAL CONTROL REGULATIONS

- 9-2-1 Definitions:** Capitalization and word substitution changes.
- 9-2-2 Licenses and permits:** Capitalization and word substitution changes.
- 9-2-3 Dog license required:** Capitalization and word substitution changes.
- 9-2-4 Dog license application:** Capitalization and word substitution changes.
- 9-2-5 Exceptions and exemptions to dog licensing:** Capitalization and word substitution changes.
- 9-2-6 Cat license:** Capitalization and word substitution changes.
- 9-2-7 Rabies vaccination:** Capitalization and word substitution changes.
- 9-2-8 At large:** Capitalization and word substitution changes.
- 9-2-9 Number of animals limited:** Capitalization and word substitution changes. Deleted subsection (B) because given the passage of time these dates are no longer needed.
- 9-2-10 Care and treatment:** Capitalization and word substitution changes.
- 9-2-11 Noise:** Capitalization and word substitution changes.

- 9-2-12 **Animal defecation:** Capitalization and word substitution changes.
- 9-2-13 **Animals in public places:** Capitalization and word substitution changes.
- 9-2-14 **Access to the public:** Capitalization and word substitution changes.
- 9-2-15 **Injury to property by animals:** Capitalization and word substitution changes.
- 9-2-16 **Disturbing birds and squirrels:** Capitalization and word substitution changes.
- 9-2-17 **Animals prohibited:** Capitalization and word substitution changes.
- 9-2-18 **Wild animals:** Capitalization and word substitution changes.
- 9-2-19 **Animals as prizes:** Capitalization and word substitution changes.
- 9-2-20 **Commercial animal establishment permit required:** Capitalization and word substitution changes.
- 9-2-21 **Operation of commercial animal establishments:** Capitalization and word substitution changes.
- 9-2-22 **Impoundment of animals:** Capitalization and word substitution changes.
- 9-2-23 **Release from impound:** Capitalization and word substitution changes.
- 9-2-24 **Rabies quarantine:** Capitalization and word substitution changes.
- 9-2-25 **Revocation and inspection:** Capitalization and word substitution changes.
- 9-2-26 **Enforcement:** Capitalization and word substitution changes.

Chapter 3 **UNIFORM FORFEITURE CLASSIFICATIONS**

- 9-3-1 **Use of forfeiture classes:** Capitalization and word substitution changes.
- 9-3-2 **Definitions:** Capitalization and word substitution changes.
- 9-3-3 **Class 1 forfeiture:** Capitalization and word substitution changes.
- 9-3-4 **Class 2 forfeiture:** Capitalization and word substitution changes.
- 9-3-5 **Class 3 forfeiture:** Capitalization and word substitution changes.
- 9-3-6 **Class 4 forfeiture:** Capitalization and word substitution changes.
- 9-3-7 **Class 5 forfeiture:** Capitalization and word substitution changes.
- 9-3-8 **Deposit schedule:** Capitalization and word substitution changes. This section was changed to conform to the practice that has been followed of having the deposit schedule adopted by resolution of the council. This brings the setting of these amounts in line with the procedure for setting amounts of fees, etc. throughout the code.
- 9-3-9 **Alternative sentences:** Capitalization and word substitution changes.

Chapter 4 **GENERAL OFFENSES**

- 9-4-1 **Aircraft regulations:** Capitalization and word substitution changes.
- 9-4-2 **Disorderly house; disorderly conduct:** Capitalization and word substitution changes.
- 9-4-3 **Lewd and lascivious behavior:** Capitalization and word substitution changes.
- 9-4-4 **Disturbing the peace:** Capitalization and word substitution changes.
- 9-4-5 **Possession of alcohol beverages in public or on a commercial quadricycle:** Capitalization and word substitution changes.
- 9-4-6 **Gambling:** Capitalization and word substitution changes.
- 9-4-7 **Loitering:** Capitalization and word substitution changes.
- 9-4-8 **Property offenses:** Capitalization and word substitution changes.
- 9-4-9 **Battery:** Capitalization and word substitution changes.
- 9-4-10 **Trespass to property:** Capitalization and word substitution changes.
- 9-4-11 **Handbills, advertising materials:** Capitalization and word substitution changes. Eliminated definition of "Person" as the term is defined in section 1-3-2 and applied globally in the code.
- 9-4-12 **Obstruction of aisles, exits:** Capitalization and word substitution changes.
- 9-4-13 **Scaffolds:** Capitalization and word substitution changes.

- 9-4-14 **Barbed wire and electric fences:** Capitalization and word substitution changes.
- 9-4-15 **Noxious weeds:** Capitalization and word substitution changes.
- 9-4-16 **Fireworks:** Capitalization and word substitution changes.
- 9-4-17 **Discharge of firearms:** Capitalization and word substitution changes.
- 9-4-18 **Carrying concealed weapon:** Capitalization and word substitution changes.
- 9-4-19 **Radio interference:** Capitalization and word substitution changes.
- 9-4-20 **Nuisance noise and sound levels regulation:** Capitalization and word substitution changes.
- 9-4-21 **Resisting or obstructing officer:** Capitalization and word substitution changes.
- 9-4-22 **Issue of worthless check:** Capitalization and word substitution changes.
- 9-4-23 **Sale of poisons:** Capitalization and word substitution changes.
- 9-4-24 **Unauthorized person prohibited on school ground:** Capitalization and word substitution changes.
- 9-4-25 **Littering:** Capitalization and word substitution changes.
- 9-4-26 **Theft:** : Capitalization and word substitution changes.
- 9-4-27 **Retail theft:** Capitalization and word substitution changes.
- 9-4-28 **Failure to return library materials:** Capitalization and word substitution changes.
- 9-4-29 **Fraud on residential landlords:** Capitalization and word substitution changes.
- 9-4-30 **Obtaining utility service by fraud:** Capitalization and word substitution changes. Corrected obsolete reference to statute for definition of “telecommunications service” [943.45(1) changed to section 182.017(1g)(cq)].
- 9-4-31 **Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station:** Capitalization and word substitution changes.
- 9-4-32 **Purchase or possession of tobacco products prohibited:** Capitalization and word substitution changes.
- 9-4-33 **Restrictions on sale or gift of cigarettes or tobacco products:** Capitalization and word substitution changes.
- 9-4-34 **Curfew:** Capitalization and word substitution changes.
- 9-4-35 **Marijuana, synthetic cannabinoids and drug paraphernalia:** Capitalization and word substitution changes.
- 9-4-36 **Truancy, habitual truancy, dropout, and contributing to truancy:** Capitalization and word substitution changes.

Chapter 5 ABANDONED VEHICLES

- 9-5-1 **Abandonment prohibited:** Capitalization and word substitution changes.
- 9-5-2 **Impoundment and disposition of abandoned vehicles:** Capitalization and word substitution changes.
- 9-5-3 **Penalty:** Capitalization and word substitution changes.

Monroe City Code Codification Before and After Worksheet: Title 9

J&O Committee Review Materials - Title 9 - January 21, 2016 @ 4:00 PM

-A-
No changes other than new ordinances

-B-
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TITLE 9
POLICE REGULATIONS

Chapter 1

Police Department

- 9-1-1 Creation; appointment of members
- 9-1-2 Compensation
- 9-1-3 Restrictions on department members:
- 9-1-4 Powers and duties of chief
- 9-1-5 Conservators of the peace; powers
- 9-1-6 Police department records

9-1-1: Creation; appointment of members:

The police department of the city shall consist of a chief and subordinates. The number of subordinates shall be determined by resolution of the council. Appointments to the department shall be made as follows:

(A) Chief: The board of police and fire commissioners shall appoint the chief who shall hold office during good behavior subject to suspension or removal by the board for cause.

(B) Subordinates: The chief shall appoint all subordinates subject to approval by the board. Such appointments shall be made by promotion when this can be done to advantage, otherwise from an eligible list furnished by the board and kept on file with the city clerk. The chief may appoint such persons for temporary duty as he or she shall deem necessary and advisable. (3-5-2002)

9-1-2: Compensation:

The salaries of the chief and subordinates shall be fixed by resolution of the council. Such salaries, when so fixed, may be increased but not decreased by the council without a previous recommendation of the board. (3-5-2002)

9-1-3: Restrictions on department members:

TITLE 9: POLICE REGULATIONS

Chapter 1: POLICE DEPARTMENT

- 9-1-1 Creation; appointment of members
- 9-1-2 Compensation
- 9-1-3 Restrictions on department members
- 9-1-4 Powers and duties of chief
- 9-1-5 Conservators of the peace; powers
- 9-1-6 Police department records

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9-1-2: Compensation: The salaries of the chief and subordinates shall be fixed by resolution of the council. Such salaries, when so fixed, may be increased but not decreased by the council without a previous recommendation of the board.

9-1-3: Restrictions on department members:

TITLE 9
POLICE REGULATIONS

Chapter 1

Police Department: POLICE DEPARTMENT

- 9-1-1 Creation; appointment of members
- 9-1-2 Compensation
- 9-1-3 Restrictions on department members:
- 9-1-4 Powers and duties of chief
- 9-1-5 Conservators of the peace; powers
- 9-1-6 Police department records

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The salaries of the chief and subordinates shall be fixed by resolution of the council. Such salaries, when so fixed, may be increased but not decreased by the council without a previous recommendation of the board. ~~(3-5-2002)~~

9-1-3: Restrictions on department members:

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-A-

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(A) Other Employment: No regular member of the police force shall engage in any other business, except upon written permission from the chief.

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(A) Other ~~E~~employment: No regular member of the police force shall engage in any other business, except upon written permission from the chief.

(B) Fees: No member of the police force shall receive any fees for the performance of any duties either as a policeman or constable or otherwise, and all such fees shall be paid to the city treasurer for the use of the city, and said fees so collected shall be appropriated to the general fund of the city. (3-5-2002)

(B) Fees: No member of the police force shall receive any fees for the performance of services while on duty as an employee of the city that exceed the compensation payable by the city for such services, and any fees paid that exceed the compensation payable by the city for such services shall be paid to the city treasurer for the use of the city. Any fees so collected shall be appropriated to the general fund of the city.

(B) Fees: No member of the police force shall receive any fees for the performance of ~~any duties either~~services while on duty as ~~a policeman or constable or otherwise~~an employee of the city that exceed the compensation payable by the city for such services, and ~~all such fees~~any fees paid that exceed the compensation payable by the city for such services shall be paid to the city treasurer for the use of the city, ~~and said~~. Any fees so collected shall be appropriated to the general fund of the city. ~~(3-5-2002)~~

9-1-4: Powers and duties of chief:

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9-1-4: Powers and duties of chief:

(A) Duties:

(A) Duties:

(A) Duties:

1. Supervision. The chief shall be administratively responsible to the city administrator and shall obey all lawful orders of the mayor or council. He or she shall have and execute a general supervision of the police department. He or she shall cause the public peace to be preserved by enforcement of ordinances and resolutions of the council and by suppression of all riots and disturbances that may occur. (12-20-2005)

(1) Supervision: The chief shall be administratively responsible to the city administrator and shall obey all lawful orders of the mayor or council. He or she shall exercise general supervision of the police department. He or she shall cause the public peace to be preserved by enforcement of codes and resolutions enacted by the council and by suppression of all riots and disturbances that may occur.

~~(1-)~~ Supervision: The chief shall be administratively responsible to the city administrator and shall obey all lawful orders of the mayor or council. He or she shall ~~have and execute~~ ~~exercise~~ general supervision of the police department. He or she shall cause the public peace to be preserved by enforcement of ~~ordinances~~codes and resolutions ~~enacted by~~ the council and by suppression of all riots and disturbances that may occur. ~~(12-20-2005)~~

2. Arrest: The chief shall cause to be arrested and prosecuted all persons who shall be found violating any ordinances or regulations of the city. He or she shall likewise arrest all persons chargeable with offenses punishable by the laws of the state or county or applicable federal laws, and bring such persons before the proper tribunal for punishment.

(2) Arrest: The chief shall cause to be arrested and prosecuted all persons who shall be found violating any codes or regulations of the city. He or she shall likewise arrest all persons chargeable with offenses punishable by the laws of the state or county or applicable federal laws, and bring such persons before the proper tribunal for prosecution.

~~(2-)~~ Arrest: The chief shall cause to be arrested and prosecuted all persons who shall be found violating any ~~ordinances~~codes or regulations of the city. He or she shall likewise arrest all persons chargeable with offenses punishable by the laws of the state or county or applicable federal laws, and bring such persons before the proper tribunal for ~~punishment~~.

3. Reports: The chief shall report quarterly to the council, or more often if required, an account of all monies received by him or her accompanied by the treasurer's receipt therefor. He or she shall also report a detailed statement of all monies necessarily expended or expenses necessarily incurred by him or her in and about

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the duties of his or her office, and furnish proper vouchers therefor whenever required. He or she shall report to the council upon the first meeting in March in each year the work done by the police department during the preceding year ending December 31, also the condition, needs and defects of the department, and shall make such recommendations as may seem necessary and proper. He or she shall also make any of the reports hereinbefore stated or account for any monies hereinbefore mentioned at any times that the same may be demanded by the council.

4. Investigations: The chief and members of the police department shall cause to be conducted, investigations into reports of violations of crimes and ordinances, and shall conduct investigations into the backgrounds of all persons applying for employment with the city, or applying to the city for licensing purposes, reporting the results of said investigations to the proper authority.

(B) Powers: The chief shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables and be taken as included in all writs and papers addressed to constables; shall arrest or cause to be arrested, with or without process, and with reasonable diligence take before the proper court, every person found in the city violating any law of the state, ordinance of the city or county or applicable federal law. (3-5-2002)

9-1-5: Conservators of the peace; powers:

(A) Arrest Powers: The chief and members of the police department of the city are also hereby authorized, empowered and directed, with or without process or complaint, to arrest, retain and confine in such place as may be provided by the council, until a trial can be had in a proper court, any and all persons violating the ordinances or regulations of the city, and any person who shall be detected by the chief or members of the police department in the act of offending against any of the provisions of the laws of the county, state or federal

(3) Investigations: The chief and members of the police department shall cause to be conducted, investigations into reports of crimes or violations of this code, and shall conduct investigations into the backgrounds of all persons applying for employment with the city, or applying to the city for licensing purposes, reporting the results of such investigations to the proper authority.

(B) Powers: The chief shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables and be taken as included in all writs and papers addressed to constables; shall arrest or cause to be arrested, with or without process, and with reasonable diligence take before the proper court, every person found in the city violating any law of the state, this code or county or applicable federal law.

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~~—4-prosecution.~~

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government.

(B) Fires And Riots: The chief or any other officer directed by him or her shall report to the scenes of fires, riots and tumultuous assemblages and take charge of the police present and exert his or her best efforts to save and protect property and disperse mobs and arrest such persons as he or she may find disturbing the peace or aiding or abetting others in so doing.

(C) Bail: The chief or other police officers shall be incompetent to provide bail for any person arrested and shall in no case provide bail for any person under arrest. (3-5-2002)

9-1-6: Police department records:

(A) Definitions: As used in this section, the following terms shall have the following meanings:

ELECTRONIC STORAGE: The keeping and preserving of police department records through the use of a reproductive device, optical imaging or electronic formatting.

RECORDS: All books, papers, maps, photographs, films, recordings, optical disks, electronically formatted documents or other documentary materials, regardless of physical form or characteristics, made, or received by the police department.

(B) Procedures:

1. Police department records, stored as described herein, shall be retained for a period of seven (7) years from the date of receipt or creation, unless ordered by a court to retain longer.

2. Police department records shall be maintained on computer optical disk, and scanned by an optical imaging system, or other electronic reproduction method approved

government.

~~(B) Fires And Riots: The chief or any other officer directed by him or her shall report to the scenes of fires, riots and tumultuous assemblages and take charge of the police present and exert his or her best efforts to save and protect property and disperse mobs and arrest such persons as he or she may find disturbing the peace or aiding or abetting others in so doing.~~

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~~2. Police department records shall be maintained on computer optical disk, and scanned by an optical imaging system, or other electronic reproduction method approved by the common council.~~

~~3. Paper documents of the police department may be retained as working files in addition to the files being~~

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Chap. 9-1 history: Reviewed December 2, 2015

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by the common council.

3. Paper documents of the police department may be retained as working files in addition to the files being electronically reproduced, and those paper files will be retained for a period of two (2) years. Notwithstanding, any paper records created prior to 2001 shall be retained for seven (7) years and then shall be destroyed.

4. A record shall be made indicating the destruction of every destroyed record.

(C) Review And Copy Of Records:

1. Any photographic or electronic reproduction, optical or electronically formatted image under this section is deemed an original record for all purposes, and any request to review or receive a copy of a record shall be filled by this method.

2. Any requests for a review or copy of records shall be handled according to Wisconsin statutes and official department policy. (10-1-2002)

TITLE 9
POLICE REGULATIONS

Chapter 2

Animal Control Regulations

- 9-2-1 Definitions
- 9-2-2 Licenses and permits
- 9-2-3 Dog license required
- 9-2-4 Dog license application
- 9-2-5 Exceptions and exemptions to dog licensing
- 9-2-6 Cat license
- 9-2-7 Rabies vaccination
- 9-2-8 At large
- 9-2-9 Number of animals limited
- 9-2-10 Care and treatment
- 9-2-11 Noise

TITLE 9: POLICE REGULATIONS

Chapter 2: ANIMAL CONTROL REGULATIONS

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- 9-2-12 Animal defecation
- 9-2-13 Animals in public places
- 9-2-14 Access to the public
- 9-2-15 Injury to property by animals
- 9-2-16 Disturbing birds and squirrels
- 9-2-17 Animals prohibited
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- 9-2-26 Enforcement

9-2-1: Definitions:

When used in this Chapter the following terms shall have the following meaning:

ANIMAL: means any

- (A) living warm-blooded creature, except a human being;
- (B) reptile;
- (C) fish; or
- (D) amphibian.

ANIMAL SHELTER: means a facility operated by a humane society, or municipal agency or its authorized agents, for the purpose of impounding or caring for animals held under the authority of this Chapter or state law or both.

AT LARGE: means an animal that is off the premises of

9-2-1: Definitions: in this chapter:

“Animal” means any a) living warm-blooded creature, except a human being; b) reptile; c) fish; or d) amphibian.

“Animal shelter” means a facility operated by a humane society, or municipal agency or its authorized agents, for impounding or caring for animals held under the authority of this chapter or state law or both.

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owner and not under the restraint of the owner or another person.

premises of the owner and not under the restraint of the owner or another person.

ATTACK: means to confront in an aggressive and hostile manner such that a reasonable person would believe that there is an imminent threat of bite or injury to the person or animal so confronted.

“Attack” means to confront in an aggressive and hostile manner such that a reasonable person would believe that there is an imminent threat of bite or injury to the person or animal so confronted.

~~ATTACK-~~“Attack” means to confront in an aggressive and hostile manner such that a reasonable person would believe that there is an imminent threat of bite or injury to the person or animal so confronted.

COMMERCIAL ANIMAL ESTABLISHMENT: means an establishment that:

“Commercial animal establishment” means an establishment that: a) bathes, clips, plucks, or otherwise grooms animals, not their own; b) breeds, boards, buys, sells or donates animals; c) trains, or sports animals; or d) displays or exhibits animals.

~~COMMERCIAL ANIMAL ESTABLISHMENT:~~
“Commercial animal establishment” means an establishment that:

(A) bathes, clips, plucks, or otherwise grooms animals, not their own;

~~(A)~~ a) bathes, clips, plucks, or otherwise grooms animals, not their own;

(B) breeds, boards, buys, sells or donates animals;

~~(B)~~ b) breeds, boards, buys, sells or donates animals;

(C) trains, or sports animals; or

~~(C)~~ c) trains, or sports animals; or

(D) displays or exhibits animals.

~~(D)~~ d) displays or exhibits animals.

DEFENSE OF PERSONS OR PROPERTY: means incidents in which the person attacked, bitten, or injured was, at the time of the incident, committing or attempting to commit a crime or violating or attempting to violate an ordinance which protects persons or property; and incidents in which the licensable animal is protecting or defending a person from attack or assault by another person or animal; excluding an attack on a mail carrier or delivery person in performance of their duties.

“Defense of persons or property” means incidents in which the person attacked, bitten, or injured was, at the time of the incident, committing or attempting to commit a crime or violating or attempting to violate a code which protects persons or property; and incidents in which the licensable animal is protecting or defending a person from attack or assault by another person or animal; excluding an attack on a mail carrier or delivery person in performance of their duties.

~~DEFENSE OF PERSONS OR PROPERTY-~~“Defense of persons or property” means incidents in which the person attacked, bitten, or injured was, at the time of the incident, committing or attempting to commit a crime or violating or attempting to violate ~~an ordinance~~a code which protects persons or property; and incidents in which the licensable animal is protecting or defending a person from attack or assault by another person or animal; excluding an attack on a mail carrier or delivery person in performance of their duties.

FARM ANIMAL: means an animal normally raised on farms in the United States for use or profit including but not limited to chickens, turkeys, geese, ducks, fowl, cattle, bovines, bison, sheep, goats, swine, potbelly pigs, horses, donkeys, mules, and llamas.

“Farm animal” means an animal normally raised on farms in the United States for use or profit including but not limited to chickens, turkeys, geese, ducks, fowl, cattle, bovines, bison, sheep, goats, swine, potbelly pigs, horses, donkeys, mules, and llamas.

~~FARM ANIMAL:~~

“Farm animal” means an animal normally raised on farms in the United States for use or profit including but not limited to chickens, turkeys, geese, ducks, fowl, cattle, bovines, bison, sheep, goats, swine, potbelly pigs, horses, donkeys, mules, and llamas.

GOVERNMENT ZOOLOGICAL PARK: means a facility that displays or exhibits one or more species of untamed animals, not considered a pet or work animal, operated by

“Government zoological park” means a facility that displays or exhibits one or more species of untamed animals, not considered a pet or work animal, operated by

~~GOVERNMENT ZOOLOGICAL PARK:~~

“Government zoological park” means a facility that displays or exhibits one or more species of untamed animals, not considered a pet or work animal, operated by

Monroe City Code Codification Before and After Worksheet: Title 9

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-A- No changes other than new ordinances	-B- Includes all changes to December 2, 2015	-C- -A- compared to -B- with Microsoft Word comparison utility
a state, county, local, or other government agency.	a state, county, local, or other government agency.	a state, county, local, or other government agency.
HUMANE OFFICER: means a person appointed by the Council who is qualified to perform duties of animal control as provided by the laws of the State of Wisconsin or the City of Monroe or both.	“Humane officer” means a person appointed by the council who is qualified to perform duties of animal control as provided by the laws of the state of Wisconsin or the city or both.	HUMANE OFFICER: “ <u>Humane officer</u> ” means a person appointed by the C council who is qualified to perform duties of animal control as provided by the laws of the S state of Wisconsin or the City of Monroe city or both.
HUMANE SOCIETY: means a society organized primarily for the care and shelter of homeless, stray or abused animals, on a nonprofit basis, no part of the net income of which inures to the benefit of any member, officer or shareholder, if the property is used exclusively for the primary purposes of the humane society.	“Humane society” means a society organized primarily for the care and shelter of homeless, stray or abused animals, on a nonprofit basis, no part of the net income of which inures to the benefit of any member, officer or shareholder, if the property is used exclusively for the primary purposes of the humane society.	HUMANE SOCIETY: “ <u>Humane society</u> ” means a society organized primarily for the care and shelter of homeless, stray or abused animals, on a nonprofit basis, no part of the net income of which inures to the benefit of any member, officer or shareholder, if the property is used exclusively for the primary purposes of the humane society.
OWNER: means a person or entity that owns, keeps or harbors one or more animals. An animal is deemed harbored if it is fed or sheltered for 7 consecutive days or more.	“Owner” means a person or entity that owns, keeps or harbors one or more animals. An animal is considered harbored if it is fed or sheltered for seven consecutive days or more.	OWNER: “ <u>Owner</u> ” means a person or entity that owns, keeps or harbors one or more animals. An animal is deemed <u>considered</u> harbored if it is fed or sheltered for 7 <u>seven</u> consecutive days or more.
PET: means an animal that is kept for pleasure rather than utility.	“Pet” means an animal that is kept for pleasure rather than utility.	PET: “ <u>Pet</u> ” means an animal that is kept for pleasure rather than utility.
PROVOKED: means an animal that is: (A) teased, tormented, abused, or assaulted by a person or another animal; (B) acting in defense of persons or property; or (C) under the control of a law enforcement officer, and acting in performance of its duties.	“Provoked” means an animal that is: a) teased, tormented, abused, or assaulted by a person or another animal; b) acting in defense of persons or property; or c) under the control of a law enforcement officer, and acting in performance of its duties.	PROVOKED: “ <u>Provoked</u> ” means an animal that is: (A) <u>a</u>) teased, tormented, abused, or assaulted by a person or another animal; (B) <u>b</u>) acting in defense of persons or property; or (C) <u>c</u>) under the control of a law enforcement officer, and acting in performance of its duties.
VICIOUS ANIMAL: means an animal that: (A) other than when provoked, bites or injures a person or another animal twice within a period of 12 consecutive months; (B) other than when provoked, attacks a person or another animal three times within a period of 12 consecutive months; (C) other than when provoked, bites a person or animal	“Vicious animal” means an animal that: a) other than when provoked, bites or injures a person or another animal twice within a period of 12 consecutive months; b) other than when provoked, attacks a person or another animal three times within a period of 12 consecutive months; c) other than when provoked, bites a person or animal once and attacks a person or animal twice within a period of 12 consecutive months; or d) has been trained or used for fighting against other animals.	VICIOUS ANIMAL: “ <u>Vicious animal</u> ” means an animal that: (A) <u>a</u>) other than when provoked, bites or injures a person or another animal twice within a period of 12 consecutive months; (B) <u>b</u>) other than when provoked, attacks a person or another animal three times within a period of 12 consecutive months; (C) <u>c</u>) other than when provoked, bites a person or animal

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-A-
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-B-
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once and attacks a person or animal twice within a period of 12 consecutive months; or

(D) has been trained or used for fighting against other animals.

WILD ANIMAL: means any live nonhuman primate, raccoon, skunk, fox, leopard, panther, tiger, lynx, coyote, wolf, alligator, crocodile, or other animal or hybrid which can normally be found in the wild.

9-2-2: Licenses and permits:

(A) Except as expressly provided, all licenses and permits shall be granted by the Council and issued by the city clerk.

(B) All license, permit and related fees in this Chapter shall be set by resolution of the Council.

9-2-3: Dog license required:

Any person owning, keeping, harboring or having custody of a dog over 5 months of age within this City must obtain a license.

9-2-4: Dog license application:

(A) An application for a dog license shall be made to the city treasurer. A valid rabies certificate shall accompany the application stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Center for Disease Control of the U.S. Department of Health, Education and Welfare and the city, village or town where the dog is required to be licensed.

(B) Written proof of neutering or spaying shall accompany the application in order to qualify for reduced license fees.

"Wild animal" means any live nonhuman primate, raccoon, skunk, fox, leopard, panther, tiger, lynx, coyote, wolf, alligator, crocodile, or other animal or hybrid which can normally be found in the wild.

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9-2-3: Dog license required: Any person owning, keeping, harboring or having custody of a dog over five months of age within this city must obtain a license.

9-2-4: Dog license application:

(A) An application for a dog license shall be made to the city treasurer. A valid rabies certificate shall accompany the application stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the center for disease control of the U.S. department of health, education and welfare and the city, village or town where the dog is required to be licensed.

(B) Written proof of neutering or spaying shall accompany the application to qualify for reduced license fees.

once and attacks a person or animal twice within a period of 12 consecutive months; or

~~(D)~~ d has been trained or used for fighting against other animals.

WILD ANIMAL:

"Wild animal" means any live nonhuman primate, raccoon, skunk, fox, leopard, panther, tiger, lynx, coyote, wolf, alligator, crocodile, or other animal or hybrid which can normally be found in the wild.

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_Any person owning, keeping, harboring or having custody of a dog over 5five months of age within this City must obtain a license.

9-2-4: Dog license application:

(A) An application for a dog license shall be made to the city treasurer. A valid rabies certificate shall accompany the application stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Ccenter for ~~Disease Control~~disease control of the U.S. ~~D~~department of ~~Health, Education~~health, education and ~~W~~welfare and the city, village or town where the dog is required to be licensed.

(B) Written proof of neutering or spaying shall accompany the application ~~in order~~ to qualify for reduced license fees.

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(C) The license shall be issued for one year, commencing on January 1 of each year, and is not transferable.

(D) Upon acceptance of the license application, rabies certificate and fee, a license and durable tag with an identifying number and the year of issuance shall be issued by the city treasurer. Upon issuance of the license and tag, the owner shall attach the tag to the collar of the licensed dog. The dog must wear the tag at all times when off the premises of the owner unless during competition or training, securely confined indoors, or herding or controlling farm animals under the control of its owner. An untagged dog shall be considered a stray.

(E) A renewal license and tag will be issued upon acceptance of the renewal license application, payment of the renewal fee, and proof of rabies vaccination by the city treasurer.

(12-18-2007)

9-2-5: Exceptions and exemptions to dog licensing:

(A) No license shall be required of any animal kept at an animal shelter.

(B) Every dog specifically trained to lead blind or deaf persons, provide support for mobility-impaired persons or aid law enforcement officers shall receive annually a free dog license and tag from the city treasurer upon application.

(12-18-2007)

9-2-6: Cat license:

(A) The owner of a cat more than 5 months of age may pay a one time fee and obtain a cat license for the purposes of identification and safety. Upon acceptance of the license application, a valid rabies certificate and a fee, a durable tag with an identifying number shall be issued by the city treasurer.

(B) The license shall remain effective for the life of the cat

(C) The license shall be issued for one year, commencing on January 1, and is not transferable.

(D) Upon acceptance of the license application, rabies certificate and fee, a license and durable tag with an identifying number and the year of issuance shall be issued by the city treasurer. Upon issuance of the license and tag, the owner shall attach the tag to the collar of the licensed dog. The dog must wear the tag at all times when off the premises of the owner unless during competition or training, securely confined indoors, or herding or controlling farm animals under the control of its owner. An untagged dog shall be considered a stray.

(E) A renewal license and tag will be issued upon acceptance of the renewal license application, payment of the renewal fee, and proof of rabies vaccination by the city treasurer.

9-2-5: Exceptions and exemptions to dog licensing:

(A) No license shall be required of any animal kept at an animal shelter.

(B) Every dog specifically trained to lead blind or deaf persons, provide support for mobility-impaired persons or aid law enforcement officers shall receive annually a free dog license and tag from the city treasurer upon application.

9-2-6: Cat license:

(A) The owner of a cat more than five months of age may pay a onetime fee and obtain a cat license for the purposes of identification and safety. Upon acceptance of the license application, a valid rabies certificate and a fee, a durable tag with an identifying number shall be issued by the city treasurer.

(B) The license shall remain effective for the life of the cat

(C) The license shall be issued for one year, commencing on January 1-~~of each year~~, and is not transferable.

(D) Upon acceptance of the license application, rabies certificate and fee, a license and durable tag with an identifying number and the year of issuance shall be issued by the city treasurer. Upon issuance of the license and tag, the owner shall attach the tag to the collar of the licensed dog. The dog must wear the tag at all times when off the premises of the owner unless during competition or training, securely confined indoors, or herding or controlling farm animals under the control of its owner. An untagged dog shall be considered a stray.

(E) A renewal license and tag will be issued upon acceptance of the renewal license application, payment of the renewal fee, and proof of rabies vaccination by the city treasurer.

~~(12-18-2007)~~

9-2-5: Exceptions and exemptions to dog licensing:

(A) No license shall be required of any animal kept at an animal shelter.

(B) Every dog specifically trained to lead blind or deaf persons, provide support for mobility-impaired persons or aid law enforcement officers shall receive annually a free dog license and tag from the city treasurer upon application.

~~(12-18-2007)~~

9-2-6: Cat license:

(A) The owner of a cat more than ~~5~~^{five} months of age may pay a ~~one time~~^{onetime} fee and obtain a cat license for the purposes of identification and safety. Upon acceptance of the license application, a valid rabies certificate and a fee, a durable tag with an identifying number shall be issued by the city treasurer.

(B) The license shall remain effective for the life of the cat

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and is not transferable.

and is not transferable.

and is not transferable.

(C) An untagged cat at large in the City shall be considered a stray.

(C) An untagged cat at large in the city shall be considered a stray.

(C) An untagged cat at large in the ~~C~~city shall be considered a stray.

9-2-7: Rabies vaccination:

9-2-7: Rabies vaccination: The owner of a dog or cat shall have the animal vaccinated by a licensed veterinarian on or before the date the animal reaches five months of age. Upon the issuance of a rabies certificate, the veterinarian shall provide a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given, and the name, address and telephone number of the veterinarian. The dog or cat must wear the tag at all times when off the premises of the owner unless during competition or training, securely confined indoors, or herding or controlling farm animals under the control of its owner

9-2-7: Rabies vaccination:

~~The~~ owner of a dog or cat shall have the animal vaccinated by a licensed veterinarian on or before the date the animal reaches ~~5~~five months of age. Upon the issuance of a rabies certificate, the veterinarian shall provide a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given, and the name, address and telephone number of the veterinarian. The dog or cat must wear the tag at all times when off the premises of the owner unless during competition or training, securely confined indoors, or herding or controlling farm animals under the control of its owner

9-2-8: At large:

No person owning, keeping, harboring or having custody of an animal shall allow it to run at large within the City. The owner or person in control of an animal shall keep such animal on a leash no more than 6 feet in length or appropriately restrained for the species other than the physical body of the person while off the premises of the owner.

9-2-8: At large: No person owning, keeping, harboring or having custody of an animal shall allow it to run at large within the city. The owner or person in control of an animal shall keep such animal on a leash no more than six feet in length or appropriately restrained for the species other than the physical body of the person while off the premises of the owner.

9-2-8: At large:

~~No~~ person owning, keeping, harboring or having custody of an animal shall allow it to run at large within the ~~C~~city. The owner or person in control of an animal shall keep such animal on a leash no more than ~~6~~six feet in length or appropriately restrained for the species other than the physical body of the person while off the premises of the owner.

9-2-9: Number of animals limited:

(A) Not more than a combined total of 6 dogs and cats over 5 months old may be maintained on any lot or residence, and there may not be more than 3 dogs or 3 cats as a part of such combination. A litter of pups or kittens may be kept for a period of time not exceeding 5 months from birth.

9-2-9: Number of animals limited: Not more than a combined total of six dogs and cats over five months old may be maintained on any lot or residence, and there may not be more than three dogs or three cats as a part of such combination. A litter of pups or kittens may be kept for a period not exceeding five months from birth.

9-2-9: Number of animals limited:

~~(A)~~ Not more than a combined total of ~~6~~six dogs and cats over ~~5~~five months old may be maintained on any lot or residence, and there may not be more than ~~3~~three dogs or ~~3~~three cats as a part of such combination. A litter of pups or kittens may be kept for a period ~~of time~~-not exceeding ~~5~~five months from birth-

(B) This section shall not apply to animals exceeding the allowable limit which were in possession of the owner prior to August 21, 2007, provided that all animals are properly licensed and the owner files the details of each dog and cat, including age, breed, and color, to the city clerk by November 21, 2007. This exclusion shall continue as long as the owner keeps such animals but

~~(B)~~This section shall not apply to animals exceeding the allowable limit which were in possession of the owner prior to August 21, 2007, provided that all animals are properly licensed and the owner files the details of each dog and cat, including age, breed, and color, to the city clerk by November 21, 2007. This exclusion shall continue as long as the owner keeps such animals but

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does not permit the keeping of additional dogs or cats which exceed the limits in subsection (A) of this section which were not kept by such owner prior to August 21, 2007.

~~does not permit the keeping of additional dogs or cats which exceed the limits in subsection (A) of this section which were not kept by such owner prior to August 21, 2007.~~

9-2-10: Care and treatment:

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9-2-10: Care and treatment:

(A) No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death.

(A) No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death.

(A) No animal shall be inhumanely confined in a manner which causes or is likely to cause pain, suffering, injury or death.

(B) No person shall cause unnecessary pain or suffering or unjustifiable injury or death to an animal.

(B) No person shall cause unnecessary pain or suffering or unjustifiable injury or death to an animal.

(B) No person shall cause unnecessary pain or suffering or unjustifiable injury or death to an animal.

(C) Any person owning, keeping, harboring or having custody of an animal shall provide good and wholesome food, potable water, proper shelter and protection from the weather, veterinary care when needed, and other humane care and treatment as needed.

(C) Any person owning, keeping, harboring or having custody of an animal shall provide good and wholesome food, potable water, proper shelter and protection from the weather, veterinary care when needed, and other humane care and treatment as needed.

(C) Any person owning, keeping, harboring or having custody of an animal shall provide good and wholesome food, potable water, proper shelter and protection from the weather, veterinary care when needed, and other humane care and treatment as needed.

(D) No animal shall be abandoned or turned loose by its owner.

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(E) No person shall cause or permit any animal fighting.

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(F) If an operator of a motor vehicle is involved in an accident resulting in the injury or death of a dog, cat or other animal that appears to be a pet, the operator shall immediately notify the police department.

(F) If an operator of a motor vehicle is involved in an accident resulting in the injury or death of a dog, cat or other animal that appears to be a pet, the operator shall immediately notify the police department.

(F) If an operator of a motor vehicle is involved in an accident resulting in the injury or death of a dog, cat or other animal that appears to be a pet, the operator shall immediately notify the police department.

9-2-11: Noise:

No person shall own, keep, harbor or have custody of an animal that barks, whines, howls or makes sounds common to its species in an excessive, continuous or untimely fashion.

9-2-11: Noise: No person shall own, keep, harbor or have custody of an animal that barks, whines, howls or makes sounds common to its species in an excessive, continuous or untimely fashion.

9-2-11: Noise:

No person shall own, keep, harbor or have custody of an animal that barks, whines, howls or makes sounds common to its species in an excessive, continuous or untimely fashion.

9-2-12: Animal defecation:

The owner or person in control of an animal shall promptly remove and dispose of any feces in a sanitary manner deposited by such animal upon any public or private property without permission of the owner, except if the owner or person in control of the animal is blind.

9-2-12: Animal defecation: The owner or person in control of an animal shall promptly remove and dispose of any feces in a sanitary manner deposited by such animal upon any public or private property without permission of the owner, except if the owner or person in control of the animal is blind.

9-2-12: Animal defecation:

The owner or person in control of an animal shall promptly remove and dispose of any feces in a sanitary manner deposited by such animal upon any public or private property without permission of the owner, except if the owner or person in control of the animal is blind.

9-2-13: Animals in public places:

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9-2-13: Animals in public places:

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No animals shall be permitted in any city park, except Forest Prairie Park, or cemetery unless exempted from licensing under Section 9-2-5(B). (12-18-2007)

permitted in any city park, except Forest Prairie Park, or cemetery unless exempted from licensing under section 9-2-5(B) of this chapter.

No animals shall be permitted in any city park, except Forest Prairie Park, or cemetery unless exempted from licensing under ~~Section~~ 9-2-5(B). ~~(12-18-2007)~~ of this chapter.

9-2-14: Access to the public:

No animal shall be tied, staked, or fastened in such a manner to allow the animal access to any portion of a street, alley, sidewalk, or other public place. No animal shall be tied, staked, or fastened in such a manner that may interfere with delivery persons or mail carriers during the course of their employment. (12-18-2007)

9-2-14: Access to the public: No animal shall be tied, staked, or fastened in such a manner to allow the animal access to any portion of a street, alley, sidewalk, or other public place. No animal shall be tied, staked, or fastened in such a manner that may interfere with delivery persons or mail carriers during their employment.

9-2-14: Access to the public:

No animal shall be tied, staked, or fastened in such a manner to allow the animal access to any portion of a street, alley, sidewalk, or other public place. No animal shall be tied, staked, or fastened in such a manner that may interfere with delivery persons or mail carriers during ~~the course of~~ their employment. ~~(12-18-2007)~~

9-2-15: Injury to property by animals:

It shall be unlawful for any person owning, keeping, harboring or having custody of an animal to permit such animal to go upon any public or private premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner, or to defecate or urinate thereon.

9-2-15: Injury to property by animals: It shall be unlawful for any person owning, keeping, harboring or having custody of an animal to permit such animal to go upon any public or private premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner, or to defecate or urinate thereon.

9-2-15: Injury to property by animals:

It shall be unlawful for any person owning, keeping, harboring or having custody of an animal to permit such animal to go upon any public or private premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner, or to defecate or urinate thereon.

9-2-16: Disturbing birds and squirrels:

The owner or person in control of an animal shall not cause the animal to injure or kill any wild birds or squirrels in the City, except under a program directed by the Humane Officer, police department, health department, or other government agency.

9-2-16: Disturbing birds and squirrels: The owner or person in control of an animal shall not cause the animal to injure or kill any wild birds or squirrels in the city, except under a program directed by the humane officer, police department, health department, or other government agency.

9-2-16: Disturbing birds and squirrels:

The owner or person in control of an animal shall not cause the animal to injure or kill any wild birds or squirrels in the ~~C~~city, except under a program directed by the ~~Humane Officer~~humane officer, police department, health department, or other government agency.

9-2-17: Animals prohibited:

(A) It shall be unlawful for any person or entity to own, keep, harbor or have custody of any of the following on any property or in any residence, household or dwelling unit within the City:

1. Any farm animals, except rabbits;
2. Any poisonous animal; and
3. Any vicious animal.

9-2-17: Animals prohibited:

(A) It shall be unlawful for any person or entity to own, keep, harbor or have custody of any of the following on any property or in any residence, household or dwelling unit within the city:

- (1) Any farm animals, except rabbits;
- (2) Any poisonous animal; and
- (3) Any vicious animal.

9-2-17: Animals prohibited:

(A) It shall be unlawful for any person or entity to own, keep, harbor or have custody of any of the following on any property or in any residence, household or dwelling unit within the ~~C~~city:

- ~~(1)~~ Any farm animals, except rabbits;
- ~~(2)~~ Any poisonous animal; and
- ~~(3)~~ Any vicious animal.

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(B) This section shall not apply to animals that are in the care, custody or control of a veterinary clinic, agricultural fair, 4-H Club show, display for judging purposes, performing animal exhibit, circus, commercial carnival, theatrical exhibit, public or private institution, or government zoological park.

9-2-18: Wild animals:

(A) No person or entity shall own, keep, harbor or have custody of any wild animal.

(B) Ferrets, rabbits, birds, fish, nonpoisonous snakes less than 6 feet in length, lizards, frogs, spiders, turtles, chinchillas, hamsters, guinea pigs, gerbils, mice and rats are excluded from this Section.

(F) This section shall not apply to animals that are in the care, custody or control of a veterinary clinic, agricultural fair, 4-H Club show, display for judging purposes, performing animal exhibit, circus, commercial carnival, theatrical exhibit, public or private institution and government zoological park.

9-2-19: Animals as prizes:

No person or entity shall offer as a prize or give away any animal in a contest, raffle or lottery, as an enticement to enter any place of business, or to exploit any animal for the purpose of fundraising.

9-2-20: Commercial animal establishment permit required:

(A) No person or entity shall operate a commercial animal establishment without first obtaining a permit.

(B) An application for a commercial animal establishment permit shall be made to the city clerk, and the applicant shall pay a fee prior to the city clerk issuing a commercial animal establishment permit. No permit shall be granted without an inspection of the premises to determine compliance with this Code and state law.

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(C) The permit shall be issued for one year, commencing on January 1 of each year. Renewal applications for permits shall be made 30 days prior to and up to 30 days after the start of the calendar year.

(D) If there is a change in ownership of a commercial animal establishment, the new owner shall have the current permit transferred to his name upon payment of a fee.

(E) No permit is required of any animal shelter or government zoological park or person who sells or donates less than 10 animals per year.

9-2-21: Operation of commercial animal establishments:

(A) Every commercial animal establishment is subject to all applicable provisions of this Chapter and state law.

(B) Every commercial animal establishment shall be maintained in a clean and sanitary condition and not to allow any refuse or waste material to accumulate.

(C) Every commercial animal establishment shall have impervious, smooth and cleanable floors.

(D) Every commercial animal establishment shall keep and maintain records for all animals except fish for 1 year that fully detail the health, status and disposition of each animal that was trained, groomed, bought, sold, kenneled, or was otherwise in the custody of the establishment. (12-18-2007)

(E) Every commercial animal establishment permit shall be posted in a conspicuous place open to the public.

(F) Any animal having any disease, injury, or abnormality shall be properly isolated and treated and shall not be sold without full disclosure to the buyer of the condition of the animal.

(G) Upon the sale of any animal except fish, the seller shall furnish the buyer with a written statement of sale showing the date of sale, approximate age of the animal, immunization and medication type and date administered,

(C) The permit shall be issued for one year, commencing on January 1. Renewal applications for permits shall be made 30 days before and up to 30 days after the start of the calendar year.

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and the names of both the seller and buyer. (12-18-2007)

(H) A violation of this Chapter shall be cause for revocation of the commercial animal establishment permit.

9-2-22: Impoundment of animals:

(A) Any law enforcement officer or Humane Officer may impound an animal the officer has reasonable grounds to believe is:

1. Unlicensed or untagged;
2. At large;
3. Abandoned or a stray;
4. Rabid or has been exposed to a rabid animal;
5. A vicious animal; or
6. Receiving inadequate care and treatment in violation of Section 9-2-10.

(B) If the Humane Officer or law enforcement officer impounds an animal under subsection (A) of this section with the consent of the owner, the officer shall explain how the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(C) If the Humane Officer or law enforcement officer impounds an animal under subsection (A) of this section without the consent of the owner, the officer shall promptly notify the owner in writing if the owner can be identified and located with reasonable effort. The notice shall explain the procedure by which the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(D) Whenever an animal bites a person, the Humane Officer or law enforcement officer shall inform the owner that the animal shall be quarantined for at least 10 days, during which time the animal shall be examined by a veterinarian.

and the names of both the seller and buyer.

(H) A violation of this chapter shall be cause for revocation of the commercial animal establishment permit.

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- (1) Unlicensed or untagged;
- (2) At large;
- (3) Abandoned or a stray;
- (4) Rabid or has been exposed to a rabid animal;
- (5) A vicious animal; or
- (6) Receiving inadequate care and treatment in violation of section 9-2-10 of this chapter.

(B) If the humane officer or law enforcement officer impounds an animal under subsection (A) of this section with the consent of the owner, the officer shall explain how the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(C) If the humane officer or law enforcement officer impounds an animal under subsection (A) of this section without the consent of the owner, the officer shall promptly notify the owner in writing if the owner can be identified and located with reasonable effort. The notice shall explain the procedure by which the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(D) Whenever an animal bites a person, the humane officer or law enforcement officer shall inform the owner that the animal shall be quarantined for at least 10 days, during which time the animal shall be examined by a veterinarian.

and the names of both the seller and buyer. ~~(12-18-2007)~~

(H) A violation of this ~~C~~chapter shall be cause for revocation of the commercial animal establishment permit.

9-2-22: Impoundment of animals:

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- ~~(1-)~~ Unlicensed or untagged;
- ~~(2-)~~ At large;
- ~~(3-)~~ Abandoned or a stray;
- ~~(4-)~~ Rabid or has been exposed to a rabid animal;
- ~~(5-)~~ A vicious animal; or
- ~~(6-)~~ Receiving inadequate care and treatment in violation of ~~S~~section 9-2-10- of this chapter.

(B) If the ~~Humane Officer~~ humane officer or law enforcement officer impounds an animal under subsection (A) of this section with the consent of the owner, the officer shall explain how the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(C) If the ~~Humane Officer~~ humane officer or law enforcement officer impounds an animal under subsection (A) of this section without the consent of the owner, the officer shall promptly notify the owner in writing if the owner can be identified and located with reasonable effort. The notice shall explain the procedure by which the owner may recover the animal and the procedure to be followed if the animal is not returned to its owner.

(D) Whenever an animal bites a person, the ~~Humane Officer~~ humane officer or law enforcement officer shall inform the owner that the animal shall be quarantined for at least 10 days, during which time the animal shall be examined by a veterinarian.

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1. If the animal has a current rabies immunization, the animal may remain on the owner's premises. If the animal has no current rabies immunization, the animal will be quarantined at an isolation facility and will be released from quarantine at the end of the 10 day observation period if there are no signs of rabies.

(1) If the animal has a current rabies immunization, the animal may remain on the owner's premises. If the animal has no current rabies immunization, the animal will be quarantined at an isolation facility and will be released from quarantine at the end of the 10 day observation period if there are no signs of rabies.

~~(1-)~~ If the animal has a current rabies immunization, the animal may remain on the owner's premises. If the animal has no current rabies immunization, the animal will be quarantined at an isolation facility and will be released from quarantine at the end of the 10 day observation period if there are no signs of rabies.

2. If an animal exhibits symptoms of rabies during quarantine, the owner shall be notified and the animal shall be killed by a law enforcement officer or veterinarian in a humane manner. All actions shall be in accordance with state law.

(2) If an animal exhibits symptoms of rabies during quarantine, the owner shall be notified and the animal shall be killed by a law enforcement officer or veterinarian in a humane manner. All actions shall be under state law.

~~(2-)~~ If an animal exhibits symptoms of rabies during quarantine, the owner shall be notified and the animal shall be killed by a law enforcement officer or veterinarian in a humane manner. All actions shall be ~~in accordance with~~under state law.

3. The owner is responsible for all expenses of quarantine and if the owner is unknown, the City is responsible for those expenses.

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~~(3-)~~ The owner is responsible for all expenses of quarantine and if the owner is unknown, the ~~C~~city is responsible for those expenses.

(E) A person must report to the humane society, Humane Officer or the City police or health department the existence of an animal which is known or suspected to be infected with rabies.

