

TOWN OF CLAYTON, COUNTY OF WINNEBAGO, STATE OF WISCONSIN  
ORDINANCE NO. 2019-014  
AN ORDINANCE CREATING § 3.12 OF THE TOWN OF CLAYTON CODE OF ORDINANCES ESTABLISHING  
PENALTIES FOR VIOLATING PROVISIONS OF THE  
TOWN OF CLAYTON CODE OF ORDINANCES

THE TOWN BOARD OF THE TOWN OF CLAYTON ORDAINS AS FOLLOWS:

**SECTION 1:** § 3.12 of the Town of Clayton Ordinances is hereby created to read as follows:

- A. Except as otherwise expressly provided 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. Any person who shall violate any provision of this Code subject to a penalty shall, upon conviction thereof, forfeit not less than \$50 nor more than \$1,000 together with costs and in default of payment of such forfeiture and costs, shall be subject to the alternate penalties provided for in Wis. Stat. § 800.095.
  2. Second offense. 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 \$150 nor more than \$2,000 for each such offense together with costs and in default of payment of such forfeiture and costs shall be subject to the alternate penalties provided for in Wis. Stat. § 800.095.
- B. Each violation and each day a violation continues or occurs shall constitute a separate offense.
- C. Nothing in this Code shall preclude the Town of Clayton from maintaining any action to abate, prevent, or remove a violation of any provision of this Code.
- D. Whenever any person fails to pay any forfeiture and costs of prosecution as ordered by a court, such person shall be subject to the alternate penalties provided for in Wis. Stat. § 800.095, as amended from time-to-time.

**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 by posting commencing on OCTOBER 18, 2019.

Passed and approved this 16<sup>TH</sup> day of OCTOBER, 2019.

TOWN OF CLAYTON

By: \_\_\_\_\_

Russ Geise, Chair

ATTEST:

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Holly Stevens, Town Clerk