

**CITY OF PLATTEVILLE, WISCONSIN
CHAPTER 1, GENERAL PROVISIONS
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CHAPTER 1

GENERAL PROVISIONS

1.01 PLATTEVILLE MUNICIPAL CODE. (a) Title. This code of ordinances may be known and cited as the Platteville Municipal Code.

- (b) Amendments. Any additions or amendments to this code are incorporated in this code so that a reference to the Platteville Municipal Code includes such additions and amendments.
- (c) Numbering of Sections. Each section number of this code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position of the section within the chapter.
- (d) Numbering Additions. The decimal system shall be used for all additions or amendments to this code. When a chapter or section is to be added the new chapter or section shall be given a decimal character.

1.02 DEFINITIONS. (a) Terms used in this code, unless otherwise specifically defined in this code, have the meaning prescribed by the Wisconsin Statutes for the same terms.

- (b) Terms used in this code have the following meanings:

City: City of Platteville, Wisconsin.

County: Grant County.

State: State of Wisconsin

Council or Common Council: The Common Council of the City of Platteville.

Ordinances: The ordinances of the City of Platteville and all amendments thereto, including this code.

This Code: The Platteville Municipal Code.

Wisconsin Statutes or Statutes: The Wisconsin Statutes, 1963, or whenever a later edition is published, the latest published edition.

Wisconsin Administrative Code: The latest revisions thereof.

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Person: Any individual, firm, partnership, corporation, company, association, club, joint adventure, estate, trust or any group or combination acting as a unit and the individuals constituting such group or unit. As applied to partnerships, the word person includes the members of the partnership; as applied to corporations it includes the officers, agents or employees responsible for the act referred to. The plural includes the singular and the singular includes the plural. The masculine gender includes the feminine and neuter genders.

1.03 REPEAL OF ORDINANCES. (a) All general ordinances or parts thereof heretofore adopted by the Council and not included in this code are repealed, except the following which are hereby continued in full force and effect:

1. Ordinances authorizing contracts or the issue of municipal notes or bonds;
2. Ordinances levying taxes or making special assessments;
3. Ordinances appropriating funds or establishing salaries;
4. Ordinances granting franchises or rights to corporations;
5. Ordinances relating to the establishment, dedication, opening, grade, naming, improvement, altering, widening or vacating of any streets, alleys, sidewalks, parks or public grounds;
6. Ordinances respecting the annexation of territory to the City, or the conveyance or acceptance of real property or easements in real property;
7. Ordinances authorizing or relating to particular public improvements;
8. Any other special ordinances not in conflict with the provisions of this code.

(b) The provisions of this code, so far as they are the same in substance as those of heretofore existing ordinances are continuations of such ordinances and not new enactments. Any act done, offense committed, or right accruing or acquired, or liability, penalty, forfeiture or punishment incurred prior hereto shall not be affected, but may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if the above repeal has not been effected.

1.04 ORDINANCES REPEALED NOT REENACTED. No ordinance or part of any ordinance heretofore repealed shall be considered reordained or reenacted by virtue of this code, unless specifically reenacted. The repeal of any curative or validating ordinance does not impair or affect any cure or validation already effected thereby.

1.05 JURISDICTION. Unless otherwise provided in this code, this code applies to acts performed within the corporate limits of the City of Platteville. Provisions of this code also apply to acts performed outside the corporate limits and up to the limits prescribed by law, where the law confers power on the City to regulate such particular acts outside the corporate limits.

1.06 RESPONSIBILITY FOR ACTS. Every person concerned in the commission of an act prohibited by this code, whether he directly commits the act, or prosecutes, counsels, aids, or abets in its commission, may be prosecuted and on conviction is punishable as if he had directly committed such act.

1.07 PENALTIES. (a) Standard Penalty. Unless another penalty is expressly provided by this code for any particular provision, section, or chapter, any person violating any provision of this code, or any regulation adopted in pursuance thereof, or any provision of any code adopted herein by reference shall, upon conviction, be subject to a forfeiture of not less than \$1.00 or more than \$200 and the costs of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, such imprisonment not to exceed 90 days.