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9-2-23: Release from impound:

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(A) The Humane Society may release a dog or cat to its owner or a representative under the following conditions:

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(A) The ~~Humane Society~~humane society may release a dog or cat to its owner or a representative under the following conditions:

1. The owner of the dog or cat or representative provides his name and address;

(1) The owner of the dog or cat or representative provides his or her name and address;

~~(1-)~~ The owner of the dog or cat or representative provides his or her name and address;

2. The owner or representative shows proof of dog licensing or shows prepayment of dog licensing, and that the dog or cat is vaccinated against rabies or prepayment of rabies vaccination from a licensed veterinarian; (3-18-2008)

(2) The owner or representative shows proof of dog licensing or shows prepayment of dog licensing, and that the dog or cat is vaccinated against rabies or prepayment of rabies vaccination from a licensed veterinarian;

~~(2-)~~ The owner or representative shows proof of dog licensing or shows prepayment of dog licensing, and that the dog or cat is vaccinated against rabies or prepayment of rabies vaccination from a licensed veterinarian;

~~(3-18-2008)~~

3. The owner or representative pays the humane society an impoundment fee plus a boarding fee for each day or fraction of a day that a dog or cat is impounded. The boarding fee may not exceed the actual average daily cost for boarding and caring for the dog or cat; and

(3) The owner or representative pays the humane society an impoundment fee plus a boarding fee for each day or fraction of a day that a dog or cat is impounded. The boarding fee may not exceed the actual average daily cost for boarding and caring for the dog or cat; and

~~(3-)~~ The owner or representative pays the humane society an impoundment fee plus a boarding fee for each day or fraction of a day that a dog or cat is impounded. The boarding fee may not exceed the actual average daily cost for boarding and caring for the dog or cat; and

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4. If a law enforcement officer or Humane Officer ordered the impoundment and withholding of the animal, the law enforcement officer or Humane Officer agrees to the release.

(4) If a law enforcement officer or Humane Officer ordered the impoundment and withholding of the animal, the law enforcement officer or Humane Officer agrees to the release.

~~(4-)~~ If a law enforcement officer or Humane Officer ordered the impoundment and withholding of the animal, the law enforcement officer or Humane Officer agrees to the release.

(B) The Humane Society may release a dog or cat to a person other than the owner under the following conditions:

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(B) The Humane Society may release a dog or cat to a person other than the owner under the following conditions:

1. The owner is unknown or does not claim the dog or cat within seven days after the dog or cat has been impounded;

(1) The owner is unknown or does not claim the dog or cat within seven days after the dog or cat has been impounded;

~~(1-)~~ The owner is unknown or does not claim the dog or cat within seven days after the dog or cat has been impounded;

2. The person to whom the dog or cat is released provides his name and address, and pays the boarding and impoundment fee, if required;

(2) The person to whom the dog or cat is released provides his or her name and address, and pays the boarding and impoundment fee, if required;

~~(2-)~~ The person to whom the dog or cat is released provides his ~~or her~~ name and address, and pays the boarding and impoundment fee, if required;

3. The person to whom a dog is released shows proof of licensing or shows prepayment of licensing, and shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian; and

(3) The person to whom a dog is released shows proof of licensing or shows prepayment of licensing, and shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian; and

~~(3-)~~ The person to whom a dog is released shows proof of licensing or shows prepayment of licensing, and shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian; and

4. The person to whom a cat is released shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian. (12-18-2007)

(4) The person to whom a cat is released shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian. (12-18-2007)

~~(4-)~~ The person to whom a cat is released shows proof of rabies vaccination or prepayment of rabies vaccination from a licensed veterinarian. (12-18-2007)

9-2-24: Rabies quarantine:

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9-2-24: Rabies quarantine:

(A) If an aldermanic district or other area is quarantined for rabies, all dogs and cats within the City shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The city clerk shall promptly post in at least 3 public places in the City notices of quarantine.

(A) If an aldermanic district or other area is quarantined for rabies, all dogs and cats within the city shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The city clerk shall promptly post in at least three public places in the city notices of quarantine.

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(B) A dog or cat which is currently immunized against rabies, as evidenced by a rabies vaccination tag or substitute tag attached to the collar of the dog or cat is exempt from the City quarantine provisions of subsection (A) of this section.

(B) A dog or cat which is immunized against rabies, as evidenced by a rabies vaccination tag or substitute tag attached to the collar of the dog or cat is exempt from the city quarantine provisions of subsection (A) of this section.

(B) A dog or cat which is ~~currently~~ immunized against rabies, as evidenced by a rabies vaccination tag or substitute tag attached to the collar of the dog or cat is exempt from the ~~C~~city quarantine provisions of subsection (A) of this section.

9-2-25: Revocation and inspection:

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Monroe City Code Codification Before and After Worksheet: Title 9

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-A-
No changes other than new ordinances

-B-
Includes all changes to December 2, 2015

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(A) Any person whose permit or license is revoked shall, within 10 days thereafter, humanely dispose of all animals owned, kept or harbored.

(B) Inspection of the premises of a permit or license holder may be made by a city official designated by resolution of the Council or the Humane Officer to determine compliance with this Chapter.

9-2-26: Enforcement.

(A) An owner of a licensed cat found to be at large in the City shall be subject to a Class 5 forfeiture upon proof of license.

(B) Except as expressly provided, a person who violates any provision of this Chapter shall be subject to a Class 4 forfeiture. A separate offense exists for each calendar day during which a violation occurs or continues.

(8-21-2007)

TITLE 9
POLICE REGULATIONS

Chapter 3

Uniform Forfeiture Classifications

- 9-3-1 Use of forfeiture classes
- 9-3-2 Definitions
- 9-3-3 Class 1 forfeiture
- 9-3-4 Class 2 forfeiture
- 9-3-5 Class 3 forfeiture
- 9-3-6 Class 4 forfeiture
- 9-3-7 Class 5 forfeiture
- 9-3-8 Deposit schedule
- 9-3-9 Alternative sentences

9-3-1: Use of forfeiture classes:

(A) Any person whose permit or license is revoked shall, within 10 days following such revocation, humanely dispose of all animals owned, kept or harbored.

(B) Inspection of the premises of a permit or license holder may be made by a city official designated by resolution of the council or the humane officer to determine compliance with this chapter.

9-2-26: Enforcement.

(A) An owner of a licensed cat found to be at large in the city shall upon conviction be subject to a class 5 forfeiture upon proof of license.

(B) Except as expressly provided, a person who violates any provision of this chapter shall upon conviction be subject to a class 4 forfeiture. A separate offense exists for each calendar day during which a violation occurs or continues.

Chap. 9-2 history: Reviewed December 2, 2015

TITLE 9: POLICE REGULATIONS

Chapter 3: UNIFORM FORFEITURE CLASSIFICATIONS

- 9-3-1 Use of forfeiture classes
- 9-3-2 Definitions
- 9-3-3 Class 1 forfeiture
- 9-3-4 Class 2 forfeiture
- 9-3-5 Class 3 forfeiture
- 9-3-6 Class 4 forfeiture
- 9-3-7 Class 5 forfeiture
- 9-3-8 Deposit schedule
- 9-3-9 Alternative sentences

9-3-1: Use of forfeiture classes: When a forfeiture in this

(A) Any person whose permit or license is revoked shall, within 10 days ~~thereafter~~following such revocation, humanely dispose of all animals owned, kept or harbored.

(B) Inspection of the premises of a permit or license holder may be made by a city official designated by resolution of the ~~C~~council or the ~~Humane Officer~~humane officer to determine compliance with this ~~C~~chapter.

9-2-26: Enforcement.

(A) An owner of a licensed cat found to be at large in the ~~C~~city shall upon conviction be subject to a ~~C~~class 5 forfeiture upon proof of license.

(B) Except as expressly provided, a person who violates any provision of this ~~C~~chapter shall upon conviction be subject to a ~~C~~class 4 forfeiture. A separate offense exists for each calendar day during which a violation occurs or continues.

~~(8-21-2007)~~__

Chap. 9-2 history: Reviewed December 2, 2015

TITLE 9
POLICE REGULATIONS

Chapter 3

Uniform Forfeiture Classifications: UNIFORM FORFEITURE CLASSIFICATIONS

- 9-3-1 Use of forfeiture classes
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9-3-1: Use of forfeiture classes:

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When a forfeiture in this Code is set out as a forfeiture of a certain class, the forfeiture shall be as set forth in this Chapter. (4-15-1997)

code is set out as a forfeiture of a certain class, the forfeiture shall be as set forth in this chapter.

When a forfeiture in this Code is set out as a forfeiture of a certain class, the forfeiture shall be as set forth in this Chapter. ~~(4-15-1997)chapter.~~

9-3-2: Definitions:

9-3-2: Definitions: In this chapter:

9-3-2: Definitions:

The following definitions apply in this Chapter:

The following definitions apply in In this Chapter:

ADULT: Any person who has attained seventeen (17) years of age as defined in section 938.02(1) of the Wisconsin Statutes.

“Adult” means any person who has attained 17 years of age as defined in section 938.02(1) of the Wisconsin statutes.

“Adult” means any person who has attained ~~seventeen (17)~~ years of age as defined in section 938.02(1) of the Wisconsin ~~Statutes.~~

JUVENILE: Any person who has not attained seventeen (17) years of age as defined in section 938.02(10m) of the Wisconsin Statutes. (4-15-1997)

“Juvenile” means any person who has not attained 17 years of age as defined in section 938.02(10m) of the Wisconsin statutes.

JUVENILE: Any statutes.

“Juvenile” means any person who has not attained ~~seventeen (17)~~ years of age as defined in section 938.02(10m) of the Wisconsin ~~Statutes.~~ ~~(4-15-1997)statutes.~~

9-3-3: Class 1 forfeiture:

Any adult or juvenile who violates an ordinance punishable by a Class 1 forfeiture shall be subject to a forfeiture of not less than two hundred dollars (\$200.00) or more than five hundred dollars (\$500.00). Any adult or juvenile who has attained fourteen (14) years of age shall also be subject to applicable costs. (4-15-1997)

9-3-3: Class 1 forfeiture: Any adult or juvenile who violates a code punishable by a class 1 forfeiture shall be subject to a forfeiture of not less than \$200.00 or more than \$500.00. Any adult or juvenile who has attained 14 years of age shall also be subject to applicable costs.

9-3-3: Class 1 forfeiture:

Any adult or juvenile who violates an ordinance a code punishable by a Class 1 forfeiture shall be subject to a forfeiture of not less than ~~two hundred dollars (\$200.00)~~ or more than ~~five hundred dollars (\$500.00)~~. Any adult or juvenile who has attained ~~fourteen (14)~~ years of age shall also be subject to applicable costs. ~~(4-15-1997)~~

9-3-4: Class 2 forfeiture:

Any adult or juvenile who violates an ordinance punishable by a Class 2 forfeiture shall be subject to a forfeiture of not less than one hundred dollars (\$100.00) or more than three hundred dollars (\$300.00). Any adult or juvenile who has attained fourteen (14) years of age shall also be subject to applicable costs. (4-15-1997)

9-3-4: Class 2 forfeiture: Any adult or juvenile who violates a code punishable by a class 2 forfeiture shall be subject to a forfeiture of not less than \$100.00 or more than \$300.00. Any adult or juvenile who has attained 14 years of age shall also be subject to applicable costs.

9-3-4: Class 2 forfeiture:

Any adult or juvenile who violates an ordinance a code punishable by a Class 2 forfeiture shall be subject to a forfeiture of not less than ~~one hundred dollars (\$100.00)~~ or more than ~~three hundred dollars (\$300.00)~~. Any adult or juvenile who has attained ~~fourteen (14)~~ years of age shall also be subject to applicable costs. ~~(4-15-1997)~~

9-3-5: Class 3 forfeiture:

Any adult or juvenile who violates an ordinance punishable by a Class 3 forfeiture shall be subject to a forfeiture of not less than fifty dollars (\$50.00) or more

9-3-5: Class 3 forfeiture: Any adult or juvenile who violates a code punishable by a class 3 forfeiture shall be subject to a forfeiture of not less than \$50.00 or more than \$200.00. Any adult or juvenile who has attained 14 years of age shall also be subject to applicable costs.

9-3-5: Class 3 forfeiture:

Any adult or juvenile who violates an ordinance a code punishable by a Class 3 forfeiture shall be subject to a forfeiture of not less than ~~fifty dollars (\$50.00)~~ or more

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than two hundred dollars (\$200.00). Any adult or juvenile who has attained fourteen (14) years of age shall also be subject to applicable costs. (4-15-1997)

than ~~two hundred dollars (\$200.00).~~ Any adult or juvenile who has attained ~~fourteen (14)~~ years of age shall also be subject to applicable costs. ~~(4-15-1997)~~

9-3-6: Class 4 forfeiture:

9-3-6: Class 4 forfeiture: Any adult or juvenile who violates a code punishable by a class 4 forfeiture shall be subject to a forfeiture of not less than \$25.00 or more than \$100.00. Any adult or juvenile who has attained 14 years of age shall also be subject to applicable costs.

9-3-6: Class 4 forfeiture:

~~Any adult or juvenile who violates an ordinance punishable by a Class 4 forfeiture shall be subject to a forfeiture of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00).~~ Any adult or juvenile who has attained ~~fourteen (14)~~ years of age shall also be subject to applicable costs. ~~(4-15-1997)~~

Any adult or juvenile who violates an ordinance punishable by a Class 4 forfeiture shall be subject to a forfeiture of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00). Any adult or juvenile who has attained fourteen (14) years of age shall also be subject to applicable costs. (4-15-1997)

9-3-7: Class 5 forfeiture:

9-3-7: Class 5 forfeiture: Any adult or juvenile who violates a code punishable by a class 5 forfeiture shall be subject to a forfeiture of not less than \$10.00 or more than \$50.00. Any adult or juvenile who has attained 14 years of age shall also be subject to applicable costs.

9-3-7: Class 5 forfeiture:

~~Any adult or juvenile who violates an ordinance punishable by a Class 5 forfeiture shall be subject to a forfeiture of not less than ten dollars (\$10.00) or more than fifty dollars (\$50.00).~~ Any adult or juvenile who has attained ~~fourteen (14)~~ years of age shall also be subject to applicable costs. ~~(4-15-1997)~~

Any adult or juvenile who violates an ordinance punishable by a Class 5 forfeiture shall be subject to a forfeiture of not less than ten dollars (\$10.00) or more than fifty dollars (\$50.00). Any adult or juvenile who has attained fourteen (14) years of age shall also be subject to applicable costs. (4-15-1997)

9-3-8: Deposit schedule:

9-3-8: Deposit schedule:

9-3-8: Deposit schedule:

(A) Any person arrested for a violation of this code may make a deposit of money as directed by the officer making the arrest at the police station or the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

(A) Any person arrested for a violation of this code may make a deposit of money as directed by the officer making the arrest at the police station or the office of the clerk of court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

(A) Any person arrested for a violation of this code may make a deposit of money as directed by the officer making the arrest at the police station or the office of the ~~C~~clerk of ~~C~~court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If the person makes a deposit as authorized by this section, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and any penalty assessment, jail assessment or other fee or assessment required by law, not to exceed the amount of the deposit.

(1) If the person makes a deposit as authorized by this section, the person need not appear in court at the time fixed in the citation and the person shall be considered to have tendered a plea of no contest and submitted to a forfeiture and any penalty assessment, jail assessment or other fee or assessment required by law, not to exceed the amount of the deposit.

~~(1)~~ If the person makes a deposit as authorized by this section, the person need not appear in court at the time fixed in the citation and the person ~~will~~~~shall~~ be ~~deemed~~~~considered~~ to have tendered a plea of no contest and submitted to a forfeiture and any penalty assessment, jail assessment or other fee or assessment required by law, not to exceed the amount of the deposit.

2. If the person fails to make a deposit as authorized by this section or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his or her arrest.

(2) If the person fails to make a deposit as authorized by this section or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his or her arrest.

~~(2)~~ If the person fails to make a deposit as authorized by this section or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his or her arrest.

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-A-
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(B) The amount of the deposit shall be determined as follows:

1. The deposit for offenses listed in a deposit schedule established by the Wisconsin Judicial Conference shall be the amount set forth in the most recent schedule established by the Wisconsin Judicial Conference.

2. The deposit for offenses not listed in a deposit schedule established by the Wisconsin Judicial Conference shall be an amount established from time to time by the Judiciary and Ordinance Review Committee. The Judiciary and Ordinance Review Committee is hereby authorized to establish such deposit amounts and approval thereof by the Common Council shall not be required.

3. If a deposit amount has not been established by either the Wisconsin Judicial Conference or the Judiciary and Ordinance Review Committee, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this code plus any penalty assessment, jail assessment or other fee or assessment required by law. (4-15-1997; 1-3-2006)

9-3-9: Alternative sentences:

(A) Any adult who fails to pay a Class 1, Class 2, Class 3, Class 4, or Class 5 forfeiture imposed by this Chapter shall be subject to the alternative sentencing provisions set forth in sections 800.09 and 800.095 of the Wisconsin Statutes.

(B) Any juvenile who fails to pay a Class 1, Class 2, Class 3, Class 4, or Class 5 forfeiture imposed by this Chapter shall be subject to the provisions set forth in section 938.343(2) of the Wisconsin Statutes.

(B) The amount of the deposit shall be determined as follows:

(1) The deposit for offenses listed in a deposit schedule established by the Wisconsin judicial conference shall be the amount set forth in the most recent schedule established by the Wisconsin judicial conference.

(2) The deposit for offenses not listed in a deposit schedule established by the Wisconsin judicial conference shall be an amount established from time to time by resolution of the council.

(3) If a deposit amount has not been established by either the Wisconsin judicial conference or the judiciary and ordinance review committee, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this code plus any penalty assessment, jail assessment or other fee or assessment required by law.

9-3-9: Alternative sentences:

(A) Any adult who fails to pay a class 1, class 2, class 3, class 4, or class 5 forfeiture imposed by this chapter shall be subject to the alternative sentencing provisions set forth in sections 800.09 and 800.095 of the Wisconsin statutes.

(B) Any juvenile who fails to pay a class 1, class 2, class 3, class 4, or class 5 forfeiture imposed by this chapter shall be subject to the provisions set forth in section 938.343(2) of the Wisconsin statutes.

(B) The amount of the deposit shall be determined as follows:

~~(1)~~ The deposit for offenses listed in a deposit schedule established by the Wisconsin ~~Judicial Conference~~ judicial conference shall be the amount set forth in the most recent schedule established by the Wisconsin ~~Judicial Conference~~.

~~—judicial conference.~~

~~(2)~~ The deposit for offenses not listed in a deposit schedule established by the Wisconsin ~~Judicial Conference~~ judicial conference shall be an amount established from time to time by ~~the Judiciary and Ordinance Review Committee. The Judiciary and Ordinance Review Committee is hereby authorized to establish such deposit amounts and approval thereof by the Common Council shall not be required.~~

~~—resolution of the council.~~

~~(3)~~ If a deposit amount has not been established by either the Wisconsin ~~Judicial Conference~~ judicial conference or the ~~Judiciary and Ordinance Review Committee~~ judiciary and ordinance review committee, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this code plus any penalty assessment, jail assessment or other fee or assessment required by law. ~~(4-15-1997; 1-3-2006)~~

9-3-9: Alternative sentences:

(A) Any adult who fails to pay a ~~C~~class 1, ~~C~~class 2, ~~C~~class 3, ~~C~~class 4, or ~~C~~class 5 forfeiture imposed by this ~~C~~chapter shall be subject to the alternative sentencing provisions set forth in sections 800.09 and 800.095 of the Wisconsin ~~S~~statutes.

(B) Any juvenile who fails to pay a ~~C~~class 1, ~~C~~class 2, ~~C~~class 3, ~~C~~class 4, or ~~C~~class 5 forfeiture imposed by this ~~C~~chapter shall be subject to the provisions set forth in section 938.343(2) of the Wisconsin ~~S~~statutes.

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-A-
No changes other than new ordinances

-B-
Includes all changes to December 2, 2015

-C-
-A- compared to -B- with Microsoft Word comparison utility

(C) Any juvenile who violates an ordinance punishable by a Class 1, Class 2, Class 3, Class 4, or Class 5 forfeiture may be ordered to perform community service as provided in section 938.343(3) and defined in section 938.34(5g) of the Wisconsin Statutes, or any other disposition available under section 938.343 or 938.344 of the Wisconsin Statutes, in addition to or in lieu of a forfeiture.

(C) Any juvenile who violates a code punishable by a class 1, class 2, class 3, class 4, or class 5 forfeiture may be ordered to perform community service as provided in section 938.343(3) and defined in section 938.34(5g) of the Wisconsin statutes, or any other disposition available under section 938.343 or 938.344 of the Wisconsin statutes, in addition to or in lieu of a forfeiture.

(C) Any juvenile who violates ~~an ordinance~~ a code punishable by a ~~Class~~ Eclass 1, ~~Class~~ Eclass 2, ~~Class~~ Eclass 3, ~~Class~~ Eclass 4, or ~~Class~~ Eclass 5 forfeiture may be ordered to perform community service as provided in section 938.343(3) and defined in section 938.34(5g) of the Wisconsin ~~S~~ Statutes, or any other disposition available under section 938.343 or 938.344 of the Wisconsin ~~S~~ Statutes, in addition to or in lieu of a forfeiture.

(D) Any adult who violates an ordinance punishable by a Class 1, Class 2, Class 3, Class 4, or Class 5 forfeiture may be ordered to perform community service in addition to or in lieu of a forfeiture. (4-15-1997)

(D) Any adult who violates a code punishable by a class 1, class 2, class 3, class 4, or class 5 forfeiture may be ordered to perform community service in addition to or in lieu of a forfeiture.

(D) Any adult who violates ~~an ordinance~~ a code punishable by a ~~Class~~ Eclass 1, ~~Class~~ Eclass 2, ~~Class~~ Eclass 3, ~~Class~~ Eclass 4, or ~~Class~~ Eclass 5 forfeiture may be ordered to perform community service in addition to or in lieu of a forfeiture. ~~(4-15-1997)~~ —

Chap. 9-3 history: Reviewed December 2, 2015

Chap. 9-3 history: Reviewed December 2, 2015

TITLE 9
POLICE REGULATIONS

TITLE 9: POLICE REGULATIONS

TITLE 9
: POLICE REGULATIONS

Chapter 4

Chapter 4: GENERAL OFFENSES

Chapter 4

General Offenses

General Offenses: GENERAL OFFENSES

- 9-4-1 Aircraft regulations
- 9-4-2 Disorderly house; disorderly conduct
- 9-4-3 Lewd and lascivious behavior
- 9-4-4 Disturbing the peace
- 9-4-5 Possession of alcohol beverages in public or on a commercial quadricycle
- 9-4-6 Gambling
- 9-4-7 Loitering
- 9-4-8 Property Offenses
- 9-4-9 Battery
- 9-4-10 Trespass to property
- 9-4-11 Handbills, advertising materials
- 9-4-12 Obstruction of aisles, exits
- 9-4-13 Scaffolds
- 9-4-14 Barbed wire and electric fences
- 9-4-15 Noxious weeds
- 9-4-16 Fireworks
- 9-4-17 Discharge of firearms
- 9-4-18 Carrying concealed weapon
- 9-4-19 Radio interference
- 9-4-20 Nuisance Noise and Sound Levels

- 9-4-1 Aircraft regulations
- 9-4-2 Disorderly house; disorderly conduct
- 9-4-3 Lewd and lascivious behavior
- 9-4-4 Disturbing the peace
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- 9-4-20 Nuisance noise and sound levels regulation

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-B-
Includes all changes to December 2, 2015

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Regulation
 9-4-21 Resisting or obstructing officer:
 9-4-22 Issue of Worthless Check
 9-4-23 Sale of poison
 9-4-24 Unauthorized person prohibited on school grounds
 9-4-25 Littering
 9-4-26 Theft
 9-4-27 Retail theft
 9-4-28 Failure to return library materials
 9-4-29 Fraud on Residential Landlords
 9-4-30 Obtaining Utility Service by Fraud
 9-4-31 Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator, or Gas Station
 9-4-32 Purchase or possession of tobacco products prohibited
 9-4-33 Restrictions on sale or gift of cigarettes or tobacco products
 9-4-34 Curfew
 9-4-35 Controlled substances; drug paraphernalia
 9-4-36 Truancy, habitual truancy, dropout, and contributing to truancy

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 9-4-22 Issue of worthless check
 9-4-23 Sale of poisons
 9-4-24 Unauthorized person prohibited on school ground
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 9-4-27 Retail theft
 9-4-28 Failure to return library materials
 9-4-29 Fraud on residential landlords
 9-4-30 Obtaining utility service by fraud
 9-4-31 Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station
 9-4-32 Purchase or possession of tobacco products prohibited
 9-4-33 Restrictions on sale or gift of cigarettes or tobacco products
 9-4-34 Curfew
 9-4-35 Marijuana, synthetic cannabinoids and drug paraphernalia
 9-4-36 Truancy, habitual truancy, dropout, and contributing to truancy

~~Regulations~~ sound levels regulation
 9-4-21 Resisting or obstructing officer:
 9-4-22 Issue of ~~Worthless Check~~ worthless check
 9-4-23 Sale of poisons
 9-4-24 Unauthorized person prohibited on school grounds
 9-4-25 Littering
 9-4-26 Theft:
 9-4-27 Retail theft
 9-4-28 Failure to return library materials
 9-4-29 Fraud on ~~Residential Landlords~~ residential landlords
 9-4-30 Obtaining ~~Utility Service~~ utility service by ~~F~~fraud
 9-4-31 Fraud on ~~H~~hotel or ~~Restaurant Keeper, Recreational Attraction, Taxicab Operator~~ restaurant keeper, recreational attraction, taxicab operator, or Gas Station gas station
 9-4-32 Purchase or possession of tobacco products prohibited
 9-4-33 Restrictions on sale or gift of cigarettes or tobacco products
 9-4-34 Curfew
 9-4-35 ~~Controlled substances;~~ Marijuana, synthetic cannabinoids and drug paraphernalia
 9-4-36 Truancy, habitual truancy, dropout, and contributing to truancy

9-4-1: Aircraft regulations:

(A) No person shall engage in acrobatic or trick flying over the city.

(B) No person shall operate an aircraft over the city at an altitude of less than one thousand feet (1,000') above the highest obstacle within a horizontal radius of two thousand feet (2,000') from the aircraft, except for purposes of taking off from and landing at the Monroe municipal airport.

(C) No person, while flying over the city, shall drop any object except the emergency dropping of loose water or loose sand ballast.

(D) A person who violates any provision of this section

9-4-1: Aircraft regulations:

(A) No person shall engage in acrobatic or trick flying over the city.

(B) No person shall operate an aircraft over the city at an altitude of less than 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet from the aircraft, except for purposes of taking off from and landing at the Monroe municipal airport.

(C) No person, while flying over the city, shall drop any object except the emergency dropping of loose water or loose sand ballast.

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9-4-1: Aircraft regulations:

(A) No person shall engage in acrobatic or trick flying over the city.

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(C) No person, while flying over the city, shall drop any object except the emergency dropping of loose water or loose sand ballast.

(D) A person who violates any provision of this section

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J&O Committee Review Materials - Title 9 - January 21, 2016 @ 4:00 PM

-A- No changes other than new ordinances	-B- Includes all changes to December 2, 2015	-C- -A- compared to -B- with Microsoft Word comparison utility
shall be subject to a class 3 forfeiture. (12-17-1991)	shall upon conviction be subject to a class 3 forfeiture.	shall <u>upon conviction</u> be subject to a class 3 forfeiture. (12-17-1991)
9-4-2: Disorderly house; disorderly conduct:	9-4-2: Disorderly house; disorderly conduct:	9-4-2: Disorderly house; disorderly conduct:
(A) Disorderly House: No person, as owner, agent of the owner, lessee, tenant, occupant, visitor, guest or as a trespasser of any building, enclosure, structure, tent, garden, yard, room or other place within the city shall permit or engage in "disorderly conduct" as defined in subsection (B) of this section, or allow any excessive noise which causes a disturbance to others.	(A) Disorderly house: No person, as owner, agent of the owner, lessee, tenant, occupant, visitor, guest or as a trespasser of any building, enclosure, structure, tent, garden, yard, room or other place within the city shall permit or engage in "disorderly conduct" as defined in subsection (B) of this section, or allow any excessive noise which causes a disturbance to others.	(A) Disorderly H house: No person, as owner, agent of the owner, lessee, tenant, occupant, visitor, guest or as a trespasser of any building, enclosure, structure, tent, garden, yard, room or other place within the city shall permit or engage in "disorderly conduct" as defined in subsection (B) of this section, or allow any excessive noise which causes a disturbance to others.
(B) Disorderly Conduct: No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance.	(B) Disorderly conduct: No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance.	(B) Disorderly C conduct: No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance.
(C) Annoying Phone Calls: No person shall telephone another with the intent to frighten, intimidate, threaten, harass, annoy, or offend, or telephone another and use any obscene, lewd, or profane language or suggest any lewd or lascivious act, or threaten or inflict injury or physical harm to the person or property of any person. No person shall attempt to extort money or other thing of value from any person, or to otherwise disturb by anonymous telephone call, the peace, quiet or right of privacy of any person at the place where the telephone call was received whether or not conversation ensues. (10-18- 1983)	(C) Annoying phone calls: No person shall telephone another with the intent to frighten, intimidate, threaten, harass, annoy, or offend, or telephone another and use any obscene, lewd, or profane language or suggest any lewd or lascivious act, or threaten or inflict injury or physical harm to the person or property of any person. No person shall attempt to extort money or other thing of value from any person, or to otherwise disturb by anonymous telephone call, the peace, quiet or right of privacy of any person at the place where the telephone call was received whether or not conversation ensues.	(C) Annoying Phone Calls <u>phone calls</u> : No person shall telephone another with the intent to frighten, intimidate, threaten, harass, annoy, or offend, or telephone another and use any obscene, lewd, or profane language or suggest any lewd or lascivious act, or threaten or inflict injury or physical harm to the person or property of any person. No person shall attempt to extort money or other thing of value from any person, or to otherwise disturb by anonymous telephone call, the peace, quiet or right of privacy of any person at the place where the telephone call was received whether or not conversation ensues. (10-18-1983)
(D) Harassment: No person shall, with intent to harass or intimidate another person, do any of the following:	(D) Harassment: No person shall, with intent to harass or intimidate another person, do any of the following:	(D) Harassment: No person shall, with intent to harass or intimidate another person, do any of the following:
1. Strike, shove, kick or otherwise subject the person to physical contact or attempt or threaten to do the same.	(1) Strike, shove, kick or otherwise subject the person to physical contact or attempt or threaten to do the same.	(1-) Strike, shove, kick or otherwise subject the person to physical contact or attempt or threaten to do the same.
2. Engage in a course of conduct or repeatedly commit acts which harass or intimidate the person and which serve no legitimate purpose.	(2) Engage in a course of conduct or repeatedly commit acts which harass or intimidate the person and which serve no legitimate purpose.	(2-) Engage in a course of conduct or repeatedly commit acts which harass or intimidate the person and which serve no legitimate purpose.
3. This subsection does not prohibit any person from participating in lawful conduct in labor disputes under	(3) This subsection does not prohibit any person from participating in lawful conduct in labor disputes under	(3-) This subsection does not prohibit any person from participating in lawful conduct in labor disputes under

Monroe City Code Codification Before and After Worksheet: Title 9

-A- No changes other than new ordinances	-B- Includes all changes to December 2, 2015	-C- -A- compared to -B- with Microsoft Word comparison utility
section 103.53 of the Wisconsin Statutes. (6-19-84)	section 103.53 of the Wisconsin statutes.	section 103.53 of the Wisconsin Statutes. (6-19-84) <u>statutes.</u>
(E) Unlawful Assemblies: No person shall fail or refuse to withdraw from an unlawful assembly which has been ordered to disperse.	(E) Unlawful assemblies: No person shall fail or refuse to withdraw from an unlawful assembly which has been ordered to disperse.	(E) Unlawful <u>A</u> sssemblies: No person shall fail or refuse to withdraw from an unlawful assembly which has been ordered to disperse.
1. An "unlawful assembly" is an assembly which consists of three (3) or more persons and which causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.	(1) An "unlawful assembly" is an assembly which consists of three or more persons and which causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.	(1.) An "unlawful assembly" is an assembly which consists of three (3) or more persons and which causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.
2. An "unlawful assembly" includes an assembly of persons who assemble for the purpose of blocking or obstructing the lawful use by any other person, or persons of any private or public thoroughfares, property or of any positions of access or exit to or from any private or public building, or dwelling place, or any portion thereof and which assembly does in fact so block or obstruct the lawful use by any other person, or persons of any such private or public thoroughfares, property or any position of access or exit to or from any private or public building, or dwelling place, or any portion thereof.	(2) An "unlawful assembly" includes an assembly of persons who assemble to block or obstruct the lawful use by any other person, or persons of any private or public thoroughfares, property or of any positions of access or exit to or from any private or public building, or dwelling place, or any portion thereof and which assembly does in fact so block or obstruct the lawful use by any other person, or persons of any such private or public thoroughfares, property or any position of access or exit to or from any private or public building, or dwelling place, or any portion thereof.	(2.) An "unlawful assembly" includes an assembly of persons who assemble for the purpose of blocking to block <u>ing</u> the lawful use by any other person, or persons of any private or public thoroughfares, property or of any positions of access or exit to or from any private or public building, or dwelling place, or any portion thereof and which assembly does in fact so block or obstruct the lawful use by any other person, or persons of any such private or public thoroughfares, property or any position of access or exit to or from any private or public building, or dwelling place, or any portion thereof.
(F) Penalty: Any person who violates any provision of this Section shall be guilty of a Class 3 forfeiture. (9-5-95)	(F) Penalty: Any person who violates any provision of this section shall upon conviction be subject to a class 3 forfeiture.	(F) Penalty: Any person who violates any provision of this S section shall <u>upon conviction</u> be guilty of <u>subject to a</u> C class 3 forfeiture. (9-5-95)
9-4-3: Lewd and lascivious behavior:	9-4-3: Lewd and lascivious behavior:	9-4-3: Lewd and lascivious behavior:
(A) No person shall commit an indecent act of sexual gratification with another with knowledge that they are in the presence of others.	(A) No person shall commit an indecent act of sexual gratification with another with knowledge that they are in the presence of others.	(A) No person shall commit an indecent act of sexual gratification with another with knowledge that they are in the presence of others.
(B) No person shall publicly and indecently expose his or her genitals or pubic area.	(B) No person shall publicly and indecently expose his or her genitals or pubic area.	(B) No person shall publicly and indecently expose his or her genitals or pubic area.
(C) Any person violating any provision of this Section shall be subject to a Class 3 forfeiture. (12-17-91)	(C) Any person violating any provision of this section shall upon conviction be subject to a Class 3 forfeiture. (12-17-91)	(C) Any person violating any provision of this S section shall <u>upon conviction</u> be subject to a Class 3 forfeiture. (12-17-91)
9-4-4: Disturbing the peace:	9-4-4: Disturbing the peace:	9-4-4: Disturbing the peace:
(A) No person shall disturb the peace and good order of	(A) No person shall disturb the peace and good order of	(A) No person shall disturb the peace and good order of

Monroe City Code Codification Before and After Worksheet: Title 9

-A-
No changes other than new ordinances

-B-
Includes all changes to December 2, 2015

-C-
-A- compared to -B- with Microsoft Word comparison utility

the City in any manner as to be annoying to others, whether the disturbance occurs in his or her own home or elsewhere.

the city in any manner as to be annoying to others, whether the disturbance occurs in his or her own home or elsewhere.

the City in any manner as to be annoying to others, whether the disturbance occurs in his or her own home or elsewhere.

(B) No person shall disturb or annoy any congregation, audience, public meeting or lawful assembly or persons of any kind or join others in so doing, nor shall any person annoy any person in any public place.

(B) No person shall disturb or annoy any congregation, audience, public meeting or lawful assembly or persons or join others in so doing, nor shall any person annoy any person in any public place.

(B) No person shall disturb or annoy any congregation, audience, public meeting or lawful assembly or persons ~~of any kind~~ or join others in so doing, nor shall any person annoy any person in any public place.

(C) Any person who violates any provision of this Section shall be guilty of a Class 2 forfeiture. (10-18-83)

(C) Any person who violates any provision of this section shall upon conviction be subject to a class 2 forfeiture.

(C) Any person who violates any provision of this ~~Section~~ shall upon conviction be ~~guilty of~~ subject to a ~~Class 2 forfeiture.~~ ~~(10-18-83)~~

9-4-5: Possession of alcohol beverages in public or on a commercial quadricycle:

9-4-5: Possession of alcohol beverages in public or on a commercial quadricycle:

9-4-5: Possession of alcohol beverages in public or on a commercial quadricycle:

(A) No person shall be in possession of any alcohol beverage in any open container while in or upon any public park, street, alley, sidewalk or public way, or area held out for public use, or while riding upon a commercial quadricycle as defined in Section 340.01(8m) of the Wisconsin Statutes, except pursuant to a permit issued by the city authorizing such possession.

(A) No person shall be in possession of any alcohol beverage in any open container while in or upon any public park, street, alley, sidewalk or public way, or area held out for public use, or while riding upon a commercial quadricycle as defined in section 340.01(8m) of the Wisconsin statutes, except pursuant to a permit issued by the city authorizing such possession.

(A) No person shall be in possession of any alcohol beverage in any open container while in or upon any public park, street, alley, sidewalk or public way, or area held out for public use, or while riding upon a commercial quadricycle as defined in ~~Section~~ Section 340.01(8m) of the Wisconsin ~~Statutes~~ Statutes, except pursuant to a permit issued by the city authorizing such possession.

(B) No person shall be in possession of any alcohol beverage in an open container while in a motor vehicle in or upon any public street, alley, sidewalk or public way, or area held out for public use.

(B) No person shall be in possession of any alcohol beverage in an open container while in a motor vehicle in or upon any public street, alley, sidewalk or public way, or area held out for public use.

(B) No person shall be in possession of any alcohol beverage in an open container while in a motor vehicle in or upon any public street, alley, sidewalk or public way, or area held out for public use.

(C) Any person who violates this section is guilty of a class 4 forfeiture. 2014-11-05

(C) Any person who violates this section shall upon conviction be subject to a class 4 forfeiture.

(C) Any person who violates this section ~~is guilty of~~ shall upon conviction be subject to a class 4 forfeiture. ~~2014-11-05~~

9-4-6: Gambling:

9-4-6: Gambling:

9-4-6: Gambling:

(A) Gambling Houses: No person shall keep or maintain any house or other place for the purpose of gambling, and no person shall visit any gambling house or other place for the purpose of gambling.

(A) Gambling houses: No person shall keep or maintain any house or other place for a gambling purpose, and no person shall visit any gambling house or other place for a gambling purpose.

(A) Gambling ~~H~~houses: No person shall keep or maintain any house or other place for ~~the purpose of a~~ gambling purpose, and no person shall visit any gambling house or other place for ~~the purpose of a~~ gambling purpose.

(B) Seizure Of Gambling Devices: The mayor, chief of police or any police officer of the city may seize or direct to be seized, any instrument, devices or thing used for the purpose of gambling and all such instruments, devices or things so seized shall be disposed of in accordance with

(B) Seizure of gambling devices: The mayor, chief of police or any police officer of the city may seize or direct to be seized, any instrument, devices or thing used a gambling purpose and all such instruments, devices or things so seized shall be disposed of under the order of

(B) Seizure ~~Of Gambling Devices~~ of gambling devices: The mayor, chief of police or any police officer of the city may seize or direct to be seized, any instrument, devices or thing used ~~for the purpose of a~~ gambling purpose and all such instruments, devices or things so seized shall be

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the order of the court.

the court.

disposed of ~~in accordance with~~under the order of the court.

(C) Penalty: Any person who violates this section shall be guilty of a class 1 forfeiture. (7-2-1985)

(C) Penalty: Any person who violates any provision of this section shall upon conviction be subject to a class 1 forfeiture.

(C) Penalty: Any person who violates any provision of this section shall upon conviction be guilty of~~subject to~~ a class 1 forfeiture. ~~(7-2-1985)~~

9-4-7: Loitering:

9-4-7: Loitering:

9-4-7: Loitering:

(A) Loitering or prowling prohibited: It is unlawful for any person to loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity.

(A) Loitering or prowling prohibited: It is unlawful for any person to loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity.

(A) Loitering or prowling prohibited: It is unlawful for any person to loiter or prowl in a place, at a time or in a manner not usual for law abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity.

1. Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon the appearance of a police officer, refuses to identify himself or herself or endeavors to conceal himself or herself or any object.

(1) Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon the appearance of a police officer, refuses to identify himself or herself or attempts to conceal himself or herself or any object.

~~(1-)~~ Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon the appearance of a police officer, refuses to identify himself or herself or ~~endeavors~~attempts to conceal himself or herself or any object.

2. Unless flight by the person or other circumstances makes it impracticable, a police officer shall, prior to any arrest for an offense under this section, allow the person an opportunity to dispel any alarm which would otherwise be warranted by requesting such person to identify himself or herself and explain his or her presence and conduct.

(2) Unless flight by the person or other circumstances makes it impracticable, a police officer shall, before any arrest for an offense under this section, allow the person an opportunity to dispel any alarm which would otherwise be warranted by requesting such person to identify himself or herself and explain his or her presence and conduct.

~~(2-)~~ Unless flight by the person or other circumstances makes it impracticable, a police officer shall, ~~prior to~~before any arrest for an offense under this section, allow the person an opportunity to dispel any alarm which would otherwise be warranted by requesting such person to identify himself or herself and explain his or her presence and conduct.

3. No person shall be convicted of an offense under this paragraph if the police officer did not comply with subsection 2. of this paragraph, or if it appears at trial that the explanation given by the person, if believed by the police officer at the time, would have dispelled the alarm.

(3) No person shall be convicted of an offense under this paragraph if the police officer did not comply with subparagraph (2) of this paragraph, or if it appears at trial that the explanation given by the person, if believed by the police officer, would have dispelled the alarm.

~~(3-)~~ No person shall be convicted of an offense under this paragraph if the police officer did not comply with ~~subsection 2-~~subparagraph (2) of this paragraph, or if it appears at trial that the explanation given by the person, if believed by the police officer ~~at the time~~, would have dispelled the alarm.

(B) Obstruction to others:

(B) Obstruction to others:

(B) Obstruction to others:

1. Obstruction of highway: No person shall obstruct any street, bridge, sidewalk or crossing by loitering in or upon the same after being requested to move on by any police officer.

(1) Obstruction of highway: No person shall obstruct any street, bridge, sidewalk or crossing by loitering in or upon the same after being requested to move on by any police officer.

~~(1-)~~ Obstruction of highway: No person shall obstruct any street, bridge, sidewalk or crossing by loitering in or upon the same after being requested to move on by any police officer.

2. Obstruction to traffic: No person shall loiter

(2) Obstruction to traffic: No person shall loiter

~~(2-)~~ Obstruction to traffic: No person shall loiter

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individually, in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public places within the city in such manner as to prevent, interfere with or obstruct the ordinary free use of said public streets, sidewalks, street crossings and bridges or other public places by persons passing along or over the same.

individually, in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public places within the city in such manner as to prevent, interfere with or obstruct the ordinary free use of such public streets, sidewalks, street crossings and bridges or other public places by persons passing along or over the same.

individually, in groups or crowds upon the public streets, alleys, sidewalks, street crossings or bridges or in any other public places within the city in such manner as to prevent, interfere with or obstruct the ordinary free use of ~~said~~ such public streets, sidewalks, street crossings and bridges or other public places by persons passing along or over the same.

(C) Loitering in buildings or on property owned, leased or operated by the City. No person shall loaf or loiter in any waiting room, lobby or other portion of any building owned, leased or operated by the city, or to remain in or on any such building for a period of time longer than reasonably necessary to transact such business as such person may have to transact in such building.

(C) Loitering in buildings or on property owned, leased or operated by the city. No person shall loaf or loiter in any waiting room, lobby or other portion of any building owned, leased or operated by the city, or to remain in or on any such building for longer than reasonably necessary to transact such business as such person may have to transact in such building.

(C) Loitering in buildings or on property owned, leased or operated by the ~~C~~city. No person shall loaf or loiter in any waiting room, lobby or other portion of any building owned, leased or operated by the city, or to remain in or on any such building for ~~a period of time~~ longer than reasonably necessary to transact such business as such person may have to transact in such building.

(D) Penalty: Any person who violates this section shall be guilty of a class 4 forfeiture. (6-19-1984; 3-18-1986; 5-5-1993; 10-19-2010)

(D) Penalty: Any person who violates any provision of this section shall upon conviction be subject to a class 4 forfeiture.

(D) Penalty: Any person who violates any provision of this section shall upon conviction be guilty of subject to a class 4 forfeiture. ~~(6-19-1984; 3-18-1986; 5-5-1993; 10-19-2010)~~

9-4-8: Property Offenses:

9-4-8: Property offenses:

9-4-8: Property ~~O~~ffenses:

(A) ~~Damage to Property.~~ Whoever intentionally causes damage to the physical property of another without the person's consent is guilty of a class 3 forfeiture.

(A) Damage to property. Whoever intentionally causes damage to the physical property of another without the person's consent shall upon conviction be subject to a class 3 forfeiture.

(A) Damage to ~~P~~roperty. Whoever intentionally causes damage to the physical property of another without the person's consent ~~is guilty of~~ shall upon conviction be subject to a class 3 forfeiture.

(B) Corruption of Well. Whoever injures or corrupts any public or private well is guilty of a class 3 forfeiture.

(B) Corruption of well. Whoever injures or corrupts any public or private well shall upon conviction be subject to a class 3 forfeiture.

(B) Corruption of ~~W~~well. Whoever injures or corrupts any public or private well ~~is guilty of~~ shall upon conviction be subject to a class 3 forfeiture.

(C) Graffiti. Whoever intentionally marks, draws or writes with paint, ink or another substance on or intentionally etches into the physical property of another without the other person's consent is guilty of a class 3 forfeiture. 2012-08-10

(C) Graffiti. Whoever intentionally marks, draws or writes with paint, ink or another substance on or intentionally etches into the physical property of another without the other person's consent shall upon conviction be subject to a class 3 forfeiture.

(C) Graffiti. Whoever intentionally marks, draws or writes with paint, ink or another substance on or intentionally etches into the physical property of another without the other person's consent ~~is guilty of~~ shall upon conviction be subject to a class 3 forfeiture. ~~2012-08-10~~

9-4-9: Battery:

9-4-9: Battery:

9-4-9: Battery:

(A) No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

(A) No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

(A) No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed.

(B) Any person who violates this section is guilty of a

(B) Any person who violates this section shall upon

(B) Any person who violates this section ~~is guilty of~~ shall

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class 2 forfeiture. (6-19-1984)

conviction be subject to a class 2 forfeiture.

upon conviction be subject to a class 2 forfeiture. ~~(6-19-1984)~~

9-4-10: Trespass to property:

9-4-10: Trespass to property:

9-4-10: Trespass to property:

(A) Restricted Use Area: No person shall intentionally enter or remain upon any real property in violation of one or more lawful restrictions placed upon the use of such property by the owner or person in lawful possession thereof, if:

(A) Restricted Use Area: No person shall intentionally enter or remain upon any real property in violation of one or more lawful restrictions placed upon the use of such property by the owner or person in lawful possession thereof, if:

(A) Restricted Use Area: No person shall intentionally enter or remain upon any real property in violation of one or more lawful restrictions placed upon the use of such property by the owner or person in lawful possession thereof, if:

1. The person present has received oral or written notice of the restrictions applicable to the property from the owner or person in lawful possession of the property, or

(1) The person present has received oral or written notice of the restrictions applicable to the property from the owner or person in lawful possession of the property, or

~~(1-)~~ The person present has received oral or written notice of the restrictions applicable to the property from the owner or person in lawful possession of the property, or

2. There is clearly visible from the location of the person one or more signs stating the restrictions applicable to the property and the sign or signs visible to such person meet the following criteria:

(2) There is clearly visible from the location of the person one or more signs stating the restrictions applicable to the property and the sign or signs visible to such person meet the following criteria:

~~(2-)~~ There is clearly visible from the location of the person one or more signs stating the restrictions applicable to the property and the sign or signs visible to such person meet the following criteria:

(a) The statement of restrictions must be clear, concise and reasonably inform persons of the nature of the restrictions.

A) The statement of restrictions must be clear, concise and reasonably inform persons of the nature of the restrictions.

~~(aA)~~ The statement of restrictions must be clear, concise and reasonably inform persons of the nature of the restrictions.

(b) Lettering stating the restrictions must be at least two inches (2") in height and clearly legible.

B) Lettering stating the restrictions must be at least two inches in height and clearly legible.

~~(bB)~~ Lettering stating the restrictions must be at least two inches ~~(2")~~ in height and clearly legible.

(B) Dwelling Or Structure: No person shall do the following in or about a dwelling or structure of another:

(B) Dwelling or structure: No person shall do the following in or about a dwelling or structure of another:

(B) Dwelling ~~Or Structure~~ or structure: No person shall do the following in or about a dwelling or structure of another:

1. Intentionally enter or remain within such dwelling or structure without the consent of the owner or person in lawful possession thereof.

(1) Intentionally enter or remain within such dwelling or structure without the consent of the owner or person in lawful possession thereof.

~~(1-)~~ Intentionally enter or remain within such dwelling or structure without the consent of the owner or person in lawful possession thereof.

2. Prowl about or peek in the windows of such dwelling or structure.

(2) Prowl about or peek in the windows of such dwelling or structure.

~~(2-)~~ Prowl about or peek in the windows of such dwelling or structure.

3. Perform any act which is intended or naturally tends to:

(3) Perform any act which is intended or naturally tends to:

~~(3-)~~ Perform any act which is intended or naturally tends to:

(a) Frighten or alarm persons within such dwelling or structure, or

A) Frighten or alarm persons within such dwelling or structure, or

~~(aA)~~ Frighten or alarm persons within such dwelling or structure, or

(b) Provoke a breach of the peace in or about

B) Provoke a breach of the peace in or about

~~(bB)~~ Provoke a breach of the peace in or about

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such dwelling or structure.

