

Town of Sumner
ORDINANCE # 2017-1014-A
Prohibiting the Defacing of Signs and Markers

STATE OF WISCONSIN

Town of Sumner
Jefferson County

Section 1 - Title and Purpose: This ordinance is titled *Town of Sumner Ordinance 2017-1014-A Prohibiting the Defacing of Signs and Markers* and replaces Ordinance #D-40 in its entirety. The purpose of this ordinance is to promote the public health and safety in the Town of Sumner by prohibiting the defacing of signs and markers.

Section 2 - Authority: The Town Board of the Town of Sumner, Jefferson County, Wisconsin has the specific authority under s. 60.22 Wis. Stats. to enact this ordinance and to provide for forfeitures and penalties for its breach.

Section 3 - Adoption of Ordinance: The Town Board of the Town of Sumner, Jefferson County, Wisconsin, on a roll-call vote with a quorum present and voting and proper notice having been given, do ordain as follows: That no person shall injure, deface, or remove any sign, guide board, milepost, signal, or any other marker installed by the Town, State, County, or other agency, organization, or entity when the sign or marker's purpose is to warn, direct, instruct, or provide information to the public.

Section 4 - Penalties: Any person who violates any of the provisions of this ordinance shall be subject to a forfeiture of no less than \$100.00 nor more than \$500.00 or as may be found in the current Town of Sumner fee schedule plus the costs incurred by the Town of Sumner to restore or replace damaged town signs or markers referenced in Section 3.

Section 5 - Collection of Penalties and Costs: The Town of Sumner will employ Town of Sumner Ordinance 2017-1014-D - *Forfeitures and Citations for Violations of Town Ordinances* to assess and recover forfeitures, penalties, costs, and damages from persons who violate this ordinance, and may pursue any other appropriate legal or collection actions.

Section 6 - Payment for Aid to the Town: Any person who aids the Town of Sumner to identify a person or persons who violate this ordinance, and this assistance results in a forfeiture levied against a person who has violated this ordinance, shall be paid one-half of the amount of forfeiture paid to the Town Treasurer.

Section 7 – Enforcement: Violations of this Ordinance will also be considered a reportable violation under Town Ordinance 2017-1014-B - *Public Peace and Order* and the violation will be conveyed to Jefferson County authorities as a violation of Jefferson County Ordinance 97-08, section 9.02, *Damage to Property* or section 9.05 *Theft*, which may result in County penalties found in Ordinance 97.08, section 9.19.

Section 8 - Nonexclusivity: Adoption of this ordinance in no way precludes the adoption or enforcement of any other ordinance or law relating to the same or other subject matter.

Section 9 - Severability: If any provision of this ordinance or its application to any person or circumstance is found invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Effective Date: This ordinance shall take effect after passage and adoption by the Town Board and publication and posting as required under s. 60.80, Wis. Stats.

Adopted this 14th day of October, 2017.

_____ John Dohner, Jr., Chairman

_____ Randall Burdick, Supervisor I

_____ Rosemary Olson, Supervisor II

Attest: _____ Glendan Rewoldt, Clerk

Ayes: _____ Noes: _____ Absent: _____ Abstain: _____

Published: _____

Posted: _____