

ORDINANCE NO. 888-24

AN ORDINANCE AMENDING SEC. 70-1, OPERATION OF MOTOR VEHICLES IN VILLAGE PARKS

THE VILLAGE BOARD OF THE VILLAGE OF HARTLAND DO ORDAIN AS FOLLOWS:

SECTION 1: Sec. 70-1 of the CODE OF ORDINANCES OF THE VILLAGE OF HARTLAND is hereby amended by the deletion of words marked with a ~~strike through~~ and the addition of underlined words as follows:

Chapter 70 – Parks and Recreation

Sec. 70-1 Operation of motor vehicles

- (a) Motor vehicles may only be operated on a roadway in village parks. Motor vehicles may be parked only in those areas of village parks which are not posted with signs which prohibit parking.
- (b) Violations and Penalties. Any person who shall violate any provision of this section 70-1 shall be subject to a penalty as provided in § 1-4 of this Code except to the extent that a penalty is provided in Appendix B citation deposits of this Code, the applicable penalty provided in Appendix B shall be imposed for an initial offense.

SECTION 2: If any section, sentence, clause phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remainder of such ordinance.

SECTION 3: This Ordinance shall take effect and be in full force from and after its passage and publication.

Adopted this 8th day of July, 2024.

VILLAGE OF HARTLAND

By: 

Jeffrey Pfannerstill, Village President

ATTEST:

By: 
Sandee Policello, Village Clerk

FOR INFORMATIONAL PURPOSES ONLY:

Sec. 1-4. Penalties.

- (a) *General penalty.* Any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:
- (1) *First offense; penalty.* Any person who shall violate any provision of this Code or an ordinance shall, upon conviction, forfeit not less than \$20.00 nor more than \$1,000.00, together with the costs of prosecution. In default of payment of such forfeiture and costs of prosecution such person shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days; and not exceeding the penalty authorized by statute, except that the person reduces the amount owed at a rate of at least \$25.00 for each day of imprisonment, including imprisonment after arrest.
 - (2) *Second offense; penalty.* Any person found guilty of violating any provision of this Code or of an ordinance who shall previously have been convicted of a violation of the same provision or ordinance within one year shall, upon conviction, forfeit not less than \$40.00 nor more than \$2,000.00 for each such offense, together with costs of prosecution. In default of payment of such forfeiture and costs of prosecution such person shall be imprisoned in the county jail until such forfeiture and costs of prosecution are paid, not to exceed 90 days; and not to exceed the amount authorized by statute, except that the person reduces the amount owed at a rate of at least \$25.00 for each day of imprisonment, including imprisonment after arrest.
- (b) *Continued violations.* Each violation and each day a violation continues or occurs shall constitute a separate offense, except that in order for the defendant to be charged with a second offense it shall be a separate and distinct violation as opposed to a continuing daily violation on the same provision. Nothing in this Code shall preclude the village from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
- (c) *Execution against defendant's property.* Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any provision of this Code or ordinance of the village, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.

(Code 1991, § 25.04; Ord. of 4-11-11(1), § 1)

State law reference(s)—Penalty for violation of ordinances, Wis. Stats. § 66.115; bail generally, Wis. Stats. § 66.114; outstanding unpaid forfeitures, Wis. Stats. § 66.117; actions for violations of municipal ordinances, Wis. Stats. § 814.65; collection of forfeitures generally, Wis. Stats. § 778.10.