(C) Motor Vehicle: No person shall climb, lie or sit upon the motor vehicle of another while such vehicle is parked or standing upon any public street, parking lot, or other public place in the city, without the consent of the owner or person in lawful possession thereof.

(D) Penalty:

1. Any person who violates subsection (A) or (B) of this section is guilty of a class 3 forfeiture.

2. Any person who violates subsection (C) of this section is guilty of a class 4 forfeiture. (7-9-1997)

9-4-11: Handbills, advertising materials:

(A) Declaration Of Purpose: The council finds that unsolicited distribution of printed materials within the city constitutes a serious problem for residents of the city because such printed materials are frequently distributed to private residences contrary to the wishes of the owner or occupant causing disruption of privacy and inconvenience to residents of the city; such materials, if permitted to be distributed without regulation, will be blown about by the wind causing unsightly accumulations of litter and substantial expenditures of public funds for cleanup; such materials may accumulate at a residence during vacations or other absences of the owner or occupant thereby indicating the residence is temporarily vacant and inviting burglary or other criminal activity; and the distribution of such materials on and along public streets and sidewalks can impede the orderly flow of vehicular and pedestrian traffic. (11-20-1990)

(B) Definitions: In this section unless the context otherwise requires:

DISTRIBUTION: The delivery of a handbill to one or more locations within the city by means other than the United States mail. Distribute shall be given the same meaning as "distribution".

such dwelling or structure.

(C) Motor vehicle: No person shall climb, lie or sit upon the motor vehicle of another while such vehicle is parked or standing upon any public street, parking lot, or other public place in the city, without the consent of the owner or person in lawful possession thereof.

(D) Penalty:

(1) Any person who violates subsection (A) or (B) of this section shall upon conviction be subject to a class 3 forfeiture.

(2) Any person who violates subsection (C) of this section shall upon conviction be subject to a class 4 forfeiture.

9-4-11: Handbills, advertising materials:

(A) Declaration of purpose: The council finds that unsolicited distribution of printed materials within the city constitutes a serious problem for residents of the city because such printed materials are frequently distributed to private residences contrary to the wishes of the owner or occupant causing disruption of privacy and inconvenience to residents of the city; such materials, if permitted to be distributed without regulation, will be blown about by the wind causing unsightly accumulations of litter and substantial expenditures of public funds for cleanup; such materials may accumulate at a residence during vacations or other absences of the owner or occupant thereby indicating the residence is temporarily vacant and inviting burglary or other criminal activity; and the distribution of such materials on and along public streets and sidewalks can impede the orderly flow of vehicular and pedestrian traffic.

(B) Definitions: In this section:

"Distribution" means the delivery of a handbill to one or more locations within the city by means other than the United States mail. Distribute shall be given the same meaning as "distribution".

such dwelling or structure.

(C) Motor ~~V~~vehicle: No person shall climb, lie or sit upon the motor vehicle of another while such vehicle is parked or standing upon any public street, parking lot, or other public place in the city, without the consent of the owner or person in lawful possession thereof.

(D) Penalty:

~~(1-)~~ Any person who violates subsection (A) or (B) of this section ~~is guilty of~~ shall upon conviction be subject to a class 3 forfeiture.

~~(2-)~~ Any person who violates subsection (C) of this section ~~is guilty of~~ shall upon conviction be subject to a class 4 forfeiture. ~~(7-9-1997)~~

9-4-11: Handbills, advertising materials:

(A) Declaration ~~Of Purpose of purpose~~: The council finds that unsolicited distribution of printed materials within the city constitutes a serious problem for residents of the city because such printed materials are frequently distributed to private residences contrary to the wishes of the owner or occupant causing disruption of privacy and inconvenience to residents of the city; such materials, if permitted to be distributed without regulation, will be blown about by the wind causing unsightly accumulations of litter and substantial expenditures of public funds for cleanup; such materials may accumulate at a residence during vacations or other absences of the owner or occupant thereby indicating the residence is temporarily vacant and inviting burglary or other criminal activity; and the distribution of such materials on and along public streets and sidewalks can impede the orderly flow of vehicular and pedestrian traffic. ~~(11-20-1990)~~

(B) Definitions: In this section ~~unless~~:

~~"Distribution" means the context otherwise requires:~~

~~DISTRIBUTION: The~~ delivery of a handbill to one or more locations within the city by means other than the United

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DISTRIBUTOR: A person who causes, supervises, directs, oversees or is otherwise responsible for distribution.

"Distributor" means a person who causes, supervises, directs, oversees or is otherwise responsible for distribution.

States mail. Distribute shall be given the same meaning as "distribution".

~~DISTRIBUTOR: -A-~~ Distributor means a person who causes, supervises, directs, oversees or is otherwise responsible for distribution.

HANDBILL: Any handbill, dodger, circular, booklet, card, pamphlet, sheet or other written or printed notice, or any sample product, any of which advertises any fact, opinion, idea, commodity, article, merchandise, business, meeting, entertainment, person or thing.

"Handbill" means any handbill, dodger, circular, booklet, card, pamphlet, sheet or other written or printed notice, or any sample product, any of which advertises any fact, opinion, idea, commodity, article, merchandise, business, meeting, entertainment, person or thing.

~~HANDBILL: -Any~~

"Handbill" means any handbill, dodger, circular, booklet, card, pamphlet, sheet or other written or printed notice, or any sample product, any of which advertises any fact, opinion, idea, commodity, article, merchandise, business, meeting, entertainment, person or thing.

PERSON: Any natural person, firm, partnership, association, corporation, company or other organization of any kind.

~~PERSON: -Any natural person, firm, partnership, association, corporation, company or other organization of any kind.~~

PRIVATE RESIDENCE: Any structure or that part of a structure which is used as a home, residence or sleeping place by one person or by two (2) or more persons maintaining a common household, to the exclusion of all others. (11-20-1990; amd. 9-4-2001)

"Private residence" means any structure or that part of a structure which is used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of all others.

~~PRIVATE RESIDENCE: -Any~~

"Private residence" means any structure or that part of a structure which is used as a home, residence or sleeping place by one person or by two ~~(2)~~ or more persons maintaining a common household, to the exclusion of all others. ~~(11-20-1990; amd. 9-4-2001)~~

(C) Distribution Regulated:

(C) Distribution regulated:

(C) Distribution ~~R~~regulated:

1. Prohibited Practices: No person shall:

(1) Prohibited practices: No person shall:

~~(1)~~ Prohibited ~~P~~practices: No person shall:

(a) Knowingly distribute a handbill, in or upon any lands owned or leased by the city, to a natural person unwilling to accept such handbill.

A) Knowingly distribute a handbill, in or upon any lands owned or leased by the city, to a natural person unwilling to accept such handbill.

~~(a)~~ Knowingly distribute a handbill, in or upon any lands owned or leased by the city, to a natural person unwilling to accept such handbill.

(b) Distribute a handbill in or upon an unattended vehicle within the city which is either parked on a public street or in a parking area open to the general public and when such unattended vehicle has posted thereon, in a conspicuous place, a sign or signs of at least eight (8) square inches in area bearing the words "No Advertising".

B) Distribute a handbill in or upon an unattended vehicle within the city which is either parked on a public street or in a parking area open to the general public and when such unattended vehicle has posted thereon, in a conspicuous place, a sign or signs of at least eight square inches in area bearing the words "no advertising".

~~(b)~~ Distribute a handbill in or upon an unattended vehicle within the city which is either parked on a public street or in a parking area open to the general public and when such unattended vehicle has posted thereon, in a conspicuous place, a sign or signs of at least eight ~~(8)~~ square inches in area bearing the words "~~No Advertising~~".

~~----- (no advertising)".~~

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(c) Distribute a handbill in such a manner as to impede the free flow of traffic upon any street or sidewalk.

C) Distribute a handbill in such a manner as to impede the free flow of traffic upon any street or sidewalk.

~~_____~~ C) Distribute a handbill in such a manner as to impede the free flow of traffic upon any street or sidewalk.

(d) Tack, nail, paste, paint or otherwise affix a handbill upon public property, including any bridge, fence, sidewalk, building, monument, pole or post. Handbills may be affixed upon private property, buildings or billboards with consent of the owner or other duly authorized person if the same is not otherwise prohibited by this code. This subsection shall not prohibit otherwise lawfully posted legal notices. (9-4-2001)

D) Tack, nail, paste, paint or otherwise affix a handbill upon public property, including any bridge, fence, sidewalk, building, monument, pole or post. Handbills may be affixed upon private property, buildings or billboards with consent of the owner or other authorized person if the same is not otherwise prohibited by this code. This subsection shall not prohibit otherwise lawfully posted legal notices.

~~_____~~ ~~(d)~~ Tack, nail, paste, paint or otherwise affix a handbill upon public property, including any bridge, fence, sidewalk, building, monument, pole or post. Handbills may be affixed upon private property, buildings or billboards with consent of the owner or other ~~duly~~ authorized person if the same is not otherwise prohibited by this code. This subsection shall not prohibit otherwise lawfully posted legal notices. ~~-(9-4-2001)~~

(e) Distribute a handbill from an aircraft or any place above ground level without first obtaining permission from the city council. The council shall grant such permission only if it determines that such distribution is not detrimental to the public health and safety. Said distribution shall also be subject to the other requirements of this section. (11-6-2002)

E) Distribute a handbill from an aircraft or any place above ground level without first obtaining permission from the council. The council shall grant such permission only if it determines that such distribution is not detrimental to the public health and safety. Said distribution shall also be subject to the other requirements of this section.

~~_____~~ ~~(e)~~ E) Distribute a handbill from an aircraft or any place above ground level without first obtaining permission from the ~~city~~ council. The council shall grant such permission only if it determines that such distribution is not detrimental to the public health and safety. Said distribution shall also be subject to the other requirements of this section. ~~-(11-6-2002)~~

(f) Distribute a handbill to the address of a person who has provided written notice to the distributor requesting that future distribution be stopped to such address. Notice shall be deemed given on the fifth day after the day of mailing if the mail is addressed to a point within the state and the eighth day after the day of mailing in all other cases.

F) Distribute a handbill to the address of a person who has provided written notice to the distributor requesting that future distribution be stopped to such address. Notice shall be considered given on the fifth day after the day of mailing if the mail is addressed to a point within the state and the eighth day after the day of mailing in all other cases.

~~_____~~ ~~(f)~~ F) Distribute a handbill to the address of a person who has provided written notice to the distributor requesting that future distribution be stopped to such address. Notice shall be ~~deemed~~ ~~considered~~ given on the fifth day after the day of mailing if the mail is addressed to a point within the state and the eighth day after the day of mailing in all other cases.

(g) Distribute a handbill when a handbill left from a previous distribution by the same distributor remains in the same location. A handbill shall be deemed to be in the same location if it is located outside the structure or other premises to which it was originally distributed and is clearly visible from the location of the second handbill placed by the same distributor. (9-4-2001)

G) Distribute a handbill when a handbill left from a previous distribution by the same distributor remains in the same location. A handbill shall be considered to be in the same location if it is located outside the structure or other premises to which it was originally distributed and is clearly visible from the location of the second handbill placed by the same distributor.

~~_____~~ ~~(g)~~ G) Distribute a handbill when a handbill left from a previous distribution by the same distributor remains in the same location. A handbill shall be ~~deemed~~ ~~considered~~ to be in the same location if it is located outside the structure or other premises to which it was originally distributed and is clearly visible from the location of the second handbill placed by the same distributor. ~~-(9-4-2001)~~

2. Special Provisions Relating To Private Residences: Except pursuant to a written subscription or

(2) Special provisions relating to private residences: Except pursuant to a written subscription or other written

~~_____~~ ~~(2)~~ Special ~~Provisions Relating To Private Residences~~ provisions relating to private residences:

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other written authorization by the occupant of a private residence, no person shall distribute a handbill to or upon any private residence in the city:

authorization by the occupant of a private residence, no person shall distribute a handbill to or upon any private residence in the city:

Except pursuant to a written subscription or other written authorization by the occupant of a private residence, no person shall distribute a handbill to or upon any private residence in the city:

(a) When such private residence has posted thereon, in a conspicuous place, a sign or signs of at least eight (8) square inches in area bearing the words "No Advertising".

A) When such private residence has posted thereon, in a conspicuous place, a sign or signs of at least eight square inches in area bearing the words "No Advertising".

~~(a)~~ When such private residence has posted thereon, in a conspicuous place, a sign or signs of at least eight ~~(8)~~ square inches in area bearing the words "No Advertising".

(b) Between the hours of nine o'clock (9:00) P.M. of any day and eight o'clock (8:00) A.M. of the following day.

B) Between the hours of 9:00 PM of any day and 8:00 AM of the following day.

~~(b)~~ Between the hours of ~~nine o'clock (9:00) P.M.~~ PM of any day and ~~eight o'clock (8:00) A.M.~~ AM of the following day.

3. Disclosure Of Names: A distributor shall maintain at all times a current written list containing the name and address of each person authorized or directed by the distributor to engage in distribution. A legible copy of such list shall be provided to an authorized representative of the city upon request.

(3) Disclosure of names: A distributor shall maintain at all times a current written list containing the name and address of each person authorized or directed by the distributor to engage in distribution. A legible copy of such list shall be provided to an authorized representative of the city upon request.

~~(3)~~ Of Names of names: A distributor shall maintain at all times a current written list containing the name and address of each person authorized or directed by the distributor to engage in distribution. A legible copy of such list shall be provided to an authorized representative of the city upon request.

(D) Severability: The several subsections, paragraphs and subparagraphs of this section are hereby declared to be severable. If any subsection, paragraph or subparagraph of this section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the section or of the subsection of which the invalid portion may be a part.

(D) Severability: The several subsections, paragraphs and subparagraphs of this section are hereby declared to be severable. If any subsection, paragraph or subparagraph of this section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the section or of the subsection of which the invalid portion may be a part.

(D) Severability: The several subsections, paragraphs and subparagraphs of this section are hereby declared to be severable. If any subsection, paragraph or subparagraph of this section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the section or of the subsection of which the invalid portion may be a part.

(E) Penalty: Whoever violates this section is guilty of a class 3 forfeiture. (11-20-1990)

(E) Penalty: Whoever violates this section shall upon conviction be subject to a class 3 forfeiture.

(E) Penalty: Whoever violates this section ~~is guilty of shall~~ upon conviction be subject to a class 3 forfeiture. ~~(11-20-1990)~~

9-4-12: Obstruction of aisles, exits:

9-4-12: Obstruction of aisles, exits:

9-4-12: Obstruction of aisles, exits:

(A) No person shall permit the approaches, passageways or aisles leading to or between the seats of any room used for public meetings to be obstructed by any means that impairs free passage to, through or from such seats.

(A) No person shall permit the approaches, passageways or aisles leading to or between the seats of any room used for public meetings to be obstructed by any means that impairs free passage to, through or from such seats.

(A) No person shall permit the approaches, passageways or aisles leading to or between the seats of any room used for public meetings to be obstructed by any means that impairs free passage to, through or from such seats.

(B) Any person who violates any provision of this section shall be subject to a class 5 forfeiture. (12-17-1991)

(B) Any person who violates any provision of this section shall upon conviction be subject to a class 5 forfeiture.

(B) Any person who violates any provision of this section shall upon conviction be subject to a class 5 forfeiture. ~~(12-17-1991)~~

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**-A-
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9-4-13: Scaffolds:

(A) All scaffolds erected in the city for use in the erection of buildings shall be properly supported, secured, and of sufficient width to ensure the safety of persons using such scaffolds, and to ensure proper support for all materials upon such scaffolds.

(B) Any scaffold erected or maintained contrary to the provisions of this section shall be deemed a nuisance.

(C) Any person erecting or maintaining a scaffold contrary to the provisions of this Section shall be subject to a Class 4 forfeiture.

9-4-14: Barbed wire and electric fences:

(A) No person shall build or maintain any barbed wire or electric fence along any public street adjacent to any sidewalk.

(B) No person shall build or maintain any barbed wire or electric fence as a division fence between any lots or parts of lots occupied for residence purposes.

(C) A fence shall be considered to be a barbed wire or electric fence if it is constructed, in any part, of barbed wire or electric fence.

(D) Any person violating any provision of this Section shall be subject to a Class 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues. (12-17-91)

9-4-15: Noxious weeds:

(A) The term "noxious weeds" as used in this Chapter includes the following: Canada Thistle, leafy spurge and field bindweed (Creeping Jenny) and any other such weeds as the Common Council by ordinance or resolution declares to be noxious within the City.

(B) Every person shall destroy all noxious weeds on all

9-4-13: Scaffolds:

(A) All scaffolds erected in the city for use in the erection of buildings shall be properly supported, secured, and of sufficient width to ensure the safety of persons using such scaffolds, and to ensure proper support for all materials upon such scaffolds.

(B) Any scaffold erected or maintained contrary to the provisions of this section shall be considered a nuisance.

(C) Any person erecting or maintaining a scaffold contrary to the provisions of this section shall upon conviction be subject to a class 4 forfeiture.

9-4-14: Barbed wire and electric fences:

(A) No person shall build or maintain any barbed wire or electric fence along any public street adjacent to any sidewalk.

(B) No person shall build or maintain any barbed wire or electric fence as a division fence between any lots or parts of lots occupied for residence purposes.

(C) A fence shall be considered to be a barbed wire or electric fence if it is constructed, in any part, of barbed wire or electric fence.

(D) Any person violating any provision of this section shall upon conviction be subject to a class 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues.

9-4-15: Noxious weeds:

(A) The term "noxious weeds" as used in this chapter includes the following: Canada thistle, leafy spurge and field bindweed (creeping jenny) and any other such weeds as the council by code or resolution declares to be noxious within the city.

(B) Every person shall destroy all noxious weeds on all

9-4-13: Scaffolds:

(A) All scaffolds erected in the city for use in the erection of buildings shall be properly supported, secured, and of sufficient width to ensure the safety of persons using such scaffolds, and to ensure proper support for all materials upon such scaffolds.

(B) Any scaffold erected or maintained contrary to the provisions of this section shall be ~~deemed~~considered a nuisance.

(C) Any person erecting or maintaining a scaffold contrary to the provisions of this ~~S~~section shall upon conviction be subject to a ~~C~~class 4 forfeiture.

9-4-14: Barbed wire and electric fences:

(A) No person shall build or maintain any barbed wire or electric fence along any public street adjacent to any sidewalk.

(B) No person shall build or maintain any barbed wire or electric fence as a division fence between any lots or parts of lots occupied for residence purposes.

(C) A fence shall be considered to be a barbed wire or electric fence if it is constructed, in any part, of barbed wire or electric fence.

(D) Any person violating any provision of this ~~S~~section shall upon conviction be subject to a ~~C~~class 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues. ~~(12-17-91)~~

9-4-15: Noxious weeds:

(A) The term "noxious weeds" as used in this ~~C~~chapter includes the following: Canada ~~T~~fhistle, leafy spurge and field bindweed (~~Creeping Jenny~~creeping jenny) and any other such weeds as the ~~Common Council~~council by ~~ordinance~~code or resolution declares to be noxious within the ~~C~~city.

(B) Every person shall destroy all noxious weeds on all

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lands which he shall own, occupy or control. The person having immediate charge of any public lands shall destroy all noxious weeds on such lands.

(C) The term "destroy" means the complete killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at such time and in such manner as will effectually prevent such plants from maturing to the bloom or flower stage.

(D) The Mayor shall annually on or before May 15 of each year publish a Class 2 notice, under Chapter 985 of the Wisconsin Statutes, that every person is required by law to destroy all noxious weeds, as defined in this Section, on lands in the City which the person owns, occupies or controls.

(E) Duties; Powers; Collection of Tax:

1. The Weed Commissioner shall investigate reports of noxious weeds in the City; if any person neglects to destroy any noxious weeds as required by this Section the Weed Commissioner shall cause all such weeds to be destroyed in the manner he deems most economical. For each day devoted to the destruction of weeds the Weed Commissioner shall receive such compensation as is determined by the Common Council; the accounting, itemized by parcel of land, shall be presented to the City Clerk. The City Clerk shall bill the property owner to recover the cost of the destruction of the weeds. Bills not timely paid shall be entered on the next tax roll in a column headed "For Destruction of Weeds", as a tax upon the land on which such weeds were destroyed, which tax shall be collected as other taxes are, or as taxes are collected on personal property pursuant to section 74.11, Wisconsin Statutes, except in case of lands which are exempt from taxation in the usual way. In case of railroad or other lands not taxed in the usual way, the amount chargeable against the same shall be certified by the City Clerk to the State Treasurer who shall add the amount designated therein to the sum due from the company owning, occupying or controlling the lands specified, and the Treasurer shall collect the same therefrom as prescribed in sub-chapter I of chapter 76, Wisconsin

lands which he or she shall own, occupy or control. The person having immediate charge of any public lands shall destroy all noxious weeds on such lands.

(C) The term "destroy" means the complete killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at such time and in such manner as will effectually prevent such plants from maturing to the bloom or flower stage.

(D) The mayor shall annually before May 16 publish a class 2 notice, under chapter 985 of the Wisconsin statutes, that every person is required by law to destroy all noxious weeds, as defined in this section, on lands in the city which the person owns, occupies or controls.

(E) Duties; powers; collection of tax:

(1) The weed commissioner shall investigate reports of noxious weeds in the city; if any person neglects to destroy any noxious weeds as required by this section the weed commissioner shall cause all such weeds to be destroyed in the manner he or she considers most economical. For each day devoted to the destruction of weeds the weed commissioner shall receive such compensation as is determined by the council; the accounting, itemized by parcel of land, shall be presented to the city clerk. The city clerk shall bill the property owner to recover the cost of the destruction of the weeds. Bills not timely paid shall be entered on the next tax roll in a column headed "for destruction of weeds", as a tax upon the land on which such weeds were destroyed, which tax shall be collected as other taxes are, or as taxes are collected on personal property under section 74.11 of the Wisconsin statutes, except lands which are exempt from taxation in the usual way. For railroad or other lands not taxed in the usual way, the amount chargeable against the same shall be certified by the city clerk to the state treasurer who shall add the amount designated to the sum due from the company owning, occupying or controlling the lands specified, and the treasurer shall collect the same therefrom as prescribed in sub-chapter I of chapter 76 of the Wisconsin statutes, and return the amount

lands which he or she shall own, occupy or control. The person having immediate charge of any public lands shall destroy all noxious weeds on such lands.

(C) The term "destroy" means the complete killing of weed plants above the surface of the ground by the use of chemicals, cutting, tillage, cropping system, pasturing livestock, or any or all of these in effective combination, at such time and in such manner as will effectually prevent such plants from maturing to the bloom or flower stage.

(D) The ~~M~~mayor shall annually ~~on or~~ before May ~~15 of~~ each year 16 publish a ~~C~~class 2 notice, under ~~C~~chapter 985 of the Wisconsin ~~S~~statutes, that every person is required by law to destroy all noxious weeds, as defined in this ~~S~~section, on lands in the ~~C~~city which the person owns, occupies or controls.

(E) Duties; ~~Powers; Collection~~powers; collection of ~~T~~tax:

~~(1.)~~ The ~~Weed Commissioner~~weed commissioner shall investigate reports of noxious weeds in the ~~C~~city; if any person neglects to destroy any noxious weeds as required by this ~~S~~section the ~~Weed Commissioner~~weed commissioner shall cause all such weeds to be destroyed in the manner he ~~deems~~or she considers most economical. For each day devoted to the destruction of weeds the ~~Weed Commissioner~~weed commissioner shall receive such compensation as is determined by the ~~Common Council~~council; the accounting, itemized by parcel of land, shall be presented to the ~~City Clerk~~city clerk. The ~~City Clerk~~city clerk shall bill the property owner to recover the cost of the destruction of the weeds. Bills not timely paid shall be entered on the next tax roll in a column headed "~~For Destruction~~for destruction of ~~W~~weeds", as a tax upon the land on which such weeds were destroyed, which tax shall be collected as other taxes are, or as taxes are collected on personal property ~~pursuant to~~under section 74.11, ~~of the~~ Wisconsin ~~S~~statutes, except ~~in case of~~ lands which are exempt from taxation in the usual way. ~~In case of~~For railroad or other lands not taxed in the usual way, the amount chargeable against the same shall be certified by the ~~City Clerk~~city clerk to the ~~State Treasurer~~state treasurer who shall add the amount designated ~~therein~~ to the sum due from the

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Statutes, and return the amount collected to the City.

collected to the city.

company owning, occupying or controlling the lands specified, and the ~~T~~r~~r~~reasurer shall collect the same therefrom as prescribed in sub-chapter I of chapter 76, of the Wisconsin ~~S~~s~~t~~atutes, and return the amount collected to the ~~C~~c~~o~~city.

2. The Commissioner may enter upon any lands upon which any noxious weeds are growing and destroy them without being liable, either personally or as an agent or independent contractor or servant of the City, to an action in trespass or any other action for damages resulting from the performance of these duties, if reasonable care is exercised in the performance of the duties imposed by this Section.

(2) The weed commissioner may enter upon any lands upon which any noxious weeds are growing and destroy them without being liable, either personally or as an agent or independent contractor or servant of the city, to an action in trespass or any other action for damages resulting from the performance of these duties, if reasonable care is exercised in the performance of the duties imposed by this section.

~~(2.)~~ The ~~Commissioner~~~~weed commissioner~~ may enter upon any lands upon which any noxious weeds are growing and destroy them without being liable, either personally or as an agent or independent contractor or servant of the ~~C~~c~~o~~city, to an action in trespass or any other action for damages resulting from the performance of these duties, if reasonable care is exercised in the performance of the duties imposed by this ~~S~~s~~e~~ction.

(F) References to a specific statute section wherever used in this Section shall mean the Wisconsin Statutes of 1979 -80 and acts amendatory and supplementary thereto. (9 - 1-81)

(F) References to a specific statute section wherever used in this section shall mean the Wisconsin statutes of 2013-2014 and acts amendatory and supplementary thereto.

(F) References to a specific statute section wherever used in this ~~S~~s~~e~~ction shall mean the Wisconsin ~~S~~s~~t~~atutes of ~~1979-80~~~~2013-2014~~ and acts amendatory and supplementary thereto. ~~(9-1-81)~~

9-4-16: Fireworks:

9-4-16: Fireworks:

9-4-16: Fireworks:

(A) Wisconsin Statutes Adopted: Except as expressly provided herein, the provisions of section 167.10 of the Wisconsin Statutes and all acts amendatory and supplementary thereto, and in replacement thereof, relating to the sale, possession or use of Fireworks are hereby adopted by reference. Any act required to be performed or prohibited by section 167.10 of the Wisconsin Statutes is by reference required to be performed or prohibited by this Chapter.

(A) Wisconsin statutes adopted: Except as expressly provided in this section, the provisions of section 167.10 of the Wisconsin statutes and all acts amendatory and supplementary thereto, and in replacement thereof, relating to the sale, possession or use of Fireworks are hereby adopted by reference. Any act required to be performed or prohibited by section 167.10 of the Wisconsin statutes is by reference required to be performed or prohibited by this chapter.

(A) Wisconsin ~~Statutes Adopted~~~~statutes adopted~~: Except as expressly provided ~~herein in this section~~, the provisions of section 167.10 of the Wisconsin ~~S~~s~~t~~atutes and all acts amendatory and supplementary thereto, and in replacement thereof, relating to the sale, possession or use of Fireworks are hereby adopted by reference. Any act required to be performed or prohibited by section 167.10 of the Wisconsin ~~S~~s~~t~~atutes is by reference required to be performed or prohibited by this ~~C~~c~~h~~apter.

(B) Definitions. When used in this chapter the following terms shall have the following meanings:

(B) Definitions. In this chapter:

(B) Definitions. ~~When used in~~~~In~~ this chapter ~~the following terms shall have the following meanings:~~

FIREWORKS: means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include an Excluded Combustible.

“Fireworks” means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include an excluded combustible.

~~“Fireworks”~~ means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include an ~~excluded combustible~~.

EXCLUDED COMBUSTIBLE: means any of the following:

“Excluded combustible” means any of the following: a) Fuel or a lubricant. b) A firearm cartridge or shotgun shell. c) A flare used or possessed or sold for use as a signal in

~~“Excluded~~ ~~Combustible~~.

~~EXCLUDED COMBUSTIBLE-~~~~combustible”~~ means any of

1. Fuel or a lubricant.

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2. A firearm cartridge or shotgun shell.
3. 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.
4. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
5. A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
6. A toy snake which contains no mercury.
7. A model rocket engine.
8. Tobacco and a tobacco product.
9. A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects.
10. A device containing less than one-quarter grain of explosive mixture that is designed to spray out paper confetti or streamers.
11. A fuseless device containing less than one-quarter grain of explosive mixture that is designed to produce audible or visual effects.
12. A device that is designed primarily to burn pyrotechnic smoke-producing mixtures at a controlled rate while remaining on the ground and that produces audible or visual effects and showers of sparks, but not objects, and does not explode.
13. A cylindrical fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50, that consists of one or more tubes that remain on the ground while emitting showers of sparks, but not objects, and does not explode.

an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle. d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater. e) A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion. f) A toy snake which contains no mercury. g) A model rocket engine. h) Tobacco and a tobacco product. i) A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects. j) A device containing less than one-quarter grain of explosive mixture that is designed to spray out paper confetti or streamers. k) A fuseless device containing less than one-quarter grain of explosive mixture that is designed to produce audible or visual effects. l) A device that is designed primarily to burn pyrotechnic smoke-producing mixtures at a controlled rate while remaining on the ground and that produces audible or visual effects and showers of sparks, but not objects, and does not explode. m) A cylindrical fountain that is classified by the federal department of transportation as a division 1.4 explosive, as defined in 49 CFR 173.50, that consists of one or more tubes that remain on the ground while emitting showers of sparks, but not objects, and does not explode. n) A cone fountain that is classified as a Division 1.4 explosive, as defined in 49 CFR 173.50, that remains on the ground while emitting showers of sparks, but not objects, and does not explode.

the following:

- ~~1-~~ a) Fuel or a lubricant.
- ~~2-~~ b) A firearm cartridge or shotgun shell.
- ~~3-~~ c) 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.
- ~~4-~~ d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
- ~~5-~~ e) A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
- ~~6-~~ f) A toy snake which contains no mercury.
- ~~7-~~ g) A model rocket engine.
- ~~8-~~ h) Tobacco and a tobacco product.
- ~~9-~~ i) A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects.
- ~~10-~~ j) A device containing less than one-quarter grain of explosive mixture that is designed to spray out paper confetti or streamers.
- ~~11-~~ k) A fuseless device containing less than one-quarter grain of explosive mixture that is designed to produce audible or visual effects.
- ~~12-~~ l) A device that is designed primarily to burn pyrotechnic smoke-producing mixtures at a controlled rate while remaining on the ground and that produces audible or visual effects and showers of sparks, but not objects, and does not explode.
- ~~13-~~ m) A cylindrical fountain that is classified by the federal department of transportation as a ~~D~~division 1.4 explosive, as defined in 49 CFR 173.50, that consists of

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14. A cone fountain that is classified as a Division 1.4 explosive, as defined in 49 CFR 173.50, that remains on the ground while emitting showers of sparks, but not objects, and does not explode.

one or more tubes that remain on the ground while emitting showers of sparks, but not objects, and does not explode.

~~14. n)~~ A cone fountain that is classified as a Division 1.4 explosive, as defined in 49 CFR 173.50, that remains on the ground while emitting showers of sparks, but not objects, and does not explode.

(C) Sale: No person may sell or possess with intent to sell Fireworks except:

(C) Sale: No person may sell or possess with intent to sell fireworks except:

(C) Sale: No person may sell or possess with intent to sell ~~F~~ireworks except:

1. To a person holding a permit granted under this Chapter.

(1) To a person holding a permit granted under this chapter.

~~(1.)~~ To a person holding a permit granted under this ~~C~~hapter.

2. To a city, town or village.

(2) To a city, town or village.

~~(2.)~~ To a city, town or village.

3. Pursuant to sections 167.10(3)(b)2 to 6 of the Wisconsin Statutes.

(3) Under sections 167.10(3)(b)2 to six of the Wisconsin statutes.

~~(3. Pursuant to)~~ Under sections 167.10(3)(b)2 to ~~6~~six of the Wisconsin ~~S~~tatutes.

4. Pursuant to sections 167.10(4) and (6) of the Wisconsin Statutes.

(4) Under sections 167.10(4) and (6) of the Wisconsin statutes.

~~(4. Pursuant to)~~ Under sections 167.10(4) and (6) of the Wisconsin ~~S~~tatutes.

(D) Possession and Use: No person may possess or use Fireworks except pursuant to a permit granted by the Common Council and issued under this chapter.

(D) Possession and use: No person may possess or use fireworks except pursuant to a permit granted by the council and issued under this chapter.

(D) Possession and ~~Use~~use: No person may possess or use ~~F~~ireworks except pursuant to a permit granted by the ~~Common Council~~council and issued under this chapter.

1. Permit: A permit authorizing the possession and use of Fireworks may be issued under this chapter only to a public authority, fair association or civic organization and shall specify all of the following:

(1) Permit: A permit authorizing the possession and use of fireworks may be issued under this chapter only to a public authority, fair association or civic organization and shall specify all of the following:

~~(1.)~~ Permit: A permit authorizing the possession and use of ~~F~~ireworks may be issued under this chapter only to a public authority, fair association or civic organization and shall specify all of the following:

(a) The name and address of the permit holder.

A) The name and address of the permit holder.

~~(aA)~~ The name and address of the permit holder.

(b) The date on and after which Fireworks may be purchased.

B) The date by which fireworks shall be purchased.

~~(bB)~~ The date ~~on and after~~by which ~~Fireworks may~~fireworks shall be purchased.

(c) The kind and quantity of Fireworks which may be purchased.

C) The kind and quantity of fireworks that may be purchased.

~~(cC)~~ The kind and quantity of ~~Fireworks which~~fireworks that may be purchased.

(d) The date, time and exact location of use.

D) The date, time and exact location of use.

~~(dD)~~ The date, time and exact location of use.

2. Inspection: A copy of the permit application shall be given to the Fire Chief at least 2 weeks before the date of authorized use. The Fire Chief shall make

(2) Inspection: A copy of the permit application shall be given to the fire chief at least two weeks before the date of authorized use. The fire chief shall make

~~(2.)~~ Inspection: A copy of the permit application shall be given to the ~~Fire Chief~~fire chief at least ~~2~~two weeks before the date of authorized use. The ~~Fire Chief~~fire chief

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recommendation to the Common Council as to whether to approve or deny the permit.

recommendation to the council as to whether to approve or deny the permit.

shall make recommendation to the ~~Common Council~~council as to whether to approve or deny the permit.

3. Permit Fee: The fee for a permit issued under this Chapter shall be \$3.00.

(3) Permit fee: The fee for a permit issued under this chapter shall be set by resolution of the council.

~~(3-) Permit Fee: The fee for a permit issued under this Chapter shall be \$3.00.~~

~~—set by resolution of the council.~~

4. Indemnity Bond: The City shall require an indemnity bond pursuant to section 167.10(3)(e) of the Wisconsin Statutes, as recommended by the Fire Chief, with good and sufficient sureties, or a policy of liability insurance for payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of Fireworks under the permit. The bond or policy shall be taken in the name of the City, and a copy of the bond or policy shall be filed, together with a copy of the permit, with the City Clerk.

(4) Indemnity bond: The city shall require an indemnity bond under section 167.10(3)(e) of the Wisconsin statutes, as recommended by the fire chief, with good and sufficient sureties, or a policy of liability insurance for payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of Fireworks under the permit. The bond or policy shall be taken in the name of the city, and a copy of the bond or policy and a copy of the permit shall be filed with the city clerk.

~~(4-) Indemnity Bond: The City shall require an indemnity bond pursuant to under section 167.10(3)(e) of the Wisconsin Statutes, as recommended by the Fire Chief fire chief, with good and sufficient sureties, or a policy of liability insurance for payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of Fireworks under the permit. The bond or policy shall be taken in the name of the City, and a copy of the bond or policy shall be filed, together with and a copy of the permit, shall be filed with the City Clerk.~~

~~—city clerk.~~

5. Storage: Fireworks used under a permit shall not be stored, kept, sold or discharged within 300 feet of any structure, other than a motor vehicle, which contains more than one gallon of a volatile substance.

(5) Storage: Fireworks used under a permit shall not be stored, kept, sold or discharged within 300 feet of any structure, other than a motor vehicle, which contains more than one gallon of a volatile substance.

~~(5-) Storage: Fireworks used under a permit shall not be stored, kept, sold or discharged within 300 feet of any structure, other than a motor vehicle, which contains more than one gallon of a volatile substance.~~

(E) Possession at Public Fireworks Display: No person may possess or use Fireworks or an Excluded Combustible, other than a match, cigarette lighter, tobacco or a tobacco product, while attending a Fireworks display for which a permit has been issued under this chapter if such Fireworks display is open to the general public.

(E) Possession at public fireworks display: No person may possess or use fireworks or an excluded combustible, other than a match, cigarette lighter, tobacco or a tobacco product, while attending a fireworks display for which a permit has been issued under this chapter if such fireworks display is open to the general public.

(E) Possession at ~~Public Fireworks Display~~public fireworks display: No person may possess or use ~~Fireworks~~ or an ~~Excluded Combustible~~excluded combustible, other than a match, cigarette lighter, tobacco or a tobacco product, while attending a ~~Fireworks~~ display for which a permit has been issued under this chapter if such ~~Fireworks~~ display is open to the general public.

(F) Penalty:

(F) Penalty:

(F) Penalty:

1. Any person who violates section 9-4-16(C) of this chapter shall be guilty of a Class 1 forfeiture.

(1) Any person who violates section 9-4-16(C) of this chapter shall upon conviction be subject to a class 1 forfeiture.

~~(1-) Any person who violates section 9-4-16(C) of this chapter shall upon conviction be guilty of subject to a Class 1 forfeiture.~~

2. Any person who fails to obtain a permit required by section 9-4-16(D) of this chapter shall be guilty of a Class 1 forfeiture.

(2) Any person who fails to obtain a permit required by section 9-4-16(D) of this chapter shall upon conviction be subject to a class 1 forfeiture.

~~(2-) Any person who fails to obtain a permit required by section 9-4-16(D) of this chapter shall be guilty of upon conviction be subject to a Class 1 forfeiture.~~

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3. Any person who possesses or uses Fireworks in violation of section 9-4-16(D) of this chapter shall be guilty of a Class 4 forfeiture.

(3) Any person who possesses or uses fireworks in violation of section 9-4-16(D) of this chapter shall upon conviction be subject to a Class 4 forfeiture.

~~(3-)~~ Any person who possesses or uses ~~F~~fireworks in violation of section 9-4-16(D) of this chapter shall ~~be guilty of~~upon conviction be subject to a Class 4 forfeiture.

4. Any person who possesses or uses Fireworks or an Excluded Combustible in violation of section 9-4-16(E) of this chapter shall be guilty of a Class 5 forfeiture. (6-21-88; 3-1-2005)

(4) Any person who possesses or uses fireworks or an excluded combustible in violation of section 9-4-16(e) of this chapter shall upon conviction be subject to a class 5 forfeiture.

~~(4-)~~ Any person who possesses or uses ~~F~~fireworks or an ~~Excluded Combustible~~excluded combustible in violation of section 9-4-16(~~E~~e) of this chapter shall upon conviction be guilty of~~subject to~~ a ~~C~~class 5 forfeiture. ~~-(6-21-88; 3-1-2005)~~

9-4-17: Discharge of firearms:

9-4-17: Discharge of firearms:

9-4-17: Discharge of firearms:

(A) No person shall fire or discharge any gun, pistol or other firearm within the City limits, except when necessary to protect his person and except a police officer in the lawful discharge of his duty. This Section shall not apply to a shooting gallery, nor to military funerals.

(A) No person shall fire or discharge any gun, pistol or other firearm within the city limits, except when necessary to protect his or her person and except a police officer in the lawful discharge of his or her duty. This section shall not apply to a shooting gallery, nor to military funerals.

(A) No person shall fire or discharge any gun, pistol or other firearm within the ~~C~~city limits, except when necessary to protect his ~~or her~~ person and except a police officer in the lawful discharge of his ~~or her~~ duty. This ~~S~~section shall not apply to a shooting gallery, nor to military funerals.

(B) Any person who violates this Section is guilty of a Class 2 forfeiture. (9-4-84)

(B) Any person who violates this section shall upon conviction be subject to a class 2 forfeiture.

(B) Any person who violates this ~~Section is guilty of~~section shall upon conviction be subject to a ~~C~~class 2 forfeiture. ~~-(9-4-84)~~

9-4-18: Carrying concealed weapon:

9-4-18: Carrying concealed weapon:

9-4-18: Carrying concealed weapon:

(A) Unless expressly authorized by Section 11-6-11(H) of this code or by a clearly preemptive state or federal law, no person shall go armed with a concealed and dangerous weapon.

(A) Unless expressly authorized by section 11-6-10(H) of this code or by a clearly preemptive state or federal law, no person shall go armed with a concealed and dangerous weapon.

(A) Unless expressly authorized by ~~S~~section 11-6-~~11~~10(H) of this code or by a clearly preemptive state or federal law, no person shall go armed with a concealed and dangerous weapon.

(B) Any person who violates this Section shall be guilty of a Class 1 forfeiture. 2011-12-29

(B) Any person who violates this section shall upon conviction be subject to a class 1 forfeiture.

(B) Any person who violates this ~~S~~section shall upon conviction be guilty of~~subject to~~ a ~~C~~class 1 forfeiture. ~~2011-12-29~~

9-4-19: Radio interference:

9-4-19: Radio interference:

9-4-19: Radio interference:

(A) Interference Prohibited: It shall be unlawful for any person knowingly to operate or cause to be operated, any machine, device, apparatus or instrument of any kind whatsoever within the corporate limits of the City between the hours of eight o'clock (8:00) A.M. and twelve o'clock (12:00) midnight, the operation of which shall cause reasonably preventable electrical interference with radio or television reception, within the City limits; provided,

(A) Interference prohibited: It shall be unlawful for any person knowingly to operate or cause to be operated, any machine, device, apparatus or instrument in the city between the hours of 8:00 AM and 12:00 midnight, the operation of which shall cause reasonably preventable electrical interference with radio or television reception, within the city; provided, however, that x-ray pictures, examinations or treatments may be made at any time if

(A) Interference ~~P~~rohibited: It shall be unlawful for any person knowingly to operate or cause to be operated, any machine, device, apparatus or instrument ~~of any kind whatsoever within~~in the ~~corporate limits of the City~~city between the hours of ~~eight o'clock (8:00) A.M.~~ AM and ~~twelve o'clock (12:00)~~ midnight, the operation of which shall cause reasonably preventable electrical interference with radio or television reception, within the ~~City limits~~city;

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however, that x-ray pictures, examinations or treatments may be made at any time if the machines or apparatus used therefor are properly equipped to avoid all unnecessary or reasonably preventable interference with radio reception and not negligently operated.

(B) Exceptions: This Section shall not be held or construed to embrace or cover the regulation of any transmitting, broadcasting or receiving instrument, apparatus or device used or useful in interstate commerce or the operation of which instrument, apparatus or device is licensed or authorized by or under the provisions of any act of the Congress of the United States. (1969 Code, sec. 17:39)

(C) Penalty: Any person violating any provision of this Section shall be subject to a Class 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues. (12-17-91)

9-4-20: NUISANCE NOISE AND SOUND LEVELS REGULATION: 2014-05-20

(A) Statement of Purpose. The City of Monroe recognizes that objectionable sounds and nuisance noise is a serious threat to the public health and welfare, public safety, quality of life and property values. Current science and technology permit abatement of sound sources which was not available in the past. Therefore, it is the policy of the City to prevent and abate objectionable sounds and nuisance noise which may jeopardize the public health, safety or welfare or which would cause harm to property values or which would impair the quality of life within the city.

(B) Definitions. All terminology used in this section, not defined below or elsewhere within the Monroe City Code, shall be given the definitions provided by applicable publications of the American National Standards Institute (ANSI) or its successor body. When used in this section the following terms shall have the following meaning:

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the machines or apparatus used therefor are properly equipped to avoid all unnecessary or reasonably preventable interference with radio reception and not negligently operated.

(B) Exceptions: This section shall not be held or construed to regulate any transmitting, broadcasting or receiving instrument, apparatus or device used or useful in interstate commerce or the operation of which instrument, apparatus or device is licensed or authorized by any act of the Congress of the United States.

(C) Penalty: Any person violating any provision of this section shall upon conviction be subject to a class 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues.

9-4-20: Nuisance noise and sound levels regulation:

(A) Statement of purpose. The city recognizes that objectionable sounds and nuisance noise is a serious threat to the public health and welfare, public safety, quality of life and property values. Current science and technology permit abatement of sound sources which was not available in the past. Therefore, it is the policy of the city to prevent and abate objectionable sounds and nuisance noise which may jeopardize the public health, safety or welfare or which would cause harm to property values or which would impair the quality of life within the city.

(B) Definitions. All terms used in this section that are not defined in this code, shall have the meaning provided by applicable publications of the American National Standards Institute (ANSI) or its successor body. In this section:

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provided, however, that x-ray pictures, examinations or treatments may be made at any time if the machines or apparatus used therefor are properly equipped to avoid all unnecessary or reasonably preventable interference with radio reception and not negligently operated.

(B) Exceptions: This ~~Section~~ shall not be held or construed to ~~embrace or cover the regulation of~~ regulate any transmitting, broadcasting or receiving instrument, apparatus or device used or useful in interstate commerce or the operation of which instrument, apparatus or device is licensed or authorized by ~~or under the provisions of~~ any act of the Congress of the United States. ~~(1969 Code, sec. 17:39)~~

(C) Penalty: Any person violating any provision of this ~~Section~~ shall upon conviction be subject to a ~~Class~~ 5 forfeiture. A separate offense exists each calendar day during which a violation occurs or continues. ~~(12-17-91)~~

9-4-20: ~~NUISANCE NOISE AND SOUND LEVELS REGULATION: 2014-05-20~~ Nuisance noise and sound levels regulation:

(A) Statement of ~~Purpose~~ Purpose. The ~~City of Monroe~~ city recognizes that objectionable sounds and nuisance noise is a serious threat to the public health and welfare, public safety, quality of life and property values. Current science and technology permit abatement of sound sources which was not available in the past. Therefore, it is the policy of the ~~City~~ city to prevent and abate objectionable sounds and nuisance noise which may jeopardize the public health, safety or welfare or which would cause harm to property values or which would impair the quality of life within the city.

