

## **ORDINANCE NO. 2021-16**

### **An Ordinance Repealing and Replacing Section 1-2-4 Schedule of Deposits**

The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

**SECTION 1.** Section 1-2-4 of the Municipal Code of the City of Cedarburg is hereby and repealed and recreated as follows:

**WHEREAS**, the City has previously elected to use the citation method as one method of enforcing ordinances; and

**WHEREAS**, Wis. Stat. § 66.0113(c) provides that a municipality shall adopt a schedule of cash deposits for ordinance violations, plus costs, fees and surcharges imposed, for which a citation must be issued; and

**WHEREAS**, from time to time it is necessary to update the schedule of cash deposits;

**THEREFORE**, the Common Council of the City of Cedarburg do ordain as follows:

- I.** That the bond deposit schedule attached as an exhibit to this Ordinance is hereby approved and adopted effective with violations occurring on or after October 1, 2021. Any previously approved bond deposit schedule is no longer in force after that date except for violations occurring prior to October 1, 2021.
- II.** That Section 1-2-4(a) of the Municipal Code of the City of Cedarburg be repealed and recreated to read as follows:

The Common Council hereby establishes a schedule of cash deposits for use with citations issued for violations of this Code not subject to a statewide deposit schedule. The deposit schedule is on file with the City Clerk and with the clerk of the Mid-Moraine Municipal Court.

- III.** That Section 1-2-4(b) of the Municipal Code of the City of Cedarburg be repealed and recreated to read as follows:

Deposits shall be made to the clerk of the Mid-Moraine Municipal Court at the Municipal Court administrative office in West Bend or as otherwise directed or allowed by the Court. The clerk of the Court shall give a receipt for any cash deposit.

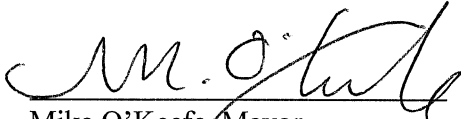
**SECTION 2. SEVERABILITY.** The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or

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 3. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

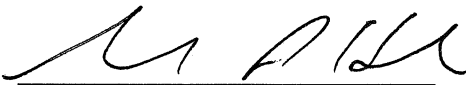
Passed and adopted this 30<sup>th</sup> day of August, 2021.

Attest:

  
Mike O'Keefe, Mayor

  
Tracie Sette, City Clerk

Approved as to form:

  
Michael Herbrand, City Attorney