



MEMO

Department

To: Common Council
From: Tim Greenwood, City Attorney
Date: July 6, 2026
Re: Amendment to Ordinance 25.04 – General Penalty Provision

Background information:

Section 25.04 of the Municipal Code establishes the City's general penalty provision for ordinance violations when a specific penalty is not otherwise provided. The current ordinance provides for a forfeiture of not less than \$5.00 nor more than \$300.00, together with the costs of prosecution. Since adoption of the current provision, state-imposed court costs, penalty assessments, surcharges, and other statutory fees have increased and may continue to change over time.

Although the City's forfeiture range applies only to the forfeiture imposed for an ordinance violation, the existing language does not expressly distinguish between the forfeiture itself and additional costs, assessments, surcharges, and fees imposed by law. The proposed amendment expressly clarifies that the forfeiture amount is separate from any costs, assessments, surcharges, fees, or other amounts authorized or required by law.

The proposed amendment increases the maximum forfeiture from \$300.00 to \$500.00 and clarifies that the forfeiture amount is separate from any costs of prosecution, penalty assessments, surcharges, fees, or other amounts authorized or required by law.

Strategic Plan:

Adoption of the proposed ordinance will provide greater clarity regarding the distinction between municipal forfeitures and statutory costs, assessments, surcharges, and fees.

Budget: N/A

Staff Recommended Action:

Recommend approval of the amendment to Ordinance 25.04 as presented.