

CHAPTER 61
PENALTIES FOR HEALTH-RELATED VIOLATIONS

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61-1. Definitions. In this chapter "person" means any individual, firm, partnership, trustee, agent, association, corporation, company, governmental agency, club or organization of any kind.

61-5. General Provisions. 1. Any person who violates any provision of chapters 62 to 78, ch.80, s. 84-48 or order of the commissioner of health, a representative of the commissioner or any city official to whom the commissioner's functions or duties have been delegated pursuant to a memorandum of understanding shall be subject to penalties as set forth in this chapter and as referenced in specific sections of those chapters. Where citations are issued the Milwaukee municipal court deposit schedule shall be used as a guide for penalties for violations of these chapters.

2. Costs of prosecution and taxes shall be added to all forfeiture amounts listed in this chapter.

3. Upon default of payment the violator shall be imprisoned in the county jail or house of correction for the time specified in this chapter or until such forfeiture and costs plus taxes shall be paid.

61-7. Class A. Upon conviction of a Class A violation, persons shall be fined not less than \$25 nor more than \$200, or upon default imprisoned not less than one day nor more than 30 days.

61-8. Class B. Upon conviction of a Class B violation, persons shall be fined not less than \$25 nor more than \$200. Each day of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned not less than one day nor more than 30 days.

61-9. Class C. Upon conviction of a Class C violation, persons shall be fined not less than \$25 nor more than \$200. Each and every act of violation shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned not less than one day nor more than 30 days.

61-10. Class D. Upon conviction of a Class D violation, persons shall be fined not less than \$50 nor more than \$500. Upon default of payment, the violator shall be imprisoned not less than 3 days nor more than 30 days.

61-11. Class E. Upon conviction of a Class E violation, persons shall be fined not less than \$50 nor more than \$500. Each day of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned not less than 3 days nor more than 30 days.

61-12. Class F. Upon conviction of a Class F violation, persons shall be fined not less than \$50 nor more than \$500. Each and every act of violation shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned not less than 3 days nor more than 30 days.

61-13. Class G. Each day of a Class G violation shall constitute a separate offense. Upon the first conviction, violators shall be fined not less than \$50 nor more than \$100. On 2nd and subsequent violations of the same offense which has been previously cited, persons shall be fined not less than \$100 nor more than \$200. Upon default of payment for the first violation, the violator shall be imprisoned not less than 2 days nor more than 30 days. Upon default of payment for 2nd and subsequent violations, such imprisonment shall be not less than 3 days nor more than 30 days.

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61-14. Class H. Each act of a Class H violation shall constitute a separate offense. Upon the first conviction, violators shall be fined not less than \$50 nor more than \$100. On 2nd and subsequent violations of the same offense that have been previously cited, the person shall be fined not less than \$100 nor more than \$200. Upon default of payment for the first offense, the violator shall be imprisoned for not less than 2 days nor more than 30 days. Upon default of payment for the 2nd and subsequent offenses, the violator shall be imprisoned not less than 3 days nor more than 30 days.

61-15. Class I. Upon conviction of a Class I violation, persons shall forfeit not less than \$100 nor more than \$1,000. Each day of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Accumulated forfeitures recoverable in any one action shall not exceed \$10,000. Upon default of payment, the violator shall be imprisoned not less than 3 days nor more than 30 days.

61-16. Class J. 1. Upon conviction of a Class J violation, persons shall be fined not less than \$100 nor more than \$5,000. Each and every act of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Accumulated forfeitures recoverable in any one action shall not exceed \$10,000. Upon default of payment, the violator shall be imprisoned not less than 4 days nor more than 80 days.

2. The minimum forfeiture shall be not less than \$500 for a second or subsequent conviction of any of the following violations committed within a 2-year period. All other penalty provisions for violations of s. 66-22 shall be as provided in sub. 1.

- a. Violation of any provision of s. 66-22.
- b. Failure to obey any order of the commissioner to conform to any provision of s. 66-22.

61-17. Class K. Upon conviction of a Class K violation, persons shall forfeit not less than \$150 nor more than \$1,000. Each day of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned not less than 6 nor more than 40 days.

61-18. Class L. Upon conviction of a Class L violation, a person shall forfeit \$500. Upon default of payment, the violator shall be imprisoned for 20 days. Each day of violation shall constitute a separate offense.

61-20. Class N. Upon conviction of a Class N violation, a person shall forfeit not less than \$500 nor more than \$5000. Each day of violation, disobedience, omission, neglect or refusal shall constitute a separate offense. Accumulated forfeitures recoverable in any one action shall not exceed \$20,000. Upon default of payment, the violator shall be imprisoned not less than 4 days nor more than 80 days.

LEGISLATIVE HISTORY
CHAPTER 61

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 61	cr	83-1324	12/6/83	12/23/83
Ch. 61-0 (title)	am	980963	12/18/98	1/1/99
61-5-1	am	980963	12/18/98	1/1/99
61-5-1	am	020238	6/4/2002	6/24/2002
61-15 cr	870856	9/1/88	9/24/88	
61-16 cr	901495	6/4/91	6/21/91	
61-16 am	941708	3/8/95	3/25/95	
61-16-2	am	971298	3/2/99	5/1/99
61-16-2	am	020238	6/4/2002	6/24/2002
61-17 cr	901089	4/15/92	5/5/92	
61-18 cr	960684	9/24/96	10/11/96	
61-19 cr	010233	6/19/2001	6/30/2001	
61-19 rp	081369	3/3/2009	3/20/2009	
61-20 cr	020593	11/8/2002	1/1/2003	

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