- (b) Each Day a Violation. Each act of violation and every day upon which a violation occurs or exists constitutes a separate offense.
- (c) Amendments. In case of any amendment of or addition to any section or chapter of this code the penalty provided for the violation of such section or chapter shall also relate to the amendment or addition, whether reenacted in the amendatory ordinance or not, unless such penalty is specifically repealed or amended therein.
- (d) Reference to Sections. Reference to any section of this code shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.
- (e) Failure of Officers to Perform Duties. The failure of any officer or employee of the City to perform any official duty imposed by this code shall not subject such officer or employee to the penalty imposed for violation of this code, unless a penalty is specifically provided.

1.08 SEPARABILITY OF PROVISIONS. Each section, paragraph, sentence, clause and provision of this code is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code, nor any part thereof other than that affected by such decision.

1.09 EFFECTIVE DATE. This code of ordinances shall take effect the day after filing and recording proof of publication of the ordinance adopting this code of ordinances.

1.10 MUNICIPAL CITATIONS. (a) The City of Platteville hereby adopts and authorizes the use of a Citation to be issued for violations of ordinances of the City of Platteville, including ordinances for which a statutory counterpart exists.

(b) The Municipal Citation shall contain the following information:

1. The name and address of the alleged violator.
2. Factual allegations describing the alleged violation.
3. The time and place of the offense.
4. The section of the code violated.
5. A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
6. The time at which the alleged violator may appear in court.
7. A statement which in essence informs the alleged violator:
 - A. That a cash deposit based upon the deposit schedule established by the Common Council as part of this section may be made and which, if made, shall be delivered or mailed to the Clerk of the Circuit Court for Grant County, Wisconsin, at the Courthouse in the City of Lancaster, Wisconsin, prior to the time of the scheduled court appearance.
 - B. That if a deposit is made no appearance in court is necessary unless he or she is subsequently summoned.
 - C. That if a cash deposit is made and the alleged violator does not appear in court, he or she will be deemed to have entered a plea of no contest or, if the court does not accept the plea of no contest, a summons will be issued commanding him or her to appear in court to answer the Complaint.
 - D. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture or the alleged violator may be found in default and judgment may be rendered against him or her for the amount of the forfeiture set forth.

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8. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under subsection (b)7 above has been read. Such statement shall be sent or brought with the cash deposit, and
 9. Such other information as the City deems necessary.
- (c) The Common Council hereby adopts for use, the electronic Wisconsin Uniform Traffic and Non-Traffic Citation Forms (Form No. MV4017 Version CTL0901 and Form MUNI Version CTL04/2005, respectively) samples of which are on file in the office of the Clerk and are adopted by reference as though fully set forth herein. Subsequent revisions of such forms and versions of the Wisconsin Uniform Citations referred to above shall also be adopted and made a part of this section.
 - (d) The schedule of cash deposits for use with citations issued under this section shall be as adopted by the Common Council from time to time and such schedule shall be on file in the office of the Chief of Police and in the office of the City Clerk. There is hereby adopted by reference as though fully set forth herein a schedule of deposits, a copy of which is attached hereto and made a part hereof. Deposits shall be in cash, money order or certified check to the City Clerk, an authorized employee of the Platteville Police Department, or the Clerk of Courts for Grant County, Wisconsin, who shall provide a receipt therefor.
 - (e) The following persons are hereby authorized to issue citations under this section: Any law enforcement officer employed by the City of Platteville, the City Code Enforcement Officer, the City Building Inspector, the City Health Officer, the City Fire Chief and all fire inspectors acting under his direction.
 - (f) Section 66.119(3), Wisconsin Statutes, is hereby adopted and incorporated herein by reference.
 - (g) This section does not preclude the Common Council from adopting any other ordinance or providing for the enforcement of any law or ordinance relating to the same or other matter. The issuance of a citation hereunder shall not preclude the City of Platteville or any authorized officer thereof from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order. (See Schedule following pages)

SCHEDULE OF CASH DEPOSITS

PREAMBLE FOR FORFEITURE AND MISDEMEANOR BAIL SCHEDULES

- I. All persons arrested for a violation of a municipal forfeiture shall be released from custody without a cash bond.

