

ORDINANCE NO. 149AN ORDINANCE TO REPEAL AND RECREATE
THE PENALTY PROVISIONS OF
ALL PREVIOUSLY ADOPTED
VILLAGE OF OCONOMOWOC LAKE ORDINANCES

WHEREAS, the Wisconsin State Legislature, by 1995 Wisconsin Act 77, made numerous changes to Chapter 48 of the Wisconsin Statutes, and enacted Chapter 938 of Wisconsin Statutes, affecting juveniles; and

WHEREAS, the Wisconsin State Legislature, by these changes that affect juveniles, has included 17-year-olds within the jurisdiction of adult court for the purposes of municipal ordinance enforcement, except as to a few limited ordinance violations; and

WHEREAS, the Wisconsin State Legislature, has also changed the laws affecting juveniles by allowing municipalities to impose additional dispositions and sanctions in municipal court regarding juveniles, and the Village of Oconomowoc Lake has incorporated those statutory revisions into its municipal ordinances.

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1: All previously adopted ordinances of the Village of Oconomowoc Lake containing penalty provisions are hereby repealed and recreated, as to the penalty provisions only, to read as follows: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

1. For any adult adjudged to have violated the provisions of any municipal ordinance, the municipal court is authorized to impose 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 such violator to be sentenced to the County Jail and/or revocation or suspension of driving privileges.
2. For any person adjudged to have violated an ordinance relating to truancy or school drop out, the municipal court is authorized to impose any of the dispositions listed in § 938.342, Wis. Stats., in accordance with the provisions of those statutes, and said statutes are hereby adopted and incorporated herein. Any future amendments, revisions or modifications of the current or future statutes incorporated herein, are intended to be made part of this Ordinance in order to secure uniform state-wide regulation of peace and good order of the State.
3. For any juvenile adjudged to have violated any ordinance other than truancy or school drop out, the municipal court is authorized to impose any of the dispositions listed in §§ 938.343 and 938.344, Wis. Stats., in accordance with the provisions of those statutes, and said statutes are hereby adopted and incorporated herein. Any future amendments, revisions or modifications of the current or future statutes incorporated herein, are intended to be made part of this Ordinance in order to secure uniform state-wide regulation of peace and good order of the State.
4. For any juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court imposed under §§ 938.343 or 938.344, Wis. Stats., the municipal court is authorized to impose any of the sanctions listed in § 938.355(6)(d), Wis. Stats., in accordance with the provisions of those statutes, and said statutes are hereby adopted and incorporated herein. Any future amendments, revisions or modifications of the current or future statutes incorporated herein, are intended to be made part of this Ordinance in order to secure uniform state-wide regulation of peace and good order of the State.

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.

Passed and adopted this 16th day of September, 1996.

VILLAGE OF OCONOMOWOC LAKE


RAYMOND FOSTER, JR., PRESIDENT

ATTEST:


CHERYL WIERDSMA, CLERK

Published or posted on the 23rd day of September, 1996.

STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING
ORD 149 - RECREATE ALL
PENALTY PROVISIONS

The undersigned, being first duly sworn, on oath deposes and states that on 9-24, 1996 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 24th day of September, 1996

CA Wierdsma

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-14-99