

## ORDINANCE NO. 2021-17

### An Ordinance Repealing and Replacing Section 1-1-7 General Penalty

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

**SECTION 1.** Section 1-1-7 of the Municipal Code of the City of Cedarburg is hereby and repealed and recreated as follows:

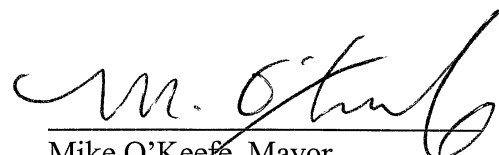
**General Penalty.** Except where a penalty is provided elsewhere in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

- (1) First Offense -- Penalty. Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), together with the costs of prosecution and, in default of payment of such forfeiture and costs of prosecution, the municipal court may take any action authorized by Wis. Stat. s. 800.095.
- (2) Second and Subsequent Offenses -- Penalty. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall, upon conviction thereof, forfeit not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1000.00) for each such offense, together with costs of prosecution and, in default of payment of such forfeiture and costs, the municipal court may take any action authorized by Wis. Stat. s. 800.095.

**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 Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.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 13<sup>th</sup> day of September, 2021.

  
Mike O'Keefe, Mayor

Attest:

  
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Tracie Sette, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Michael Herbrand, City Attorney