(B) Definitions. All ~~terminology~~ terms used in this section, ~~that are not defined below or elsewhere within the Monroe City Code in this code,~~ shall ~~be given~~ have the ~~definitions~~ meaning provided by applicable publications of the ~~American National Standards Institute~~ American national standards institute (ANSI) or its successor body. ~~When used in~~ In this section ~~the following terms shall have the following meaning:~~

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<p>A-WEIGHTED SOUND LEVEL: means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated as db(A) or dBA.</p>	<p>“A-weighted sound level” means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated as db(A) or dBA.</p>	<p>“A-WEIGHTED SOUND LEVEL: weighted sound level” means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated as db(A) or dBA.</p>
<p>AMBIENT SOUND: means the all-encompassing sound associated with a given environment being usually a composite of sounds from near and far.</p>	<p>“Ambient sound” means the all-encompassing sound associated with a given environment being usually a composite of sounds from near and far.</p>	<p>AMBIENT SOUND: “Ambient sound” means the all-encompassing sound associated with a given environment being usually a composite of sounds from near and far.</p>
<p>AMPLIFIED SOUND: means voice or other sound, other than background music, that is amplified by a mechanical or electronic device, or multiple mechanical or electronic devices, whenever the sound amplified is intended to be audible outside a dwelling or business enclosure by an audience located within a geographically defined area.</p>	<p>“Amplified sound” means voice or other sound, other than background music, that is amplified by a mechanical or electronic device, or multiple mechanical or electronic devices, whenever the sound amplified is intended to be audible outside a dwelling or business enclosure by an audience located within a geographically defined area.</p>	<p>AMPLIFIED SOUND: “Amplified sound” means voice or other sound, other than background music, that is amplified by a mechanical or electronic device, or multiple mechanical or electronic devices, whenever the sound amplified is intended to be audible outside a dwelling or business enclosure by an audience located within a geographically defined area.</p>
<p>AUTHORIZED EMERGENCY VEHICLE: shall have the meaning set forth in Section 340.01(3) of the Wisconsin Statutes and any subsequent modification, revision, or amendment of that term as set forth therein.</p>	<p>“Authorized emergency vehicle” shall have the meaning set forth in section 340.01(3) of the Wisconsin statutes.</p>	<p>AUTHORIZED EMERGENCY VEHICLE: “Authorized emergency vehicle” shall have the meaning set forth in Section 340.01(3) of the Wisconsin Statutes and any subsequent modification, revision, or amendment of that term as set forth therein.</p>
<p>BACKGROUND MUSIC: means amplified music that plays continuously for extended periods of time and that is intended to serve as a background for other activities that occur within a geographically defined area such as shopping or dining.</p>	<p>“Background music” means amplified music that plays continuously for extended periods of time and that is intended to serve as a background for other activities that occur within a geographically defined area such as shopping or dining.</p>	<p>BACKGROUND MUSIC: statutes. “Background music” means amplified music that plays continuously for extended periods of time and that is intended to serve as a background for other activities that occur within a geographically defined area such as shopping or dining.</p>
<p>CONSTRUCTION: means any and all non-emergency related activity necessary or incidental to the erection, demolition, assembling, altering, installing, repairing or equipping of buildings, roadways, or utilities, including land clearing, grading, excavating and filling.</p>	<p>“Construction” means a non-emergency related activity necessary or incidental to the erection, demolition, assembling, altering, installing, repairing or equipping of buildings, roadways, or utilities, including land clearing, grading, excavating and filling.</p>	<p>CONSTRUCTION: “Construction” means any and all a non-emergency related activity necessary or incidental to the erection, demolition, assembling, altering, installing, repairing or equipping of buildings, roadways, or utilities, including land clearing, grading, excavating and filling.</p>
<p>EMERGENCY WORK: means work necessary to restore</p>	<p>“Emergency work” means work necessary to restore</p>	<p>EMERGENCY WORK: “Emergency work” means work necessary to restore</p>

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<p>property to a safe condition following a public calamity, work required to restore public utilities, or work required to protect persons or property from imminent exposure to danger.</p>	<p>property to a safe condition following a public calamity, work required to restore public utilities, or work required to protect persons or property from imminent exposure to danger.</p>	<p>property to a safe condition following a public calamity, work required to restore public utilities, or work required to protect persons or property from imminent exposure to danger.</p>
<p>IMPULSE SOUND: means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulse sound include explosions, drop forge impacts and the discharge of firearms.</p>	<p>“Impulse sound” means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulse sound include explosions, drop forge impacts and the discharge of firearms.</p>	<p>IMPULSE SOUND:</p> <p>“<u>Impulse sound</u>” means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulse sound include explosions, drop forge impacts and the discharge of firearms.</p>
<p>MUFFLER: means a sound dissipative device or system for abating sound of escaping gases on equipment where such device is part of the normal configuration of powered equipment.</p>	<p>“Muffler” means a sound dissipative device or system for abating sound of escaping gases on equipment where such device is part of the normal configuration of powered equipment.</p>	<p>MUFFLER: “<u>Muffler</u>” means a sound dissipative device or system for abating sound of escaping gases on equipment where such device is part of the normal configuration of powered equipment.</p>
<p>NUISANCE NOISE: means any sound which tends to disturb reasonable persons in the vicinity thereof or tends to cause an adverse psychological or physiological effect on humans, regardless of whether such sound exceeds the stationary sound limits imposed by this section.</p>	<p>“Nuisance noise” means any sound which tends to disturb reasonable persons in the vicinity thereof or tends to cause an adverse psychological or physiological effect on humans, regardless of whether such sound exceeds the stationary sound limits imposed by this section.</p>	<p>NUISANCE NOISE:</p> <p>“<u>Nuisance noise</u>” means any sound which tends to disturb reasonable persons in the vicinity thereof or tends to cause an adverse psychological or physiological effect on humans, regardless of whether such sound exceeds the stationary sound limits imposed by this section.</p>
<p>SOUND LEVEL METER: means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The instrument shall comply with the standards for Type 1 or Type 2 sound level meters as specified in the American National Standards Institute ANSI S1.4-1983 (Revised 2001) with Amendments S1.4A-1995 or its successor.</p>	<p>“Sound level meter” means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The instrument shall comply with the standards for Type 1 or Type 2 sound level meters as specified in the American National Standards Institute ANSI S1.4-1983 (revised 2001) with amendments s1.4A-1995 or its successor.</p>	<p>SOUND LEVEL METER:</p> <p>“<u>Sound level meter</u>” means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The instrument shall comply with the standards for Type 1 or Type 2 sound level meters as specified in the <u>American National Standards Institute</u> American National Standards Institute ANSI S1.4-1983 (Rrevised 2001) with <u>Amendments S1</u> Amendments s1 amendments s1.4A-1995 or its successor.</p>
<p>RECEIVING ZONE: means the zoning district in which is located the real property at which the sound being measured is received. The zoning classification shall be that as set forth in Section 5-1-3 of the Monroe City Code.</p>	<p>“Receiving zone” means the zoning district in which is located the real property at which the sound being measured is received. The zoning classification shall be that as set forth in section 5-1-3 of this code.</p>	<p>RECEIVING ZONE:</p> <p>“<u>Receiving zone</u>” means the zoning district in which is located the real property at which the sound being measured is received. The zoning classification shall be that as set forth in <u>S</u>section 5-1-3 of the Monroe City Code.</p>

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STATIONARY SOUND: means sound emanating from a source that is either affixed to or operated upon a fixed point of land, building or other real property.

“Stationary sound” means sound emanating from a source that is either affixed to or operated upon a fixed point of land, building or other real property.

~~STATIONARY SOUND-~~this code.

“Stationary sound” means sound emanating from a source that is either affixed to or operated upon a fixed point of land, building or other real property.

TRAFFIC SOUNDS: means sounds emanating from the normal operation of motorized vehicles, including all-terrain vehicles, upon public or private roads, streets and highways and trails. Nuisance noise which emanates from the operation of one or more motorized vehicles upon private property shall be considered as stationary sound for the purposes of this section.

“Traffic sounds” means sounds emanating from the normal operation of motorized vehicles, including all-terrain vehicles, upon public or private roads, streets and highways and trails. Nuisance noise which emanates from the operation of one or more motorized vehicles upon private property shall be considered as stationary sound for the purposes of this section.

~~TRAFFIC SOUNDS:~~

“Traffic sounds” means sounds emanating from the normal operation of motorized vehicles, including all-terrain vehicles, upon public or private roads, streets and highways and trails. Nuisance noise which emanates from the operation of one or more motorized vehicles upon private property shall be considered as stationary sound for the purposes of this section.

(C) Exemptions.

(C) Exemptions.

(C) Exemptions.

(1) General Exemptions. The provisions of this section shall not apply to the following:

(1) General exemptions. The provisions of this section shall not apply to the following:

(1) General ~~E~~exemptions. The provisions of this section shall not apply to the following:

A) The emission of sound for the purpose of alerting persons to the existence of an emergency, the emission of sound in the performance of emergency work, or the emission of sound brought about by emergency conditions where such sound is a byproduct of activities necessary for the preservation of public safety or the protection of the health, safety and welfare of any person or property.

A) The emission of sound for alerting persons to the existence of an emergency, the emission of sound in the performance of emergency work, or the emission of sound brought about by emergency conditions where such sound is a byproduct of activities necessary for the preservation of public safety or the protection of the health, safety and welfare of any person or property.

A) The emission of sound for ~~the purpose of~~ alerting persons to the existence of an emergency, the emission of sound in the performance of emergency work, or the emission of sound brought about by emergency conditions where such sound is a byproduct of activities necessary for the preservation of public safety or the protection of the health, safety and welfare of any person or property.

B) Warning devices necessary for the protection of public safety, the emission of any sound necessary for the protection of the health, safety, or welfare of person or property or to the emission of any sound which is required by law.

B) Warning devices necessary for the protection of public safety, the emission of any sound necessary for the protection of the health, safety, or welfare of person or property or to the emission of any sound which is required by law.

B) Warning devices necessary for the protection of public safety, the emission of any sound necessary for the protection of the health, safety, or welfare of person or property or to the emission of any sound which is required by law.

C) The operation of authorized emergency vehicles.

C) The operation of authorized emergency vehicles.

C) The operation of authorized emergency vehicles.

D) Outdoor sporting events sponsored by a public or private school that is listed in the Wisconsin Public School District Directory or the Wisconsin Private School Directory maintained by the Wisconsin Department of Public Instruction or by an organization the membership

D) Outdoor sporting events sponsored by a public or private school that is listed in the Wisconsin public school district directory or the Wisconsin private school directory maintained by the Wisconsin department of public instruction or by an organization the membership

D) Outdoor sporting events sponsored by a public or private school that is listed in the Wisconsin ~~Public School District Directory~~public school district directory or the Wisconsin ~~Private School Directory~~private school directory maintained by the Wisconsin

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of which consists of schools listed in either of such directories.

of which consists of schools listed in either of such directories.

~~D~~epartment of ~~Public Instruction~~public instruction or by an organization the membership of which consists of schools listed in either of such directories.

E) Public works projects as authorized by the United States government, the State of Wisconsin or other political subdivisions.

E) Public works projects as authorized by the United States government, the state of Wisconsin or other political subdivisions.

E) Public works projects as authorized by the United States government, the ~~S~~state of Wisconsin or other political subdivisions.

F) Sounds emanating from the operation of construction machinery when engaged in bona fide, temporary construction work between 7:00 AM and 8:00 PM of the same day.

F) Sounds emanating from the operation of construction machinery when engaged in bona fide, temporary construction work between 7:00 AM and 8:00 PM of the same day.

F) Sounds emanating from the operation of construction machinery when engaged in bona fide, temporary construction work between 7:00 AM and 8:00 PM of the same day.

G) Sounds emanating from the operation of lawn or garden equipment, chainsaws or power tools between 7:00 AM and 8:00 PM of the same day when used in bona fide short term property maintenance or repair activities.

G) Sounds emanating from the operation of lawn or garden equipment, chainsaws or power tools between 7:00 AM and 8:00 PM of the same day when used in bona fide short term property maintenance or repair activities.

G) Sounds emanating from the operation of lawn or garden equipment, chainsaws or power tools between 7:00 AM and 8:00 PM of the same day when used in bona fide short term property maintenance or repair activities.

H) Any fireworks display authorized by a permit issued pursuant to Section 9-4-16 of this Chapter.

H) Any fireworks display authorized by a permit issued under to section 9-4-16 of this chapter.

H) Any fireworks display authorized by a permit issued ~~pursuant~~under to ~~S~~section 9-4-16 of this ~~C~~chapter.

I) Any bells or chimes of any building clock, public or private school building, church, synagogue, or other place of religious worship.

I) Any bells or chimes of any building clock, public or private school building, church, synagogue, or other place of religious worship.

I) Any bells or chimes of any building clock, public or private school building, church, synagogue, or other place of religious worship.

J) Traffic Sounds emanating from a public street, highway or recreational trail.

J) Traffic Sounds emanating from a public street, highway or recreational trail.

J) Traffic Sounds emanating from a public street, highway or recreational trail.

K) Events sponsored by the City or any of its departments.

K) Events sponsored by the city or any of its departments.

K) Events sponsored by the ~~C~~city or any of its departments.

L) Sounds emanating from vehicles, machinery or equipment when operated by or at the direction of City employees or work performed by or at the direction of City employees, when such sounds are the product of bona fide city sponsored activities.

L) Sounds emanating from vehicles, machinery or equipment when operated by or at the direction of city employees or work performed by or at the direction of city employees, when such sounds are the product of bona fide city sponsored activities.

L) Sounds emanating from vehicles, machinery or equipment when operated by or at the direction of ~~C~~city employees or work performed by or at the direction of ~~C~~city employees, when such sounds are the product of bona fide city sponsored activities.

M) Train whistles activated from a moving train to warn of the approaching train.

M) Train whistles activated from a moving train to warn of the approaching train.

M) Train whistles activated from a moving train to warn of the approaching train.

(2) Partial Exemption. Subsection (F) of this section shall not apply to sounds emitted pursuant to and in conformance with an amplified sound permit issued under this section.

(2) Partial exemption. Subsection (F) of this section shall not apply to sounds emitted pursuant to and in conformance with an amplified sound permit issued under this section.

(2) Partial ~~E~~exemption. Subsection (F) of this section shall not apply to sounds emitted pursuant to and in conformance with an amplified sound permit issued under this section.

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(D) Enforcement. The Chief of Police shall be responsible for the enforcement of this section unless otherwise noted herein. The Chief of Police shall:

- (1) Investigate all complaints regarding alleged violations of this section.
- (2) Issue orders requiring violators to comply with this section and issue citations for violations of this section.
- (3) Maintain permanent and current records of all matters arising out of the enforcement of this section.

(E) Determining Sound Levels. Sound levels shall be measured using the following procedures:

- (1) Instruments used to measure sound levels must, as a minimum standard, conform to the specifications of the American National Standard Institute ANSI S1.4-1983 (Revised 2001) with Amendments S1.4A-1995 for Type 1 or Type 2 sound level meters. Sound level meters shall be capable of both fast and slow meter response.
- (2) The following steps must be followed when preparing to take sound level measurements:
 - A) The instrument manufacturer's specific instructions for preparation and use of the instrument shall be followed.
 - B) The sound level meter shall be calibrated periodically, in accordance with the manufacturer's instructions.
 - C) When outdoor measurements are taken, a windscreen shall be placed over the microphone of the sound level meter in accordance with the manufacturer's instructions.
 - D) The sound level meter shall be placed at an angle to the sound source, as specified by the manufacturer's instructions, and placed at least 4 feet above the ground. The meter shall be placed so as not to be interfered with during the taking of sound

(D) Enforcement. The chief of police shall be responsible for the enforcement of this section unless otherwise noted. The chief of police shall:

- (1) Investigate all complaints regarding alleged violations of this section.
- (2) Issue orders requiring violators to comply with this section and issue citations for violations of this section.
- (3) Maintain permanent and current records of all matters arising out of the enforcement of this section.

(E) Determining Sound Levels. Sound levels shall be measured using the following procedures:

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- (2) The following steps must be followed when preparing to take sound level measurements:
 - A) The instrument manufacturer's specific instructions for preparation and use of the instrument shall be followed.
 - B) The sound level meter shall be calibrated periodically, under the manufacturer's instructions.
 - C) When outdoor measurements are taken, a windscreen shall be placed over the microphone of the sound level meter under the manufacturer's instructions.
 - D) The sound level meter shall be placed at an angle to the sound source, as specified by the manufacturer's instructions, and placed at least 4 feet above the ground. The meter shall be placed so as not to be interfered with during the taking of sound

(D) Enforcement. The ~~C~~chief of ~~P~~police shall be responsible for the enforcement of this section unless otherwise noted ~~herein~~. The ~~C~~chief of ~~P~~police shall:

- (1) Investigate all complaints regarding alleged violations of this section.
- (2) Issue orders requiring violators to comply with this section and issue citations for violations of this section.
- (3) Maintain permanent and current records of all matters arising out of the enforcement of this section.

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 - C) When outdoor measurements are taken, a windscreen shall be placed over the microphone of the sound level meter ~~in accordance with~~under the manufacturer's instructions.
 - D) The sound level meter shall be placed at an angle to the sound source, as specified by the manufacturer's instructions, and placed at least 4 feet above the ground. The meter shall be placed so as not to be interfered with during the taking of sound

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measurements.

E) Measurements shall be taken at any point within a receiving zone which point is outside of the property line of the source of the stationary sound.

F) Impulse sound shall be measured with the sound level meter set for fast meter response. All other sound shall be measured with the sound level meter set for slow meter response.

G) Under this section, sounds capable of being accurately measured are those sounds which cause no more than (+ or -) 2 decibels fluctuation of the sound level meter or, in the case of impulse sound, the mean average of four peak readings measured over the period of an hour.

(F) Maximum Permissible Sound Levels.

(1) General Limitations. In the following zoning districts the A-Weighted Sound Level emitted from any source of stationary sound shall not exceed the following limits at any point within a receiving zone which point is outside of the property line of the source of the stationary sound:

Receiving Zone	Maximum dBA
R-1, R-2, R-3, A-1, A-2	60 dBA
B-1, B-2 & PUD	70 dBA
M-1, M-2 & M-3	75 dBA

(2) Additional Restrictions on Impulse Sound. A reduction of 5 dBA shall apply to each of the limitations set forth under subsection (F)(1) for all impulse sounds.

measurements.

E) Measurements shall be taken at any point within a receiving zone which point is outside of the property line of the source of the stationary sound.

F) Impulse sound shall be measured with the sound level meter set for fast meter response. All other sound shall be measured with the sound level meter set for slow meter response.

G) Under this section, sounds capable of being accurately measured are those sounds which cause no more than (+ or -) 2 decibels fluctuation of the sound level meter or, in the case of impulse sound, the mean average of four peak readings measured over the period of an hour.

(F) Maximum permissible sound levels.

(1) General Limitations. In the following zoning districts the A-Weighted Sound Level emitted from any source of stationary sound shall not exceed the following limits at any point within a receiving zone which point is outside of the property line of the source of the stationary sound:

Receiving Zone	Maximum dBA
R-1, R-2, R-3, A-1, A-2	60 dBA
B-1, B-2 & PUD	70 dBA
M-1, M-2 & M-3	75 dBA

(2) Additional restrictions on impulse sound. A reduction of 5 dBA shall apply to each of the limitations set forth under subparagraph (F)(1) of this paragraph for all impulse sounds.

measurements.

E) Measurements shall be taken at any point within a receiving zone which point is outside of the property line of the source of the stationary sound.

F) Impulse sound shall be measured with the sound level meter set for fast meter response. All other sound shall be measured with the sound level meter set for slow meter response.

G) Under this section, sounds capable of being accurately measured are those sounds which cause no more than (+ or -) 2 decibels fluctuation of the sound level meter or, in the case of impulse sound, the mean average of four peak readings measured over the period of an hour.

(F) Maximum ~~Permissible Sound Levels~~permissible sound levels.

(1) General Limitations. In the following zoning districts the A-Weighted Sound Level emitted from any source of stationary sound shall not exceed the following limits at any point within a receiving zone which point is outside of the property line of the source of the stationary sound:

Receiving Zone	Maximum dBA
R-1, R-2, R-3, A-1, A-2	60 dBA
B-1, B-2 & PUD	70 dBA
M-1, M-2 & M-3	75 dBA

(2) Additional ~~R~~restrictions on impulse Sound~~impulse sound~~. A reduction of 5 dBA shall apply to each of the limitations set forth under ~~subsection~~subparagraph (F)(1) of this paragraph for all impulse sounds.

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(G) Special Exception for Ambient Sound. When the ambient sound at the source of a stationary sound equals or exceeds the decibel limits provided in this section, the owner or operator of the property that is the source of such stationary sound may seek a special exception from the sound limitations herein. Application for a special exception from the sound limitation shall be made to the City Clerk. The Public Safety Committee shall hear and act upon all applications for a special exception under this subsection. The Committee may grant the appeal where the Committee finds that the ambient sound equals or exceeds the decibel limits for a property in a receiving zone and that the combination of the ambient sound and the sound from the stationary sound producing source does not exceed the limit for the receiving affected property by more than 10 dBA.

(H) Nonconforming Source. Any source of stationary sound that does not conform to the requirements of this section, which existed lawfully at the time of the adoption of this section and which remains nonconforming, or which shall become nonconforming upon the adoption of this section, or of any subsequent amendments thereto, may continue, as provided in this subsection.

(1) Any such nonconforming source of stationary sound shall not be modified, altered, added to, or enlarged in any manner unless such modifications, alterations, additions, or enlargements thereto are made to conform with all of the sound or noise control regulations applicable to the source.

(2) Any such nonconforming source of stationary sound which is discontinued for a period of one year shall not be used unless the use is made to conform with all of the sound or noise control regulations applicable to the source.

(3) Any such nonconforming source of stationary sound shall not be repaired or restored to the extent that the cost of repair or restoration exceeds 50 percent of the full market value of the source. In the event that damage or destruction requires repairs or restoration which is less

(G) Special exception for ambient sound. When the ambient sound at the source of a stationary sound equals or exceeds the decibel limits provided in this section, the owner or operator of the property that is the source of such stationary sound may seek a special exception from the sound limitations of this section. Application for a special exception from the sound limitation shall be made to the city clerk. The public safety committee shall hear and act upon all applications for a special exception under this subsection. The committee may grant the appeal where the committee finds that the ambient sound equals or exceeds the decibel limits for a property in a receiving zone and that the combination of the ambient sound and the sound from the stationary sound producing source does not exceed the limit for the receiving affected property by more than 10 dBA.

(H) Nonconforming source. Any source of stationary sound that does not conform to the requirements of this section, which existed lawfully when this section was adopted and which remains nonconforming, or which shall become nonconforming upon the adoption of this section, or of any subsequent amendments thereto, may continue, as provided in this subsection.

(1) Any such nonconforming source of stationary sound shall not be modified, altered, added to, or enlarged in any manner unless such modifications, alterations, additions, or enlargements thereto are made to conform with all of the sound or noise control regulations applicable to the source.

(2) Any such nonconforming source of stationary sound which is discontinued for one year shall not be used unless the use is made to conform with all of the sound or noise control regulations applicable to the source.

(3) Any such nonconforming source of stationary sound shall not be repaired or restored to the extent that the cost of repair or restoration exceeds 50 percent of the full market value of the source. In the event that damage or destruction requires repairs or restoration which is less

(G) Special ~~E~~exception for ~~Ambient Sound~~~~ambient sound~~. When the ambient sound at the source of a stationary sound equals or exceeds the decibel limits provided in this section, the owner or operator of the property that is the source of such stationary sound may seek a special exception from the sound limitations ~~herein of this section~~. Application for a special exception from the sound limitation shall be made to the ~~City Clerk~~~~city clerk~~. The ~~Public Safety Committee~~~~public safety committee~~ shall hear and act upon all applications for a special exception under this subsection. The ~~C~~committee may grant the appeal where the ~~C~~committee finds that the ambient sound equals or exceeds the decibel limits for a property in a receiving zone and that the combination of the ambient sound and the sound from the stationary sound producing source does not exceed the limit for the receiving affected property by more than 10 dBA.

(H) Nonconforming ~~S~~source. Any source of stationary sound that does not conform to the requirements of this section, which existed lawfully ~~at the time of the adoption of~~~~when~~ this section ~~was adopted~~ and which remains nonconforming, or which shall be~~ca~~me nonconforming upon the adoption of this section, or of any subsequent amendments thereto, may continue, as provided in this subsection.

(1) Any such nonconforming source of stationary sound shall not be modified, altered, added to, or enlarged in any manner unless such modifications, alterations, additions, or enlargements thereto are made to conform with all of the sound or noise control regulations applicable to the source.

(2) Any such nonconforming source of stationary sound which is discontinued for ~~a period of~~ one year shall not be used unless the use is made to conform with all of the sound or noise control regulations applicable to the source.

(3) Any such nonconforming source of stationary sound shall not be repaired or restored to the extent that the cost of repair or restoration exceeds 50 percent of the full market value of the source. In the event that damage or destruction requires repairs or restoration which is less

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that 50 percent of such market value, repairs or restoration may be made if work is commenced within one year from the date of the partial destruction and is diligently prosecuted to completion.

that 50 percent of such market value, repairs or restoration may be made if work is commenced within one year from the date of the partial destruction and is diligently prosecuted to completion.

that 50 percent of such market value, repairs or restoration may be made if work is commenced within one year from the date of the partial destruction and is diligently prosecuted to completion.

(I) Effect of Zoning Change of Affected Property. When the zoning classification of a receiving property is changed in a manner which would result in an existing sound source being in noncompliance with this section, the sound source shall be considered a nonconforming and shall be subject to the provisions of Subsection (H) of this section.

(I) Effect of zoning change of affected property. When the zoning classification of a receiving property is changed in a manner which would result in a then existing sound source being in noncompliance with this section, the sound source shall be considered a nonconforming and shall be subject to the provisions of subsection (H) of this section.

(I) Effect of ~~Zoning Change~~ zoning change of ~~Affected Property~~ affected property. When the zoning classification of a receiving property is changed in a manner which would result in ~~ana then~~ existing sound source being in noncompliance with this section, the sound source shall be considered a nonconforming and shall be subject to the provisions of ~~S~~ subsection (H) of this section.

(J) Prohibition of Nuisance Noises.

(J) Prohibition of nuisance noises.

(J) Prohibition of ~~Nuisance Noises~~ nuisance noises.

(1) It shall be unlawful for any person to make or assist in making any nuisance noise unless the making and continuing of the same cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person.

(1) It shall be unlawful for any person to make or assist in making any nuisance noise unless the making and continuing of the same cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person.

(1) It shall be unlawful for any person to make or assist in making any nuisance noise unless the making and continuing of the same cannot be prevented and is necessary for the protection or preservation of property or of the health, safety, life or limb of some person.

(2) It shall be unlawful for any person, firm, corporation, or other entity occupying or having charge of any building or premises, or any part thereof, to cause, suffer or allow any nuisance noise in the operation or use of any radio, stereo or other mechanical or electrical device, instrument or machine.

(2) It shall be unlawful for any person, firm, corporation, or other entity occupying or having charge of any building or premises, or any part thereof, to cause or allow any nuisance noise in the operation or use of any radio, stereo or other mechanical or electrical device, instrument or machine.

(2) It shall be unlawful for any person, firm, corporation, or other entity occupying or having charge of any building or premises, or any part thereof, to cause, ~~suffer~~ or allow any nuisance noise in the operation or use of any radio, stereo or other mechanical or electrical device, instrument or machine.

(3) No person shall make nuisance noise with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud muffler sounds.

(3) No person shall make nuisance noise with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud muffler sounds.

(3) No person shall make nuisance noise with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud muffler sounds.

(K) Amplified Sound Permit.

(K) Amplified sound permit.

(K) Amplified ~~Sound Permits~~ sound permit.

(1) Permit. No person shall produce or cause to be produced amplified sound without a permit issued by the City authorizing such amplified sound.

(1) Permit. No person shall produce or cause to be produced amplified sound without a permit issued by the city authorizing such amplified sound.

(1) Permit. No person shall produce or cause to be produced amplified sound without a permit issued by the ~~C~~ city authorizing such amplified sound.

(2) Short Term Amplified Sound.

(2) Short term amplified sound.

(2) Short ~~Term Amplified Sound~~ term amplified sound.

A) Permits for amplified sound to be emitted within a period of not more than 6 consecutive days may be approved by the City Clerk upon filing of proper

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A) Permits for amplified sound to be emitted within a period of not more than 6 consecutive days may be approved by the ~~City Clerk~~ city clerk upon filing of

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application and the payment of a fee in an amount established by resolution of the Council.

application and the payment of a fee in an amount established by resolution of the council.

proper application and the payment of a fee in an amount established by resolution of the ~~C~~council.

B) No short term amplified sound permit shall be issued for any time that does not fall within a given period of 6 consecutive days. No more than 3 short term amplified sound permits shall be issued to the same person in any consecutive 12 month period.

B) No short term amplified sound permit shall be issued for any time that does not fall within a given period of 6 consecutive days. No more than 3 short term amplified sound permits shall be issued to the same person in any consecutive 12 month period.

B) No short term amplified sound permit shall be issued for any time that does not fall within a given period of 6 consecutive days. No more than 3 short term amplified sound permits shall be issued to the same person in any consecutive 12 month period.

(3) Long Term Amplified Sound.

(3) Long term amplified sound.

(3) Long ~~Term Amplified Sound~~term amplified sound.

A) Permits for amplified sound that will be emitted during a period exceeding 6 consecutive days may be approved by the Public Safety Committee upon filing of proper application and the payment of a fee in an amount established by resolution of the Council.

A) Permits for amplified sound that will be emitted during a period exceeding 6 consecutive days may be approved by the public safety committee upon filing of proper application and the payment of a fee in an amount established by resolution of the council.

A) Permits for amplified sound that will be emitted during a period exceeding 6 consecutive days may be approved by the ~~Public Safety Committee~~public safety committee upon filing of proper application and the payment of a fee in an amount established by resolution of the ~~C~~council.

B) All long term amplified sound permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

B) All long term amplified sound permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

B) All long term amplified sound permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

C) A long-term amplified sound permit may authorize multiple amplified sound events if such events are part of a series of coordinated events sponsored by a single person, company or organization.

C) A long-term amplified sound permit may authorize multiple amplified sound events if such events are part of a series of coordinated events sponsored by a single person, company or organization.

C) A long-term amplified sound permit may authorize multiple amplified sound events if such events are part of a series of coordinated events sponsored by a single person, company or organization.

(4) Issuance by Clerk. All amplified sound permits shall be issued by the City Clerk.

(4) Issuance by clerk. All amplified sound permits shall be issued by the city clerk.

(4) Issuance by ~~C~~clerk. All amplified sound permits shall be issued by the ~~City Clerk~~city clerk.

(5) No amplified sound permit shall be issued except upon showing by the applicant that the peace and good order of the City will not be disturbed, nor shall any permit be construed to authorize an act which does disturb the peace and good order of the City.

(5) No amplified sound permit shall be issued except upon showing by the applicant that the peace and good order of the city will not be disturbed, nor shall any permit be construed to authorize an act which does disturb the peace and good order of the city.

(5) No amplified sound permit shall be issued except upon showing by the applicant that the peace and good order of the ~~C~~city will not be disturbed, nor shall any permit be construed to authorize an act which does disturb the peace and good order of the ~~C~~city.

(L) Regulation of Background Music.

(L) Regulation of background music.

(L) Regulation of ~~Background Music~~background music.

(1) Permit Required. No person, company or organization may play any form of background music audible in a public area outside a building or structure without having first obtained a permit.

(1) Permit required. No person, company or organization may play any form of background music audible in a public area outside a building or structure without having first obtained a permit.

(1) Permit ~~R~~required. No person, company or organization may play any form of background music audible in a public area outside a building or structure without having first obtained a permit.

(2) Requirements for Permit. Application for a permit

(2) Requirements for permit. Application for a

(2) Requirements for ~~P~~permit. Application for a

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to play background music for which a permit is required shall be made to the City Clerk, who shall be authorized to grant and issue a permit in compliance with the regulations established in this section.

permit to play background music for which a permit is required shall be made to the city clerk, who shall be authorized to grant and issue a permit in compliance with the regulations established in this section.

permit to play background music for which a permit is required shall be made to the ~~City Clerk~~city clerk, who shall be authorized to grant and issue a permit in compliance with the regulations established in this section.

A) Term. All background music permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

A) Term. All background music permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

A) Term. All background music permits shall expire on a date certain which shall be no later than the next succeeding June 30 following issuance.

B) Permit Fee. The fee for a background music permit shall be established by resolution of the Council.

B) Permit fee. The fee for a background music permit shall be established by resolution of the council.

B) Permit ~~Fee~~fee. The fee for a background music permit shall be established by resolution of the ~~C~~council.

(M) Revocation of Permit: A permit issued pursuant to this section may be subject to revocation at any time the permitted music or sound exceeds the maximum permissible sound levels contained in this section or becomes a nuisance noise. The procedure for revocation shall be as follows:

(M) Revocation of permit: A permit issued pursuant to this section may be subject to revocation at any time the permitted music or sound exceeds the maximum permissible sound levels contained in this section or becomes a nuisance noise. The procedure for revocation shall be as follows:

(M) Revocation of ~~P~~permit: A permit issued pursuant to this section may be subject to revocation at any time the permitted music or sound exceeds the maximum permissible sound levels contained in this section or becomes a nuisance noise. The procedure for revocation shall be as follows:

(1) Notice. The holder of a permit shall be notified, in writing, of the City's intent to revoke a permit not less than 10 days before the proposed revocation.

(1) Notice. The holder of a permit shall be notified, in writing, of the city's intent to revoke a permit not less than 10 days before the proposed revocation.

(1) Notice. The holder of a permit shall be notified, in writing, of the ~~C~~city's intent to revoke a permit not less than 10 days before the proposed revocation.

(2) Hearing. The permit holder shall be permitted a hearing before the Common Council, which will hear such evidence as may be presented. Witnesses will be sworn, and the proceedings will be electronically recorded or otherwise preserved. Witnesses will be subject to examination by the City and by the permit holder. The permit holder may be represented by an attorney, but shall otherwise be required to present evidence pertaining to the revocation of the permit in person. The permit holder shall in all cases be present at the revocation hearing. Hearings will take place at regularly scheduled or special meeting of the Common Council and a majority vote of shall be required to revoke a permit.

(2) Hearing. The permit holder shall be permitted a hearing before the council, which will hear such evidence as may be presented. Witnesses will be sworn, and the proceedings will be electronically recorded or otherwise preserved. Witnesses will be subject to examination by the city and by the permit holder. The permit holder may be represented by an attorney, but shall otherwise be required to present evidence pertaining to the revocation of the permit in person. The permit holder shall in all cases be present at the revocation hearing. Hearings will take place at regularly scheduled or special meeting of the council and a majority vote of shall be required to revoke a permit.

(2) Hearing. The permit holder shall be permitted a hearing before the ~~Common Council~~council, which will hear such evidence as may be presented. Witnesses will be sworn, and the proceedings will be electronically recorded or otherwise preserved. Witnesses will be subject to examination by the ~~C~~city and by the permit holder. The permit holder may be represented by an attorney, but shall otherwise be required to present evidence pertaining to the revocation of the permit in person. The permit holder shall in all cases be present at the revocation hearing. Hearings will take place at regularly scheduled or special meeting of the ~~Common Council~~council and a majority vote of shall be required to revoke a permit.

(N) Penalty.

(N) Penalty.

(N) Penalty.

(1) Any person who violates subsection (F) or (J) of this section is guilty of a class 4 forfeiture for the first offense in a 12 month period, a class 3 forfeiture for the

(1) Any person who violates subsection (F) or (J) of this section shall upon conviction be subject to a class 4 forfeiture for the first offense in a 12 month period, a class

(1) Any person who violates subsection (F) or (J) of this section ~~is guilty of~~shall upon conviction be subject to a class 4 forfeiture for the first offense in a 12 month period,

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second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

3 forfeiture for the second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

a class 3 forfeiture for the second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

(2) Any person who violates subsection (K) or (L) of this section is guilty of a class 5 forfeiture for the first offense in a 12 month period, a class 4 forfeiture for the second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

(2) Any person who violates subsection (K) or (L) of this section shall upon conviction be subject to a class 5 forfeiture for the first offense in a 12 month period, a class 4 forfeiture for the second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

(2) Any person who violates subsection (K) or (L) of this section ~~is guilty of~~ shall upon conviction be subject to a class 5 forfeiture for the first offense in a 12 month period, a class 4 forfeiture for the second offense in a 12 month period and a class 1 forfeiture for the third or subsequent offense in a 12 month period.

(3) A separate offense exists each calendar day during which a violation occurs or continues.

(3) A separate offense exists each calendar day during which a violation occurs or continues.

(3) A separate offense exists each calendar day during which a violation occurs or continues.

(O) Severability. If any provision, clause, sentence, paragraph, or phrase of this section or the application thereof to any person or circumstances is held, for any reason by a court of competent jurisdiction, to be invalid or unconstitutional, such decision shall not affect the validity of other provisions or applications of the provisions of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this section are declared to be severable.

(O) Severability. If any provision, clause, sentence, paragraph, or phrase of this section or the application thereof to any person or circumstances is held, for any reason by a court of competent jurisdiction, to be invalid or unconstitutional, such decision shall not affect the validity of other provisions or applications of the provisions of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this section are declared to be severable.

(O) Severability. If any provision, clause, sentence, paragraph, or phrase of this section or the application thereof to any person or circumstances is held, for any reason by a court of competent jurisdiction, to be invalid or unconstitutional, such decision shall not affect the validity of other provisions or applications of the provisions of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this section are declared to be severable.

9-4-21: Resisting or obstructing officer:

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(A) Lawful Authority: No person shall knowingly resist or obstruct an officer while such officer is doing any act in an official capacity and with lawful authority.

(A) Lawful authority: No person shall knowingly resist or obstruct an officer while such officer is doing any act in an official capacity and with lawful authority.

(A) Lawful ~~A~~ authority: No person shall knowingly resist or obstruct an officer while such officer is doing any act in an official capacity and with lawful authority.

(B) Definitions: In this section:

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1. "Officer" means a peace officer or other public officer or public employee having the authority by virtue of his office or employment to take another into custody.

(1) "Officer" means a peace officer or other public officer or public employee having the authority by virtue of his or her office or employment to take another into custody.

~~(1-)~~ "Officer" means a peace officer or other public officer or public employee having the authority by virtue of his ~~or her~~ office or employment to take another into custody.

2. "Obstruct" includes, without limitation, knowingly giving false information to the officer with intent to mislead him in the performance of his duty including the service of any summons or civil process.

(2) "Obstruct" includes, without limitation, knowingly giving false information to the officer with intent to mislead him or her in the performance of his or her duty including the service of any summons or civil process.

~~(2-)~~ "Obstruct" includes, without limitation, knowingly giving false information to the officer with intent to mislead him ~~or her~~ in the performance of his ~~or her~~ duty including the service of any summons or civil process.

(C) Serving Or Executing Summons: Whoever, by violating this section, hinders, delays or prevents an

(C) Serving or executing summons: Whoever, by violating this section, hinders, delays or prevents an

(C) Serving ~~Or Executing Summons~~ or executing summons: Whoever, by violating this section, hinders,

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officer from properly serving or executing any summons or civil process, is civilly liable to the person injured for any actual loss caused thereby and to the officer or his superior for any damages adjudged against either of them by reason thereof.

(D) Penalty: Any person who violates this section is guilty of a class 2 forfeiture. (6 -19-1984)

9-4-22: Issue of Worthless Check.

(A) Unlawful acts. It shall be unlawful for any person to issue any check or other order for the payment of any amount which, at the time of issuance, he or she intends shall not be paid.

(B) Prima Facie Evidence. Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

1. Proof that, at the time of issuance, the person did not have an account with the drawee; or

2. Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order; or

3. Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order.

(C) Inapplicability. This section does not apply to a postdated check or to a check given for a past consideration, except a payroll check.

(D) Restitution. Pursuant to section 800.093 of the

officer from properly serving or executing any summons or civil process, is civilly liable to the person injured for any actual loss caused thereby and to the officer or his or her superior for any damages adjudged against either of them by reason thereof.

(D) Penalty: Any person who violates this section is guilty of a class 2 forfeiture.

9-4-22: Issue of worthless check:

(A) Unlawful acts. It shall be unlawful for any person to issue any check or other order for the payment of any amount which, at the time of issuance, he or she intends shall not be paid.

(B) Prima facie evidence. Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

(1) Proof that, at the time of issuance, the person did not have an account with the drawee; or

(2) Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order; or

(3) Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order.

(C) Inapplicability. This section does not apply to a postdated check or to a check given for a past consideration, except a payroll check.

(D) Restitution. Pursuant to section 800.093 of the

delays or prevents an officer from properly serving or executing any summons or civil process, is civilly liable to the person injured for any actual loss caused thereby and to the officer or his or her superior for any damages adjudged against either of them by reason thereof.

(D) Penalty: Any person who violates this section is guilty of a class 2 forfeiture. ~~(6 -19-1984)~~

9-4-22: Issue of ~~Worthless Check~~ worthless check:

(A) Unlawful acts. It shall be unlawful for any person to issue any check or other order for the payment of any amount which, at the time of issuance, he or she intends shall not be paid.

(B) Prima ~~Facie Evidence~~ facie evidence. Any of the following is prima facie evidence that the person at the time he or she issued the check or other order for the payment of money, intended it should not be paid:

~~(1)~~ Proof that, at the time of issuance, the person did not have an account with the drawee; or

~~(2)~~ Proof that, at the time of issuance, the person did not have sufficient funds or credit with the drawee and that the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order; or

~~(3)~~ Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within 5 days after receiving written notice of nonpayment or dishonor to pay the check or other order, delivered by regular mail to either the person's last-known address or the address provided on the check or other order.

(C) Inapplicability. This section does not apply to a postdated check or to a check given for a past consideration, except a payroll check.

(D) Restitution. Pursuant to section 800.093 of the

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Wisconsin Statutes, in addition to the other penalties provided for violation of this section a judge may order a violator of this section to make restitution.

Wisconsin statutes, in addition to the other penalties provided for violation of this section a judge may order a violator of this section to make restitution.

Wisconsin ~~S~~statutes, in addition to the other penalties provided for violation of this section a judge may order a violator of this section to make restitution.

(E) Penalty. The penalty for a violation of this section shall be a class 2 forfeiture for the first offense and a class 3 forfeiture for the second or subsequent offense within a 12 month period. 2014-01-07

(E) Penalty. A person who violates any provision of this section shall upon conviction be subject to a class 2 forfeiture for the first offense and a class 3 forfeiture for the second or subsequent offense within a 12 month period.

(E) Penalty. ~~The penalty for a violation~~A person who violates any provision of this section shall upon conviction be subject to a class 2 forfeiture for the first offense and a class 3 forfeiture for the second or subsequent offense within a 12 month period. ~~2014-01-07~~

9-4-23: Sale of poisons:

9-4-23: Sale of poisons:

9-4-23: Sale of poisons:

(A) No person shall knowingly vend, give away or deliver within the city any poison unless the same is conspicuously labeled "Poison".

(A) No person shall knowingly vend, give away or deliver within the city any poison unless the same is conspicuously labeled "Poison".

(A) No person shall knowingly vend, give away or deliver within the city any poison unless the same is conspicuously labeled "Poison".

(B) A person who violates any provision of this section shall be subject to a class 4 forfeiture. (12-17-1991)

(B) A person who violates any provision of this section shall upon conviction be subject to a Class 4 forfeiture.

(B) A person who violates any provision of this section shall upon conviction be subject to a ~~e~~Class 4 forfeiture. ~~(12-17-1991)~~

9-4-24: Unauthorized person prohibited on school grounds:

9-4-24: Unauthorized person prohibited on school grounds:

9-4-24: Unauthorized person prohibited on school grounds:

(A) No student under suspension, expulsion or other discipline excluding him from attending school, no person not a student currently enrolled at the school or a person not a parent or guardian of a student currently enrolled at the school, and no person not otherwise authorized to be present in the school or upon the school grounds shall be present within the school or upon its grounds, unless in direct route to secure authorization from the school principal or other person in charge of the school.

(A) No student under suspension, expulsion or other discipline excluding him or her from attending school, no person not a student who is enrolled at the school or a person not a parent or guardian of a student who is enrolled at the school, and no person not otherwise authorized to be present in the school or upon the school grounds shall be present within the school or upon its grounds, unless in direct route to secure authorization from the school principal or other person in charge of the school.

(A) No student under suspension, expulsion or other discipline excluding him ~~or her~~ from attending school, no person not a student ~~currently~~who is enrolled at the school or a person not a parent or guardian of a student ~~currently~~who is enrolled at the school, and no person not otherwise authorized to be present in the school or upon the school grounds shall be present within the school or upon its grounds, unless in direct route to secure authorization from the school principal or other person in charge of the school.

(B) Any person present within the school or upon its grounds shall, upon the request of the principal or any other person in charge of the school or its grounds, or upon the request of any police officer, display any written authorization which he may have to be present, or otherwise explain his presence.

(B) Any person present within the school or upon its grounds shall, upon the request of the principal or any other person in charge of the school or its grounds, or upon the request of any police officer, display any written authorization which he or she may have to be present, or otherwise explain his or her presence.

(B) Any person present within the school or upon its grounds shall, upon the request of the principal or any other person in charge of the school or its grounds, or upon the request of any police officer, display any written authorization which he ~~or she~~ may have to be present, or otherwise explain his ~~or her~~ presence.

(C) All entrances to school buildings shall be posted with a notice to the effect that "Entry into School Buildings or Premises by Unauthorized Persons is Prohibited".

(C) All entrances to school buildings shall be posted with a notice stating "Entry into school buildings or premises by unauthorized persons is prohibited" or a notice that conveys substantially the same meaning.

(C) All entrances to school buildings shall be posted with a notice ~~to the effect that stating~~ "Entry into ~~School Buildings~~school buildings or ~~P~~premises by ~~Unauthorized Persons~~unauthorized persons is ~~Prohibited~~prohibited" or

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(D) Authorization to be present at one school shall not be construed as authorization to be present at any other school.

(D) Authorization to be present at one school shall not be construed as authorization to be present at any other school.

(D) Authorization to be present at one school shall not be construed as authorization to be present at any other school.

(E) This section applies to all schools within the city which are under the jurisdiction of the board of the school district of Monroe.

(E) This section applies to all schools within the city which are under the jurisdiction of the board of the school district of Monroe.

(E) This section applies to all schools within the city which are under the jurisdiction of the board of the school district of Monroe.

(F) Any person who violates this section shall be subject to a class 3 forfeiture. (6-7-1983)

(F) Any person who violates any provision of this section shall upon conviction be subject to a Class 3 forfeiture.

(F) Any person who violates any provision of this section shall upon conviction be subject to a eClass 3 forfeiture. ~~(6-7-1983)~~

9-4-25: Littering:

9-4-25: Littering:

9-4-25: Littering:

(A) No person may litter any public place by depositing, dropping, or throwing any form of trash or refuse any place other than a waste receptacle, nor may any person deposit, drop or throw any form of trash or refuse upon any private place without the consent of the owner.

(A) No person may litter any public place by depositing, dropping, or throwing any form of trash or refuse any place other than a waste receptacle, nor may any person deposit, drop or throw any form of trash or refuse upon any private place without the consent of the owner.

(A) No person may litter any public place by depositing, dropping, or throwing any form of trash or refuse any place other than a waste receptacle, nor may any person deposit, drop or throw any form of trash or refuse upon any private place without the consent of the owner.

(B) Any person violating this section shall be guilty of a class 5 forfeiture. (9-20-1983)

(B) Any person violating this section shall upon conviction be subject to a Class 5 forfeiture.

(B) Any person violating this section shall upon conviction be ~~guilty of~~subject to a eClass 5 forfeiture. ~~-(9-20-1983)~~

9-4-26: Theft:

9-4-26: Theft:

9-4-26: Theft:

(A) Theft: No person may intentionally take and carry away, use, transfer, conceal, or retain possession of the moveable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

(A) Theft: No person may intentionally take and carry away, use, transfer, conceal, or retain possession of the moveable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

(A) Theft: No person may intentionally take and carry away, use, transfer, conceal, or retain possession of the moveable property of another without the other's consent and with intent to deprive the owner permanently of possession of such property.

(B) Definitions: For this section, definitions may be found in subsection 943.20(2), Wisconsin statutes, and all acts supplementary and amendatory thereto.

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(B) Definitions: For this section, definitions may be found in subsection 943.20(2), Wisconsin statutes, and all acts supplementary and amendatory thereto.

(C) Penalty: Any person who violates this section is guilty of a class 3 forfeiture. (1 - 16-1996)

(C) Penalty: Any person who violates this section is guilty of a class 3 forfeiture.

(C) Penalty: Any person who violates this section is guilty of a class 3 forfeiture. ~~-(1-16-1996)~~

9-4-27: Retail theft:

9-4-27: Retail theft:

9-4-27: Retail theft:

(A) Definitions: In this Section:

(A) Definitions: In this section:

(A) Definitions: In this ~~Section:~~

~~MERCHANT: Includes~~section:

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MERCHANT: Includes any "merchant" as defined in Wisconsin Statutes section 402.104(3) or any innkeeper, motelkeeper or hotelkeeper.

"Merchant" means any "merchant" as defined in section 402.104(3) of the Wisconsin statutes or any innkeeper, motelkeeper or hotelkeeper.

"Merchant" means any "merchant" as defined in ~~Wisconsin Statutes~~ section 402.104(3) of the Wisconsin statutes or any innkeeper, motelkeeper or hotelkeeper.

~~VALUE OF MERCHANDISE: Means:~~

~~— 1.~~

VALUE OF MERCHANDISE: Means:

1. For property of the merchant, the value of the property, not to exceed one thousand dollars (\$1,000.00) for each item of property; or

2. For merchandise held for resale, the merchant's stated price of the merchandise, not to exceed one thousand dollars (\$1,000.00) for each item of merchandise, or, in the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise and the altered price, not to exceed one thousand dollars (\$1,000.00) difference for each price so altered, transferred or removed.

"Value of merchandise" means: a) For property of the merchant, the value of the property, not to exceed \$1,000.00 for each item of property; or b) For merchandise held for resale, the merchant's stated price of the merchandise, not to exceed \$1,000.00 for each item of merchandise, or, in the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise and the altered price, not to exceed \$1,000.00 difference for each price so altered, transferred or removed.

"Value of merchandise" means: a) For property of the merchant, the value of the property, not to exceed ~~one thousand dollars~~ (~~-\$1,000.00~~) for each item of property; or

~~— 2. b)~~ For merchandise held for resale, the merchant's stated price of the merchandise, not to exceed ~~one thousand dollars~~ (~~-\$1,000.00~~) for each item of merchandise, or, in the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise and the altered price, not to exceed ~~one thousand dollars~~ (~~-\$1,000.00~~) difference for each price so altered, transferred or removed.

(B) Penalty: Whoever intentionally alters indicia of price or value of merchandise or who takes and carries away, transfers, conceals or retains possession of merchandise held for resale by a merchant or property of the merchant without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise, shall be guilty of a Class 2 forfeiture.

(B) Penalty: Whoever intentionally alters indicia of price or value of merchandise or who takes and carries away, transfers, conceals or retains possession of merchandise held for resale by a merchant or property of the merchant without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise, shall upon conviction be subject to a Class 2 forfeiture.

(B) Penalty: Whoever intentionally alters indicia of price or value of merchandise or who takes and carries away, transfers, conceals or retains possession of merchandise held for resale by a merchant or property of the merchant without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise, shall upon conviction be ~~guilty~~ of subject to a Class 2 forfeiture.

(C) Evidence of Intent: The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing such goods.

(C) Evidence of intent: The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of another is evidence of intentional concealment by the person so concealing such goods.

(C) Evidence of ~~h~~intent: The intentional concealment of unpurchased merchandise which continues from one floor to another or beyond the last station for receiving payments in a merchant's store is evidence of intent to deprive the merchant permanently of possession of such merchandise without paying the purchase price thereof. The discovery of unpurchased merchandise concealed upon the person or among the belongings of another is evidence of intentional concealment on the part of by the person so concealing such goods.

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(D) Procedure to Detain: A merchant or merchant's adult employee who has probable cause for believing that a person has violated this Section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to a peace officer, or to his or her parent or guardian in the case of a minor. The detained person must be promptly informed of the purpose of the detention and be permitted to make phone calls, but he or she shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Any merchant or merchant's adult employee who acts in good faith in any act authorized under this Section is immune from civil or criminal liability for those acts.

(D) Procedure to detain: A merchant or merchant's adult employee who has probable cause for believing that a person has violated this section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to a peace officer, or to his or her parent or guardian in the case of a minor. The detained person must be promptly informed of the purpose of the detention and be permitted to make phone calls, but he or she shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Any merchant or merchant's adult employee who acts in good faith in any act authorized under this section is immune from civil or criminal liability for those acts.

