

ORDINANCE 2015-01

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REPEALING AND RE-CREATING CHAPTER 1.08 (6) (CONTEMPT) AND CREATING CHAPTER 1.08 (7) (J) (STIPULATIONS AND DEPOSITS-REOPENING CASE) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to better define the Contempt section of the Municipal Court ordinance, and increase the fine, and to create a procedure and charge for re-opening a case.

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, does ordain as follows:

Section 1: That Chapter 1.08 (6) (Municipal Court - Contempt) of the Municipal Code of the City of Prairie du Chien, Wisconsin be repealed and re-created to read as follows:

1.08 (6) (CONTEMPT)

- (1) CONTEMPT. The municipal judge may punish for contempt in the following cases:
- a. Persons guilty of disorderly, contemptuous and insolent behavior towards him, while engaged in any judicial proceeding, or other conduct, which tends to interrupt such proceeding or impair the respect due his authority;
 - b. Persons guilty of resistance or disobedience to any lawful order or process made or issued by him, including refusal to pay a court-imposed forfeiture;
 - c. Persons who refuse as a witness to appear, be sworn or answer a question; or
 - d. Persons who refuse to produce a record, document or other object.

(2) FORFEITURE OR JAIL SENTENCE. The municipal judge may, upon finding any person guilty of contempt of court, order such person to forfeit not more than Two Hundred Dollars (\$200.00). In default of payment of the forfeiture and the penalty assessment imposed by state statute, the person found guilty of contempt may be imprisoned in the county jail not to exceed seven (7) days.

(3) FAILURE TO APPEAR AS A WITNESS. In the case of failure of a subpoenaed witness to appear before the municipal court, the judge may issue an attachment to bring such witness before it for contempt and to testify. Failure of a subpoenaed witness to attend the municipal court shall be contempt, and the witness shall be fined all the costs of his or her apprehension, unless a reasonable cause can be shown for the failure to appear; in which case the party procuring said witness shall pay such costs.

Section 2: That Chapter 1.08 (7) (Municipal Court – Stipulations and Deposits) of the Municipal Code of the City of Prairie du Chien, Wisconsin be repealed and re-created to read as follows:

1.08 (7) (STIPULATIONS AND DEPOSITS)

(j) Request to Re-open Case. To request a citation be reopened, a written notice must be filed with the Clerk of Court along with a filing fee of forty (40) dollars.

Section 3: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

Section 4: This Ordinance shall be effective from and after its passage and publication as

required by law.

Passed and approved this 17th day of March 2015.

David Hemmer, Mayor

ATTEST:

Aaron Kramer, City Administrator

Barb Elvert, City Clerk