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- II. Persons may only be placed in the County Jail in relation to an arrest for a state crime or in accordance with an arrest for "Operating a Motor Vehicle While Under the Influence of an Intoxicant".
- III. The accused may be issued a citation either in the field or at any police or sheriff's department pursuant to ss.968.085(2) and 345.11, Wisconsin Statutes and may be subject to identification/booking procedures under s.165.83.
- IV. Court costs, penalty assessments, surcharges and any other costs as established by law shall be added to each deposit set forth in the Schedule of Cash Deposits.

Chapter 3 – City Administration

	Offenses Within One Year		
	1 st	2 nd	3 rd
3.35(1)1. Operating Without a Permit	\$100	\$300	\$500
3.35(k) Confidentiality	\$150	\$300	\$500

Chapter 4 – Streets, Alleys and Sidewalks

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 4	\$ 50	\$100	\$150

Chapter 5 – Health

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 5	\$ 50	\$100	\$150

Chapter 6 – Animals

	Offenses Within One Year		
	1 st	2 nd	3 rd
6.01 Dog Licenses	\$ 10	\$ 25	\$ 50
All Other Violations of Chapter 6	\$ 50	\$100	\$150

Chapter 7 – Water System Regulations

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 7	\$ 50	\$100	\$150

Chapter 10 – Urban Forestry

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 10	\$ 50	\$100	\$150

Chapter 22 – Zoning

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 22	\$ 50	\$100	\$150

Chapter 23 – Building Code

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 23	\$ 50	\$100	\$150

Chapter 24 – Fire Prevention

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 24	\$ 50	\$100	\$150

Chapter 25 – Extraterritorial Zoning

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 25	\$ 50	\$100	\$150

Chapter 31 – Licenses

	Offenses Within One Year		
	1 st	2 nd	3 rd
31.20 through 31.22	\$ 10	\$ 25	\$ 50
31.25	\$200	\$300	\$400
All Other Violations of Chapter 31	\$ 50	\$100	\$150

Chapter 33 – Rental Code

	Offenses within One Year		
	1 st	2 nd	3 rd
All violations of Chapter 33	\$100	\$150	\$200

**Chapter 36 – Intoxicating Liquor, Fermented Malt Beverages
And Other Beverages**

The cash deposit permitted for violations of Chapter 36 shall be as set forth in Wisconsin Revised Deposit Schedules adopted by the Wisconsin Judicial Conference, or if not specified therein, as follows:

	Offenses Within One Year		
	1 st	2 nd	3 rd
36.15 Intoxicants in Public Places	\$ 20	\$ 30	\$ 50
All Other Violations of Chapter 36	\$100	\$300	\$500

In addition to the money penalties set forth above, for the second and all subsequent violations of Chapter 36 within any 12 month period there shall be a mandatory suspension of all Class A and Class B licenses which shall be imposed by the Court. The periods of suspension are as follows:

Second Violation Within One Year	3 days
Third Violation Within One Year	7 days
Fourth Violation Within One Year	15 days
All Subsequent Violations Within One Year	30 to 90 days

Chapter 38 – Traffic

The cash deposit permitted for violations of Chapter 38 shall be as set forth in the Wisconsin Revised Deposit Schedules adopted by the Wisconsin Judicial Conference, or if not specified therein, as follows:

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Other Violations of Chapter 38	\$100	\$300	\$500