(D) Procedure to ~~D~~etain: A merchant or merchant's adult employee who has probable cause for believing that a person has violated this ~~S~~section in his or her presence may detain the person in a reasonable manner for a reasonable length of time to deliver the person to a peace officer, or to his or her parent or guardian in the case of a minor. The detained person must be promptly informed of the purpose of the detention and be permitted to make phone calls, but he or she shall not be interrogated or searched against his or her will before the arrival of a peace officer who may conduct a lawful interrogation of the accused person. Any merchant or merchant's adult employee who acts in good faith in any act authorized under this ~~S~~section is immune from civil or criminal liability for those acts.

(E) Evidence; Privilege:

1. In any action or proceeding for violation of this Section, duly identified and authenticated photographs of merchandise which was the subject of the violation may be used as evidence in lieu of producing the merchandise.

(E) Evidence; privilege:

(1) In any action or proceeding for violation of this section, identified and authenticated photographs of merchandise which was the subject of the violation may be used as evidence in lieu of producing the merchandise.

(E) Evidence; ~~P~~privilege:

~~(1-)~~ In any action or proceeding for violation of this ~~Section, duly~~section, identified and authenticated photographs of merchandise which was the subject of the violation may be used as evidence in lieu of producing the merchandise.

2. A merchant or merchant's adult employee is privileged to defend property as prescribed in Wisconsin Statutes section 939.49.

(2) A merchant or merchant's adult employee is privileged to defend property as prescribed in section 939.49 of the Wisconsin statutes.

~~(2-)~~ A merchant or merchant's adult employee is privileged to defend property as prescribed in ~~Wisconsin Statutes~~section 939.49 ~~of the Wisconsin statutes~~.

(F) Additional Penalties:

1. In addition to the other penalties provided for violation of this Section, a judge may order a violator to pay restitution as provided under Wisconsin Statutes section 973.20. A victim may not be compensated under this Section and Wisconsin Statutes section 943.51.

(F) Additional penalties:

(1) In addition to the other penalties provided for violation of this section, a judge may order a violator to pay restitution as provided under section 973.20 of the Wisconsin statutes. A victim may not be compensated under both this section and section 943.51 of the Wisconsin statutes.

(F) Additional ~~P~~penalties:

~~(1-)~~ In addition to the other penalties provided for violation of this ~~S~~section, a judge may order a violator to pay restitution as provided under ~~Wisconsin Statutes~~section 973.20 ~~of the Wisconsin statutes~~. A victim may not be compensated under ~~both~~ this ~~S~~section and ~~Wisconsin Statutes~~section 943.51:

~~— of the Wisconsin statutes.~~

2. In actions concerning violations of ordinances in conformity with this Section, a judge may order a violator to make restitution under Wisconsin Statutes section 800.093. A victim may not be compensated under Wisconsin Statutes sections 800.093 and 943.51.

(2) In actions concerning violations of codes in conformity with this section, a judge may order a violator to make restitution under section 800.093 of the Wisconsin statutes. A victim may not be compensated under sections 800.093 and 943.51 of the Wisconsin

~~(2-)~~ In actions concerning violations of ~~ordinances~~codes in conformity with this ~~S~~section, a judge may order a violator to make restitution under ~~Wisconsin Statutes~~section 800.093- ~~of the Wisconsin statutes~~. A victim may not be compensated under ~~Wisconsin Statutes~~

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statutes.

sections 800.093 and 943.51-

~~_____ of the Wisconsin statutes.~~

3. If the court orders restitution under subsections (F)1 and (F)2 of this Section, any amount of the restitution paid to the victim under one of those subsections reduces the amount the violator must pay in restitution to the victim under the other subsection. (3-1-1994)

(3) If the court orders restitution under subsections (F)(1) and (F)(2) of this section, any amount of the restitution paid to the victim under one of those subsections reduces the amount the violator must pay in restitution to the victim under the other subsection.

~~(3-) If the court orders restitution under subsections (F)~~1~~(1) and (F)~~2~~(2) of this ~~S~~section, any amount of the restitution paid to the victim under one of those subsections reduces the amount the violator must pay in restitution to the victim under the other subsection. ~~(3-1-1994)~~~~

9-4-28: Failure to return library materials:

9-4-28: Failure to return library materials:

9-4-28: Failure to return library materials:

(A) In this section, "library materials" include any book, plate, pictures, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microfilm, sound recording, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts or other documentary, written or printed materials, equipment, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of a municipal library situated or based within the city limits of Monroe.

(A) In this section, "library materials" include any book, plate, pictures, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microfilm, sound recording, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts or other documentary, written or printed materials, equipment, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of a municipal library situated or based within the city.

(A) In this section, "library materials" include any book, plate, pictures, photograph, engraving, painting, drawing, map, newspaper, magazine, pamphlet, broadside, manuscript, document, letter, public record, microfilm, sound recording, audiovisual materials in any format, magnetic or other tapes, electronic data processing records, artifacts or other documentary, written or printed materials, equipment, regardless of physical form or characteristics, belonging to, on loan to, or otherwise in the custody of a municipal library situated or based within the city ~~limits of Monroe.~~

(B) Any person who takes and carries away any library material with the consent of a library official, agent or employee and fails, after the notice required by this section, to timely return the library material, shall upon conviction be subject to a class 4 forfeiture. (2-7-1984)

(B) Any person who takes and carries away any library material with the consent of a library official, agent or employee and fails, after the notice required by this section, to timely return the library material, shall upon conviction be subject to a class 4 forfeiture.

(B) Any person who takes and carries away any library material with the consent of a library official, agent or employee and fails, after the notice required by this section, to timely return the library material, shall upon conviction be subject to a class 4 forfeiture. ~~(2-7-1984)~~

(C) No person shall be charged with a violation of this section unless such person is provided written notice signed by a library official, agent or employee setting forth at least the following: a reasonable description of the library materials; the date that the library materials were due to be returned; the final date by which either the library materials are to be returned or a written explanation made to the library that the library materials are incapable of being returned because they are lost or destroyed; and the statement that, "Your failure to comply with the demands of this notice will subject you to being prosecuted for a violation of the Monroe City Code, Section 9-4-26, Failure to Return Library Materials, and upon conviction, a penalty of not less than twenty five

(C) No person shall be charged with a violation of this section unless such person is provided written notice signed by a library official, agent or employee setting forth at least the following: a reasonable description of the library materials; the date that the library materials were due to be returned; the final date by which either the library materials are to be returned or a written explanation made to the library that the library materials are incapable of being returned because they are lost or destroyed; and the statement: "Your failure to comply with the demands of this notice will subject you to being prosecuted for a violation of section 9-4-28 of the this code (failure to return library materials)" or a statement conveying substantially the same information.. Such

(C) No person shall be charged with a violation of this section unless such person is provided written notice signed by a library official, agent or employee setting forth at least the following: a reasonable description of the library materials; the date that the library materials were due to be returned; the final date by which either the library materials are to be returned or a written explanation made to the library that the library materials are incapable of being returned because they are lost or destroyed; and the statement ~~that:~~ "Your failure to comply with the demands of this notice will subject you to being prosecuted for a violation of ~~the Monroe City Code, Section 9-4-26, Failure to Return Library Materials, and upon conviction, a penalty of not less than twenty five~~

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dollars (\$25.00) nor more than one hundred dollars (\$100.00)". Said notice shall be served either by regular, first class mail sent to the person's last known address or by personal service upon such person. (7-3-1984)

9-4-29: Fraud on Residential Landlords.

(A) Unlawful acts. It shall be unlawful for any tenant, with intent to defraud, to do any of the following:

1. Intentionally abscond without paying rent that has been contractually agreed upon in an oral or written lease with a landlord. Prima facie evidence of intentionally absconding will be established if a tenant fails to pay rent due prior to the vacating of the rental premise by the tenant, and the non-payment of said rent continues for a period of 5 days after vacation of the premise; or

2. Issue any check, money order or any other form of bank or monetary draft as a payment of rent, where such document lacks sufficient funds, where the account is closed, or where such draft is unredeemable in any other form or fashion.

(B) Applicability. This chapter shall apply to rental agreements between residential landlords and tenants only. The words and terms used in this section shall be defined and construed in conformity with the provisions of Chapter ATCP 134 of the Wisconsin Administrative Code, Chapter 704 of the Wisconsin Statutes, and Section 990.001(2) of the Wisconsin Statutes.

(C) Penalty. Any person who violates any provision of this section shall be guilty of a class 3 forfeiture for the first such offense. For the second and subsequent offenses, any person who violates any provision of this section shall be guilty of a class 2 forfeiture.
2012-10-16

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notice shall be served either by regular, first class mail sent to the person's last known address or by personal service upon such person.

9-4-29: Fraud on residential landlords:

(A) Unlawful acts. It shall be unlawful for any tenant, with intent to defraud, to do any of the following:

(1) Intentionally abscond without paying rent that has been contractually agreed upon in an oral or written lease with a landlord. Prima facie evidence of intentionally absconding will be established if a tenant fails to pay rent due before vacating the rental premise, and the non-payment of rent continues for five days after vacation of the premise; or

(2) Issue any check, money order or any other form of bank or monetary draft as a payment of rent, where such document lacks sufficient funds, where the account is closed, or where such draft is unredeemable in any other form or fashion.

(B) Applicability. This chapter shall apply to rental agreements between residential landlords and tenants only. The words and terms used in this section shall be defined and construed in conformity with the provisions of chapter ATCP 134 of the Wisconsin administrative code, chapter 704 of the Wisconsin statutes, and section 990.001(2) of the Wisconsin statutes.

(C) Penalty. Any person who violates any provision of this section shall upon conviction be subject to a class 3 forfeiture for the first such offense. For the second or subsequent offense, any person who violates any provision of this section shall upon conviction be subject to a class 2 forfeiture.

**-C-
-A- compared to -B- with Microsoft Word comparison utility**

~~dollars (\$25.00) nor more than one hundred dollars (\$100.00)". Said section 9-4-28 of the this code (failure to return library materials)" or a statement conveying substantially the same information.. Such notice shall be served either by regular, first class mail sent to the person's last known address or by personal service upon such person.~~ ~~(7-3-1984)~~

9-4-29: Fraud on ~~Residential Landlords.~~ residential landlords:

(A) Unlawful acts. It shall be unlawful for any tenant, with intent to defraud, to do any of the following:

~~(1)~~ Intentionally abscond without paying rent that has been contractually agreed upon in an oral or written lease with a landlord. Prima facie evidence of intentionally absconding will be established if a tenant fails to pay rent due ~~by the tenant,~~ prior to the before vacating ~~of~~ the rental premise ~~and the non-payment of said rent continues for a period of 5 five~~ days after vacation of the premise; or

~~(2)~~ Issue any check, money order or any other form of bank or monetary draft as a payment of rent, where such document lacks sufficient funds, where the account is closed, or where such draft is unredeemable in any other form or fashion.

(B) Applicability. This chapter shall apply to rental agreements between residential landlords and tenants only. The words and terms used in this section shall be defined and construed in conformity with the provisions of ~~C~~chapter ATCP 134 of the Wisconsin ~~Administrative Code, Chapter administrative code, chapter~~ 704 of the Wisconsin ~~S~~statutes, and ~~S~~section 990.001(2) of the Wisconsin ~~S~~statutes.

(C) Penalty. Any person who violates any provision of this section shall ~~be guilty of upon conviction be subject to~~ a class 3 forfeiture for the first such offense. For the second ~~and or~~ subsequent offenses, any person who violates any provision of this section shall ~~be guilty of upon conviction be subject to~~ a class 2 forfeiture.
~~2012-10-16~~

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-A-
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Includes all changes to December 2, 2015

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-A- compared to -B- with Microsoft Word comparison utility

9-4-30: Obtaining Utility Service by Fraud.

(A) Telecommunications Service and Video Service defined. In this section the term "telecommunications service" shall be defined and construed in conformity with the provisions of Section 943.45(1)(c) of the Wisconsin Statutes and the term "video service" shall be defined and construed in conformity with the provisions of Section 943.46(1)(c) of the Wisconsin Statutes.

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to obtain or attempt to obtain telecommunication service, video service, gas service, sewer service or water service by any of the following means:

1. Rearranging, tampering with or making connections with any facilities or equipment;
2. Using any contrivance, device or means to avoid payment of the lawful charges, in whole or in part, for such service;
3. Charging such service to an existing subscriber without the consent of the subscriber thereto, or the legitimate holder thereof.

(C) Applicability. This section shall apply when the said services either originate or terminate, or both, in this city, or when the charges for said services would have been billable, in normal course, by a person providing the said services in this city but for the fact said services were obtained, or attempted to be obtained, by one or more of the means set forth in this section.

(D) Penalty. Any person who violates any provision of this section shall be guilty of a class 3 forfeiture for the first such offense. For the second and subsequent offenses, any person who violates any provision of this section shall be guilty of a class 2 forfeiture.
2012-10-16

9-4-30: Obtaining utility service by fraud:

(A) Telecommunications service and video service defined. In this section "telecommunications service" shall have the meaning set forth in section 182.017(1g)(cq) of the Wisconsin statutes and the term "video service" shall have the meaning set forth in section 943.46(1)(c) of the Wisconsin statutes.

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to obtain or attempt to obtain telecommunication service, video service, gas service, sewer service or water service by any of the following means:

- (1) Rearranging, tampering with or making connections with any facilities or equipment;
- (2) Using any contrivance, device or means to avoid payment of the lawful charges, in whole or in part, for such service;
- (3) Charging such service to another subscriber without the consent of such subscriber thereto, or the legitimate holder thereof.

(C) Applicability. This section shall apply when the services either originate or terminate, or both, in this city, or when the charges for services would have been billable, in normal course, by a person providing the services in this city but for the fact services were obtained, or attempted to be obtained, by one or more of the means set forth in this section.

(D) Penalty. Any person who violates any provision of this section shall upon conviction be subject to a class 3 forfeiture for the first such offense. For the second and subsequent offense, any person who violates any provision of this section shall upon conviction be subject to a class 2 forfeiture.

9-4-30: Obtaining ~~Utility Service~~utility service by ~~F~~raud:-

(A) Telecommunications ~~S~~service and ~~Video Service~~video service defined. In this section ~~the term~~ "telecommunications service" shall ~~be defined and construed~~have the meaning set forth in ~~conformity with the provisions of Section 943.45(1)(c)~~section 182.017(1g)(cq) of the Wisconsin ~~S~~statutes and the term "video service" shall ~~be defined and construed~~have the meaning set forth in ~~conformity with the provisions of Section~~section 943.46(1)(c) of the Wisconsin ~~S~~statutes.

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to obtain or attempt to obtain telecommunication service, video service, gas service, sewer service or water service by any of the following means:

- ~~(1.)~~ Rearranging, tampering with or making connections with any facilities or equipment;
- ~~(2.)~~ Using any contrivance, device or means to avoid payment of the lawful charges, in whole or in part, for such service;
- ~~(3.)~~ Charging such service to ~~an existing~~another subscriber without the consent of ~~the~~such subscriber thereto, or the legitimate holder thereof.

(C) Applicability. This section shall apply when the ~~said~~ services either originate or terminate, or both, in this city, or when the charges for ~~said~~ services would have been billable, in normal course, by a person providing the ~~said~~ services in this city but for the fact ~~said~~ services were obtained, or attempted to be obtained, by one or more of the means set forth in this section.

(D) Penalty. Any person who violates any provision of this section shall upon conviction be ~~guilty of~~subject to a class 3 forfeiture for the first such offense. For the second and subsequent offenses, any person who violates any provision of this section shall ~~be guilty of~~upon conviction be subject to a class 2 forfeiture.

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9-4-31: Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator, or Gas Station.

9-4-31: Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station:

9-4-31: Fraud on ~~H~~hotel or ~~Restaurant Keeper, Recreational Attraction, Taxicab Operator~~restaurant keeper, recreational attraction, taxicab operator, or ~~Gas Station~~gas station:

(A) Recreational Attraction defined. In this section, "recreational attraction" means a public accommodation designed for amusement and includes theaters, entertainment venues, racetracks, swimming pools, trails, golf courses, carnivals, and amusement parks.

(A) Recreational attraction defined. In this section, "recreational attraction" means a public accommodation designed for amusement and includes theaters, entertainment venues, racetracks, swimming pools, trails, golf courses, carnivals, and amusement parks.

(A) Recreational ~~A~~attraction defined. In this section, "recreational attraction" means a public accommodation designed for amusement and includes theaters, entertainment venues, racetracks, swimming pools, trails, golf courses, carnivals, and amusement parks.

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to do any of the following:

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to do any of the following:

(B) Unlawful acts. It shall be unlawful for any person, with intent to defraud, to do any of the following:

1. Having obtained any beverage, food, lodging, ticket or other means of admission, or other service or accommodation at any campground, hotel, motel, boarding or lodging house, restaurant, or recreational attraction, intentionally absconds without paying for it.

(1) Having obtained any beverage, food, lodging, ticket or other means of admission, or other service or accommodation at any campground, hotel, motel, boarding or lodging house, restaurant, or recreational attraction, intentionally absconds without paying for it.

~~(1-)~~ Having obtained any beverage, food, lodging, ticket or other means of admission, or other service or accommodation at any campground, hotel, motel, boarding or lodging house, restaurant, or recreational attraction, intentionally absconds without paying for it.

2. While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

(2) While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

~~(2-)~~ While a guest at any campground, hotel, motel, boarding or lodging house, or restaurant, intentionally defrauds the keeper thereof in any transaction arising out of the relationship as guest.

3. Having obtained any transportation service from a taxicab operator, intentionally absconds without paying for the service.

(3) Having obtained any transportation service from a taxicab operator, intentionally absconds without paying for the service.

~~(3-)~~ Having obtained any transportation service from a taxicab operator, intentionally absconds without paying for the service.

4. Having obtained gasoline or diesel fuel from a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail, intentionally absconds without paying for the gasoline or diesel fuel.

(4) Having obtained gasoline or diesel fuel from a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail, intentionally absconds without paying for the gasoline or diesel fuel.

~~(4-)~~ Having obtained gasoline or diesel fuel from a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail, intentionally absconds without paying for the gasoline or diesel fuel.

(C) Under this section, prima facie evidence of an intent to defraud is shown by:

(C) Under this section, prima facie evidence of an intent to defraud is shown by:

(C) Under this section, prima facie evidence of an intent to defraud is shown by:

1. 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 guest to any campground, hotel, motel, boarding or lodging house, or restaurant, in payment of any obligation arising out of the

(1) 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 guest to any campground, hotel, motel, boarding or lodging house, or restaurant, in payment of any obligation arising out of the

~~(1-)~~ 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 guest to any campground, hotel, motel, boarding or lodging house, or restaurant, in payment of any obligation arising out of the

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relationship as guest. Those facts also constitute prima facie evidence of an intent to abscond without payment.

2. The failure or refusal of any guest at a campground, hotel, motel, boarding or lodging house, or restaurant, to pay, upon written demand, the established charge for any beverage, food, lodging or other service or accommodation actually rendered.

3. The giving of false information on a lodging registration form or the giving of false information or presenting of false or fictitious credentials for the purpose of obtaining any beverage or food, lodging or credit.

4. The drawing, endorsing, issuing or delivering to any campground, hotel, motel, boarding or lodging house, or restaurant, of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for any beverage, food, lodging or other service or accommodation, 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.

(D) If a person has obtained a ticket, another means of admission, or an accommodation or service provided by the recreational attraction, his or her failure or refusal to pay a recreational attraction the established charge for the ticket, other means of admission, or accommodation or service provided by the recreational attraction constitutes prima facie evidence of an intent to abscond without payment.

(E) The refusal to pay a taxicab operator the established charge for transportation service provided by the operator constitutes prima facie evidence of an intent to abscond without payment.

(F) The failure or refusal to pay a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail the established charge for gasoline or diesel fuel provided by the service station, garage, or other place constitutes prima facie evidence of

relationship as guest. Those facts also constitute prima facie evidence of an intent to abscond without payment.

(2) The failure or refusal of any guest at a campground, hotel, motel, boarding or lodging house, or restaurant, to pay, upon written demand, the established charge for any beverage, food, lodging or other service or accommodation actually provided.

(3) The giving of false information on a lodging registration form or the giving of false information or presenting of false or fictitious credentials to obtain any beverage or food, lodging or credit.

(4) The drawing, endorsing, issuing or delivering to any campground, hotel, motel, boarding or lodging house, or restaurant, of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for any beverage, food, lodging or other service or accommodation, knowing that there is not sufficient credit with the drawee bank or other depository for payment in full of the instrument drawn.

(D) If a person has obtained a ticket, another means of admission, or an accommodation or service provided by the recreational attraction, his or her failure or refusal to pay a recreational attraction the established charge for the ticket, other means of admission, or accommodation or service provided by the recreational attraction constitutes prima facie evidence of an intent to abscond without payment.

(E) The refusal to pay a taxicab operator the established charge for transportation service provided by the operator constitutes prima facie evidence of an intent to abscond without payment.

(F) The failure or refusal to pay a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail the established charge for gasoline or diesel fuel provided by the service station, garage, or other place constitutes prima facie evidence of

relationship as guest. Those facts also constitute prima facie evidence of an intent to abscond without payment.

~~(2-)~~ The failure or refusal of any guest at a campground, hotel, motel, boarding or lodging house, or restaurant, to pay, upon written demand, the established charge for any beverage, food, lodging or other service or accommodation actually ~~rendered~~.

~~3-~~provided.

~~(3)~~ The giving of false information on a lodging registration form or the giving of false information or presenting of false or fictitious credentials ~~for the purpose of obtaining to obtain~~ any beverage or food, lodging or credit.

~~(4-)~~ The drawing, endorsing, issuing or delivering to any campground, hotel, motel, boarding or lodging house, or restaurant, of any check, draft or order for payment of money upon any bank or other depository, in payment of established charges for any beverage, food, lodging or other service or accommodation, 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.

(D) If a person has obtained a ticket, another means of admission, or an accommodation or service provided by the recreational attraction, his or her failure or refusal to pay a recreational attraction the established charge for the ticket, other means of admission, or accommodation or service provided by the recreational attraction constitutes prima facie evidence of an intent to abscond without payment.

(E) The refusal to pay a taxicab operator the established charge for transportation service provided by the operator constitutes prima facie evidence of an intent to abscond without payment.

(F) The failure or refusal to pay a service station, garage, or other place where gasoline or diesel fuel is sold at retail or offered for sale at retail the established charge for gasoline or diesel fuel provided by the service station, garage, or other place constitutes prima facie evidence of

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an intent to abscond without payment.

an intent to abscond without payment.

an intent to abscond without payment.

(G) Penalty.

(G) Penalty.

(G) Penalty.

1. Any person who is convicted of an offense under subsections (B) 1., (B) 2., or (B) 3. of this section shall be subject to a class 2 forfeiture for the first such offense. Any person who is convicted of an offense under subsections (B) 1., (B) 2., or (B) 3. of this section a second or subsequent time within a 12 month period shall be subject to a class 1forfeiture.

(1) Any person who is convicted of an offense under subsections (B)(1), (B)(2), or (B)(3) of this section shall be subject to a class 2 forfeiture for the first such offense. Any person who is convicted of an offense under subsections (B)(1), (B)(2), or (B)(3) of this section a second or subsequent time within a 12 month period shall be subject to a class 1forfeiture.

~~(1.)~~ Any person who is convicted of an offense under subsections ~~(B)1.~~, ~~(B)2.~~ or ~~(B)3.~~ of this section shall be subject to a class 2 forfeiture for the first such offense. Any person who is convicted of an offense under subsections ~~(B)1.~~, ~~(B)2.~~ or ~~(B)3.~~ of this section a second or subsequent time within a 12 month period shall be subject to a class 1forfeiture.

2. Any person who is convicted of an offense under subsection (B) 4. of this section shall be subject to a class 3 forfeiture for the first such offense. Any person who is convicted of an offense under subsections (B) 4. of this section a second or subsequent time within a 12 month period shall be subject to a class 2 forfeiture.
2012-10-16

(2) Any person who is convicted of an offense under subsection (B)(4) of this section shall be subject to a class 3 forfeiture for the first such offense. Any person who is convicted of an offense under subsections (B)(4) of this section a second or subsequent time within a 12 month period shall be subject to a class 2 forfeiture.

~~(2.)~~ Any person who is convicted of an offense under subsection ~~(B)4.~~ of this section shall be subject to a class 3 forfeiture for the first such offense. Any person who is convicted of an offense under subsections ~~(B)4.~~ of this section a second or subsequent time within a 12 month period shall be subject to a class 2 forfeiture.
~~2012-10-16~~

9-4-32: Purchase or possession of tobacco products prohibited:

9-4-32: Purchase or possession of tobacco products prohibited:

9-4-32: Purchase or possession of tobacco products prohibited:

(A) State Statute Adopted: Wisconsin statutes section 254.92 regulating the purchase or possession of tobacco products by a person under eighteen (18) years of age is hereby adopted in its entirety by reference. (3-5-2002)

(A) State statute adopted: Section 254.92 of the Wisconsin statutes regulating the purchase or possession of tobacco products by a person under 18 years of age is hereby adopted by reference.

(A) State ~~Statute Adopted:~~ statute adopted: Section 254.92 of the Wisconsin statutes ~~section 254.92~~ regulating the purchase or possession of tobacco products by a person under ~~eighteen (18)~~ years of age is hereby adopted ~~in its entirety~~ by reference. ~~(3-5-2002)~~

(B) Penalty: Any person violating any provision of this section shall be guilty of a class 5 forfeiture. (4-15-1997)

(B) Penalty: Any person violating any provision of this section shall upon conviction be subject to a class 5 forfeiture.

(B) Penalty: Any person violating any provision of this section shall ~~be guilty of upon conviction be subject to~~ a class 5 forfeiture. ~~(4-15-1997)~~

9-4-33: Restrictions on sale or gift of cigarettes or tobacco products:

9-4-33: Restrictions on sale or gift of cigarettes or tobacco products:

9-4-33: Restrictions on sale or gift of cigarettes or tobacco products:

(A) State Statute Adopted: Wisconsin Statutes section 134.66 establishing restrictions on the sale or gift of cigarettes or tobacco products is hereby adopted in its entirety by reference.

(A) State statute adopted: Section 134.66 of the Wisconsin statutes establishing restrictions on the sale or gift of cigarettes or tobacco products is hereby adopted by reference.

(A) State ~~Statute Adopted:~~ statute adopted: Section 134.66 of the Wisconsin ~~Statutes section 134.66~~ statutes establishing restrictions on the sale or gift of cigarettes or tobacco products is hereby adopted ~~in its entirety~~ by reference.

(B) Penalty: Any person violating any provision of this Section shall be guilty of a Class 3 forfeiture. (3-1-94)

(B) Penalty: Any person violating any provision of this section shall upon conviction be subject to a Class 3 forfeiture.

(B) Penalty: Any person violating any provision of this ~~S~~section shall upon conviction be ~~guilty of~~subject to a Class 3 forfeiture. ~~(3-1-94)~~

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-A-

No changes other than new ordinances

-B-

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-A- compared to -B- with Microsoft Word comparison utility

9-4-34: Curfew:

(A) Definitions: In this Section:

CURFEW HOURS:

1. One minute after eleven o'clock (11:01) P.M. on any day, until five o'clock (5:00) A.M. the following day, for any person under sixteen (16) years of age.
2. One minute after one o'clock (1:01) A.M. on any day, until five o'clock (5:00) A.M. the same day, for any person sixteen (16) years of age or older, but less than eighteen (18) years of age.

EMERGENCY: Any unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

ESTABLISHMENT: Any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

GUARDIAN: A person who, under court order, is the guardian of the person of a minor; or a public or private agency with whom the minor has been placed by a court.

MINOR: Any person under eighteen (18) years of age.

PARENT: A person who is a natural parent, adoptive

9-4-34: Curfew:

(A) Definitions: In this section:

"Curfew hours" means a) one minute after 11:00 PM on any day, until 5:00 AM the following day, for any person under 16 years of age; b) one minute after 1:00 AM on any day, until 5:00 AM the same day, for any person 16 years of age or older, but less than 18 years of age.

"Emergency" means any unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes a fire, natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

"Establishment" means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

"Guardian" means a person who, under court order, is the guardian of the person of a minor; or a public or private agency with whom the minor has been placed by a court.

"Minor" means any person under 18 years of age.

Parent" means a person who is a natural parent, adoptive

9-4-34: Curfew:

(A) Definitions: In this ~~Section:~~

~~CURFEW HOURS:~~

~~1. One section:~~

~~"Curfew hours" means a) one minute after eleven o'clock (11:01) P.M. 00 PM on any day, until five o'clock (5:00) A.M. AM the following day, for any person under sixteen (16) years of age.~~

~~2. One; b) one minute after one o'clock (1:01) A.M. 1:00 AM on any day, until five o'clock (5:00) A.M. AM the same day, for any person sixteen (16) years of age or older, but less than eighteen (18) years of age.~~

~~EMERGENCY: Any~~ "Emergency" means any unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, ~~but is not limited to,~~ a fire, natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

~~ESTABLISHMENT: Any~~

"Establishment" means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

~~GUARDIAN: A~~

"Guardian" means a person who, under court order, is the guardian of the person of a minor; or a public or private agency with whom the minor has been placed by a court. ~~MINOR: Any~~

~~Minor" means any~~ person under ~~eighteen (18)~~ years of age.

~~PARENT: A~~Parent" means a person who is a natural

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parent, or stepparent of another person; or a person at least eighteen (18) years of age and specifically authorized at the time by a parent or guardian to have care and control of a minor.

PUBLIC PLACE: Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, sidewalks, public parking lots, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and businesses.

REMAINS: To linger or stay; or fail to leave premises when requested to do so by a police officer or the operator or person in control of the premises.

SERIOUS BODILY INJURY: Bodily injury that creates substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(B) Offenses:

1. A "minor" as defined commits an offense if the minor remains in any public place or on the premises of any establishment within the City during curfew hours.

2. A parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.

(C) Defenses:

1. It is a defense to prosecution under subsection (B) of this Section if the minor was:

(a) Accompanied by the minor's parent or

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parent, or stepparent of another person; or a person at least 18 years of age and specifically authorized by a parent or guardian to have care and control of a minor.

"Public place" means any place to which the public or a substantial group of the public has access and includes streets, highways, sidewalks, public parking lots, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and businesses.

"Remains" means to linger or stay; or fail to leave premises when requested to do so by a police officer or the operator or person in control of the premises.

"Serious bodily injury" means bodily injury that creates substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(B) Offenses:

(1) A minor commits an offense if the minor remains in any public place or on the premises of any establishment within the city during curfew hours.

(2) A parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(C) Defenses:

(1) It is a defense to prosecution under subsection (B) of this section if the minor was:

A) Accompanied by the minor's parent or

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parent, adoptive parent, or stepparent of another person; or a person at least ~~eighteen (18)~~ years of age and specifically authorized ~~at the time~~ by a parent or guardian to have care and control of a minor.

~~PUBLIC PLACE: Any~~

"Public place" means any place to which the public or a substantial group of the public has access and includes, ~~but is not limited to,~~ streets, highways, sidewalks, public parking lots, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and businesses.

~~REMAINS: To~~

"Remains" means to linger or stay; or fail to leave premises when requested to do so by a police officer or the operator or person in control of the premises.

~~SERIOUS BODILY INJURY: Bodily~~

"Serious bodily injury" means ~~bodily~~ injury that creates substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(B) Offenses:

~~(1-) A "minor" as defined~~ commits an offense if the minor remains in any public place or on the premises of any establishment within the ~~C~~city during curfew hours.

~~(2-) A parent or guardian of a minor commits an offense if the parent or guardian knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the C~~city during curfew hours.

(C) Defenses:

~~(1-) It is a defense to prosecution under subsection (B) of this S~~section if the minor was:

~~(aA)~~ Accompanied by the minor's parent or

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guardian;	guardian;	guardian;
(b) On an errand specifically authorized by the minor's parent or guardian, without any detour or stop;	B) On an errand specifically authorized by the minor's parent or guardian, without any detour or stop;	(b) B) On an errand specifically authorized by the minor's parent or guardian, without any detour or stop;
(c) In a motor vehicle involved in interstate travel, without any detour or stop;	C) In a motor vehicle involved in interstate travel, without any detour or stop;	(c) C) In a motor vehicle involved in interstate travel, without any detour or stop;
(d) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;	D) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;	(d) D) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
(e) Involved in an emergency;	E) Involved in an emergency;	(e) E) Involved in an emergency;
(f) On the sidewalk abutting the minor's residence or abutting the residence of a next - door neighbor if the neighbor did not complain to the police department about the minor's presence;	F) On the sidewalk abutting the minor's residence or abutting the residence of a next - door neighbor if the neighbor did not complain to the police department about the minor's presence;	(f) F) On the sidewalk abutting the minor's residence or abutting the residence of a next - door neighbor if the neighbor did not complain to the police department about the minor's presence;
(g) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor.	G) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor.	(g) G) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, school, civic organization, or another similar entity that takes responsibility for the minor.
(D) Enforcement: Before taking any enforcement action under this section, a police officer shall ask the suspected offender's age and reason for being in the public place or on the premises. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (C) of this section is present.	(D) Enforcement: Before taking any enforcement action under this section, a police officer shall ask the suspected offender's age and reason for being in the public place or on the premises. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (C) of this section is present.	(D) Enforcement: Before taking any enforcement action under this section, a police officer shall ask the suspected offender's age and reason for being in the public place or on the premises. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (C) of this section is present.
(E) Penalty: Any person who violates any provision of this section shall be guilty of a class 5 forfeiture for the first such offense. For the second and subsequent offenses, any person who violates any provision of this section shall be guilty of a class 4 forfeiture. (6 - 2-1998)	(E) Penalty: Any person who violates any provision of this section shall upon conviction be subject to a class 5 forfeiture for the first such offense. For the second and subsequent offense, any person who violates any provision of this section shall upon conviction be subject to a Class 4 forfeiture.	(E) Penalty: Any person who violates any provision of this section shall <u>upon conviction</u> be guilty of subject to a class 5 forfeiture for the first such offense. For the second and subsequent offenses, any person who violates any provision of this section shall be guilty of <u>upon conviction</u> be subject to a e Class 4 forfeiture. -(6-2-1998)

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9-4-35 Marijuana, Synthetic Cannabinoids and Drug Paraphernalia: 2015-06-16	9-4-35: Marijuana, synthetic cannabinoids and drug paraphernalia:	9-4-35: Marijuana, Synthetic Cannabinoids <u>synthetic cannabinoids</u> and Drug Paraphernalia: 2015-06-16 <u>drug paraphernalia</u> :
(A) Definitions: When used in this Section the following terms shall have the following meaning:	(A) Definitions: In this section:	(A) Definitions: When used in <u>In</u> this Section the following <u>Section the following</u> terms shall have the following meaning:
MARIJUANA: shall have the meaning set forth in section 961.01(14) of the Wisconsin statutes.	“Marijuana” shall have the meaning set forth in section 961.01(14) of the Wisconsin statutes.	_____ <u>_____</u> “ Marijuana <u>Marijuana</u> ” shall have the meaning set forth in section 961.01(14) of the Wisconsin statutes.
DRUG PARAPHERNALIA: shall have the meaning set forth in section 961.571 of the Wisconsin statutes.	“Drug paraphernalia” shall have the meaning set forth in section 961.571 of the Wisconsin statutes.	_____ <u>_____</u> “ Drug paraphernalia <u>Drug paraphernalia</u> ” shall have the meaning set forth in section 961.571 of the Wisconsin statutes.
SYNTHETIC CANNABINOIDS: shall mean the substances set forth in section 961.14(4)(tb) of the Wisconsin statutes.	“Synthetic cannabinoids” shall mean the substances set forth in section 961.14(4)(tb) of the Wisconsin statutes.	_____ <u>_____</u> “ Synthetic cannabinoids <u>Synthetic cannabinoids</u> ” shall mean the substances set forth in section 961.14(4)(tb) of the Wisconsin statutes.
(B) Wisconsin Statutes Adopted: Sections 961.14(4)(tb), 961.573(1) and (2), 961.574(1) and (2), and 961.575(1) and (2) of the Wisconsin Statutes are hereby adopted by reference.	(B) Wisconsin statutes adopted: Sections 961.14(4)(tb), 961.573(1) and (2), 961.574(1) and (2), and 961.575(1) and (2) of the Wisconsin statutes are hereby adopted by reference.	(B) Wisconsin Statutes Adopted <u>statutes adopted</u> : Sections 961.14(4)(tb), 961.573(1) and (2), 961.574(1) and (2), and 961.575(1) and (2) of the Wisconsin S <u>s</u> tatutes are hereby adopted by reference.
(C) Possession of Marijuana Prohibited: No person shall possess 25 grams or less of Marijuana within the City.	(C) Possession of marijuana prohibited: No person shall possess 25 grams or less of marijuana within the city.	(C) Possession of Marijuana Prohibited <u>marijuana prohibited</u> : No person shall possess 25 grams or less of M <u>m</u> marijuana within the C <u>c</u> city.
(D) Possession of Synthetic Cannabinoids Prohibited: No person shall possess Synthetic Cannabinoids within the City.	(D) Possession of synthetic cannabinoids prohibited: No person shall possess synthetic cannabinoids within the city.	(D) Possession of Synthetic Cannabinoids Prohibited <u>synthetic cannabinoids prohibited</u> : No person shall possess Synthetic Cannabinoids <u>synthetic cannabinoids</u> within the C <u>c</u> city.
(E) Possession of Drug Paraphernalia: No person shall possess Drug Paraphernalia within the City.	(E) Possession of drug paraphernalia: No person shall possess drug paraphernalia within the city.	(E) Possession of Drug Paraphernalia <u>drug paraphernalia</u> : No person shall possess Drug Paraphernalia <u>drug paraphernalia</u> within the C <u>c</u> city.
(F) Penalty:	(F) Penalty:	(F) Penalty:
1. Any person who violates subsections (C) or (D) of this section shall be guilty of a class 2 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who violates subsections (C) or (D) of this section on or within a school bus, or within 500 feet of any	(1) Any person who violates subsections (C) or (D) of this section shall upon conviction be subject to a class 2 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who is convicted of violating subsections (C) or (D) of this section on or within a school	(1-) Any person who violates subsections (C) or (D) of this section shall be guilty of upon conviction be subject to a class 2 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who violates is <u>convicted of violating</u> subsections (C) or (D) of this section

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private or public school, church, park or playground.

bus, or within 500 feet of any private or public school, church, park or playground.

on or within a school bus, or within 500 feet of any private or public school, church, park or playground.

2. Any person who violates subsection (E) of this section shall be guilty of a class 3 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who violates subsection (E) of this section on or within a school bus, or within 500 feet of any private or public school, church, park or playground.

(2) Any person who violates subsection (E) of this section shall upon conviction be subject to a class 3 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who is convicted of violating subsection (E) of this section on or within a school bus, or within 500 feet of any private or public school, church, park or playground.

~~(2-)~~ Any person who violates subsection (E) of this section shall ~~be guilty of~~ upon conviction be subject to a class 3 forfeiture. The forfeiture provided in this subsection shall be doubled for any person who ~~violates~~ is convicted of violating subsection (E) of this section on or within a school bus, or within 500 feet of any private or public school, church, park or playground.

9-4-36: Truancy, habitual truancy, dropout, and contributing to truancy:

9-4-36: Truancy, habitual truancy, dropout, and contributing to truancy:

9-4-36: Truancy, habitual truancy, dropout, and contributing to truancy:

(A) Definitions:

(A) Definitions: In this section:

(A) Definitions:

ACCEPTABLE EXCUSE: Any of the following:

“Acceptable excuse” means any of the following: a) The pupil has graduated from high school; b) A pupil, age 16 or over and who qualifies as a child at risk as defined in the general school operations section of the Wisconsin statutes, and upon written approval by the school board and the pupil's parent or guardian, in lieu of high school or on a part-time basis, may attend a vocational or technical college program leading to the pupil's high school graduation; c) The pupil, age 16 and over, may be excused by the school board if the pupil's parent or guardian agrees in writing that the pupil will participate in a program or curriculum leading to the pupil's high school graduation or high school equivalency diploma, including, but not limited to modifications within the pupil's current academic program, a school work training or work study program, enrollment in any alternative public school or program located in the school district in which the pupil resides, enrollment in any nonsectarian private school or program, homebound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the pupil is enrolled or enrollment in any public educational program located outside the school district in which the pupil resides; d) Any pupil who is excused by the school board because the pupil is temporarily not in proper physical or mental condition to attend a school program, but who can be

~~ACCEPTABLE EXCUSE: Any~~ In this section:

“Acceptable excuse” means any of the following:

1. The pupil has graduated from high school.
2. A pupil, age sixteen (16) or over and who qualifies as a child at risk as defined in the general school operations section of the Wisconsin statutes, and upon written approval by the school board and the pupil's parent or guardian, in lieu of high school or on a part-time basis, may attend a vocational or technical college program leading to the pupil's high school graduation.
3. The pupil, age sixteen (16) and over, may be excused by the school board if the pupil's parent or guardian agrees in writing that the pupil will participate in a program or curriculum leading to the pupil's high school graduation or high school equivalency diploma, including, but not limited to:
 - (a) Modifications within the pupil's current academic program.
 - (b) A school work training or work study program.
 - (c) Enrollment in any alternative public school or program located in the school district in which the pupil resides.

- ~~— 1. a)~~ The pupil has graduated from high school.
- ~~— 2.; b)~~ A pupil, age ~~sixteen (16)~~ or over and who qualifies as a child at risk as defined in the general school operations section of the Wisconsin statutes, and upon written approval by the school board and the pupil's parent or guardian, in lieu of high school or on a part-time basis, may attend a vocational or technical college program leading to the pupil's high school graduation.
- ~~— 3.; c)~~ The pupil, age ~~sixteen (16)~~ and over, may be excused by the school board if the pupil's parent or guardian agrees in writing that the pupil will participate in a program or curriculum leading to the pupil's high school graduation or high school equivalency diploma, including, but not limited to:
- ~~— (a) Modifications modifications~~ within the pupil's current academic program.
- ~~— (b) A, a~~ school work training or work study program.
- ~~— (c) Enrollment, enrollment~~ in any alternative public school or program located in the school district in

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(d) Enrollment in any nonsectarian private school or program.

(e) Homebound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the pupil is enrolled.

(f) Enrollment in any public educational program located outside the school district in which the pupil resides.

4. Any pupil who is excused by the school board because the pupil is temporarily not in proper physical or mental condition to attend a school program, but who can be expected to return to a school program upon termination or abatement of the illness or condition. The school attendance officer may request the parent or guardian of the pupil to obtain a written statement from a licensed physician, dentist, chiropractor, optometrist, psychologist, or Christian Science practitioner as sufficient proof of the physical or mental condition of the pupil. An excuse under this subsection shall be in writing and shall state the time period for which it is valid, not to exceed thirty (30) days.

5. A pupil excused in writing by his or her parent or guardian before the absence. A pupil may not be excused for more than ten (10) days in a school year under this subsection.

6. Instruction in a home-based private educational program, as approved by the school board.

7. Any other reason established by the school board specifying when pupils may be permitted to be excused from a public school.

ACT OF COMMISSION OR OMISSION: Anything that contributes to the truancy of a pupil, whether or not the

expected to return to a school program upon termination or abatement of the illness or condition. The school attendance officer may request the parent or guardian of the pupil to obtain a written statement from a licensed physician, dentist, chiropractor, optometrist, psychologist, or Christian science practitioner as sufficient proof of the physical or mental condition of the pupil. An excuse under this subsection shall be in writing and shall state the time period for which it is valid, not to exceed 30 days; e) A pupil excused in writing by his or her parent or guardian before the absence. A pupil may not be excused for more than 10 days in a school year under this subsection; f) Instruction in a home-based private educational program, as approved by the school board; g) Any other reason established by the school board specifying when pupils may be permitted to be excused from a public school.

“Act of commission or omission” means anything that contributes to the truancy of a pupil, whether or not the

which the pupil resides-

~~————(d) Enrollment, enrollment~~ in any nonsectarian private school or program-

~~————(e) Homebound, homebound~~ study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the pupil is enrolled-

~~————(f) Enrollment or enrollment~~ in any public educational program located outside the school district in which the pupil resides-

~~————4.; d)~~ Any pupil who is excused by the school board because the pupil is temporarily not in proper physical or mental condition to attend a school program, but who can be expected to return to a school program upon termination or abatement of the illness or condition. The school attendance officer may request the parent or guardian of the pupil to obtain a written statement from a licensed physician, dentist, chiropractor, optometrist, psychologist, or Christian ~~S~~science practitioner as sufficient proof of the physical or mental condition of the pupil. An excuse under this subsection shall be in writing and shall state the time period for which it is valid, not to exceed ~~thirty (30)~~ days-

~~————5.; e)~~ A pupil excused in writing by his or her parent or guardian before the absence. A pupil may not be excused for more than ~~ten (10)~~ days in a school year under this subsection-

~~————6.; f)~~ Instruction in a home-based private educational program, as approved by the school board-

~~————7.; g)~~ Any other reason established by the school board specifying when pupils may be permitted to be excused from a public school.

~~ACT OF COMMISSION OR OMISSION: Anything~~

“Act of commission or omission” means anything that contributes to the truancy of a pupil, whether or not the

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pupil is adjudged to be in need of protection or services, if the natural and probable consequences of that act would be to cause the pupil to be truant.	pupil is adjudged to be in need of protection or services, if the natural and probable consequences of that act would be to cause the pupil to be truant.	pupil is adjudged to be in need of protection or services, if the natural and probable consequences of that act would be to cause the pupil to be truant.
DROPOUT: A pupil, who has ceased to attend school, continues to reside in the school district, does not attend a public, private or vocational, technical and adult education district school or home-based private educational program on a full-time basis, and has not graduated from high school and does not have an acceptable excuse.	“Dropout” means a pupil, who has ceased to attend school, continues to reside in the school district, does not attend a public, private or vocational, technical and adult education district school or home-based private educational program on a full-time basis, and has not graduated from high school and does not have an acceptable excuse.	<p>DROPOUT: A</p> <p>“Dropout” means a pupil, who has ceased to attend school, continues to reside in the school district, does not attend a public, private or vocational, technical and adult education district school or home-based private educational program on a full-time basis, and has not graduated from high school and does not have an acceptable excuse.</p>
HABITUAL TRUANT: A pupil who is absent from school without an acceptable excuse for part or all of five (5) or more days on which school is held during a school semester.	“Habitual truant” means a pupil who is absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester.	<p>HABITUAL TRUANT: A</p> <p>“Habitual truant” means a pupil who is absent from school without an acceptable excuse for part or all of five (5) or more days on which school is held during a school semester.</p>
OPERATING PRIVILEGE: The authorization to operate a motor vehicle, or to obtain any license, including the authorization to operate vehicles of specific vehicle classes or types, instruction permit, and temporary, restricted or occupational driver’s licenses.	“Operating privilege” means the authorization to operate a motor vehicle, or to obtain any license, including the authorization to operate vehicles of specific vehicle classes or types, instruction permit, and temporary, restricted or occupational driver’s licenses.	<p>OPERATING PRIVILEGE: The“Operating privilege” means the authorization to operate a motor vehicle, or to obtain any license, including the authorization to operate vehicles of specific vehicle classes or types, instruction permit, and temporary, restricted or occupational driver’s licenses.</p>
PUPIL: A child between the ages of six (6) and eighteen (18), who is a resident of the city of Monroe, or who attends a school situated in the city of Monroe, and who is required under the compulsory school attendance laws of the Wisconsin statutes to attend school regularly.	“Pupil” means a child between the ages of six and 18, who is a resident of the city, or who attends a school in the city, and who is required under the compulsory school attendance laws of Wisconsin to attend school regularly.	<p>PUPIL: A</p> <p>“Pupil” means a child between the ages of six (6) and eighteen (18), who is a resident of the city of Monroe, or who attends a school situated in the city of Monroe, and who is required under the compulsory school attendance laws of the Wisconsin statutes to attend school regularly.</p>
SCHOOL ATTENDANCE OFFICER: An employee, or employees, designated by the school board to deal with matters relating to school attendance and truancy.	“School attendance officer” means an employee, or employees, designated by the school board to deal with matters relating to school attendance and truancy.	<p>SCHOOL ATTENDANCE OFFICER: An“School attendance officer” means an employee, or employees, designated by the school board to deal with matters relating to school attendance and truancy.</p>
TRUANT: A pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester.	“Truant” means a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester.	<p>TRUANT: A</p> <p>“Truant” means a pupil who is absent from school without an acceptable excuse for part or all of any day on which school is held during a school semester.</p>

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(B) Offenses:

1. No pupil shall be a truant.
2. No pupil shall be a habitual truant.
3. No pupil shall be a dropout.
4. No person, eighteen (18) years of age or older, who has care, custody, or control over a pupil shall fail to cause the pupil to attend school regularly, or any person who performs any act of commission or omission, which act encourages or contributes to a pupil's truancy or habitual truancy from school. It is a defense to this section if the person can show that he or she is unable to comply with this section due to the disobedience of the pupil.

(C) Disposition: If a pupil is adjudged to be a truant, a habitual truant, or a dropout, or a person adjudged to have contributed to truancy, then the court shall enter a dispositional order including one or more of the following:

1. Truant:

- (a) An order for the person to attend school.
- (b) A forfeiture of not more than fifty dollars (\$50.00) plus costs for a first violation, or a forfeiture of not more than one hundred dollars (\$100.00) plus costs for any second or subsequent violation committed within twelve (12) months of a previous violation, subject to the juvenile justice code of the Wisconsin statutes and subject to a maximum cumulative forfeiture amount of not more than five hundred dollars (\$500.00) for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

2. Habitual Truant:

- (a) An order for the person to attend school.

(B) Offenses:

- (1) No pupil shall be a truant.
- (2) No pupil shall be a habitual truant.
- (3) No pupil shall be a dropout.
- (4) No person, 18 years of age or older, who has care, custody, or control over a pupil shall fail to cause the pupil to attend school regularly, or any person who performs any act of commission or omission, which act encourages or contributes to a pupil's truancy or habitual truancy from school. It is a defense to this section if the person can show that he or she cannot comply with this section due to the disobedience of the pupil.

