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1.01 WISCONSIN RAPIDS MUNICIPAL CODE

- (1) Title. This code of ordinances may be known and cited as the Municipal Code of the City of Wisconsin Rapids, Wisconsin.
- (2) Amendments, Additions, and Deletions. Any ordinance which is an amendment or addition to this code shall be incorporated as part of this code. Any reference to the Municipal Code of Wisconsin Rapids includes such amendments or additions. Ordinances amending, adding to, or repealing portions of this code shall be passed as authorized in Section 62.11(4) of the Wisconsin Statutes and kept by the city clerk in a book entitled "Ordinances". The code shall be brought up to date on a periodic basis as authorized by the common council.
- (3) Numbering of Sections. Each section number of this code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position of the section within the chapter.
- (4) Number Additions. The decimal system shall be used for all additions or amendments to this code. When a chapter or section is to be added, the new chapter or section shall be given a decimal character.

1.02 DEFINITIONS

- (1) Terms used in this code, unless specifically defined in the code, have the meanings prescribed by the Wisconsin Statutes for the same terms.
- (2) Terms used in this code have the following meanings:
 - (a) City: The City of Wisconsin Rapids, Wisconsin
 - (b) County: Wood County
 - (c) State: The State of Wisconsin
 - (d) Council: The Common Council of the City of Wisconsin Rapids
 - (e) Person: Any natural individual, firm, partnership, trust, estate, club, association, or corporation. As applied to partnerships or associations, the word includes the partners or members thereof. As applied to corporations, it includes the officers, agents, or employees thereof who are responsible for the act referred to. The singular includes the plural and the plural includes the singular. The masculine gender includes the feminine and neuter genders.
 - (f) Ordinance: The ordinances of the City of Wisconsin Rapids and all amendments thereto, including this code.
 - (g) This Code: The Municipal Code of the City of Wisconsin Rapids
 - (h) Wisconsin Statutes: The 1993-94 edition thereof; and when later editions are published, the latest publication thereof.

1.03 REPEAL OF ORDINANCES

- (1) All general ordinances, or parts thereof, heretofore adopted by the council and not included in this code are repealed, except the following which are hereby continued in full force and effect:

- (a) Ordinances authorizing contracts or the issue of municipal notes or bonds
 - (b) Ordinances levying taxes or making special assessments
 - (c) Ordinances appropriating funds or establishing salaries
 - (d) Ordinances granting franchises or rights to corporations
 - (e) Ordinances relating to the establishment, dedication, opening, grade, naming improvements, altering, widening, or vacating of any streets, alleys, or sidewalks, parks, or public grounds
 - (f) Ordinances respecting the annexation of territory to the city, or the conveyance or acceptance of real property or easements in real property, or the location of shore lines
 - (g) Ordinances authorizing or relating to particular public improvements
 - (h) Any other special ordinances not in conflict with the provisions of this code
- (2) Zoning ordinances are amended in certain minor respects only, but not in substance, to read as set forth in this code.
- (3) The provisions of this code, so far as they are the same in substance as those of heretofore existing ordinances, are continuations of such ordinances and not new enactments. Any act done, offense committed, or right occurring or acquired, or liability, penalty, forfeiture, or punishment incurred prior hereto shall not be affected, but may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if the above repeal had not been effective.

1.04 ORDINANCES REPEALED NOT RE-ENACTED

No ordinance, or part of ordinance, heretofore repealed shall be considered re-ordained or re-enacted by virtue of these ordinances, unless specifically re-enacted. The repeal of any curative or validating ordinances shall not impair or effect any cure or validation already effected thereby.

1.05 JURISDICTION

Unless otherwise provided in this code, this code applies to acts performed within the corporate limits of the City of Wisconsin Rapids. Provisions of this code also apply to acts performed outside the corporate limits and up to the limits prescribed by law where the law confers power on the city to regulate such particular acts outside the corporate limits.

1.06 RESPONSIBILITY FOR ACTS

Every person concerned in the commission of any act prohibited by this code, whether he directly commits the act, or prosecutes, counsels, aids, or abets in its commission, may be prosecuted, and on conviction is punishable as if he had directly committed such act.

1.07 PENALTIES

- (1) Standard Penalty. Unless another penalty is expressly provided by this code for any particular provision, section, or chapter, any person violating any provision of this code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any code adopted herein by reference, shall upon conviction, be subject to a forfeiture of not more than \$200.00 and the costs of prosecution. In default of immediate payment of such forfeiture and costs such person shall be committed to the county jail until such forfeiture and costs are paid. Every commitment shall limit the duration of such imprisonment to a definite term not exceeding 90 days.
- (2) Each Day a Violation. Each act of violation and every day upon which a violation occurs or continues constitutes a separate offense.
- (3) Applicability. The penalty provided by this section or any section of this code applies to the amendment of any section of this code or any code adopted herein by reference to which the penalty relates whether or not such penalty is re-enacted in the amendatory ordinance, unless otherwise provided in the amendment.
- (4) Reference to Sections. Reference to any section of this code shall be understood also to refer to and include the penalty section relating hereto, unless otherwise expressly provided.
- (5) Failure of Officers to Perform Duties. The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject such officer or employee to the penalty imposed for violation of this code, unless a penalty is specifically provided.
- (6) Service charge. Any person who shall fail or neglect to comply with any lawful order of the code official

or his/her designee issued pursuant to the provisions of this code may be assessed a service charge for compliance inspections in excess of one. Service charges that are not paid within 30 days shall be entered on the tax roll as a special charge against said lot or parcel of land pursuant to the provisions of Section 66.0627 of the Wisconsin Statutes for collection and settlement under Chapter 74 of the Wisconsin Statutes. Service charges are independent of other penalties, and the payment of such service charges shall not relieve any person from complying with the requirements of this code or any other code adopted by the City, or from any additional penalties proscribed herein. (MC#1103)

1.08 SEPARABILITY OF PROVISIONS

Each section, paragraph, sentence, clause, and provision of this code is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code nor any part thereof, other than that part affected by such decision.

1.09 EFFECTIVE DATE

This code of ordinances, having been published in book form under the authority of the common council, as provided by law, shall take effect the day following publication of the ordinances adopting this code.

1.10 COPIES ON FILE

Copies of this code shall be kept available at the city clerk's office for public inspection.