Chapter 39 – Parking

	Notices Sent to Violator		
	1 st	2 nd	State
39.01(2) Handicapped Parking	\$ 50	\$ 75	\$ 80
39.01(3) Parking Within 10 Feet of a Fire Hydrant	\$ 50	\$ 75	\$ 80
39.07 Limited Time Parking	\$ 20	\$ 30	\$ 35
39.20 Permit Parking Regulations *plus towing expenses	\$ 50	\$ 50*	\$ 50*
39.21 Parking Permits	\$ 50	\$ 50	\$ 50
All Other Violations of Chapter 39	\$ 20	\$ 30	\$ 35

For Uniform Traffic and Non-Traffic Citations:	Offenses Within One Year		
	1 st	2 nd	3 rd
39.16 Parking of Junked/Unlicensed Vehicle	\$100	\$175	\$300
39.21(3) Sale or Unauthorized Use of Resident Permit	\$150	\$150	\$150

Chapter 41 – Disorderly Conduct

	Offenses Within One Year		
	1 st	2 nd	3 rd
41.01(1) Discharge & Use of Dangerous Weapon	\$ 50	\$100	\$150
41.01(2) Throwing or Shooting Arrows or Missiles	\$ 50	\$100	\$150
41.01(3) Sale & Discharge of Fireworks	\$ 50	\$100	\$150
41.01(5) Misuse of 911 Emergency Services	\$100	\$150	\$200
41.02(4) Public Intoxication Prohibited	\$100	\$300	\$500
41.03(1) Curfew	\$ 50	\$100	\$150
41.03(2) Urinating/Defecating in Public Prohibited	\$ 30	\$100	\$150
41.04(1) Trespass	\$ 50	\$100	\$150
41.04(2) Littering	\$ 50	\$100	\$150
41.04(3) Use of Public Parks	\$ 50	\$100	\$150
41.04(4) Firearms and Dangerous Weapons in Public Buildings	\$150	\$300	\$500
41.05(13) Possession and Display of Concealed Carry License	\$ 25	\$ 25	\$ 25
41.05(14) Failure to Notify Department of Address Change	\$ 50	\$ 50	\$ 50
41.05(31) Fraud on Hotel or Restaurant Keeper (Less than \$5.00)	\$ 50	\$100	\$150
41.05(36) Retail Theft (Less than \$5.00)	\$ 50	\$100	\$150
41.05(51) 938.983 Purchase or Possession of Tobacco Products Prohibited	\$ 10	\$ 20	\$ 30
41.05(52) Contact Prohibition	\$500	\$750	\$1,000
41.11 Return and Possession of Library Material	\$ 25	\$ 50	\$100
	Offenses Within One Year		
	3 rd	4 th	5 th
41.12 False Alarms	\$ 25	\$ 50	\$100
	Offenses Within One Year		
	1 st	2 nd	3 rd
41.13 Aggressive Panhandling Prohibited	\$100	\$300	\$500
41.14 Clean Indoor Air	\$ 10		
41.15 Restrictions on Sale or Gift of Cigarettes or Tobacco Products	\$ 50	\$100	\$200
41.17 Damage or Removal of Traffic Signs	\$ 25	\$ 50	\$100
41.18(1) and (2) Possession of Marijuana or Other Controlled Substances	1 st Offense Only \$200		

(Chapter 41 continued on next page)

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	Offenses Within One Year		
	1 st	2 nd	3 rd
41.18(3) Possession, Manufacture or Delivery of Drug Paraphernalia (17 years of age or older)	\$100	\$300	\$500
(under 17 years of age)	\$ 50	\$100	\$500
All Other Violations of Chapter 41	\$100	\$300	\$500

Chapter 42 – Municipal Airport

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 42	\$100	\$300	\$500

Chapter 46 – Construction Site Erosion and Sediment Control

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 46	\$100	\$300	\$500

Chapter 47 – Post-Construction Storm Water Management

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 47	\$100	\$300	\$500

Chapter 48 – Storm Sewer Illicit Discharge and Connection

	Offenses Within One Year		
	1 st	2 nd	3 rd
All Violations of Chapter 48	\$100	\$500	\$1000

1.11 COPIES ON FILE. Copies of this code shall be kept on file and open to public inspection in the office of the City Clerk.