(C) Disposition: If a pupil is adjudged to be a truant, a habitual truant, or a dropout, or a person adjudged to have contributed to truancy, then the court shall enter a dispositional order including one or more of the following:

(1) Truant:

- A) An order for the person to attend school.
- B) A class 5 forfeiture plus costs for a first violation, or a class 4 forfeiture plus costs for any second or subsequent violation committed within 12 months, subject to the juvenile justice code of the Wisconsin statutes and subject to a maximum cumulative forfeiture amount of not more than the maximum class 4 forfeiture multiplied by 5 for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

(2) Habitual truant:

- A) An order for the person to attend school.

(B) Offenses:

- ~~(1-)~~ No pupil shall be a truant.
- ~~(2-)~~ No pupil shall be a habitual truant.
- ~~(3-)~~ No pupil shall be a dropout.
- ~~(4-)~~ No person, ~~eighteen~~(18) years of age or older, who has care, custody, or control over a pupil shall fail to cause the pupil to attend school regularly, or any person who performs any act of commission or omission, which act encourages or contributes to a pupil's truancy or habitual truancy from school. It is a defense to this section if the person can show that he or she ~~is unable~~ ~~cannot~~ comply with this section due to the disobedience of the pupil.

(C) Disposition: If a pupil is adjudged to be a truant, a habitual truant, or a dropout, or a person adjudged to have contributed to truancy, then the court shall enter a dispositional order including one or more of the following:

~~(1-)~~ Truant:

- ~~(aA)~~ An order for the person to attend school.
- ~~(bB)~~ A class 5 forfeiture ~~of not more than fifty dollars (\$50.00)~~ plus costs for a first violation, or a class 4 forfeiture ~~of not more than one hundred dollars (\$100.00)~~ plus costs for any second or subsequent violation committed within ~~twelve (12) months of a previous violation,~~ subject to the juvenile justice code of the Wisconsin statutes and subject to a maximum cumulative forfeiture amount of not more than ~~five hundred dollars (\$500.00)~~the maximum class 4 forfeiture multiplied by 5 for all violations committed during a school semester. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

~~(2)~~ Habitual truant:

- ~~A)~~ An order for the person to attend school.

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(b) A forfeiture of not more than five hundred dollars (\$500.00) plus costs, subject to the juvenile justice code of the Wisconsin statutes. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

B) A class 1 forfeiture plus costs, subject to the juvenile justice code of the Wisconsin statutes. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

B) A class 1 forfeiture plus costs, subject to the juvenile justice code of the Wisconsin statutes. All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

2. Habitual Truant:

~~(a) An order for the person to attend school.~~

~~(b) A forfeiture of not more than five hundred dollars (\$500.00) plus costs, subject to the juvenile justice code of the Wisconsin statutes.~~ C All or part of the forfeiture plus costs may be assessed against the pupil, the parents or guardian of the pupil, or both.

(c) Suspension of the pupil's operating privilege, for not less than thirty (30) days, nor more than one year. The court shall immediately take possession of any suspended licenses and forward it to the department of transportation together with a notice stating the reason for and the duration of the suspension.

C) Suspension of the pupil's operating privilege, for not less than 30 days, nor more than one year. The court shall immediately take possession of any suspended licenses and forward it to the department of transportation and a notice stating the reason for and the duration of the suspension.

~~(c) Suspension of the pupil's operating privilege, for not less than thirty (30) days, nor more than one year. The court shall immediately take possession of any suspended licenses and forward it to the department of transportation together with and~~ a notice stating the reason for and the duration of the suspension.

(d) An order for the pupil to participate in counseling or a supervised work program or other community service work as described in the juvenile justice code of the Wisconsin statutes. The costs of any such counseling, supervised work program or other community service work may be assessed against the pupil, the parents or guardians of the pupil, or both.

D) An order for the pupil to participate in counseling or a supervised work program or other community service work as described in the juvenile justice code of the Wisconsin statutes. The costs of any such counseling, supervised work program or other community service work may be assessed against the pupil, the parents or guardians of the pupil, or both.

~~(d)~~ (d) An order for the pupil to participate in counseling or a supervised work program or other community service work as described in the juvenile justice code of the Wisconsin statutes. The costs of any such counseling, supervised work program or other community service work may be assessed against the pupil, the parents or guardians of the pupil, or both.

(e) An order for the pupil to remain at home except during hours in which the pupil is attending religious worship or a school program, including the travel time required to and from the school program or place of worship. The order may permit a pupil to leave his/her home if a parent or guardian accompanies the pupil.

E) An order for the pupil to remain at home except during hours in which the pupil is attending religious worship or a school program, including the travel time required to and from the school program or place of worship. The order may permit a pupil to leave his or her home if a parent or guardian accompanies the pupil.

~~(e)~~ (e) An order for the pupil to remain at home except during hours in which the pupil is attending religious worship or a school program, including the travel time required to and from the school program or place of worship. The order may permit a pupil to leave his ~~/or~~ her home if a parent or guardian accompanies the pupil.

(f) An order for the pupil to attend an educational program as described in the juvenile justice code of the Wisconsin statutes.

F) An order for the pupil to attend an educational program as described in the juvenile justice code of the Wisconsin statutes.

~~(f)~~ (f) An order for the pupil to attend an educational program as described in the juvenile justice code of the Wisconsin statutes.

(g) An order for the department of industry, labor and human relations to revoke, under section 103.72 of the Wisconsin statutes, a permit under section 103.70 of the Wisconsin statutes authorizing the employment of the

G) An order for the Wisconsin department of workforce development to revoke, under section 103.72 of the Wisconsin statutes, a permit under section 103.70 of the Wisconsin statutes authorizing the employment of the

~~(g)~~ (g) An order for the Wisconsin department of industry, labor and human relations workforce development to revoke, under section 103.72 of the Wisconsin statutes, a permit under section 103.70 of the

Monroe City Code Codification Before and After Worksheet: Title 9

J&O Committee Review Materials - Title 9 - January 21, 2016 @ 4:00 PM

-A- No changes other than new ordinances	-B- Includes all changes to December 2, 2015	-C- -A- compared to -B- with Microsoft Word comparison utility
pupil.	pupil.	Wisconsin statutes authorizing the employment of the pupil.
(h) An order for the pupil to be placed in a teen court program as described in the juvenile justice code of the Wisconsin statutes.	H) An order for the pupil to be placed in a teen court program as described in the juvenile justice code of the Wisconsin statutes.	(h) An order for the pupil to be placed in a teen court program as described in the juvenile justice code of the Wisconsin statutes.
(i) An order placing the pupil under formal or informal supervision, as described in the juvenile justice code of the Wisconsin statutes, for up to one year.	I) An order placing the pupil under formal or informal supervision, as described in the juvenile justice code of the Wisconsin statutes, for up to one year.	(i) An order placing the pupil under formal or informal supervision, as described in the juvenile justice code of the Wisconsin statutes, for up to one year.
(j) An order for the pupil's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the pupil, or both.	J) An order for the pupil's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the pupil, or both.	(j) An order for the pupil's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the pupil, or both.
(k) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.	K) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.	(k) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
3. Dropout:	(3) Dropout:	(3-) Dropout:
(a) The court may suspend the operating privilege of a pupil, age sixteen (16) or older, until the pupil reaches the age of eighteen (18). The court shall immediately take possession of any suspended licenses and forward it to the department of transportation together with a notice stating the reason for and the duration of the suspension.	A) The court may suspend the operating privilege of a pupil, age 16 or older, until the pupil reaches the age of eighteen (18). The court shall immediately take possession of any suspended licenses and forward it to the Wisconsin department of transportation and a notice stating the reason for and the duration of the suspension.	(a) A) The court may suspend the operating privilege of a pupil, age sixteen (16) or older, until the pupil reaches the age of eighteen (18). The court shall immediately take possession of any suspended licenses and forward it to the <u>Wisconsin</u> department of transportation together with and a notice stating the reason for and the duration of the suspension.
4. Contributing To Truancy:	(4) Contributing to truancy:	(4-) Contributing To Truancy: (to truancy:
(a) Any person found to be contributing to truancy or contributing to habitual truancy shall be guilty of a class 5 forfeiture for the first offense, and guilty of a class 4 forfeiture for the second or subsequent offenses.	A) Any person found to be contributing to truancy or contributing to habitual truancy shall upon conviction be subject to a class 5 forfeiture for the first offense, and subject to a class 4 forfeiture for the second or subsequent offense.	(a) A) Any person found to be contributing to truancy or contributing to habitual truancy shall be guilty of upon conviction be subject to a class 5 forfeiture for the first offense, and guilty of subject to a class 4 forfeiture for the second or subsequent offenses.
(D) Prerequisites For Conviction Of Habitual Truancy, Dropout, And Contributing To Truancy: No parent or guardian having control of a pupil may be convicted of	(D) Prerequisites for conviction of habitual truancy, dropout, and contributing to truancy: No parent or guardian having control of a pupil may be convicted of	(D) Prerequisites For Conviction Of Habitual Truancy, Dropout, And Contributing To Truancy <u>for conviction of habitual truancy, dropout, and contributing to truancy:</u> No

Monroe City Code Codification Before and After Worksheet: Title 9

J&O Committee Review Materials - Title 9 - January 21, 2016 @ 4:00 PM

-A-

No changes other than new ordinances

-B-

Includes all changes to December 2, 2015

-C-

-A- compared to -B- with Microsoft Word comparison utility

contributing to truancy, nor any pupil may be convicted of habitual truancy or being a dropout, unless appropriate school personnel or the school attendance officer has, within one year prior to the commencement of prosecution, done all of the following:

1. Met with the pupil's parent or guardian to discuss the pupil's truancy or attempted to meet with the pupil's parent or guardian and received no response or were refused.
2. Provided an opportunity for educational counseling to the pupil and considered curriculum modifications.
3. Evaluated the pupil to determine whether learning problems are the cause of the truancy and, if so, taken steps to overcome the learning problems.
4. Conducted an evaluation to determine whether social problems are the cause of the pupil's truancy and, if so, taken appropriate action or made appropriate referrals.

(E) Applicability: Subsections (D)2, (D)3, and (D)4 of this section do not apply if the school attendance officer provides evidence that appropriate school personnel were unable to carry out the activity due to the pupil's absences from school. (3-6-2001)

TITLE 9
POLICE REGULATIONS

Chapter 5

Abandoned Vehicles

- | | |
|-------|--|
| 9-5-1 | Abandonment prohibited |
| 9-5-2 | Impoundment and disposition of abandoned vehicle |
| 9-5-3 | Penalty |

9-5-1: Abandonment prohibited:

contributing to truancy, nor any pupil may be convicted of habitual truancy or being a dropout, unless appropriate school personnel or the school attendance officer has, within one year before the commencement of prosecution, done all of the following:

- (1) Met with the pupil's parent or guardian to discuss the pupil's truancy or attempted to meet with the pupil's parent or guardian and received no response or were refused.
- (2) Provided an opportunity for educational counseling to the pupil and considered curriculum modifications.
- (3) Evaluated the pupil to determine whether learning problems are the cause of the truancy and, if so, taken steps to overcome the learning problems.
- (4) Conducted an evaluation to determine whether social problems are the cause of the pupil's truancy and, if so, taken appropriate action or made appropriate referrals.

(E) Applicability: Subsections (D)(2), (D)(3), and (D)(4) of this section shall not apply if the school attendance officer provides evidence that appropriate school personnel were unable to carry out the activity due to the pupil's absences from school.

Chap. 9-4 history: Reviewed December 2, 2015

TITLE 9: POLICE REGULATIONS

Chapter 5: ABANDONED VEHICLES

- | | |
|-------|---|
| 9-5-1 | Abandonment prohibited |
| 9-5-2 | Impoundment and disposition of abandoned vehicles |
| 9-5-3 | Penalty |

9-5-1: Abandonment prohibited: No person shall leave

parent or guardian having control of a pupil may be convicted of contributing to truancy, nor any pupil may be convicted of habitual truancy or being a dropout, unless appropriate school personnel or the school attendance officer has, within one year ~~prior to~~before the commencement of prosecution, done all of the following:

- ~~(1)~~ Met with the pupil's parent or guardian to discuss the pupil's truancy or attempted to meet with the pupil's parent or guardian and received no response or were refused.
- ~~(2)~~ Provided an opportunity for educational counseling to the pupil and considered curriculum modifications.
- ~~(3)~~ Evaluated the pupil to determine whether learning problems are the cause of the truancy and, if so, taken steps to overcome the learning problems.
- ~~(4)~~ Conducted an evaluation to determine whether social problems are the cause of the pupil's truancy and, if so, taken appropriate action or made appropriate referrals.

(E) Applicability: Subsections (D)~~(2)~~, (D)~~(3)~~, and (D)~~(4)~~ of this section ~~do~~shall not apply if the school attendance officer provides evidence that appropriate school personnel were unable to carry out the activity due to the pupil's absences from school. ~~(3-6-2001)~~__

Chap. 9-4 history: Reviewed December 2, 2015

TITLE 9
: POLICE REGULATIONS

Chapter 5

Abandoned Vehicles: ABANDONED VEHICLES

- | | |
|-------|---|
| 9-5-1 | Abandonment prohibited |
| 9-5-2 | Impoundment and disposition of abandoned vehicles |
| 9-5-3 | Penalty |

9-5-1: Abandonment prohibited:

Monroe City Code Codification Before and After Worksheet: Title 9

-A-
No changes other than new ordinances

-B-
Includes all changes to December 2, 2015

-C-
-A- compared to -B- with Microsoft Word comparison utility

No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended without the permission of the property owner for more than forty eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance. (Ord. 5, 1-4-72)

unattended any motor vehicle, trailer, semi-trailer or mobile home on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended without the permission of the property owner for more than 48 hours, the vehicle is considered abandoned and constitutes a public nuisance.

No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public highway or private or public property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended without the permission of the property owner for more than ~~forty eight (48)~~ hours, the vehicle is ~~deemed~~considered abandoned and constitutes a public nuisance. ~~-(Ord. 5, 1-4-72)~~

9-5-2: Impoundment and disposition of abandoned vehicles:

9-5-2: Impoundment and disposition of abandoned vehicles:

9-5-2: Impoundment and disposition of abandoned vehicles:

(A) Any vehicle found in violation of Section 9-5-1 shall be impounded until lawfully claimed or disposed of according to section 342.40 of the Wisconsin Statutes.

(A) Any vehicle found in violation of section 9-5-1 of this chapter shall be impounded until lawfully claimed or disposed of according to section 342.40 of the Wisconsin statutes.

(A) Any vehicle found in violation of Ssection 9-5-1 of this chapter shall be impounded until lawfully claimed or disposed of according to section 342.40 of the Wisconsin Sstatutes.

(B) The Chief of Police shall be the designated representative of the City for the purpose of this Section.

(B) The chief of police shall be the designated representative of the city under this section.

(B) The ~~C~~chief of ~~P~~police shall be the designated representative of the ~~City for the purpose of city under~~ this ~~S~~section.

(C) Storage fees shall be set by action of the Common Council. Towing will be based on actual costs incurred. (5-17-83)

(C) Storage fees shall be set by action of the council. Towing will be based on actual costs incurred.

(C) Storage fees shall be set by action of the ~~Common Council~~council. Towing will be based on actual costs incurred. ~~-(5-17-83)~~

9-5-3: Penalty:

9-5-3: Penalty: Any person who violates the provisions of this chapter shall upon conviction be subject to a class 4 forfeiture.

9-5-3: Penalty:

Any person who violates the provisions of this Chapter is guilty of a Class 4 forfeiture. (7-2-85)

Any person who violates the provisions of this ~~Chapter is guilty of chapter shall upon conviction be subject to a~~ Class 4 forfeiture. ~~-(7-2-85)~~

Chap. 9-5 history: Reviewed December 2, 2015

Chap. 9-5 history: Reviewed December 2-85), 2015

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MEMORANDUM

DATE: December 2, 2015
TO: Judiciary and Ordinance Review Committee-Title 10
FROM: Rex A. Ewald
RE: Re-codification of Title 10

Attached is the 3-column comparison document for Title 10. Column A is Title 10 as it currently exists with all ordinances adopted to date incorporated, but no other changes. Column B is Title 10 as it has been modified through the re-codification process to date with all ordinances adopted to date incorporated. Column C is a comparison using the Microsoft Word document compare utility showing all differences between the text in column A and column B.

Here are my comments on the revisions I made to Title 10:

Chapter 1 DEFINITIONS

10-1-1 Definitions: Capitalization and word substitution changes.

Chapter 2 TRAFFIC CODE

10-2-1 State traffic laws adopted: Capitalization and word substitution changes. Formatted without MS Word table. This should make it easier to administratively manage changes.

10-2-2 Speed limits: Capitalization and word substitution changes. Formatted without MS Word tables which should make it easier to administratively manage changes.

10-2-3 General parking regulations: Capitalization and word substitution changes. Formatted without MS Word table which should make it easier to administratively manage changes.

10-2-4 Parking permits: Capitalization and word substitution changes.

10-2-5 Parking during snow removal: Capitalization and word substitution changes. Formatted without MS Word table which should make it easier to administratively manage changes.

10-2-6 Pedestrian safety: Capitalization and word substitution changes.

10-2-7 Unmuffled engine braking prohibited: Capitalization and word substitution changes.

10-2-8 Penalties: Capitalization and word substitution changes.

10-2-9 Enforcement: Capitalization and word substitution changes.

Chapter 3 BICYCLE REGULATIONS

10-3-1 Purpose: Capitalization and word substitution changes.

10-3-2 State statutes adopted: Capitalization and word substitution changes.

10-3-3 Bicycle regulations: Capitalization and word substitution changes.

10-3-4 Inspection and registration of bicycles: Capitalization and word substitution changes.

10-3-5 Bicycle dealers and rental agencies: Capitalization and word substitution changes.

10-3-6 Vehicles permitted to be operated on bicycle route: Capitalization and word substitution changes.

10-3-7 Penalty: Capitalization and word substitution changes.

Chapter 4 PLAY VEHICLES REGULATIONS

- 10-4-1 Declaration of purpose:** Capitalization and word substitution changes.
- 10-4-2 State statutes adopted:** Capitalization and word substitution changes.
- 10-4-3 Play vehicles regulated:** Capitalization and word substitution changes.
- 10-4-4 Penalty:** Capitalization and word substitution changes.

Chapter 5 USE AND OPERATION OF SNOWMOBILES

- 10-5-1 Snowmobile trails and routes within the city:** Capitalization and word substitution changes.
- 10-5-2 Procedure to amend snowmobile routes and trails:** Capitalization and word substitution changes.
- 10-5-3 Sign posting responsibility:** Capitalization and word substitution changes.
- 10-5-4 Parking regulated:** Capitalization and word substitution changes.
- 10-5-5 Compliance with trail and route signs and markers:** Capitalization and word substitution changes.
- 10-5-6 Hours of operation:** Capitalization and word substitution changes.
- 10-5-7 Insurance responsibility:** Capitalization and word substitution changes.
- 10-5-8 Penalty:** Capitalization and word substitution changes.

Chapter 6 ALL-TERRAIN VEHICLES

- 10-6-1 Purpose:** Capitalization and word substitution changes.
- 10-6-2 State statutes adopted:** Capitalization and word substitution changes.
- 10-6-3 Designated routes:** Capitalization and word substitution changes.
- 10-6-4 Rules of operation:** Capitalization and word substitution changes.
- 10-6-5 Hours of operation:** Capitalization and word substitution changes.
- 10-6-6 Penalty:** Capitalization and word substitution changes.

Chapter 7 NEIGHBORHOOD ELECTRIC VEHICLES

- 10-7-1 Purpose:** Capitalization and word substitution changes.
- 10-7-2 Equipment and safety devices:** Capitalization and word substitution changes.
- 10-7-3 License and registration required:** Capitalization and word substitution changes.
- 10-7-4 Routes of travel:** Capitalization and word substitution changes.
- 10-7-5 Rules of operation:** Capitalization and word substitution changes.
- 10-7-6 Penalties:** Capitalization and word substitution changes.

Monroe City Code Codification Before and After Worksheet: Title 10

-A-
No changes other than new ordinances

-B-
Includes all changes to October 29, 2015

-C-
-A- compared to -B- with Microsoft Word comparison utility

TITLE 10
VEHICLES AND TRAFFIC

Chapter 1

Definitions

10-1-1 Definitions

10-1-1: Definitions:

In this title, unless the context otherwise requires:

ALLEY: means a public thoroughfare within the city that affords only a secondary means of access to abutting property.

ALL-TERRAIN VEHICLE: means an engine-driven device which has a net weight of 650 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires.

ALL-TERRAIN VEHICLE ROUTE: means a highway or sidewalk designated by the city for use by all-terrain vehicle operators.

BICYCLE: means every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than fourteen 14 inches in diameter.

BICYCLE IDENTIFICATION TAG: means a sticker issued by the city indicating that a bicycle is properly registered.

BICYCLE LANE: means that portion of a roadway 3 feet in width measured from the curb, or if there is no curb the edge of the paving, designated by resolution of the common council for the use of bicycles, electric personal

TITLE 10: VEHICLES AND TRAFFIC

Chapter 1: DEFINITIONS

10-1-1 Definitions

10-1-1: Definitions: In this title:

“All-terrain vehicle” means an engine-driven device which has a net weight of 650 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on three or more low-pressure tires.

“All-terrain vehicle route” means a highway or sidewalk designated by the city for use by all-terrain vehicle operators.

“Bicycle” means every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than 14 inches in diameter.

“Bicycle identification tag” means a sticker issued by the city indicating that a bicycle is properly registered.

“Bicycle lane” means that portion of a roadway three feet in width measured from the curb, or if there is no curb the edge of the paving, designated by resolution of the council for the use of bicycles, electric personal assistive mobility

TITLE 10
VEHICLES AND TRAFFIC

Chapter 1

Definitions: DEFINITIONS

10-1-1 Definitions

10-1-1: Definitions:

In this title, unless the context otherwise requires:

ALLEY: means a public thoroughfare within the city that affords only a secondary means of access to abutting property.

ALL-TERRAIN VEHICLE:-:

“All-terrain vehicle” means an engine-driven device which has a net weight of 650 pounds or less, which has a width of 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3three or more low-pressure tires.

ALL-TERRAIN VEHICLE ROUTE:-:

“All-terrain vehicle route” means a highway or sidewalk designated by the city for use by all-terrain vehicle operators.

BICYCLE:- “Bicycle” means every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than fourteen 14 inches in diameter.

BICYCLE IDENTIFICATION TAG:-:

“Bicycle identification tag” means a sticker issued by the city indicating that a bicycle is properly registered.

BICYCLE LANE:- “Bicycle lane” means that portion of a roadway 3three feet in width measured from the curb, or if there is no curb the edge of the paving, designated by resolution of the common council for the use of bicycles,

Monroe City Code Codification Before and After Worksheet: Title 10

-A- No changes other than new ordinances	-B- Includes all changes to October 29, 2015	-C- -A- compared to -B- with Microsoft Word comparison utility
assistive mobility devices or other modes of travel.	devices or other modes of travel.	electric personal assistive mobility devices or other modes of travel.
BICYCLE ROUTE: means any bicycle lane, street or alley which has been designated as a bicycle route by resolution of the common council and which is identified by appropriate signs and markings.	"Bicycle route" means any bicycle lane, street or alley which has been designated as a bicycle route by resolution of the council and which is identified by appropriate signs and markings.	BICYCLE ROUTE: "Bicycle route" means any bicycle lane, street or alley which has been designated as a bicycle route by resolution of the common council and which is identified by appropriate signs and markings.
BUSINESS DISTRICT: means the territory contiguous to a street when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business. 2012-05-25	"Business district" means the territory abutting a street when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.	BUSINESS DISTRICT: "Business district" means the territory contiguous to abutting a street when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business. 2012-05-25
ENGINE BRAKE: means a device that converts a power-producing diesel engine into a power-absorbing air compressor, resulting in a net energy loss.	"Engine brake" means a device that converts a power-producing diesel engine into a power-absorbing air compressor, resulting in a net energy loss.	ENGINE BRAKE: "Engine brake" means a device that converts a power-producing diesel engine into a power-absorbing air compressor, resulting in a net energy loss.
GOLF CART: means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.	"Golf cart" means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.	GOLF CART: "Golf cart" means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is designed and intended to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.
GROSS VEHICLE WEIGHT RATING: means the value specified by the vehicle manufacturer, including secondary or final stage manufacturer, as the loaded weight of a vehicle. 2012-05-25	"Gross vehicle weight rating" means the value specified by the vehicle manufacturer, including secondary or final stage manufacturer, as the loaded weight of a vehicle.	GROSS VEHICLE WEIGHT RATING: "Gross vehicle weight rating" means the value specified by the vehicle manufacturer, including secondary or final stage manufacturer, as the loaded weight of a vehicle. 2012-05-25
IMMEDIATE FAMILY: means father, mother, brother, sister, son or daughter.	"Immediate family" means father, mother, brother, sister, son or daughter.	IMMEDIATE FAMILY: "Immediate family" means father, mother, brother, sister, son or daughter.
IN-LINE SKATES: means any skates with wheels arranged singly in a tandem line rather than in pairs.	"In-line skates" means any skates with wheels arranged singly in a tandem line rather than in pairs.	IN-LINE SKATES: "In-line skates" means any skates with wheels arranged singly in a tandem line rather than in pairs.

Monroe City Code Codification Before and After Worksheet: Title 10

-A-

No changes other than new ordinances

-B-

Includes all changes to October 29, 2015

-C-

-A- compared to -B- with Microsoft Word comparison utility

LOW-PRESSURE TIRE: means a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

“Low-pressure tire” means a tire which has a minimum width of six inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed six pounds per square inch as recommended by the manufacturer.

~~LOW-PRESSURE TIRE:~~ “~~Low-pressure tire~~” means a tire which has a minimum width of ~~6~~six inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed ~~6~~six pounds per square inch as recommended by the manufacturer.

MOBILE RECREATIONAL VEHICLE: means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including model homes, are not mobile recreational vehicles. 2015-02-17

“Mobile recreational vehicle” means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including model homes, are not mobile recreational vehicles.

~~MOBILE RECREATIONAL VEHICLE:~~

“~~Mobile recreational vehicle~~” means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including model homes, are not mobile recreational vehicles. ~~2015-02-17~~

NEIGHBORHOOD ELECTRIC VEHICLE: means a four-wheeled motor vehicle that is propelled by electric power, that is capable of traveling at a speed on a paved level surface of more than 20 miles per hour and not more than 25 miles per hour, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3(b) and 571.500. “Neighborhood electric vehicle” does not include a golf cart.

“Neighborhood electric vehicle” means a four-wheeled motor vehicle that is propelled by electric power, that is capable of traveling at a speed on a paved level surface of more than 20 miles per hour and not more than 25 miles per hour, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3(b) and 571.500. “Neighborhood electric vehicle” does not include a golf cart.

~~NEIGHBORHOOD ELECTRIC VEHICLE:~~

“~~Neighborhood electric vehicle~~” means a four-wheeled motor vehicle that is propelled by electric power, that is capable of traveling at a speed on a paved level surface of more than 20 miles per hour and not more than 25 miles per hour, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3(b) and 571.500. “Neighborhood electric vehicle” does not include a golf cart.

NEIGHBORHOOD ELECTRIC VEHICLE ROUTE: means that portion of State Trunk Highway 69 lying within the city and within and between its intersections with 2nd Street and 30th Street, and any street, alley or highway within the city having a posted speed limit of 35 miles per hour or less, but not including any part of a state trunk highway other than that portion of State Trunk Highway 69 expressly set forth herein.

“Neighborhood electric vehicle route” means that portion of state trunk highway 69 lying within the city and within and between its intersections with 2nd Street and 30th street, and any street, alley or highway within the city having a posted speed limit of 35 miles per hour or less, but not including any part of a state trunk highway other than that portion of state trunk highway 69 expressly set forth herein.

~~NEIGHBORHOOD ELECTRIC VEHICLE ROUTE:~~

“~~Neighborhood electric vehicle route~~” means that portion of ~~State Trunk Highway~~state trunk highway 69 lying within the city and within and between its intersections with 2nd Street and 30th ~~S~~street, and any street, alley or highway within the city having a posted speed limit of 35 miles per hour or less, but not including any part of a state trunk highway other than that portion of ~~State Trunk Highway~~state trunk highway 69 expressly set forth herein.

~~OPERATE OR OPERATION:~~

Monroe City Code Codification Before and After Worksheet: Title 10

-A-

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-B-

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-C-

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OPERATE OR OPERATION: means to exercise physical control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile, or to physically manipulate or activate any of the controls of a vehicle, an all-terrain vehicle, or a snowmobile necessary to put it in motion.

OPERATOR: means, unless the context otherwise requires, a person who operates a vehicle, an all-terrain vehicle or a snowmobile, or who is responsible for or exercises control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile or a person who is supervising an all-terrain vehicle.

PARKING STALL: means an area delineated by markings on the pavement or other surface with a width and length sufficient to contain a single vehicle.

PERSON: means a natural person, whether minor or adult.

PLAY VEHICLE: means a coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride, but does not include in-line skates.

RESIDENCE DISTRICT: means the territory contiguous to or within 175 feet of any street not comprising a business district where the frontage on such street for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business. 2012-05-25

RIDE OR RIDING: means either wholly or partially sitting, standing or lying upon a play vehicle, bicycle or in-line skates by a person whether such play vehicle, bicycle or in-line skates is in motion or stationary.

“Operate or operation” means to exercise physical control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile, or to physically manipulate or activate any of the controls of a vehicle, an all-terrain vehicle, or a snowmobile necessary to put it in motion.

“Operator” means, unless the context otherwise requires, a person who operates a vehicle, an all-terrain vehicle or a snowmobile, or who is responsible for or exercises control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile or a person who is supervising an all-terrain vehicle.

“Parking stall” means an area delineated by markings on the pavement or other surface with a width and length sufficient to contain a single vehicle.

“Person” means a natural person, whether minor or adult.

“Play vehicle” means a coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride, but does not include in-line skates.

“Residence district” means the territory abutting or within 175 feet of any street not comprising a business district where the frontage on such street for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business.

“Ride or riding” means either wholly or partially sitting, standing or lying upon a play vehicle, bicycle or in-line skates by a person whether such play vehicle, bicycle or in-line skates is in motion or stationary.

“Operate or operation” means to exercise physical control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile, or to physically manipulate or activate any of the controls of a vehicle, an all-terrain vehicle, or a snowmobile necessary to put it in motion.

OPERATOR: “Operator” means, unless the context otherwise requires, a person who operates a vehicle, an all-terrain vehicle or a snowmobile, or who is responsible for or exercises control over the speed or direction of a vehicle, an all-terrain vehicle or a snowmobile or a person who is supervising an all-terrain vehicle.

PARKING STALL:

“Parking stall” means an area delineated by markings on the pavement or other surface with a width and length sufficient to contain a single vehicle.

PERSON: “Person” means a natural person, whether minor or adult.

PLAY VEHICLE: “Play vehicle” means a coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride, but does not include in-line skates.

RESIDENCE DISTRICT:

“Residence district” means the territory ~~abutting~~ contiguous to or within 175 feet of any street not comprising a business district where the frontage on such street for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business. ~~2012-05-25~~

RIDE OR RIDING:

“Ride or riding” means either wholly or partially sitting, standing or lying upon a play vehicle, bicycle or in-line skates by a person whether such play vehicle, bicycle or in-line skates is in motion or stationary.

RIGHT-OF-WAY:

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RIGHT-OF-WAY: means the right of one operator or pedestrian to proceed in a lawful manner in preference to another operator or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

“Right-of-way” means the right of one operator or pedestrian to proceed in a lawful manner in preference to another operator or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

“Right-of-way” means the right of one operator or pedestrian to proceed in a lawful manner in preference to another operator or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

ROW OF PARKING STALLS: means a series of Parking Stalls designed and arranged to accommodate vehicles facing in a single direction where each parking stall in the series shares at least one common boundary with another Parking Stall in the series.

“Row of parking stalls” means a series of parking stalls designed and arranged to accommodate vehicles facing in a single direction where each parking stall in the series shares at least one common boundary with another parking stall in the series.

~~ROW OF PARKING STALLS:~~

“Row of parking stalls” means a series of ~~Parking Stalls~~parking stalls designed and arranged to accommodate vehicles facing in a single direction where each parking stall in the series shares at least one common boundary with another ~~Parking Stall~~parking stall in the series.

SEMITRAILER: means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home or a mobile recreational vehicle. A vehicle used with a ready-mix motor truck to spread the load is considered a semitrailer. 2015-02-17

“Semitrailer” means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home or a mobile recreational vehicle. A vehicle used with a ready-mix motor truck to spread the load is considered a semitrailer.

~~SEMITRAILER:~~

“Semitrailer” means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home or a mobile recreational vehicle. A vehicle used with a ready-mix motor truck to spread the load is considered a semitrailer. ~~2015-02-17~~

SNOWMOBILE: means an engine driven vehicle that is manufactured solely for snowmobiling, that has an endless belt tread and sled type runners, or skis, to be used in contact with snow but does not include such a vehicle that has inflatable tires or a vehicle that is driven by a motor of 4 horsepower or less and that is operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

“Snowmobile” means an engine driven vehicle that is manufactured solely for snowmobiling, that has an endless belt tread and sled type runners, or skis, to be used in contact with snow but does not include such a vehicle that has inflatable tires or a vehicle that is driven by a motor of four horsepower or less and that is operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

~~SNOWMOBILE:~~

“Snowmobile” means an engine driven vehicle that is manufactured solely for snowmobiling, that has an endless belt tread and sled type runners, or skis, to be used in contact with snow but does not include such a vehicle that has inflatable tires or a vehicle that is driven by a motor of ~~4~~four horsepower or less and that is operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

STREET: means a way or thoroughfare within the city that is used for vehicular travel by the public, including both streets and avenues, but not including an alley.

“Street” means a way or thoroughfare within the city that is used for vehicular travel by the public, including both streets and avenues, but not including an alley.

~~STREET:~~ “Street” means a way or thoroughfare within the city that is used for vehicular travel by the public, including both streets and avenues, but not including an alley.

UNMUFFLED ENGINE BRAKE: means an engine brake that is not equipped with a muffler in good working order.

“Unmuffled engine brake” means an engine brake that is not equipped with a muffler in good working order.

~~UNMUFFLED ENGINE BRAKE:~~

“Unmuffled engine brake” means an engine brake that is not equipped with a muffler in good working order.

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VEHICLE: means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except railroad trains. A snowmobile or neighborhood electric vehicle shall not be considered a vehicle except for purposes made specifically applicable by law. 2012-05-25

“Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except railroad trains. A snowmobile or neighborhood electric vehicle shall not be considered a vehicle except for purposes made specifically applicable by law.

~~VEHICLE: “Vehicle”~~ means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, except railroad trains. A snowmobile or neighborhood electric vehicle shall not be considered a vehicle except for purposes made specifically applicable by law. ~~2012-05-25~~

TRAILER: means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home. 2012-05-25

“Trailer” means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home.

~~TRAILER:~~

~~“Trailer”~~ means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home. ~~2012-05-25~~

VIN: means a series of Arabic numbers and Roman letters that is assigned to a motor vehicle for identification purposes in accordance with the requirements of 49 CFR 565. (2-2-2010)

“VIN” means a series of Arabic numbers and roman letters that is assigned to a motor vehicle for identification purposes under the requirements of 49 CFR 565.

Chap. 10-1 history: Reviewed May 19, 2015

~~“VIN:”~~ means a series of Arabic numbers and ~~R~~roman letters that is assigned to a motor vehicle for identification purposes ~~in accordance with~~under the requirements of 49 CFR 565.

~~(2-2-2010)–~~__

Chap. 10-1 history: Reviewed May 19, 2015

Chapter 2

Traffic Code

- 10-2-1 State traffic laws adopted
- 10-2-2 Speed limits
- 10-2-3 General parking regulations
- 10-2-4 Parking permits
- 10-2-5 Parking during snow removal
- 10-2-6 Pedestrian safety
- 10-2-7 Unmuffled engine braking prohibited
- 10-2-8 Citation penalties
- 10-2-9 Enforcement

10-2-1: State traffic laws adopted

(A) Wisconsin Statute Sections: Except as otherwise specifically provided in this chapter, the provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and

Chapter 2: TRAFFIC CODE

- 10-2-1 State traffic laws adopted
- 10-2-2 Speed limits
- 10-2-3 General parking regulations
- 10-2-4 Parking permits
- 10-2-5 Parking during snow removal
- 10-2-6 Pedestrian safety
- 10-2-7 Unmuffled engine braking prohibited
- 10-2-8 Penalties
- 10-2-9 Enforcement

10-2-1: State traffic laws adopted

(A) Wisconsin statute: Except as otherwise specifically provided in this chapter, the provisions in chapters 340 to 348 of the Wisconsin statutes, describing and defining regulations with respect to vehicles and traffic, exclusive

Chapter 2

~~Traffic Code:~~ TRAFFIC CODE

- 10-2-1 State traffic laws adopted
- 10-2-2 Speed limits
- 10-2-3 General parking regulations
- 10-2-4 Parking permits
- 10-2-5 Parking during snow removal
- 10-2-6 Pedestrian safety
- 10-2-7 Unmuffled engine braking prohibited
- 10-2-8 ~~Citation penalties~~Penalties
- 10-2-9 Enforcement

10-2-1: State traffic laws adopted

(A) Wisconsin ~~Statute Sections~~statute: Except as otherwise specifically provided in this chapter, the provisions in ~~C~~chapters 340 to 348 of the Wisconsin ~~S~~statutes, describing and defining regulations with respect

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traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted by reference made a part of this chapter.

to vehicles and traffic, exclusive of any provisions ~~therein~~ relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted ~~and~~ by reference made a part of this chapter ~~as if fully set forth herein.~~

(B) Wisconsin Administrative Code Sections: Except as otherwise specifically provided in this chapter, the provisions in the following chapters of the Wisconsin Administrative Code are hereby adopted and by reference made a part of this chapter as if fully set forth herein:

(B) Wisconsin administrative code: Except as otherwise specifically provided in this chapter, the provisions in the following chapters of the Wisconsin administrative code are hereby adopted by reference made a part of this chapter

(B) Wisconsin ~~Administrative Code Sections~~~~administrative code~~: Except as otherwise specifically provided in this chapter, the provisions in the following chapters of the Wisconsin ~~Administrative Code~~ ~~are hereby adopted and by reference made a part of this chapter as if fully set forth herein:~~

TRANS 146:	Reciprocity – nonresident motor carriers.
TRANS 300:	Transportation of school children.
TRANS 302:	Lettering on vehicles, display of evidence of registration and dual permit.
TRANS 305:	Standards for motor vehicle equipment.
TRANS 326:	Transportation of explosives by motor vehicles.
TRANS 308:	Requirements for trailer and semi-trailer brake, hitch and coupling, safety chains, cables and leveling bars.

TRANS 146: Reciprocity – nonresident motor carriers.
 TRANS 300: Transportation of school children
 TRANS 302: Lettering on vehicles, display of evidence of registration and dual permit.
 TRANS 305: Standards for motor vehicle equipment.
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 TRANS 326: Transportation of explosives by motor vehicles.

TRANS 146:	Reciprocity – nonresident motor carriers.
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TRANS 305:	Standards for motor vehicle equipment.
TRANS 326:	Transportation of explosives by motor vehicles.
TRANS 308:	Requirements for trailer and semi-trailer brake, hitch and coupling, safety chains, cables and leveling bars.

~~administrative code are hereby adopted by reference made a part of this chapter~~

~~TRANS 146: Reciprocity – nonresident motor carriers.~~
~~TRANS 300: Transportation of school children~~
~~TRANS 302: Lettering on vehicles, display of evidence of registration and dual permit.~~
~~TRANS 305: Standards for motor vehicle equipment.~~
~~TRANS 308: Requirements for trailer and semi-trailer brake, hitch and coupling, safety chains, cables and leveling bars.~~
~~TRANS 326: Transportation of explosives by motor vehicles.~~

(C) Any act required to be performed, or prohibited, by any statute or administrative code incorporated herein by

(C) Any act required to be performed, or prohibited, by any statute or administrative code incorporated by

(C) Any act required to be performed, or prohibited, by any statute or administrative code incorporated ~~herein~~ by

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reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of statute or administrative code sections incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of statute or administrative code sections incorporated by reference are intended to be made part of this chapter.

reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of statute or administrative code sections incorporated ~~herein~~ by reference are intended to be made part of this chapter ~~in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.~~

10-2-2: Speed limits:

The common council hereby finds that the speed limits that would apply on the following streets, or portions thereof, under the statutes adopted herein by reference, are unreasonable, unsafe and imprudent and hereby modifies such speed limits as follows:

10-2-2: Speed limits: The council hereby finds that the speed limits that would apply on the following streets, or portions thereof, under the statutes adopted by reference, are unreasonable, unsafe and imprudent and such speed limits shall be as follows:

10-2-2: Speed limits:

~~The common~~ council hereby finds that the speed limits that would apply on the following streets, or portions thereof, under the statutes adopted ~~herein~~ by reference, are unreasonable, unsafe and imprudent and ~~hereby modifies~~ such speed limits shall be as follows:

(A) 15 Miles Per Hour: The speed limit shall be 15 miles per hour on the following streets:

(A) 15 Miles per hour: The speed limit shall be 15 miles per hour on the following streets:

(A) 15 Miles ~~Per Hour~~ per hour: The speed limit shall be 15 miles per hour on the following streets:

10th Street:	from 15th Avenue to 18th Avenue
11th Street:	from 15th Avenue to 18th Avenue
16th Avenue:	from 9th Street to 12th Street
17th Avenue:	from 9th Street to 12th Street.

10th street: from 15th avenue to 18th avenue.
11th street: from 15th avenue to 18th avenue.
16th avenue: from 9th street to 12th street.
17th avenue: from 9th street to 12th street.

10th Street:	from 15th Avenue to 18th Avenue
11th Street:	from 15th Avenue to 18th Avenue
16th Avenue:	from 9th Street to 12th Street
17th Avenue:	from 9th Street to 12th Street.

10th street: from 15th avenue to 18th avenue.
11th street: from 15th avenue to 18th avenue.
16th avenue: from 9th street to 12th street.
17th avenue: from 9th street to 12th street.

(B) 25 Miles Per Hour: The speed limit shall be 25 miles per hour on the following streets:

(B) 25 Miles Per Hour: The speed limit shall be 25 miles per hour on the following streets:

(B) 25 Miles Per Hour: The speed limit shall be 25 miles per hour on the following streets:

West 2nd Street:	from 6th Avenue West to 4th Avenue West.
4th Street:	from 18th Avenue to 22nd Avenue
6th Street:	from 1st Avenue to 10th Avenue.

West 2nd street: from 6th avenue west to 4th avenue west.
4th street: from 18th avenue to 22nd avenue
6th street: from 1st avenue to 10th avenue.
West 7th street: entire length
8th street: from 1st avenue to 10th avenue west.
11th street: from sth 69 to 17th street.

West 2nd Street:	from 6th Avenue West to 4th Avenue West.
4th Street:	from 18th Avenue to 22nd Avenue
6th Street:	from 1st Avenue to 10th Avenue.

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West 7th Street:	entire length
8th Street:	from 1st Avenue to 10th Avenue West.
11th Street:	from STH 69 to 17th Street.
17th Street:	from STH 69 west to the city limits.
21st Street:	from 4th Avenue to the west city limits.
1st Avenue :	from 3rd Street to 8th Street.
3rd Avenue :	from 2nd Street to 8th Street.
4th Avenue West:	from West 21st Street to north city limits.
6th Avenue West:	from West 8th Street to West 2nd Street.
8th Avenue :	from 2nd Street to 8th Street.
9th Avenue West:	entire length
17th Avenue :	from 26th Street south to the city limits.
18th Avenue :	from 6th Street to the Badger State recreational trail crossing.
27th Avenue :	from 18th Street south to the city limits.

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17th street: from sth 69 west to the city limits.
 21st street: from 4th avenue to the west city limits.
 1st avenue: from 3rd street to 8th street.
 3rd avenue: from 2nd street to 8th street.
 4th avenue west: from west 21st street to north city limits.
 6th avenue west: from west 8th street to west 2nd street.
 8th avenue: from 2nd street to 8th street.
 9th avenue west: entire length
 17th avenue: from 26th street south to the city limits.
 18th avenue: from 6th street to the badger state recreational trail crossing.
 27th avenue: from 18th street south to the city limits.

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-A- compared to -B- with Microsoft Word comparison utility

West 7th Street:	entire length
8th Street:	from 1st Avenue to 10th Avenue West.
11th Street:	from STH 69 to 17th Street.
17th Street:	from STH 69 west to the city limits.
21st Street:	from 4th Avenue to the west city limits.
1st Avenue :	from 3rd Street to 8th Street.
3rd Avenue :	from 2nd Street to 8th Street.
4th Avenue West:	from West 21st Street to north city limits.
6th Avenue West:	from West 8th Street to West 2nd Street.
8th Avenue :	from 2nd Street to 8th Street.
9th Avenue West:	entire length
17th Avenue :	from 26th Street south to the city limits.
18th Avenue :	from 6th Street to the Badger State recreational trail crossing.
27th Avenue :	from 18th Street south to the city limits.

West 2nd street: from 6th avenue west to 4th avenue west.
4th street: from 18th avenue to 22nd avenue
6th street: from 1st avenue to 10th avenue.
West 7th street: entire length

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- 8th street: from 1st avenue to 10th avenue west.
- 11th street: from sth 69 to 17th street.
- 17th street: from sth 69 west to the city limits.
- 21st street: from 4th avenue to the west city limits.
- 1st avenue: from 3rd street to 8th street.
- 3rd avenue: from 2nd street to 8th street.
- 4th avenue west: from west 21st street to north city limits.
- 6th avenue west: from west 8th street to west 2nd street.
- 8th avenue: from 2nd street to 8th street.
- 9th avenue west: entire length
- 17th avenue: from 26th street south to the city limits.
- 18th avenue: from 6th street to the badger state recreational trail crossing.
- 27th avenue: from 18th street south to the city limits.

(C) 35 Miles Per Hour: The speed limit shall be 35 miles per hour on the following streets:

STH 69:	between the south city limits and its intersection with State Highways 11 and 81.
18th Avenue:	from the State Highway 11 overpass to the Badger State recreational trail crossing.
County Trunk K:	from 13th Street to 18th Street.

(C) 35 Miles per hour: The speed limit shall be 35 miles per hour on the following streets:

STH 69: between the south city limits and its intersection with state highways 11 and 81.
 18th avenue: from the state highway 11 overpass to the badger state recreational trail crossing.
 county trunk k: from 13th street to 18th street.

(C) 35 Miles ~~Per Hour~~per hour: The speed limit shall be 35 miles per hour on the following streets:

STH 69:	between the south city limits and its intersection with State Highways 11 and 81.
18th Avenue :	from the State Highway 11 overpass to the Badger State recreational trail crossing.
County Trunk K:	from 13th Street to 18th Street.

- STH 69: between the south city limits and its intersection with state highways 11 and 81.
- 18th avenue: from the state highway 11 overpass to the badger state recreational trail crossing.
- county trunk k: from 13th street to 18th street.

(D) 45 Miles Per Hour: The speed limit shall be 45 miles per hour on the following streets:

STH 69:	from the State Highway 11 overpass of 18th Avenue to the north city limits.
Aebly Road:	from north city limits to State Highway 69.

(D) 45 Miles per hour: The speed limit shall be 45 miles per hour on the following streets:

STH 69: from the state highway 11 overpass of 18th avenue to the north city limits.
 Aebly road: from north city limits to state highway 69.

(D) 45 Miles ~~Per Hour~~per hour: The speed limit shall be 45 miles per hour on the following streets:

STH 69:	from the State Highway 11 overpass of 18th Avenue to the north city limits.
Aebly Road:	from north city limits to State Highway 69.

STH 69: from the state highway 11 overpass of 18th

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(E) 55 Miles Per Hour: The speed limit shall be 55 miles per hour on the following streets:

STH 11, 69 & 81:	those segments of State Highways 11, 69 and 81 lying within the city between the Highway 59 overpass and a point where the roadbed would intersect with 10th Avenue West if 10th Avenue West were projected across such roadbed.
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(E) 55 Miles per hour: The speed limit shall be 55 miles per hour on those segments of state highways 11, 69 and 81 lying within the city between the highway 59 overpass and a point where the roadbed would intersect with 10th avenue west if 10th avenue west were projected across such roadbed.

avenue to the north city limits.
Aeibly road: from north city limits to state highway 69.

(E) 55 Miles ~~Per Hour~~per hour: The speed limit shall be 55 miles per hour on those segments of state highways 11, 69 and 81 lying within the following streets:

STH 11, 69 & 81:	those segments of State Highways 11, 69 and 81 lying within the city between the Highway 59 overpass and a point where the roadbed would intersect with 10th Avenue West if 10th Avenue West were projected across such roadbed.
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city between the highway 59 overpass and a point where the roadbed would intersect with 10th avenue west if 10th avenue west were projected across such roadbed.

10-2-3: General parking regulations:

(A) Parking Restrictions:

1. 48 Hour Vehicle Parking: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked on any street, alley or public parking lot in the city for more than 48 consecutive hours. This subsection shall not preclude placement of a vehicle that has been expressly authorized in a permit issued by the City. 2015-02-17

2. City-wide Large Vehicle and Semitrailer Parking Restrictions: It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a semitrailer, to cause or permit such vehicle or semitrailer to be parked on any street, alley or public parking lot within the city during the period commencing at 12:00 midnight and ending at 7:00 AM, Sunday through Saturday, inclusive, except to comply with official traffic signs or signals, directions of a traffic officer or for such limited period of time as is reasonably necessary for the loading, unloading or emergency repairs of such vehicle or semitrailer. This subsection shall not preclude placement of a vehicle that has been expressly

10-2-3: General parking regulations:

(A) Parking Restrictions:

(1) 48 hour vehicle parking: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked on any street, alley or public parking lot in the city for more than 48 consecutive hours. This subsection shall not preclude placement of a vehicle that has been expressly authorized in a permit issued by the city.

