

ORDINANCE NO. 136

AN ORDINANCE TO  
REPEAL AND RECREATE THE PENALTY PROVISIONS  
OF ALL PREVIOUSLY ADOPTED  
VILLAGE OF OCONOMOWOC LAKE ORDINANCES

WHEREAS, the Wisconsin State Legislature, by 1993 Wisconsin Act 98, made numerous changes to Chapter 48 of the Wisconsin Statutes affecting juveniles; and

WHEREAS, the Wisconsin State Legislature has deemed that when a court finds that a juvenile has violated a municipal ordinance, the court may impose a forfeiture not to exceed the maximum forfeiture that may be imposed on an adult for committing that violation; and

WHEREAS, the Wisconsin State Legislature, by this change, has effectively removed the \$25.00 maximum forfeiture which was previously allowed to be imposed against juvenile violators; and

WHEREAS, as a result of this change, the Village may issue juvenile citations for municipal ordinance violations based upon the same deposit schedule which is used for adult violators of these ordinances, if so allowed by ordinance; and

WHEREAS, the Wisconsin State Legislature, by 1993 Wisconsin Act 98, further allowed municipalities to issue citations to juveniles twelve (12) years of age or older; and

WHEREAS, as a result of this change, the Village may issue juvenile citations for municipal ordinance violations to juveniles twelve (12) years of age or older.

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DOES ORDAIN AS FOLLOWS:

SECTION 1: All previously adopted ordinances of the Village of Oconomowoc Lake containing penalty provisions are hereby repealed and recreated, as to the penalty provisions only, to read as follows:

PENALTIES:

- A. Any person over the age of seventeen (17) years violating the provisions of all previously adopted ordinances shall be subject to a forfeiture of not less than \$10.00 nor more than \$500.00 plus allowable statutory costs per each offense. Failure to pay any forfeiture hereunder shall subject any violator over the age of seventeen (17) years to

be sentenced to the County Jail and/or revocation or suspension of driving privileges.

- B. Any person between the ages of twelve (12) and seventeen (17) years shall be subject to a forfeiture of not less than \$10.00 nor more than \$500.00 plus allowable statutory costs per each offense, or referred to the proper authorities as provided in Chapter 48, Wisconsin Statutes. Failure to pay any forfeiture hereunder shall subject any violator to the provisions of Section 48.17(2), Wisconsin Statutes.
- C. Any person under the age of twelve (12) years shall be referred to the proper authorities, as provided in Chapter 48, Wisconsin Statutes.

SECTION 2: All other aspects of previously adopted Village of Oconomowoc Lake ordinances remain unchanged.

SECTION 3: SEVERABILITY.

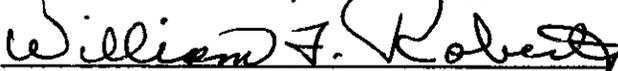
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This ordinance passed this 19<sup>th</sup> day of September, 1994.

BY ORDER OF THE VILLAGE BOARD  
OF THE VILLAGE OF OCONOMOWOC LAKE,  
WAUKESHA COUNTY, WISCONSIN



WILLIAM F. ROBERTS  
Village President

ATTEST:

  
CHERYL WIERDSMA, Village Clerk

Published or posted on the 20<sup>th</sup> day of September, 1994.

STATE OF WISCONSIN )  
COUNTY OF WAUKESHA )

AFFIDAVIT OF POSTING  
ORD 136

The undersigned, being first duly sworn, on oath deposes and states that on 9-20, 1994 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village.

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.



Subscribed and sworn to before me

this 20<sup>th</sup> day of Sept, 1994

Cheryl A. Weidman

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-19-95