(2) City-wide large vehicle and semitrailer parking restrictions: It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a semitrailer, to cause or permit such vehicle or semitrailer to be parked on any street, alley or public parking lot within the city during the period commencing at 12:00 midnight and ending at 7:00 AM, Sunday through Saturday, inclusive, except to comply with official traffic signs or signals, directions of a traffic officer or for such limited time as is reasonably necessary for the loading, unloading or emergency repairs of such vehicle or semitrailer. This subsection shall not preclude placement of a vehicle that has been expressly authorized

10-2-3: General parking regulations:

(A) Parking Restrictions:

~~(1.) 48 Hour Vehicle Parking~~hour vehicle parking: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked on any street, alley or public parking lot in the city for more than 48 consecutive hours. This subsection shall not preclude placement of a vehicle that has been expressly authorized in a permit issued by the ~~City.~~ 2015-02-17

~~—city.~~

~~(2.)~~ City-wide ~~Large Vehicle~~large vehicle and ~~Semitrailer Parking Restrictions~~semitrailer parking ~~restrictions:~~ It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a semitrailer, to cause or permit such vehicle or semitrailer to be parked on any street, alley or public parking lot within the city during the period commencing at 12:00 midnight and ending at 7:00 AM, Sunday through Saturday, inclusive, except to comply with official traffic signs or signals, directions of a traffic officer or for such limited ~~period of~~time as is reasonably necessary for the loading, unloading or emergency repairs of such vehicle or semitrailer. This subsection shall not

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authorized in a permit issued by the City. 2015-02-17

in a permit issued by the city.

preclude placement of a vehicle that has been expressly authorized in a permit issued by the ~~City. 2015-02-17~~

3. Residence District Parking Restrictions: It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a trailer, to park or leave standing such vehicle or trailer within a residence district with engines or auxiliary motors operating, except to comply with official traffic signs or signals, directions of a traffic officer, or for such limited period of time as is reasonably necessary for the loading or unloading or emergency repairs of such vehicle or trailer. 2012-05-25

(3) Residence district parking restrictions: It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a trailer, to park or leave standing such vehicle or trailer within a residence district with engines or auxiliary motors operating, except to comply with official traffic signs or signals, directions of a traffic officer, or for such limited time as is reasonably necessary for the loading or unloading or emergency repairs of such vehicle or trailer.

~~city.~~
~~(3-)~~ Residence ~~District Parking Restrictions~~~~district parking restrictions~~: It shall be unlawful for the operator of any vehicle having a gross vehicle weight rating of 16,000 pounds or more, or a trailer, to park or leave standing such vehicle or trailer within a residence district with engines or auxiliary motors operating, except to comply with official traffic signs or signals, directions of a traffic officer, or for such limited ~~period of~~ time as is reasonably necessary for the loading or unloading or emergency repairs of such vehicle or trailer. ~~2012-05-25~~

4. Size and Weight Limitations: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked upon any city parking lot if such vehicle does not comply with size and weight limits established for such location if appropriate signage stating the applicable size and weight limits has been posted. Size and weight limitations shall be established from time to time by resolution of the common council.

(4) Size and weight limitations: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked upon any city parking lot if such vehicle does not comply with size and weight limits established for such location if appropriate signage stating the applicable size and weight limits has been posted. Size and weight limitations shall be established from time to time by resolution of the council.

~~(4-)~~ Size and ~~Weight Limitations~~~~weight limitations~~: It shall be unlawful for the owner or operator of a vehicle to cause or permit such vehicle to be parked upon any city parking lot if such vehicle does not comply with size and weight limits established for such location if appropriate signage stating the applicable size and weight limits has been posted. Size and weight limitations shall be established from time to time by resolution of the ~~common~~ council.

5. Mailboxes: It shall be unlawful for the owner or operator of a vehicle to park or leave parked any vehicle on that portion of any street in the city that lies within 15 feet of a mailbox used for rural delivery of U.S. mail or otherwise park in the vicinity of such mailbox in such a manner as to prevent a mail carrier from driving up to and placing mail in said mailbox from his or her vehicle.

(5) Mailboxes: It shall be unlawful for the owner or operator of a vehicle to park or leave parked any vehicle on that portion of any street in the city that lies within 15 feet of a mailbox used for rural delivery of U.S. mail or otherwise park in the vicinity of such mailbox in such a manner as to prevent a mail carrier from driving up to and placing mail in such mailbox from his or her vehicle.

~~(5-)~~ Mailboxes: It shall be unlawful for the owner or operator of a vehicle to park or leave parked any vehicle on that portion of any street in the city that lies within 15 feet of a mailbox used for rural delivery of U.S. ~~mail~~ or otherwise park in the vicinity of such mailbox in such a manner as to prevent a mail carrier from driving up to and placing mail in ~~said~~~~such~~ mailbox from his or her vehicle.

6. Parking in Terrace: It shall be unlawful for the owner or operator of any vehicle or other object to cause or permit such vehicle or object to be parked or placed within the terrace or area between curb line and property line along any public street, except for purposes of temporary loading or unloading not to exceed 8 hours. This subsection shall not be interpreted to preclude temporary placing for pick up of proper containers for garbage or rubbish if such placing is not contrary to any

(6) Parking in terrace: It shall be unlawful for the owner or operator of any vehicle or other object to cause or permit such vehicle or object to be parked or placed within the terrace or area between curb line and property line along any public street, except for purposes of temporary loading or unloading not to exceed eight hours. This subsection shall not be interpreted to preclude temporary placing for pick up of proper containers for garbage or rubbish if such placing is not contrary to any

~~(6-)~~ Parking in ~~T~~errace: It shall be unlawful for the owner or operator of any vehicle or other object to cause or permit such vehicle or object to be parked or placed within the terrace or area between curb line and property line along any public street, except for purposes of temporary loading or unloading not to exceed ~~8~~~~eight~~ hours. This subsection shall not be interpreted to preclude temporary placing for pick up of proper containers for garbage or rubbish if such placing is not

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other provision of law, nor shall this subsection preclude parking in said area where a permit has been obtained for said parking in accordance with this chapter.

other provision of law, nor shall this subsection preclude parking in such area where a permit has been obtained under this chapter.

contrary to any other provision of law, nor shall this subsection preclude parking in ~~said~~such area where a permit has been obtained ~~for said parking in accordance with~~under this chapter.

7. Handicapped Parking: It shall be unlawful for the owner or operator of any vehicle to park, stop or leave standing such vehicle, whether attended or unattended, and whether temporarily or otherwise, upon any portion of a street or public or private parking facility reserved by official signs or markings for those vehicles used by physically disabled persons, or to cause any vehicle to obstruct, block or otherwise limit the use of those areas, unless the vehicle is displaying special registration plates, a special registration card, emblem or other visible permit of whatever type or nature, issued by the state of Wisconsin Department of Transportation, or another jurisdiction with the lawful authority to issue such permits, which allows the person to use such restricted parking areas.

(7) Handicapped parking: It shall be unlawful for the owner or operator of any vehicle to park, stop or leave standing such vehicle, whether attended or unattended, upon any portion of a street or public or private parking facility reserved by official signs or markings for those vehicles used by physically disabled persons, or to cause any vehicle to obstruct, block or otherwise limit the use of those areas, unless the vehicle is displaying special registration plates, a special registration card, emblem or other visible permit of whatever type or nature, issued by the state of Wisconsin department of transportation, or another jurisdiction with the lawful authority to issue such permits, which allows the person to use such restricted parking areas.

~~(7-)~~ Handicapped ~~P~~parking: It shall be unlawful for the owner or operator of any vehicle to park, stop or leave standing such vehicle, whether attended or unattended, ~~and whether temporarily or otherwise,~~ upon any portion of a street or public or private parking facility reserved by official signs or markings for those vehicles used by physically disabled persons, or to cause any vehicle to obstruct, block or otherwise limit the use of those areas, unless the vehicle is displaying special registration plates, a special registration card, emblem or other visible permit of whatever type or nature, issued by the state of Wisconsin ~~D~~department of ~~T~~ransportation, or another jurisdiction with the lawful authority to issue such permits, which allows the person to use such restricted parking areas.

8. Parking on State Highway. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked such vehicle on any state highway within corporate limits of the city during the period commencing at 2:00 A.M. and ending at 5:30 A.M. on any day during the months December, January, February and March if appropriate signs have been posted in accordance with section 349.13 of the Wisconsin statutes.

(8) Parking on state highway. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked such vehicle on any state highway within corporate limits of the city during the period commencing at 2:00 AM and ending at 5:30 AM on any day during the months December, January, February and March if appropriate signs have been posted under section 349.13 of the Wisconsin statutes.

~~(8-)~~ Parking on ~~State Highway~~state highway. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked such vehicle on any state highway within corporate limits of the city during the period commencing at 2:00 ~~A.M.~~AM and ending at 5:30 ~~A.M.~~AM on any day during the months December, January, February and March if appropriate signs have been posted ~~in accordance with~~under section 349.13 of the Wisconsin statutes.

9. Restricted Parking Zones: The common council, by resolution, may prohibit or restrict vehicle parking in any location. Upon passage of such resolution so designating a location where vehicle parking is prohibited or restricted, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin Department of Transportation giving notice of the particular restrictions applicable to such location and said signs, signals or markings shall be erected in such locations and areas in such a manner as to give adequate warning to the users of said location and area of the restriction placed thereon. Signs shall be placed designating such areas in accordance with section 349.13

(9) Restricted parking zones: The council, by resolution, may prohibit or restrict vehicle parking in any location. Upon passage of such resolution so designating a location where vehicle parking is prohibited or restricted, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin Department of Transportation giving notice of the particular restrictions applicable to such location and said signs, signals or markings shall be erected in such locations and areas in such a manner as to give adequate warning to the users of said location and area of the restriction placed thereon. Signs shall be placed designating such areas under section 349.13 of the

~~(9-)~~ Restricted ~~Parking Zones~~parking zones: The ~~common~~ council, by resolution, may prohibit or restrict vehicle parking in any location. Upon passage of such resolution so designating a location where vehicle parking is prohibited or restricted, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin Department of Transportation giving notice of the particular restrictions applicable to such location and said signs, signals or markings shall be erected in such locations and areas in such a manner as to give adequate warning to the users of said location and area of the restriction placed thereon. Signs shall be placed designating such areas ~~in accordance with~~under section

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of the Wisconsin statutes.

Wisconsin statutes.

349.13 of the Wisconsin statutes.

10. Vehicle to be Entirely in Parking Stall. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked any such vehicle in a city owned or managed Parking Stall unless such vehicle is positioned entirely within a single Parking Stall.

(10) Vehicle to be entirely in parking stall. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked any such vehicle in a city owned or managed parking stall unless such vehicle is positioned entirely within a single parking stall.

~~(10-)~~ Vehicle to be ~~E~~entirely in ~~Parking Stall~~parking stall. It shall be unlawful for the owner or operator of any vehicle to park or to leave parked any such vehicle in a city owned or managed ~~Parking Stall~~parking stall unless such vehicle is positioned entirely within a single ~~Parking Stall~~.

~~—parking stall.~~

11. Timed Parking: The common council may by resolution establish timed limits applicable to vehicles parked in Parking Stalls located in Rows of Parking Stalls designated in such resolution.

(11) Timed parking: The council may by resolution establish timed limits applicable to vehicles parked in parking stalls located in rows of parking stalls designated in such resolution.

~~(11-)~~ Timed ~~P~~parking: The ~~common~~ council may by resolution establish timed limits applicable to vehicles parked in ~~Parking Stalls~~parking stalls located in ~~R~~rows of ~~Parking Stalls~~parking stalls designated in such resolution.

(a) Expired Time: It shall be unlawful for the owner or operator of any vehicle leave such vehicle parked in the same Parking Stall after the timed limit has expired.

A) Expired time: It shall be unlawful for the owner or operator of any vehicle leave such vehicle parked in the same parking stall after the timed limit has expired.

~~(aA)~~ Expired ~~T~~ime: It shall be unlawful for the owner or operator of any vehicle leave such vehicle parked in the same ~~Parking Stall~~parking stall after the timed limit has expired.

(b) Vehicle to Be Moved: It shall be unlawful for the owner or operator of any vehicle to move such vehicle after the timed limit has expired directly to another Parking Stall in the same Row of Parking Stalls containing the Parking Stall for which the timed limit has expired, unless a period of time equal to the maximum amount of time a vehicle is allowed to remain in the original Parking Stall has elapsed between the time the vehicle was removed from the original Parking Stall and the time the vehicle was parked in another Parking Stall in the same Row of Parking Stalls.

B) Vehicle to be moved: It shall be unlawful for the owner or operator of any vehicle to move such vehicle after the timed limit has expired directly to another parking stall in the same row of parking stalls containing the parking stall for which the timed limit has expired, unless a period of time equal to the maximum amount of time a vehicle is allowed to remain in the original parking stall has elapsed between the time the vehicle was removed from the original parking stall and the time the vehicle was parked in another parking stall in the same row of parking stalls.

~~(bB)~~ Vehicle to ~~Be Moved~~be moved: It shall be unlawful for the owner or operator of any vehicle to move such vehicle after the timed limit has expired directly to another ~~Parking Stall~~parking stall in the same ~~Row~~row of ~~Parking Stalls~~parking stalls containing the ~~Parking Stall~~parking stall for which the timed limit has expired, unless a period of time equal to the maximum amount of time a vehicle is allowed to remain in the original ~~Parking Stall~~parking stall has elapsed between the time the vehicle was removed from the original ~~Parking Stall~~parking stall and the time the vehicle was parked in another ~~Parking Stall~~parking stall in the same ~~Row~~row of ~~Parking Stalls~~.

~~—(parking stalls.~~

(c) Enforcement: The times during which timed parking limits are enforced shall be set from time to time by resolution of the common council.

C) Enforcement: The times during which timed parking limits are enforced shall be set from time to time by resolution of the council.

~~(C)~~ Enforcement: The times during which timed parking limits are enforced shall be set from time to time by resolution of the ~~common~~-council.

12. Winter Parking Restrictions:

(12) Winter parking restrictions:

~~(12-)~~ Winter ~~Parking Restrictions~~:

~~—(parking restrictions:~~

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(a) It shall be unlawful to park any motor vehicle on any street in the city during the period commencing at 12:00 midnight and ending at 7:00 A.M. on any day between November 15 of any year and March 31 of the succeeding year, except in accordance with the terms of this Chapter.

(b) Between November 15 of any year and March 31 of the succeeding year, parking on city streets shall be allowed on the even-numbered side of the street on the even-numbered days of the month and on the odd-numbered side of the street on the odd-numbered days of the month.

(c) Sides of streets are hereby defined as odd or even in accordance with the last digit of the house or building number of the buildings on that particular side of the street.

(d) The following shall be exempted from the winter parking regulations contained in this subsection:

(1) The following streets, and any segments of alleys which intersect with any 2 of the following streets:

9th Street:	from 15th Avenue to 18th Avenue.
10th Street:	from 14th Avenue to 19th Avenue.
11th Street:	from 14th Avenue to 19th Avenue.
12th Street:	from 13th Avenue to 20th Avenue.
17th Street:	from 13th Avenue to 15th Avenue.
14th Avenue:	from 12th Street to 13th Street.
15th Avenue:	from 9th Street to 12th Street.
16th Avenue:	from 8th Street to 13th Street.
17th Avenue:	from 8th Street to 13th Street.

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A) It shall be unlawful to park any motor vehicle on any street in the city during the period commencing at 12:00 midnight and ending at 7:00 AM on any day between November 15 of any year and March 31 of the succeeding year, except as provided in this chapter.

B) Between November 15 of any year and March 31 of the succeeding year, parking on city streets shall be allowed on the even-numbered side of the street on the even-numbered days of the month and on the odd-numbered side of the street on the odd-numbered days of the month.

C) Sides of streets are hereby defined as odd or even based upon the last digit of the house or building number of the buildings on that side of the street.

D) The following shall be exempted from the winter parking regulations contained in this subsection:

1) The following streets, and any segments of alleys which intersect with any two of the following streets:

9th street: from 15th avenue to 18th avenue.
 10th street: from 14th avenue to 19th avenue.
 11th street: from 14th avenue to 19th avenue.
 12th street: from 13th avenue to 20th avenue.
 17th street: from 13th avenue to 15th avenue.
 14th avenue: from 12th street to 13th street.
 15th avenue: from 9th street to 12th street.
 16th avenue: from 8th street to 13th street.
 17th avenue: from 8th street to 13th street.

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A) It shall be unlawful to park any motor vehicle on any street in the city during the period commencing at 12:00 midnight and ending at 7:00 ~~A.M.~~AM on any day between November 15 of any year and March 31 of the succeeding year, except ~~in accordance with the terms of~~ as provided in this ~~Chapter.~~

~~chapter.~~

B) Between November 15 of any year and March 31 of the succeeding year, parking on city streets shall be allowed on the even-numbered side of the street on the even-numbered days of the month and on the odd-numbered side of the street on the odd-numbered days of the month.

~~(c)~~ C) Sides of streets are hereby defined as odd or even ~~in accordance with~~ based upon the last digit of the house or building number of the buildings on that ~~particular~~ side of the street.

~~(d)~~ D) The following shall be exempted from the winter parking regulations contained in this subsection:

(1) The following streets, and any segments of alleys which intersect with any 2two of the following streets:

9th Street:	from 15th Avenue to 18th Avenue.
10th Street:	from 14th Avenue to 19th Avenue.
11th Street:	from 14th Avenue to 19th Avenue.
12th Street:	from 13th Avenue to 20th Avenue.
17th Street:	from 13th Avenue to 15th Avenue.
14th Avenue:	from 12th Street to 13th Street.
15th Avenue:	from 9th Street to 12th Street.
16th Avenue:	from 8th Street to 13th Street.
17th Avenue:	from 8th Street to 13th Street.

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18th Avenue:	from 9th Street to 12th Street.
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street.
street.

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18th avenue: from 9th street to 12th

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Avenue:	
18th Avenue:	from 9th Street to 12th Street.

- ~~9th street: from 15th avenue to 18th avenue.~~
- ~~10th street: from 14th avenue to 19th avenue.~~
- ~~11th street: from 14th avenue to 19th avenue.~~
- ~~12th street: from 13th avenue to 20th avenue.~~
- ~~17th street: from 13th avenue to 15th avenue.~~
- ~~14th avenue: from 12th street to 13th street.~~
- ~~15th avenue: from 9th street to 12th street.~~
- ~~16th avenue: from 8th street to 13th street.~~
- ~~17th avenue: from 8th street to 13th street.~~
- ~~18th avenue: from 9th street to 12th street.~~

(2) The opposite side of a street where one side of that street is designated "No Parking This Side of Street."

(3) Those areas where 30 minute parking is permitted, during the hours in which such 30 minute parking is permitted.

(e) Any vehicle that is parked in violation of the winter parking regulations contained in this subsection may be towed away by the city at the owner's risk and the cost of towing and storage charged to the registered owner of the vehicle.

(B) Traffic Officer May Move Vehicles: Whenever any traffic officer shall find a vehicle standing upon a street or alley in violation of the provisions of this section, he or she is authorized to move such vehicle or to require the operator in charge thereof to move such vehicle to a

2) The opposite side of a street where one side of that street is designated "no parking this side of street."

3) Those areas where 30 minute parking is permitted, during the hours in which such 30 minute parking is permitted.

E) Any vehicle that is parked in violation of the winter parking regulations contained in this subsection may be towed away by the city at the owner's risk and the cost of towing and storage charged to the registered owner of the vehicle.

(B) Traffic officer may move vehicles: Whenever any traffic officer shall find a vehicle standing upon a street or alley in violation of the provisions of this section, he or she may move such vehicle or require the operator in charge thereof to move such vehicle to a position where parking

2) The opposite side of a street where one side of that street is designated "~~No Parking This Side of parking this side~~ of ~~S~~street."

{3) Those areas where 30 minute parking is permitted, during the hours in which such 30 minute parking is permitted.

~~(e)~~E) Any vehicle that is parked in violation of the winter parking regulations contained in this subsection may be towed away by the city at the owner's risk and the cost of towing and storage charged to the registered owner of the vehicle.

(B) Traffic ~~Officer May Move Vehicles~~officer may move vehicles: Whenever any traffic officer shall find a vehicle standing upon a street or alley in violation of the provisions of this section, he or she ~~is authorized to may~~ move such vehicle or ~~to~~ require the operator in charge

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position where parking is not prohibited.

is not prohibited.

thereof to move such vehicle to a position where parking is not prohibited.

10-2-4: Parking permits:

10-2-4: Parking permits: Notwithstanding any provision of this chapter to the contrary, a permit may be issued authorizing the parking of a vehicle, as follows:

10-2-4: Parking permits:

Notwithstanding any provision of this Chapter to the contrary, a permit may be issued authorizing the parking of a vehicle, as follows:

Notwithstanding any provision of this Chapter to the contrary, a permit may be issued authorizing the parking of a vehicle, as follows:

(A) Terrace Parking: The board of public works may grant a permit authorizing parking of a vehicle in the terrace of any street in an area where such parking does not constitute a traffic hazard, provided that the area is surfaced with crushed rock, blacktop, or concrete, and outlined with one or more parking stalls. A permit existing on the effective date hereof shall be valid according to its terms.

(A) Terrace parking: The board of public works may grant a permit authorizing parking of a vehicle in the terrace of any street in an area where such parking does not constitute a traffic hazard if the area is surfaced with crushed rock, blacktop, or concrete, and outlined with one or more parking stalls.

(A) Terrace ~~P~~parking: The board of public works may grant a permit authorizing parking of a vehicle in the terrace of any street in an area where such parking does not constitute a traffic hazard, ~~provided that if~~ the area is surfaced with crushed rock, blacktop, or concrete, and outlined with one or more parking stalls. ~~A permit existing on the effective date hereof shall be valid according to its terms.~~

(B) Temporary Parking Permit: The chief of police, or his or her designee, may grant and issue a temporary parking permit authorizing the owner or operator of a vehicle to park such vehicle on a street for a specific purpose, and for a limited period of time, subject to the following:

(B) Temporary parking permit: The chief of police, or his or her designee, may grant and issue a temporary parking permit authorizing the owner or operator of a vehicle to park such vehicle on a street for a specific purpose, and for a limited time, subject to the following:

(B) Temporary ~~Parking Permit~~parking permit: The chief of police, or his or her designee, may grant and issue a temporary parking permit authorizing the owner or operator of a vehicle to park such vehicle on a street for a specific purpose, and for a limited ~~period of~~time, subject to the following:

1. Fee: The fee for issuance of a temporary parking permit under this subsection shall be established from time to time by resolution of the common council.

(1) Fee: The fee for issuance of a temporary parking permit under this subsection shall be established from time to time by resolution of the council.

~~(1)~~ Fee: The fee for issuance of a temporary parking permit under this subsection shall be established from time to time by resolution of the ~~common~~council.

2. Conditions or Limitations: The temporary parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

(2) Conditions or limitations: The temporary parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

~~(2)~~ Conditions or ~~L~~imitations: The temporary parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

3. Use for Other than Stated Purpose Prohibited: Use of a temporary parking permit for a purpose other than the purpose stated in the permit is prohibited.

(3) Use for other than stated purpose prohibited: Use of a temporary parking permit for a purpose other than the purpose stated in the permit is prohibited.

~~(3)~~ Use for ~~O~~ther than ~~Stated Purpose Prohibited~~stated purpose prohibited: Use of a temporary parking permit for a purpose other than the purpose stated in the permit is prohibited.

(C) Exempt Parking Permit: The chief of police, or his or her designee, may grant and issue an exempt parking permit authorizing the parking of a vehicle in any Parking Stall that is located in a Row of Parking Stalls for which the common council has by resolution authorized issuance of exempt parking permits, except a Parking

(C) Exempt parking permit: The chief of police, or his or her designee, may grant and issue an exempt parking permit authorizing the parking of a vehicle in any parking stall that is located in a row of parking stalls for which the council has by resolution authorized issuance of exempt parking permits, except a parking stall for which a

(C) Exempt ~~Parking Permit~~parking permit: The chief of police, or his or her designee, may grant and issue an exempt parking permit authorizing the parking of a vehicle in any ~~Parking Stall~~parking stall that is located in a ~~Row of Parking Stalls~~parking stalls for which the ~~common~~council has by resolution authorized issuance of

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Stall for which a reserved parking permit has been issued.

reserved parking permit has been issued.

exempt parking permits, except a Parking Stall parking stall for which a reserved parking permit has been issued.

1. Fee: The fee for issuance of an exempt parking permit under this subsection shall be established from time to time by resolution of the common council.

(1) Fee: The fee for issuance of an exempt parking permit under this subsection shall be established from time to time by resolution of the council.

(1-) Fee: The fee for issuance of an exempt parking permit under this subsection shall be established from time to time by resolution of the ~~common~~ council.

2. Conditions or Limitations: The exempt parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

(2) Conditions or limitations: The exempt parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

(2-) Conditions or limitations: The exempt parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion.

3. Term: An exempt parking permit shall be issued for a term not exceeding one year from the date of issuance.

(3) Term: An exempt parking permit shall be issued for a term not exceeding one year from the date of issuance.

(3-) Term: An exempt parking permit shall be issued for a term not exceeding one year from the date of issuance.

4. Exemption of Holder of Exempt Parking Permit from Time-based Parking Restrictions: The holder of an exempt parking permit shall be exempt from time-based parking restrictions applicable to any Parking Stall in any Row of Parking Stalls for which the exempt parking permit has been issued.

(4) Exemption of holder of exempt parking permit from time-based parking restrictions: The holder of an exempt parking permit shall be exempt from time-based parking restrictions applicable to any parking stall in any row of parking stalls for which the exempt parking permit has been issued.

(4-) Exemption of Hholder of Exempt Parking Permit exempt parking permit from Time-based Parking Restrictions parking restrictions: The holder of an exempt parking permit shall be exempt from time-based parking restrictions applicable to any Parking Stall parking stall in any Row of Parking Stalls parking stalls for which the exempt parking permit has been issued.

5. Display of Exempt Parking Permit: A vehicle parked in a Row of Parking Stalls for which time-based parking restrictions are in effect shall not be exempt from such time-based parking restrictions unless the exempt parking permit is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

(5) Display of exempt parking permit: A vehicle parked in a row of parking stalls for which time-based parking restrictions are in effect shall not be exempt from such time-based parking restrictions unless the exempt parking permit is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

(5-) Display of Exempt Parking Permit exempt parking permit: A vehicle parked in a Row of Parking Stalls parking stalls for which time-based parking restrictions are in effect shall not be exempt from such time-based parking restrictions unless the exempt parking permit is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

(D) Reserved Parking Permit: The chief of police, or his or her designee, may grant and issue a reserved parking permit authorizing the parking of a vehicle in any Parking Stall that is located in a Row of Parking Stalls for which the common council has by resolution authorized issuance of reserved parking permits, subject to the following:

(D) Reserved parking permit: The chief of police, or his or her designee, may grant and issue a reserved parking permit authorizing the parking of a vehicle in any parking stall that is located in a row of parking stalls for which the council has by resolution authorized issuance of reserved parking permits, subject to the following:

(D) Reserved Parking Permit parking permit: The chief of police, or his or her designee, may grant and issue a reserved parking permit authorizing the parking of a vehicle in any Parking Stall parking stall that is located in a Row of Parking Stalls parking stalls for which the ~~common~~ council has by resolution authorized issuance of reserved parking permits, subject to the following:

1. Fee: The fee for issuance of a reserved parking permit under this subsection shall be established from time to time by resolution of the common council.

(1) Fee: The fee for issuance of a reserved parking permit under this subsection shall be established from time to time by resolution of the Council.

(1-) Fee: The fee for issuance of a reserved parking permit under this subsection shall be established from time to time by resolution of the ~~common council~~.

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2. Conditions or Limitations: The reserved parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion. A reserved parking permit authorizes the person to whom such permit is issued to park a vehicle only in the Parking Stall designated in the reserved parking permit.

(2) Conditions or limitations: The reserved parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion. A reserved parking permit authorizes the person to whom such permit is issued to park a vehicle only in the parking stall designated in the reserved parking permit.

~~(2.)~~ Conditions or ~~l~~imitations: The reserved parking permit may contain reasonable restrictions on the time and manner of use if such restrictions are designed to promote public safety or avoid traffic congestion. A reserved parking permit authorizes the person to whom such permit is issued to park a vehicle only in the ~~Parking Stall~~~~parking stall~~ designated in the reserved parking permit.

3. Term: A reserved parking permit shall be issued for a term not exceeding one year from the date of issuance.

(3) Term: A reserved parking permit shall be issued for a term not exceeding one year from the date of issuance.

~~(3.)~~ Term: A reserved parking permit shall be issued for a term not exceeding one year from the date of issuance.

4. Exemption of Holder of Reserved Parking Permit from Time-based Parking Restrictions: The holder of a reserved parking permit shall be exempt from time-based parking restrictions applicable to the Parking Stall for which the reserved parking permit is issued.

(4) Exemption of holder of reserved parking permit from time-based parking restrictions: The holder of a reserved parking permit shall be exempt from time-based parking restrictions applicable to the Parking Stall for which the reserved parking permit is issued.

~~(4.)~~ Exemption of ~~H~~holder of ~~Reserved Parking Permit~~~~reserved parking permit~~ from ~~T~~ime-based ~~Parking Restrictions~~~~parking restrictions~~: The holder of a reserved parking permit shall be exempt from time-based parking restrictions applicable to the Parking Stall for which the reserved parking permit is issued.

5. Display of Reserved Parking Permit: A vehicle parked in a Parking Stall for which a reserved parking permit has been issued shall not be lawfully parked in such Parking Stall unless the reserved parking permit issued for such Parking Stall is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

(5) Display of reserved parking permit: A vehicle parked in a parking stall for which a reserved parking permit has been issued shall not be lawfully parked in such parking stall unless the reserved parking permit issued for such parking stall is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

~~(5.)~~ Display of ~~Reserved Parking Permit~~~~reserved parking permit~~: A vehicle parked in a ~~Parking Stall~~~~parking stall~~ for which a reserved parking permit has been issued shall not be lawfully parked in such ~~Parking Stall~~~~parking stall~~ unless the reserved parking permit issued for such ~~Parking Stall~~~~parking stall~~ is displayed in a manner that is clearly visible through the windshield from the driver's side of the vehicle.

10-2-5: Parking during snow removal:

10-2-5: Parking during snow removal:

10-2-5: Parking during snow removal:

(A) Parking During Snow Removal Operations: It shall be unlawful for the owner or operator of a vehicle to park or leave parked such vehicle on that portion of any street in the city where the street department is in the process of removing snow, when the street is posted with signs to that effect.

(A) Parking during snow removal operations: It shall be unlawful for the owner or operator of a vehicle to park or leave parked such vehicle on that portion of any street in the city where the street department is in the process of removing snow, when the street is posted with signs to that effect.

(A) Parking ~~During Snow Removal Operations~~~~during snow removal operations~~: It shall be unlawful for the owner or operator of a vehicle to park or leave parked such vehicle on that portion of any street in the city where the street department is in the process of removing snow, when the street is posted with signs to that effect.

(B) Impound of Vehicles Hampering Snow Removal: The street superintendent or his or her employees, or officers of the police department, are hereby authorized to remove any vehicle parked in violation of this section to a public lot or an impound area, or have the same removed

(B) Impound of vehicles hampering snow removal: The street superintendent or his or her employees, or officers of the police department, are hereby authorized to remove any vehicle parked in violation of this section to a public lot or an impound area, or have the same removed

(B) Impound of ~~Vehicles Hampering Snow Removal~~~~vehicles hampering snow removal~~: The street superintendent or his or her employees, or officers of the police department, are hereby authorized to remove any vehicle parked in violation of this section to a public lot or

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an impound area, or have the same removed thereto.

(C) Notice to Move Vehicle. It shall be unlawful to leave any vehicle on any city street in a manner that would hamper snow removal for more than one hour after being notified by an authorized representative of the city that such vehicle is to be moved to another location.

(C) Notice to move vehicle. It shall be unlawful to leave any vehicle on any city street in a manner that would hamper snow removal for more than one hour after being notified by an authorized representative of the city that such vehicle is to be moved to another location.

(C) Notice to ~~Move Vehicle~~move vehicle. It shall be unlawful to leave any vehicle on any city street in a manner that would hamper snow removal for more than one hour after being notified by an authorized representative of the city that such vehicle is to be moved to another location.

(D) Liability for Towing Charges: The owner or operator of a vehicle removed pursuant to the authority granted by this section shall be liable for towing charges.

(D) Liability for towing charges: The owner or operator of a vehicle removed pursuant to the authority granted by this section shall be liable for towing charges.

(D) Liability for ~~Towing Charges~~towing charges: The owner or operator of a vehicle removed pursuant to the authority granted by this section shall be liable for towing charges.

(E) Designation of Snow Removal Routes: The following streets, and any segments of alleys which intersect with any 2 of the following streets, are designated snow routes, from which accumulated snowfalls of 2 inches or more shall be both plowed and removed:

(E) Designation of snow removal routes: The following streets, and any segments of alleys which intersect with any two of the following streets, are designated snow routes, from which accumulated snowfalls of two inches or more shall be both plowed and removed:

(E) Designation of ~~Snow Removal Routes~~snow removal routes: The following streets, and any segments of alleys which intersect with any ~~2~~two of the following streets, are designated snow routes, from which accumulated snowfalls of ~~2~~two inches or more shall be both plowed and removed:

9th Street:	from 15th Avenue to 18th Avenue.
10th Street:	from 14th Avenue to 19th Avenue.
11th Street:	from 14th Avenue to 19th Avenue.
12th Street:	from 13th Avenue to 20th Avenue.
17th Street:	from 13th Avenue to 15th Avenue.
14th Avenue:	from 12th Street to 13th Street.
15th Avenue:	from 9th Street to 12th Street.
16th Avenue:	from 8th Street to 13th Street.
17th Avenue:	from 8th Street to 13th Street.
18th Avenue:	from 9th Street to 12th Street.

9th street: from 15th avenue to 18th avenue.
 10th street: from 14th avenue to 19th avenue.
 11th street: from 14th avenue to 19th avenue.
 12th street: from 13th avenue to 20th avenue.
 17th street: from 13th avenue to 15th avenue.
 14th avenue: from 12th street to 13th street.
 15th avenue: from 9th street to 12th street.
 16th avenue: from 8th street to 13th street.
 17th avenue: from 8th street to 13th street.
 18th avenue: from 9th street to 12th street.

9th Street:	from 15th Avenue to 18th Avenue.
10th Street:	from 14th Avenue to 19th Avenue.
11th Street:	from 14th Avenue to 19th Avenue.
12th Street:	from 13th Avenue to 20th Avenue.
17th Street:	from 13th Avenue to 15th Avenue.
14th Avenue:	from 12th Street to 13th Street.
15th Avenue:	from 9th Street to 12th Street.
16th Avenue:	from 8th Street to 13th Street.
17th Avenue:	from 8th Street to 13th Street.
18th Avenue:	from 9th Street to 12th Street.

9th street: from 15th avenue to 18th avenue.
10th street: from 14th avenue to 19th avenue.

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- 11th street: from 14th avenue to 19th avenue.
- 12th street: from 13th avenue to 20th avenue.
- 17th street: from 13th avenue to 15th avenue.
- 14th avenue: from 12th street to 13th street.
- 15th avenue: from 9th street to 12th street.
- 16th avenue: from 8th street to 13th street.
- 17th avenue: from 8th street to 13th street.
- 18th avenue: from 9th street to 12th street.

(F) Removal of Vehicles Parked on Snow Removal Route: A motor vehicle parked on or in the right-of-way of the street or alley designated as a snow removal route by this section, may be removed at the owner's expense on order of the superintendent of streets or his or her assistant, after an accumulation of 2 inches or more of snowfall. The one hour notice required by subsection (C) of this section shall not apply to any vehicle parked in violation of this subsection.

(F) Removal of vehicles parked on snow removal route: A motor vehicle parked on or in the right-of-way of the street or alley designated as a snow removal route by this section, may be removed at the owner's expense on order of the superintendent of streets or his or her assistant, after an accumulation of two inches or more of snowfall. The one hour notice required by subsection (C) of this section shall not apply to any vehicle parked in violation of this subsection.

(F) Removal of ~~Vehicles Parked~~vehicles parked on ~~Snow Removal Routes~~snow removal route: A motor vehicle parked on or in the right-of-way of the street or alley designated as a snow removal route by this section, may be removed at the owner's expense on order of the superintendent of streets or his or her assistant, after an accumulation of ~~2~~two inches or more of snowfall. The one hour notice required by subsection (C) of this section shall not apply to any vehicle parked in violation of this subsection.

(G) Warning Signs: The superintendent of streets shall post signs along the sections of the streets affected by this section. The signs shall be conspicuous in size and color, and shall read: "Snow Route.-No parking after 2 inch snowfall or more until removal is complete. Vehicles will be towed.

(G) Warning signs: The superintendent of streets shall post signs along the sections of the streets affected by this section. The signs shall be conspicuous in size and color, and shall read: "Snow Route.-No parking after two inch snowfall or more until removal is complete. Vehicles will be towed."

(G) Warning ~~S~~signs: The superintendent of streets shall post signs along the sections of the streets affected by this section. The signs shall be conspicuous in size and color, and shall read: "Snow Route.-No parking after ~~2~~two inch snowfall or more until removal is complete. Vehicles will be towed~~._~~."

10-2-6: Pedestrian safety:

10-2-6: Pedestrian safety:

10-2-6: Pedestrian safety:

(A) School Bus Lights: A school bus operator shall use flashing red warning lights when loading or unloading passengers at any location not controlled by a traffic signal, where the passengers must cross the street before being loaded or after being unloaded and a sidewalk and curb is laid on both sides of the street.

(A) School bus lights: A school bus operator shall use flashing red warning lights when loading or unloading passengers at any location not controlled by a traffic signal, where the passengers must cross the street before being loaded or after being unloaded and a sidewalk and curb is laid on both sides of the street.

(A) School ~~Bus Lights~~bus lights: A school bus operator shall use flashing red warning lights when loading or unloading passengers at any location not controlled by a traffic signal, where the passengers must cross the street before being loaded or after being unloaded and a sidewalk and curb is laid on both sides of the street.

(B) Pedestrian Safety Zones: The common council, by resolution, may authorize the establishment of and location of crosswalks, safety zones, loading zones, bus stops and taxi stands. Upon passage of such resolution so designating an area as one of the above classifications, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin Department of Transportation giving notice of

(B) Pedestrian safety zones: The council, by resolution, may authorize the establishment of and location of crosswalks, safety zones, loading zones, bus stops and taxi stands. Upon passage of such resolution so designating an area as one of the such classifications, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin department of transportation giving notice of the particular designation of

(B) Pedestrian ~~Safety Zones~~safety zones: The ~~common~~ council, by resolution, may authorize the establishment of and location of crosswalks, safety zones, loading zones, bus stops and taxi stands. Upon passage of such resolution so designating an area as one of the ~~above~~such classifications, the board of public works shall procure, erect and maintain appropriate, standard, traffic signs, signals and markings conforming to the rules of the Wisconsin ~~D~~deartment of ~~T~~transportation giving notice of

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the particular designation of said area and said signs shall be erected in such locations and areas in such a manner as to give adequate warning to the users of said location and area of the restriction placed thereon. Signs shall be placed designating such areas in accordance with section 349.13 of the Wisconsin statutes.

such area and the signs shall be erected in such locations and areas in such a manner as to give adequate warning to the users of such location and area of the restriction placed thereon. Signs shall be placed designating such areas under section 349.13 of the Wisconsin statutes.

the particular designation of ~~said~~such area and ~~said~~the signs shall be erected in such locations and areas in such a manner as to give adequate warning to the users of ~~said~~such location and area of the restriction placed thereon. Signs shall be placed designating such areas ~~in accordance with~~under section 349.13 of the Wisconsin statutes.

10-2-7: Unmuffled engine braking prohibited:

No person shall use an unmuffled engine brake within the city of Monroe.

10-2-7: Unmuffled engine braking prohibited: No person shall use an unmuffled engine brake within the city.

10-2-7: Unmuffled engine braking prohibited:

No person shall use an unmuffled engine brake within the city ~~of Monroe~~.

(A) Affirmative Defense: It shall be an affirmative defense to prosecution under this section that an unmuffled engine brake was applied in an emergency and the use of such brake was necessary for the protection of persons or property.

(A) Affirmative defense: It shall be an affirmative defense to prosecution under this section that an unmuffled engine brake was applied in an emergency and the use of such brake was necessary for the protection of persons or property.

(A) Affirmative ~~D~~edefense: It shall be an affirmative defense to prosecution under this section that an unmuffled engine brake was applied in an emergency and the use of such brake was necessary for the protection of persons or property.

(B) Authorized Emergency Vehicles: The operator of an authorized emergency vehicle shall be exempt from the prohibition in this section.

(B) Authorized emergency vehicles: The operator of an authorized emergency vehicle shall be exempt from the prohibition in this section.

(B) Authorized ~~Emergency Vehicles~~emergency vehicles: The operator of an authorized emergency vehicle shall be exempt from the prohibition in this section.

10-2-8: Citation penalties:

The penalty for violation of any provision of this chapter shall be as follows:

10-2-8: Penalties: The penalty for violation of any provision of this chapter shall be as follows:

10-2-8: ~~Citation penalties~~:

Penalties: The penalty for violation of any provision of this chapter shall be as follows:

(A) Violation of Statute or Administrative Code Provisions Adopted by Reference: The forfeiture for a violation of any provision of the Wisconsin Statutes or the Wisconsin Administrative Code adopted by reference in this chapter shall be the same as the forfeiture for such violation if it were charged under the corresponding section of the Wisconsin Statutes or Wisconsin Administrative Code, including any permitted suspension or revocation of driving privilege, demerit points, and any variations or increases for a second or subsequent offense.

(A) Violation of statute or administrative code provisions adopted by reference: The forfeiture for a violation of any provision of the Wisconsin statutes or the Wisconsin administrative code adopted by reference in this chapter shall be the same as the forfeiture for such violation if it were charged under the corresponding section of the Wisconsin statutes or Wisconsin administrative code, including any permitted suspension or revocation of driving privilege, demerit points, and any variations or increases for a second or subsequent offense.

(A) Violation of ~~S~~statute or ~~Administrative Code Provisions Adopted~~administrative code provisions adopted by ~~R~~reference: The forfeiture for a violation of any provision of the Wisconsin ~~S~~statutes or the Wisconsin ~~Administrative Code~~administrative code adopted by reference in this chapter shall be the same as the forfeiture for such violation if it were charged under the corresponding section of the Wisconsin ~~S~~statutes or Wisconsin ~~Administrative Code~~administrative code, including any permitted suspension or revocation of driving privilege, demerit points, and any variations or increases for a second or subsequent offense.

(B) Other Violations: The forfeiture for a violation of this chapter, other than any provision of the Wisconsin Statutes or the Wisconsin Administrative Code adopted by reference in this chapter, shall be as follows:

(B) Other violations: The forfeiture for a violation of this chapter, other than any provision of the Wisconsin statutes or the Wisconsin administrative code adopted by reference in this chapter, shall be as follows:

(B) Other ~~V~~violations: The forfeiture for a violation of this chapter, other than any provision of the Wisconsin ~~S~~statutes or the Wisconsin ~~Administrative Code~~administrative code adopted by reference in this

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chapter, shall be as follows:

1. Violations of Parking Regulations: Forfeiture amounts for violations of parking regulations shall be established by resolution of the common council.

(1) Violations of parking regulations: Forfeiture amounts for violations of parking regulations shall be established by resolution of the council.

(1-) Violations of ~~Parking Regulations~~parking regulations: Forfeiture amounts for violations of parking regulations shall be established by resolution of the ~~common~~council.

(a) Except as provided in subparagraph (b) hereof, each day that a violation exists shall constitute a separate offense.

A) Except as provided in subparagraph (b) hereof, each day that a violation exists shall constitute a separate offense.

(aA) Except as provided in subparagraph (b) hereof, each day that a violation exists shall constitute a separate offense.

(b) A separate violation of the timed parking restrictions established pursuant to Section 10-2-3(A) 11 of this Chapter shall exist if following issuance of a citation for a violation of such timed parking restrictions the vehicle originally cited has not been moved to a location that is not in violation of such timed parking restrictions within a period of time that is equal to the amount of time parking is permitted at such location.

B) A separate violation of the timed parking restrictions established under section 10-2-3(A) 11 of this chapter shall exist if following issuance of a citation for a violation of such timed parking restrictions the vehicle originally cited has not been moved to a location that is not in violation of such timed parking restrictions within a period of time that is equal to the amount of time parking is permitted at such location.

(bB) A separate violation of the timed parking restrictions established pursuant to ~~Section~~under section 10-2-3(A) 11 of this ~~C~~chapter shall exist if following issuance of a citation for a violation of such timed parking restrictions the vehicle originally cited has not been moved to a location that is not in violation of such timed parking restrictions within a period of time that is equal to the amount of time parking is permitted at such location.

2. Compounded Penalty for Parking Violations: A forfeiture amount for any violation of the parking regulations of this chapter shall double if not paid within 14 days following the date the parking citation was issued.

(2) Compounded penalty for parking violations: A forfeiture amount for any violation of the parking regulations of this chapter shall double if not paid within 14 days following the date the parking citation was issued.

(2-) Compounded ~~P~~penalty for ~~Parking~~Violationsparking violations: A forfeiture amount for any violation of the parking regulations of this chapter shall double if not paid within 14 days following the date the parking citation was issued.

3. Violations of Unmuffled Braking Regulations: Upon conviction for a violation of section 10-2-7 the following penalties shall apply:

(3) Violations of unmuffled braking regulations: Upon conviction for a violation of section 10-2-7 of this chapter the following penalties shall apply:

(3-) Violations of ~~Unmuffled Braking~~Regulationsunmuffled braking regulations: Upon conviction for a violation of section 10-2-7 ~~of this chapter~~ the following penalties shall apply:

(a) A Class 4 Forfeiture upon conviction for the first offense within a 12 month period.

A) A class 4 forfeiture upon conviction for the first offense within a 12 month period.

(a-) ~~A Class~~ A class 4 Fforfeiture upon conviction for the first offense within a 12 month period.

(b) A Class 3 Forfeiture upon conviction for the second offense within a 12 month period.

B) A class 3 forfeiture upon conviction for the second offense within a 12 month period.

(bB) A ~~C~~class 3 Fforfeiture upon conviction for the second offense within a 12 month period.

(c) A Class 2 Forfeiture upon conviction for the third or subsequent offense within a 12 month period.

C) A class 2 forfeiture upon conviction for the third or subsequent offense within a 12 month period.

(cC) A ~~C~~class 2 Fforfeiture upon conviction for the third or subsequent offense within a 12 month period.

4. Revocation or Suspension: In addition to any forfeiture, any permitted suspension or revocation of driving privilege or other license or permit, may be imposed as provided in state statutes and this chapter.

(4) Revocation or suspension: In addition to any forfeiture, any permitted suspension or revocation of driving privilege or other license or permit, may be imposed as provided in state statutes and this chapter.

(4-) Revocation or ~~S~~suspension: In addition to any forfeiture, any permitted suspension or revocation of driving privilege or other license or permit, may be imposed as provided in state statutes and this chapter.

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(C) Costs of Prosecution: In addition to the forfeiture, a person violating any provision of this Chapter shall pay the costs of prosecution.

(C) Costs of prosecution: In addition to the forfeiture, a person violating any provision of this Chapter shall pay the costs of prosecution.

(C) Costs of ~~P~~prosecution: In addition to the forfeiture, a person violating any provision of this Chapter shall pay the costs of prosecution.

(D) Failure to Pay: Any person who fails to pay a penalty imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes.

(D) Failure to pay: Any person who fails to pay a penalty imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes.

(D) Failure to ~~Pay~~pay: Any person who fails to pay a penalty imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes.

10-2-9: Enforcement:

10-2-9: Enforcement: This chapter shall be enforced under the provisions of sections 345.20 to 345.52 and section 66.0114 of the Wisconsin statutes, and any acts supplementary or amendatory thereto.

10-2-9: Enforcement:

This chapter shall be enforced in accordance with provisions of sections 345.20 to 345.52 and section 66.0114 of the Wisconsin Statutes, and any acts supplementary or amendatory thereto.

~~This chapter shall be enforced in accordance with~~under the provisions of sections 345.20 to 345.52 and section 66.0114 of the Wisconsin ~~S~~statutes, and any acts supplementary or amendatory thereto.

(A) Stipulation of Guilt or No Contest: Stipulations of guilt or no contest may be made by persons charged with violations of this chapter in accordance with section 66.0114(1)(b) of the Wisconsin statutes, whenever the provisions of section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under section 345.11 of the Wisconsin statutes.

(A) Stipulation of guilt or no contest: Stipulations of guilt or no contest may be made by persons charged with violations of this chapter whenever the provisions of section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under section 345.11 of the Wisconsin statutes.

(A) Stipulation of ~~G~~uilt or ~~No Contest~~no contest: Stipulations of guilt or no contest may be made by persons charged with violations of this chapter ~~in accordance with section 66.0114(1)(b) of the Wisconsin statutes,~~ whenever the provisions of section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under section 345.11 of the Wisconsin statutes.

(B) Deposit for Parking Violations: Any person stipulating guilt or no contest to a parking violation may make a deposit in an amount established from time to time by the chief of police and approved by the common council. Deposits may be brought or mailed to the police department. If the deposit is received by the police department within 7 days following issuance of the parking citation, the deposit shall constitute the entire penalty and the matter shall not be prosecuted in the circuit court and court costs and assessments shall not be added to the penalty.

(B) Deposit for parking violations: Any person stipulating guilt or no contest to a parking violation may make a deposit in an amount established from time to time by the chief of police and approved by the council. Deposits may be brought or mailed to the police department. If the deposit is received by the police department within seven days following issuance of the parking citation, the deposit shall constitute the entire penalty and the matter shall not be prosecuted in the circuit court and court costs and assessments shall not be added to the penalty.

(B) Deposit for ~~Parking Violations~~parking violations: Any person stipulating guilt or no contest to a parking violation may make a deposit in an amount established from time to time by the chief of police and approved by the ~~common~~council. Deposits may be brought or mailed to the police department. If the deposit is received by the police department within ~~7~~seven days following issuance of the parking citation, the deposit shall constitute the entire penalty and the matter shall not be prosecuted in the circuit court and court costs and assessments shall not be added to the penalty.

(C) Deposit for Other than Parking Violations: Any person stipulating guilt or no contest may make a deposit under section 345.26, Wisconsin statutes, or, if the deposit is not established under such statute, shall deposit a penalty as provided in the schedule established by the chief of police and approved by the common council. Deposits may be brought or mailed to the police department or the office of the clerk of circuit court.

(C) Deposit for other than parking violations: Any person stipulating guilt or no contest may make a deposit under section 345.26, Wisconsin statutes, or, if the deposit is not established under such statute, shall deposit a penalty as provided in the schedule established by the chief of police and approved by the council. Deposits may be brought or mailed to the police department or the office of the clerk of circuit court.

(C) Deposit for ~~O~~ther than ~~Parking Violations~~parking violations: Any person stipulating guilt or no contest may make a deposit under section 345.26, Wisconsin statutes, or, if the deposit is not established under such statute, shall deposit a penalty as provided in the schedule established by the chief of police and approved by the ~~common~~council. Deposits may be brought or mailed to the police department or the office of the clerk of circuit

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(D) Receipt: Every officer accepting a deposit under this chapter shall prepare a receipt as provided in section 345.26(3)(b) of the Wisconsin statutes.

(D) Receipt: Every officer accepting a deposit under this chapter shall prepare a receipt as provided in section 345.26(3)(b) of the Wisconsin statutes.

(D) Receipt: Every officer accepting a deposit under this chapter shall prepare a receipt as provided in section 345.26(3)(b) of the Wisconsin statutes.

(E) Forfeitures in Treasury: The police department shall forward deposits or forfeited penalties to the city treasurer or clerk of courts within 20 days of receipt. (2-2-2010)

(E) Forfeitures in treasury: The police department shall forward deposits or forfeited penalties to the city treasurer or clerk of courts within 20 days of receipt.

(E) Forfeitures in ~~T~~treasury: The police department shall forward deposits or forfeited penalties to the city treasurer or clerk of courts within 20 days of receipt. ~~(2-2-2010)~~__

Chap. 10-2 history: Reviewed May 19, 2015

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Chapter 3

Chapter 3: BICYCLE REGULATIONS

Chapter 3

Bicycle Regulations

Bicycle Regulations: BICYCLE REGULATIONS

10-3-1	Purpose
10-3-2	State statutes adopted
10-3-3	Bicycle regulations
10-3-4	Inspection and registration of bicycles
10-3-5	Bicycle dealers and rental agencies
10-3-6	Vehicles permitted to be operated on bicycle route
10-3-7	Penalty

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10-3-2	State statutes adopted
10-3-3	Bicycle regulations
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10-3-5	Bicycle dealers and rental agencies
10-3-6	Vehicles permitted to be operated on bicycle route
10-3-7	Penalty

10-3-1: Purpose:

The purpose of this Chapter is to establish rules and regulations that provide for the safe and enjoyable use of bicycles, and to establish designated bicycle routes within the City of Monroe, consistent with public rights and interest.

10-3-1: Purpose: The purpose of this chapter is to establish rules and regulations that provide for the safe and enjoyable use of bicycles, and to establish designated bicycle routes within the city, consistent with public rights and interest.

10-3-1: Purpose:

The purpose of this Cchapter is to establish rules and regulations that provide for the safe and enjoyable use of bicycles, and to establish designated bicycle routes within the City of Monroecity, consistent with public rights and interest.

10-3-2: State statutes adopted:

Except as otherwise specifically provided in this chapter, the provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to bicycles, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

10-3-2: State statutes adopted: Except as otherwise specifically provided in this chapter, the provisions in chapters 340 to 348 of the Wisconsin statutes describing and defining regulations with respect to bicycles, exclusive of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter.

10-3-2: State statutes adopted:

Except as otherwise specifically provided in this chapter, the provisions in Cchapters 340 to 348 of the Wisconsin Sstatutes, describing and defining regulations with respect to bicycles, exclusive of any provisions ~~therein~~ relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter ~~as if fully set forth herein.~~

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10-3-3: Bicycle regulations: (A) Rules for Operation.

1. Mode of Operation. No bicycle shall be allowed to proceed upon any street or alley in the city by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street or alley in the city.

2. Trick Riding. No person shall operate a bicycle upon any street or alley of the city without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

3. Multiple Riders. It shall be unlawful for two or more persons to ride on a bicycle at one time on a street or alley, unless the bicycle is designed for and equipped with a seat for each such person.

4. Emerging from Alley or Driveway. The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk, or the point in an alley or driveway corresponding to the projected edge of the sidewalk on either side of such alley or driveway that is furthest from the street, yield the right-of-way to all pedestrians and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

5. Bicycles Not to be Pulled by Moving Vehicles. No person riding upon a bicycle shall cling or attach himself or herself or his or her bicycle to any other moving vehicle upon a street or alley.

6. Bicycles Not to Tow or Draw Other Objects. No person riding upon a bicycle shall tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such street or alley, except a trailer that is designed for transporting a child or children or property if such trailer is designed to be used for such purpose and is securely attached to the bicycle by mechanical means.

10-3-3: Bicycle regulations:

(A) Rules for Operation.

(1) Mode of operation. No bicycle shall be allowed to proceed upon any street or alley in the city by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street or alley in the city.

(2) Trick riding. No person shall operate a bicycle upon any street or alley of the city without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

(3) Multiple riders. It shall be unlawful for two or more persons to ride on a bicycle at one time on a street or alley, unless the bicycle is designed for and equipped with a seat for each such person.

(4) Emerging from alley or driveway. The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk, or the point in an alley or driveway corresponding to the projected edge of the sidewalk on either side of such alley or driveway that is furthest from the street, yield the right-of-way to all pedestrians and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

(5) Bicycles not to be pulled by moving vehicles. No person riding upon a bicycle shall cling or attach himself or herself or his or her bicycle to any other moving vehicle upon a street or alley.

(6) Bicycles not to tow or draw other objects. No person riding upon a bicycle shall tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such street or alley, except a trailer that is designed for transporting a child or children or property if such trailer is designed to be used for such purpose and is securely attached to the bicycle by mechanical means.

10-3-3: Bicycle regulations:

(A) Rules for Operation.

~~(1)~~ Mode of ~~O~~operation. No bicycle shall be allowed to proceed upon any street or alley in the city by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street or alley in the city.

~~(2)~~ Trick ~~R~~riding. No person shall operate a bicycle upon any street or alley of the city without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

~~(3)~~ Multiple ~~R~~riders. It shall be unlawful for two or more persons to ride on a bicycle at one time on a street or alley, unless the bicycle is designed for and equipped with a seat for each such person.

~~(4)~~ Emerging from ~~A~~alley or ~~D~~driveway. The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk, or the point in an alley or driveway corresponding to the projected edge of the sidewalk on either side of such alley or driveway that is furthest from the street, yield the right-of-way to all pedestrians and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

~~(5)~~ Bicycles ~~Netnot~~ to be ~~P~~pulled by ~~Moving Vehicles~~moving vehicles. No person riding upon a bicycle shall cling or attach himself or herself or his or her bicycle to any other moving vehicle upon a street or alley.

~~(6)~~ Bicycles ~~Netnot~~ to ~~Tow~~tow or ~~Draw~~Other Objects~~draw other objects~~. No person riding upon a bicycle shall tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such street or alley, except a trailer that is designed for transporting a child or children or property if such trailer is designed to be used for such purpose and is securely attached to the bicycle by mechanical means.

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7. Speed. No person shall operate a bicycle on a street or alley at a speed greater than is reasonable and prudent under existing conditions or in the excess of any posted speed limit.

(7) Speed. No person shall operate a bicycle on a street or alley at a speed greater than is reasonable and prudent under then- existing conditions or in the excess of any posted speed limit.

~~(7-)~~ Speed. No person shall operate a bicycle on a street or alley at a speed greater than is reasonable and prudent under then- existing conditions or in the excess of any posted speed limit.

8. Bicycles to Stop for Emergency Vehicles. The operator of a bicycle shall pull as close to the curb as possible or if there is no curb upon the shoulder of any street and stop when any authorized emergency vehicle approaches with siren or emergency lights engaged.

(8) Bicycles to stop for emergency vehicles. The operator of a bicycle shall pull as close to the curb as possible or if there is no curb upon the shoulder of any street and stop when any authorized emergency vehicle approaches with siren or emergency lights engaged.

~~(8-)~~ Bicycles to ~~Ss~~top for ~~Emergency Vehicles~~emergency vehicles. The operator of a bicycle shall pull as close to the curb as possible or if there is no curb upon the shoulder of any street and stop when any authorized emergency vehicle approaches with siren or emergency lights engaged.

(B) Rules for Turning.

(B) Rules for turning.

(B) Rules for ~~Tt~~urning.

1. Right Turn. The operator of a bicycle upon a street intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street, and in turning, shall keep as closely as practicable to the right-hand edge or curb of the street.

(1) Right turn. The operator of a bicycle upon a street intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street, and in turning, shall keep as closely as practicable to the right-hand edge or curb of the street.

~~(1-)~~ Right ~~Tt~~urn. The operator of a bicycle upon a street intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street, and in turning, shall keep as closely as practicable to the right-hand edge or curb of the street.

2. Left Turn. The operator of a bicycle upon a street intending to turn to the left at an intersection or into a private driveway shall first signal such turn by hand gesture or an appropriate mechanical or electronic signal device, and shall make such turn from the traffic lane immediately to the right of the center of the street and shall pass immediately to the left of the center of the intersection.

(2) Left turn. The operator of a bicycle upon a street intending to turn to the left at an intersection or into a private driveway shall first signal such turn by hand gesture or an appropriate mechanical or electronic signal device, and shall make such turn from the traffic lane immediately to the right of the center of the street and shall pass immediately to the left of the center of the intersection.

~~(2-)~~ Left ~~Tt~~urn. The operator of a bicycle upon a street intending to turn to the left at an intersection or into a private driveway shall first signal such turn by hand gesture or an appropriate mechanical or electronic signal device, and shall make such turn from the traffic lane immediately to the right of the center of the street and shall pass immediately to the left of the center of the intersection.

3. Controlled Intersections. At any intersection with a street where traffic is controlled by an official traffic sign, traffic control signal or traffic officer, it shall be unlawful for the operator of a bicycle upon a street to disobey such official traffic sign or signal or the instructions of such traffic officer.

(3) Controlled Intersections. At any intersection with a street where traffic is controlled by an official traffic sign, traffic control signal or traffic officer, it shall be unlawful for the operator of a bicycle upon a street to disobey such official traffic sign or signal or the instructions of such traffic officer.

~~(3-)~~ Controlled Intersections. At any intersection with a street where traffic is controlled by an official traffic sign, traffic control signal or traffic officer, it shall be unlawful for the operator of a bicycle upon a street to disobey such official traffic sign or signal or the instructions of such traffic officer.

4. Use of Crosswalks. Crosswalks shall be used when walking a bicycle through an intersection.

(4) Use of crosswalks. Crosswalks shall be used when walking a bicycle through an intersection.

~~(4-)~~ Use of ~~Cc~~rosswalks. Crosswalks shall be used when walking a bicycle through an intersection.

(C) Riding on Sidewalk.

(C) Riding on sidewalk.

(C) Riding on ~~Sidewalk-~~

~~—1-~~sidewalk.

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1. It shall be unlawful to operate a bicycle on any sidewalk located within the area which is bounded by 9th Street on the north, 13th Street on the south, 15th Avenue on the west and 18th Avenue on the east. Bicycles may be operated upon any other public sidewalks of the city.

(1) It shall be unlawful to operate a bicycle on any sidewalk located within the area which is bounded by 9th street on the north, 13th street on the south, 15th avenue on the west and 18th avenue on the east. Bicycles may be operated upon any other public sidewalks of the city.

1) It shall be unlawful to operate a bicycle on any sidewalk located within the area which is bounded by 9th ~~S~~street on the north, 13th ~~S~~street on the south, 15th ~~A~~avenue on the west and 18th ~~A~~avenue on the east. Bicycles may be operated upon any other public sidewalks of the city.

2. In locations where riding a bicycle is permitted on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

(2) In locations where riding a bicycle is permitted on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

~~(2)~~ In locations where riding a bicycle is permitted on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

(D) Parking. No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon a street against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb of a street.

(D) Parking. No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon a street against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb of a street.

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10-3-4: Inspection and registration of bicycles:

10-3-4: Inspection and registration of bicycles:

10-3-4: Inspection and registration of bicycles:

(A) Registration Required. No person shall operate a bicycle upon any street, alley, bicycle lane, sidewalk, public property or bicycle pathway within the city unless such bicycle shall first have been properly registered and a bicycle identification tag attached as hereinafter provided.

(A) Registration required. No person shall operate a bicycle upon any street, alley, bicycle lane, sidewalk, public property or bicycle pathway within the city unless such bicycle shall first have been properly registered and a bicycle identification tag attached as required by this section.

(A) Registration ~~R~~required. No person shall operate a bicycle upon any street, alley, bicycle lane, sidewalk, public property or bicycle pathway within the city unless such bicycle shall first have been properly registered and a bicycle identification tag attached as ~~hereinafter provided~~ required by this section.

(B) Form of Registration.

(B) Form of registration.

(B) Form of ~~R~~registration.

1. Identification. Every owner of a bicycle shall list and register his or her bicycle with the police department on a form as provided by the department.

(1) Identification. Every owner of a bicycle shall list and register his or her bicycle with the police department on a form as provided by the department.

~~(1)~~ Identification. Every owner of a bicycle shall list and register his or her bicycle with the police department on a form as provided by the department.

2. Period of Registration. All bicycle registrations shall remain in effect for as long as the bicycle is owned by the original registrant.

(2) Period of registration. All bicycle registrations shall remain in effect for as long as the bicycle is owned by the original registrant.

~~(2)~~ Period of ~~R~~registration. All bicycle registrations shall remain in effect for as long as the bicycle is owned by the original registrant.

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3. Owner to Register. The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

(3) Owner to register. The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

~~(3-)~~ Owner to ~~R~~register. The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

4. Issuance of Multiple Bicycle Identification Tags. The police department may issue several sequentially numbered bicycle identification tags to bicycle sales stores in the city. Those stores shall affix bicycle identification tags to bicycles as they are sold.

(4) Issuance of multiple bicycle identification tags. The police department may issue several sequentially numbered bicycle identification tags to bicycle sales stores in the city. Those stores shall affix bicycle identification tags to bicycles as they are sold.

~~(4-)~~ Issuance of ~~Multiple Bicycle Identification Tags~~~~multiple bicycle identification tags~~. The police department may issue several sequentially numbered bicycle identification tags to bicycle sales stores in the city. Those stores shall affix bicycle identification tags to bicycles as they are sold.

(C) Registration Fee. The fee for issuance of a bicycle identification tag shall be set by resolution of the common council.

(C) Registration fee. The fee for issuance of a bicycle identification tag shall be set by resolution of the Council.

(C) Registration ~~Fee~~~~fee~~. The fee for issuance of a bicycle identification tag shall be set by resolution of the ~~common council~~~~Council~~.

(D) Records and Transmittal of Fees.

(D) Records and transmittal of fees.

(D) Records and ~~T~~~~r~~ansmittal of ~~F~~~~f~~ees.

1. The police department shall keep at its office a suitable record of applications and registrations.

(1) The police department shall keep at its office a suitable record of applications and registrations.

~~(1-)~~ The police department shall keep at its office a suitable record of applications and registrations.

2. A complete report shall be made to the city treasurer by the chief of police, or his or her designee, of funds received for bicycle registration fees, and all such fees shall be paid to the city treasurer for deposit as city revenues.

(2) A complete report shall be made to the city treasurer by the chief of police, or his or her designee, of funds received for bicycle registration fees, and all such fees shall be paid to the city treasurer for deposit as city revenues.

~~(2-)~~ A complete report shall be made to the city treasurer by the chief of police, or his or her designee, of funds received for bicycle registration fees, and all such fees shall be paid to the city treasurer for deposit as city revenues.

(E) Bicycles to be Kept in Safe Condition. All bicycles shall be kept in safe mechanical condition. The chief of police, or his or her designee, shall have authority to suspend the registration of and remove the bicycle identification tag from any bicycle or to impound any bicycle which is in unsafe mechanical condition or is operated contrary to any state or city law. Such suspension and removal, or impounding shall continue for a period not to exceed 10 days, but the registration shall not be reinstated or such bicycle identification tag replaced if such bicycle is in unsafe condition. Such suspension and removal shall be in addition to other penalties provided for herein.

(E) Bicycles to be kept in safe condition. All bicycles shall be kept in safe mechanical condition. The chief of police, or his or her designee, shall have authority to suspend the registration of and remove the bicycle identification tag from any bicycle or to impound any bicycle which is in unsafe mechanical condition or is operated contrary to any state or city law. Such suspension and removal, or impounding shall continue for a period not to exceed 10 days, but the registration shall not be reinstated or such bicycle identification tag replaced if such bicycle is in unsafe condition. Such suspension and removal shall be in addition to other penalties provided by this chapter.

(E) Bicycles to be ~~K~~~~k~~ept in ~~Safe Conditions~~~~safe condition~~. All bicycles shall be kept in safe mechanical condition. The chief of police, or his or her designee, shall have authority to suspend the registration of and remove the bicycle identification tag from any bicycle or to impound any bicycle which is in unsafe mechanical condition or is operated contrary to any state or city law. Such suspension and removal, or impounding shall continue for a period not to exceed 10 days, but the registration shall not be reinstated or such bicycle identification tag replaced if such bicycle is in unsafe condition. Such suspension and removal shall be in addition to other penalties provided ~~for herein~~~~by this chapter~~.

(F) Change of Ownership. Within 10 days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation

(F) Change of ownership. Within 10 days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation

(F) Change of ~~O~~~~o~~wnership. Within 10 days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation

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such information shall be reported to the police department by the person in whose name the bicycle has been registered. No new bicycle identification tag shall be issued and no registration fee shall be charged when ownership of a bicycle is transferred to a member of the registrant's immediate family.

such information shall be reported to the police department by the person in whose name the bicycle has been registered. No new bicycle identification tag shall be issued and no registration fee shall be charged when ownership of a bicycle is transferred to a member of the registrant's immediate family.

such information shall be reported to the police department by the person in whose name the bicycle has been registered. No new bicycle identification tag shall be issued and no registration fee shall be charged when ownership of a bicycle is transferred to a member of the registrant's immediate family.

(G) Registration to be Displayed. The bicycle identification tag issued under this section shall be affixed to the registered bicycle so as to be plainly seen and read and shall remain so affixed until ordered removed by the police department for cause. The bicycle identification tag shall be installed on the frame of the bicycle which supports the bicycle seat, facing toward the front of the bicycle.

(G) Registration to be displayed. The bicycle identification tag issued under this section shall be affixed to the registered bicycle so as to be plainly seen and read and shall remain so affixed until ordered removed by the police department for cause. The bicycle identification tag shall be installed on the frame of the bicycle which supports the bicycle seat, facing toward the front of the bicycle.

(G) Registration to be **D**isplayed. The bicycle identification tag issued under this section shall be affixed to the registered bicycle so as to be plainly seen and read and shall remain so affixed until ordered removed by the police department for cause. The bicycle identification tag shall be installed on the frame of the bicycle which supports the bicycle seat, facing toward the front of the bicycle.

(H) Exemption from Registration. Any nonresident may operate a bicycle in the city which is duly registered in any other municipality without obtaining local registration if a valid bicycle identification tag issued by such other municipality is attached thereto.

(H) Exemption from registration. Any nonresident may operate a bicycle in the city which is registered in any other municipality without obtaining local registration if a valid bicycle identification tag issued by such other municipality is attached thereto.

(H) Exemption from **R**egistration. Any nonresident may operate a bicycle in the city which is **-duly** registered in any other municipality without obtaining local registration if a valid bicycle identification tag issued by such other municipality is attached thereto.

(I) Removal and Alteration of Bicycle identification tags Prohibited.

(I) Removal and alteration of bicycle identification tags prohibited.

(I) Removal and **A**lteration of **B**icycle identification tags **P**rohibited.

1. Removal Prohibited. No person shall remove a bicycle identification tag from a bicycle.

(1) Removal prohibited. No person shall remove a bicycle identification tag from a bicycle.

(1-) Removal **P**rohibited. No person shall remove a bicycle identification tag from a bicycle.

2. Alteration Prohibited. No person shall alter or counterfeit any bicycle identification tag.

(2) Alteration prohibited. No person shall alter or counterfeit any bicycle identification tag.

(2-) Alteration **P**rohibited. No person shall alter or counterfeit any bicycle identification tag.

10-3-5: Bicycle dealers and rental agencies:

10-3-5: Bicycle dealers and rental agencies:

10-3-5: Bicycle dealers and rental agencies:

(A) Buyers. Every person engaged in the business of buying secondhand bicycles shall make a monthly report to the police department listing the name and address of the person from whom each bicycle is purchased, the name, color, type, size and serial number of each bicycle purchased and the number of the bicycle identification tag, if any, found thereon.

(A) Buyers. Every person engaged in the business of buying secondhand bicycles shall make a monthly report to the police department listing the name and address of the person from whom each bicycle is purchased, the name, color, type, size and serial number of each bicycle purchased and the number of the bicycle identification tag, if any, found thereon.

(A) Buyers. Every person engaged in the business of buying secondhand bicycles shall make a monthly report to the police department listing the name and address of the person from whom each bicycle is purchased, the name, color, type, size and serial number of each bicycle purchased and the number of the bicycle identification tag, if any, found thereon.

(B) Sellers. Every person engaged in the business of selling new or secondhand bicycles shall make a monthly report to the police department listing the name and address of each person to whom each bicycle is sold, the

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name, color, type, size and serial number of each bicycle sold and the number of the bicycle identification tag, if any, attached thereto.

name, color, type, size and serial number of each bicycle sold and the number of the bicycle identification tag, if any, attached thereto.

name, color, type, size and serial number of each bicycle sold and the number of the bicycle identification tag, if any, attached thereto.

(C) Rental Agencies. No person shall rent or offer to rent any bicycle within the city if such bicycle is not registered, a bicycle identification tag has not been attached, as provided herein, or such bicycle is not equipped as required by the laws of the state of Wisconsin and this chapter.

(C) Rental agencies. No person shall rent or offer to rent any bicycle within the city if such bicycle is not registered, a bicycle identification tag has not been attached, as provided in this chapter, or such bicycle is not equipped as required by the laws of the state of Wisconsin and this chapter.

(C) Rental Agencies. No person shall rent or offer to rent any bicycle within the city if such bicycle is not registered, a bicycle identification tag has not been attached, as provided herein in this chapter, or such bicycle is not equipped as required by the laws of the state of Wisconsin and this chapter.

10-3-6: Vehicles permitted to be operated on bicycle route:

10-3-6: Vehicles permitted to be operated on bicycle route: Any of the following vehicles may be operated on a bicycle route:

10-3-6: Vehicles permitted to be operated on bicycle route:

Any of the following vehicles may be operated on a bicycle route:

Any of the following vehicles may be operated on a bicycle route:

(A) A bicycle.

(A) A bicycle.

(A) A bicycle.

(B) Any vehicle upon which there is affixed a valid Cheese Country Trail use sticker, except a snowmobile.

(B) Any vehicle upon which there is affixed a valid cheese country trail use sticker, except a snowmobile.

(B) Any vehicle upon which there is affixed a valid cheese country trail use sticker, except a snowmobile.

(C) If the bicycle route is also a street or alley, any other vehicle that may be lawfully operated on such street or alley.

(C) If the bicycle route is also a street or alley, any other vehicle that may be lawfully operated on such street or alley.

(C) If the bicycle route is also a street or alley, any other vehicle that may be lawfully operated on such street or alley.

10-3-7: Penalty:

10-3-7: Penalty: Any person who violates any provision of this chapter shall upon conviction be subject to a Class 5 forfeiture.

10-3-7: Penalty:

Any person who violates any provision of this chapter shall be guilty of a Class 5 forfeiture.
(2-2-2010)

Chap. 10-3 history: Reviewed May 19, 2015

Any person who violates any provision of this chapter shall ~~be guilty of upon conviction be subject to~~ a Class 5 forfeiture.
(2-2-2010) _

Chap. 10-3 history: Reviewed May 19, 2015

Chapter 4

Chapter 4: PLAY VEHICLES REGULATIONS

Chapter 4

Play Vehicles Regulations

Play Vehicles Regulations: PLAY VEHICLES REGULATIONS

- 10-4-1 Declaration of purpose
- 10-4-2 State statutes adopted
- 10-4-3 Play vehicles regulated
- 10-4-4 Penalty

- 10-4-1 Declaration of purpose
- 10-4-2 State statutes adopted
- 10-4-3 Play vehicles regulated
- 10-4-4 Penalty

- 10-4-1 Declaration of purpose
- 10-4-2 State statutes adopted
- 10-4-3 Play vehicles regulated
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10-4-1: Declaration of purpose:

The common council finds that unregulated operation of play vehicles on public streets, sidewalks, parking lots and other public areas is a hazard both to the public and to individuals operating such play vehicles because such operation tends to conflict with efficient and safe vehicular and pedestrian use of such areas. The common council further finds that unregulated operation of play vehicles on private property without permission from the owner of such property is an infringement upon private property rights and leads to confrontations between property owners and persons riding such play vehicles.

10-4-1: Declaration of purpose: The council finds that unregulated operation of play vehicles on public streets, sidewalks, parking lots and other public areas is a hazard both to the public and to individuals operating such play vehicles because such operation tends to conflict with efficient and safe vehicular and pedestrian use of such areas. The council further finds that unregulated operation of play vehicles on private property without permission from the owner of such property is an infringement upon private property rights and leads to confrontations between property owners and persons riding such play vehicles.

10-4-1: Declaration of purpose:

~~The common~~ council finds that unregulated operation of play vehicles on public streets, sidewalks, parking lots and other public areas is a hazard both to the public and to individuals operating such play vehicles because such operation tends to conflict with efficient and safe vehicular and pedestrian use of such areas. The ~~common~~ council further finds that unregulated operation of play vehicles on private property without permission from the owner of such property is an infringement upon private property rights and leads to confrontations between property owners and persons riding such play vehicles.

10-4-2: State statutes adopted:

Except as otherwise specifically provided in this chapter, the provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to play vehicles, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

10-4-2: State statutes adopted: Except as otherwise specifically provided in this chapter, the provisions in chapters 340 to 348 of the Wisconsin statutes, describing and defining regulations with respect to play vehicles, exclusive of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter.

10-4-2: State statutes adopted:

~~Except~~ as otherwise specifically provided in this chapter, the provisions in ~~C~~chapters 340 to 348 of the Wisconsin ~~S~~statutes, describing and defining regulations with respect to play vehicles, exclusive of any provisions ~~therein~~ relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter ~~as if fully set forth herein.~~

10-4-3: Play vehicles regulated:

(A) Riding On Sidewalks Regulated: No person may ride a play vehicle on a sidewalk within that part of the city which is bounded by 9th Street on the north, 13th Street on the south, 15th Avenue on the west and 18th Avenue on the east. A person may ride a play vehicle upon a sidewalk in any other part of the city, provided, such person shall yield the right of way to any pedestrian lawfully using such sidewalk.

10-4-3: Play vehicles regulated:

(A) Riding on sidewalks regulated: No person may ride a play vehicle on a sidewalk within that part of the city which is bounded by 9th street on the north, 13th street on the south, 15th avenue on the west and 18th avenue on the east. A person may ride a play vehicle upon a sidewalk in any other part of the city, provided, such person shall yield the right of way to any pedestrian lawfully using such sidewalk.

10-4-3: Play vehicles regulated:

(A) Riding ~~On Sidewalks Regulated~~on sidewalks regulated: No person may ride a play vehicle on a sidewalk within that part of the city which is bounded by 9th ~~S~~street on the north, 13th ~~S~~street on the south, 15th ~~A~~avenue on the west and 18th ~~A~~avenue on the east. A person may ride a play vehicle upon a sidewalk in any other part of the city, provided, such person shall yield the right of way to any pedestrian lawfully using such sidewalk.

(B) Riding On Streets and Parking Lots Prohibited: No person shall ride a play vehicle on any street or public parking lot within the city unless a permit therefor shall have been granted by the common council or by any committee, board or commission authorized to grant such permit by resolution of the common council.

(B) Riding on streets and parking lots prohibited: No person shall ride a play vehicle on any street or public parking lot within the city unless a permit therefor shall have been granted by the council or by any committee, board or commission authorized to grant such permit by resolution of the council.

(B) Riding ~~On Streets~~on streets and ~~Parking Lots Prohibited~~parking lots prohibited: No person shall ride a play vehicle on any street or public parking lot within the city unless a permit therefor shall have been granted by the ~~common~~ council or by any committee, board or commission authorized to grant such permit by resolution

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-A- compared to -B- with Microsoft Word comparison utility**

(C) Riding on Private Property Prohibited: No person shall ride a play vehicle on any private property or property owned by a public entity other than the city, unless written permission shall have been granted therefor by the owner of such property.

(C) Riding on private property prohibited: No person shall ride a play vehicle on any private property or property owned by a public entity other than the city, unless written permission shall have been granted therefor by the owner of such property.

(C) Riding on ~~Private Property Prohibited~~private property prohibited: No person shall ride a play vehicle on any private property or property owned by a public entity other than the city, unless written permission shall have been granted therefor by the owner of such property.

(D) Riding in Swiss A.L.P.S. Cheeseland Playground Prohibited: No person may ride a play vehicle within that part of Recreation Park which is enclosed by a fence and designated as the Swiss A.L.P.S. Cheeseland playground.

(D) Riding in swiss A.L.P.S. cheeseland playground prohibited: No person may ride a play vehicle within that part of recreation park which is enclosed by a fence and designated as the swiss A.L.P.S. cheeseland playground.

(D) Riding in ~~S~~swiss A.L.P.S. ~~Cheeseland Playground Prohibited~~cheeseland playground prohibited: No person may ride a play vehicle within that part of ~~Recreation Park~~recreation park which is enclosed by a fence and designated as the ~~S~~swiss A.L.P.S. ~~C~~cheeseland playground.

(E) In-Line Skates: No person shall ride upon in-line skates on the streets of that part of the city which is bounded by 9th Street on the north, 13th Street on the south, 15th Avenue on the west and 18th Avenue on the east. No person shall ride upon in-line skates on any private property or property owned by a public entity, other than permitted streets and sidewalks, unless written permission shall have been granted therefor by the owner of such property. Every person riding upon in-line skates on any permitted sidewalk or street shall yield the right of way to any pedestrian or vehicle lawfully using such sidewalk or street.

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(E) In-~~Line Skates~~line skates: No person shall ride upon in-line skates on the streets of that part of the city which is bounded by 9th ~~S~~street on the north, 13th ~~S~~street on the south, 15th ~~A~~venue on the west and 18th ~~A~~venue on the east. No person shall ride upon in-line skates on any private property or property owned by a public entity, other than permitted streets and sidewalks, unless written permission shall have been granted therefor by the owner of such property. Every person riding upon in-line skates on any permitted sidewalk or street shall yield the right of way to any pedestrian or vehicle lawfully using such sidewalk or street.

10-4-4: Penalty:

Any person who violates any provisions of this chapter shall be guilty of a class 5 forfeiture.

(2-2-2010)

10-4-4: Penalty: Any person who violates any provisions of this chapter shall upon conviction be subject to a Class 5 forfeiture.

Chap. 10-4 history: Reviewed May 19, 2015

10-4-4: Penalty:

Any person who violates any provisions of this chapter shall ~~be guilty of~~upon conviction be subject to a ~~e~~Class 5 forfeiture.

~~(2-2-2010)~~__

Chap. 10-4 history: Reviewed May 19, 2015

Chapter 5

Use and Operation of Snowmobiles

Chapter 5: USE AND OPERATION OF SNOWMOBILES

Chapter 5

Use and Operation of Snowmobiles: USE AND OPERATION OF SNOWMOBILES

10-5-1 Snowmobile trails and routes within the City
10-5-2 Procedure to amend snowmobile routes and

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10-5-2 Procedure to amend snowmobile routes and

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- trails
- 10-5-3 Sign posting responsibility
- 10-5-4 Parking regulated
- 10-5-5 Compliance with trail and route signs and markers
- 10-5-6 Hours of operation
- 10-5-7 Insurance responsibility
- 10-5-8 Penalty

10-5-1: Snowmobile trails and routes within the City:
Except as provided in sections 350.02 and 350.045 of the Wisconsin Statutes, or for snowmobile events authorized in accordance with section 350.04 of the Wisconsin Statutes, no person shall operate a snowmobile upon any public right of way, in any public park, or on any other public property in the city, except on routes or trails designated by resolution of the common council and in accord with the regulations herein.

10-5-2: Procedure to amend snowmobile routes and trails:
The approved routes and trails may be amended or revised as necessary by approval of the Public Safety Committee and upon authorization of the common council by resolution.

10-5-3: Sign posting responsibility:
The common council shall by resolution designate from time to time a responsible party to post and obtain property owner consent to post the approved routes and trails.

10-5-4: Parking regulated:
No person shall park or leave unattended any snowmobile on private property without the consent of the owner, nor shall any snowmobile be left parked unattended in any area where parking of a motor vehicle is prohibited or restricted, except in compliance with any regulations applicable to motor vehicles parked in such location.

**-B-
Includes all changes to October 29, 2015**

- trails
- 10-5-3 Sign posting responsibility
- 10-5-4 Parking regulated
- 10-5-5 Compliance with trail and route signs and markers
- 10-5-6 Hours of operation
- 10-5-7 Insurance responsibility
- 10-5-8 Penalty

10-5-1: Snowmobile trails and routes within the city:
Except as provided in sections 350.02 and 350.045 of the Wisconsin statutes, or for snowmobile events authorized under section 350.04 of the Wisconsin statutes, no person shall operate a snowmobile upon any public right of way, in any public park, or on any other public property in the city, except on routes or trails designated by resolution of the council and in accord with the regulations of this chapter.

10-5-2: Procedure to amend snowmobile routes and trails: The approved routes and trails may be amended or revised as necessary by approval of the public safety committee and upon authorization of the council by resolution.

10-5-3: Sign posting responsibility: The council shall by resolution designate from time to time a responsible party to post and obtain property owner consent to post the approved routes and trails.

10-5-4: Parking regulated: No person shall park or leave unattended any snowmobile on private property without the consent of the owner, nor shall any snowmobile be left parked unattended in any area where parking of a motor vehicle is prohibited or restricted, except in compliance with any regulations applicable to motor vehicles parked in such location.

**-C-
-A- compared to -B- with Microsoft Word comparison utility**

- trails
- 10-5-3 Sign posting responsibility
- 10-5-4 Parking regulated
- 10-5-5 Compliance with trail and route signs and markers
- 10-5-6 Hours of operation
- 10-5-7 Insurance responsibility
- 10-5-8 Penalty

10-5-1: Snowmobile trails and routes within the ~~C~~city:
~~Except as provided in sections 350.02 and 350.045 of the Wisconsin Sstatutes, or for snowmobile events authorized in accordance with~~under section 350.04 of the Wisconsin Sstatutes, no person shall operate a snowmobile upon any public right of way, in any public park, or on any other public property in the city, except on routes or trails designated by resolution of the ~~common~~ council and in accord with the regulations ~~herein of this~~ chapter.

10-5-2: Procedure to amend snowmobile routes and trails:
~~The approved routes and trails may be amended or revised as necessary by approval of the~~ Public Safety Committee~~public safety committee~~ and upon authorization of the ~~common~~ council by resolution.

10-5-3: Sign posting responsibility:
~~The common~~ council shall by resolution designate from time to time a responsible party to post and obtain property owner consent to post the approved routes and trails.

10-5-4: Parking regulated:
~~No person shall park or leave unattended any snowmobile on private property without the consent of the owner, nor shall any snowmobile be left parked unattended in any area where parking of a motor vehicle is prohibited or restricted, except in compliance with any regulations applicable to motor vehicles parked in such location.~~

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-A- compared to -B- with Microsoft Word comparison utility**

10-5-5: Compliance with trail and route signs and markers:

No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this Chapter or the Wisconsin Statutes.

10-5-6: Hours of operation:

No person shall operate a snowmobile within the city, except during the period commencing at 6:00 A.M. and ending at 1:00 A.M. on the following day.

10-5-7: Insurance responsibility:

The common council shall by resolution designate a responsible party to carry liability insurance on the snowmobile routes and trails with the city designated as an additional named insured.

10-5-8: Penalty:

Any person who shall violate any provision of this Chapter shall be guilty of a Class 4 forfeiture.
(2-2-2010)

Chapter 6

All-Terrain Vehicles

- 10-6-1 Purpose
- 10-6-2 State statutes adopted
- 10-6-3 Designated routes
- 10-6-4 Rules of operation
- 10-6-5 Hours of operation
- 10-6-6 Penalty

10-6-1: Purpose:

The purpose of this chapter is to enable the establishment

10-5-5: Compliance with trail and route signs and markers: No person shall fail to obey any route or trail sign, marker or limit erected under this chapter or the Wisconsin statutes.

10-5-6: Hours of operation: No person shall operate a snowmobile within the city, except during the period commencing at 6:00 AM and ending at 1:00 AM on the following day.

10-5-7: Insurance responsibility: The council shall by resolution designate a responsible party to carry liability insurance on the snowmobile routes and trails with the city designated as an additional named insured.

10-5-8: Penalty: Any person who shall violate any provision of this chapter shall upon conviction be subject to a class 4 forfeiture.

Chap. 10-5 history: Reviewed May 19, 2015

Chapter 6: ALL-TERRAIN VEHICLES

- 10-6-1 Purpose
- 10-6-2 State statutes adopted
- 10-6-3 Designated routes
- 10-6-4 Rules of operation
- 10-6-5 Hours of operation
- 10-6-6 Penalty

10-6-1: Purpose: The purpose of this chapter is to enable the establishment of all-terrain vehicle routes in the city and provide safe and enjoyable all-terrain vehicle

10-5-5: Compliance with trail and route signs and markers:

No person shall fail to obey any route or trail sign, marker or limit erected ~~in accordance with~~under this ~~Chapter~~chapter or the Wisconsin ~~Statutes~~statutes.

10-5-6: Hours of operation:

No person shall operate a snowmobile within the city, except during the period commencing at 6:00 ~~A.M.~~AM and ending at 1:00 ~~A.M.~~AM on the following day.

10-5-7: Insurance responsibility:

~~The common~~ council shall by resolution designate a responsible party to carry liability insurance on the snowmobile routes and trails with the city designated as an additional named insured.

10-5-8: Penalty:

Any person who shall violate any provision of this ~~Chapter~~chapter shall upon conviction be ~~guilty of~~subject to a ~~Class~~class 4 forfeiture.

~~(2-2-2010)~~—

Chap. 10-5 history: Reviewed May 19, 2015

Chapter 6

All-Terrain Vehicles: ALL-TERRAIN VEHICLES

- 10-6-1 Purpose
- 10-6-2 State statutes adopted
- 10-6-3 Designated routes
- 10-6-4 Rules of operation
- 10-6-5 Hours of operation
- 10-6-6 Penalty

10-6-1: Purpose:

The purpose of this chapter is to enable the

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of all-terrain vehicle routes in the city and provide safe and enjoyable all-terrain vehicle recreation consistent with public rights and interest.

recreation consistent with public rights and interest.

establishment of all-terrain vehicle routes in the city and provide safe and enjoyable all-terrain vehicle recreation consistent with public rights and interest.

10-6-2: State statutes adopted:

10-6-2: State statutes adopted: Except as otherwise provided in this chapter, the provisions of section 23.33 of the Wisconsin statutes and for which the penalty for violation thereof is a forfeiture, are hereby adopted and by reference made a part of this chapter.

10-6-2: State statutes adopted:

Except as otherwise provided in this chapter, the provisions of section 23.33 of the Wisconsin statutes and for which the penalty for violation thereof is a forfeiture, are hereby adopted and by reference made a part of this chapter as though fully set forth herein.

Except as otherwise provided in this chapter, the provisions of section 23.33 of the Wisconsin statutes and for which the penalty for violation thereof is a forfeiture, are hereby adopted and by reference made a part of this chapter ~~as though fully set forth herein.~~

10-6-3: Designated routes:

10-6-3: Designated routes: No person shall operate an all-terrain vehicle except on routes designated from time to time by resolution of the council. Each designated route shall be appropriately and conspicuously marked with route, speed limit, stop and directional signs at the beginning of the route and at such intervals as necessary to enable operators to follow the route.

10-6-3: Designated routes:

No person shall operate an all-terrain vehicle except on routes designated from time to time by resolution of the common council. Each designated route shall be appropriately and conspicuously marked with route, speed limit, stop and directional signs at the beginning of the route and at such intervals as necessary to enable operators to follow the route.

No person shall operate an all-terrain vehicle except on routes designated from time to time by resolution of the ~~common~~ council. Each designated route shall be appropriately and conspicuously marked with route, speed limit, stop and directional signs at the beginning of the route and at such intervals as necessary to enable operators to follow the route.

10-6-4: Rules of operation:

10-6-4: Rules of operation: No person shall operate an all-terrain vehicle at a speed exceeding 10 miles per hour, unless a different limit is indicated by official signs posted on a designated route. The operator of an all-terrain vehicle shall drive at all times in single file on the extreme right side of the designated route and shall yield to pedestrians and all other forms of vehicular traffic.

10-6-4: Rules of operation:

No person shall operate an all-terrain vehicle at a speed in excess of 10 miles per hour, unless a different limit is indicated by official signs posted on a designated route. The operator of an all-terrain vehicle shall drive at all times in single file on the extreme right side of the designated route and shall yield to pedestrians and all other forms of vehicular traffic.

No person shall operate an all-terrain vehicle at a speed ~~in excess of~~ exceeding 10 miles per hour, unless a different limit is indicated by official signs posted on a designated route. The operator of an all-terrain vehicle shall drive at all times in single file on the extreme right side of the designated route and shall yield to pedestrians and all other forms of vehicular traffic.

10-6-5: Hours of operation:

10-6-5: Hours of operation: No person shall operate an all-terrain vehicle within the city, except during the period commencing at 6:00 AM and ending at 1:00 AM on the following day.

10-6-5: Hours of operation:

No person shall operate an all-terrain vehicle within the city, except during the period commencing at 6:00 A.M. and ending at 1:00 A.M. on the following day.

No person shall operate an all-terrain vehicle within the city, except during the period commencing at 6:00 ~~A.M.~~ AM and ending at 1:00 ~~A.M.~~ AM on the following day.

10-6-6: Penalty:

10-6-6: Penalty: Any person who violates any provision of this chapter shall upon conviction be subject to a class 2 forfeiture.

10-6-6: Penalty:

Any person who violates any provision of this chapter shall be guilty of a class 2 forfeiture. (2-2-2010)

Any person who violates any provision of this chapter shall ~~be guilty of~~ upon conviction be subject to a class 2 forfeiture. ~~(2-2-2010)~~ —

Chap. 10-6 history: Reviewed May 19, 2015

Chap. 10-6 history: Reviewed May 19, 2015

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**-B-
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**-C-
-A- compared to -B- with Microsoft Word comparison utility**

Chapter 7

Chapter 7: NEIGHBORHOOD ELECTRIC VEHICLES

Chapter 7

Neighborhood Electric Vehicles

Neighborhood Electric Vehicles: NEIGHBORHOOD ELECTRIC VEHICLES

- 10-7-1 Purpose
- 10-7-2 Equipment and safety device
- 10-7-3 License and registration required
- 10-7-4 Routes of travel
- 10-7-5 Rules of operation
- 10-7-6 Penalties

- 10-7-1 Purpose
- 10-7-2 Equipment and safety devices
- 10-7-3 License and registration required
- 10-7-4 Routes of travel
- 10-7-5 Rules of operation
- 10-7-6 Penalties

- 10-7-1 Purpose
- 10-7-2 Equipment and safety devices^s
- 10-7-3 License and registration required
- 10-7-4 Routes of travel
- 10-7-5 Rules of operation
- 10-7-6 Penalties

10-7-1: Purpose:
The purpose of this chapter is to enable the operation of neighborhood electric vehicles in the city.

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The purpose of this chapter is to enable the operation of neighborhood electric vehicles in the city.

10-7-2: Equipment and safety devices:
A neighborhood electric vehicle operated in the city shall be equipped with:

10-7-2: Equipment and safety devices: A neighborhood electric vehicle operated in the city shall be equipped with:

10-7-2: Equipment and safety devices:
A neighborhood electric vehicle operated in the city shall be equipped with:

- (A) Headlamps.
- (B) Front and rear turn signal lamps.
- (C) Tail lamps.
- (D) Stop lamps.
- (E) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear.
- (F) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- (G) A parking brake.
- (H) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
- (I) A Type 1 or Type 2 seat belt assembly, conforming to

- (A) Headlamps.
- (B) Front and rear turn signal lamps.
- (C) Tail lamps.
- (D) Stop lamps.
- (E) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear.
- (F) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- (G) A parking brake.
- (H) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
- (I) A Type 1 or Type 2 seat belt assembly, conforming to

- (A) Headlamps.
- (B) Front and rear turn signal lamps.
- (C) Tail lamps.
- (D) Stop lamps.
- (E) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear.
- (F) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- (G) A parking brake.
- (H) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
- (I) A Type-1 or Type-2 seat belt assembly, conforming to

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49 CFR § 571.209 (Federal Motor, Vehicle Safety Standard no. 209, Seat belt assemblies), installed at each designated seating position.

49 CFR § 571.209 (federal motor, vehicle safety standard no. 209, seat belt assemblies), installed at each designated seating position.

49 CFR § 571.209 (~~Federal Motor, Vehicle Safety Standard~~~~federal motor, vehicle safety standard~~ no. 209, ~~S~~seat belt assemblies), installed at each designated seating position.

10-7-3: License and registration required:
No person shall operate a neighborhood electric vehicle in the city unless such person possesses a valid operator's license authorizing the operation of a motor vehicle upon Wisconsin highways. No neighborhood electric vehicle may be operated in the city unless such vehicle has been assigned a VIN and is properly registered under the laws of this state.

10-7-3: License and registration required: o person shall operate a neighborhood electric vehicle in the city unless such person possesses a valid operator's license authorizing the operation of a motor vehicle upon Wisconsin highways. No neighborhood electric vehicle may be operated in the city unless such vehicle has been assigned a VIN and is properly registered under the laws of this state.

10-7-3: License and registration required:
~~N~~e o person shall operate a neighborhood electric vehicle in the city unless such person possesses a valid operator's license authorizing the operation of a motor vehicle upon Wisconsin highways. No neighborhood electric vehicle may be operated in the city unless such vehicle has been assigned a VIN and is properly registered under the laws of this state.

10-7-4: Routes of travel:
It shall be unlawful to operate a neighborhood electric vehicle in the city except on a neighborhood electric vehicle route.

10-7-4: Routes of travel: It shall be unlawful to operate a neighborhood electric vehicle in the city except on a neighborhood electric vehicle route.

10-7-4: Routes of travel:
It shall be unlawful to operate a neighborhood electric vehicle in the city except on a neighborhood electric vehicle route.

10-7-5: Rules of operation:
Headlamps must be on at all times during operation of a neighborhood electric vehicle. The operator of a neighborhood electric vehicle shall be subject to, and shall comply with, all laws applicable to the operators of motor vehicles on public highways.

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10-7-5: Rules of operation:
Headlamps must be on at all times during operation of a neighborhood electric vehicle. The operator of a neighborhood electric vehicle shall be subject to, and shall comply with, all laws applicable to the operators of motor vehicles on public highways.

10-7-6: Penalties:
(A) The penalty for violation of this chapter shall be the same as the penalty for the same violation committed in the operation of a motor vehicle, other than a neighborhood electric vehicle, provided however, the penalty for a violation of this chapter that would not also be a violation if committed in the operation of a motor vehicle other than a neighborhood electric vehicle, shall be a class 3 forfeiture together with the costs of prosecution.

10-7-6: Penalties:
(A) The penalty for violation of this chapter shall be the same as the penalty for the same violation committed in the operation of a motor vehicle, other than a neighborhood electric vehicle, provided however, the penalty for a violation of this chapter that would not also be a violation if committed in the operation of a motor vehicle other than a neighborhood electric vehicle, shall be a class 3 forfeiture and the costs of prosecution.

10-7-6: Penalties:
(A) The penalty for violation of this chapter shall be the same as the penalty for the same violation committed in the operation of a motor vehicle, other than a neighborhood electric vehicle, provided however, the penalty for a violation of this chapter that would not also be a violation if committed in the operation of a motor vehicle other than a neighborhood electric vehicle, shall be a class 3 forfeiture ~~together with~~and the costs of prosecution.

(B) Failure to Pay: Any person who fails to pay a forfeiture imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes. (2-2-2010)

(B) Failure to pay: Any person who fails to pay a forfeiture imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes.

(B) **Failure to Pay**pay: Any person who fails to pay a forfeiture imposed by this chapter shall be subject to the alternate sentencing provisions set forth in sections 345.47 and 800.09 of the Wisconsin statutes. ~~(2-2-2010)~~—

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Chap. 10-7 history: Reviewed May 19, 2015

Chap. 10-7 history: Reviewed May 19, 2015