



## MEMORANDUM

Date: September 29, 2016

To: Board of Public Works  
From: Pamela A. Captain, City Attorney

Re: O-10-16, An Ordinance Regarding Restrictions of Parking

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On September 19, 2016, the Common Council adopted O-10-16, An Ordinance Regarding Restrictions on Parking. I am informed that on September 26, Alderman Taylor requested to place the following item on the Common Council agenda: Reconsideration of O-10-16, An Ordinance Regarding Restrictions on Parking.

Section 2 of O-10-16 indicates that the "...ordinance shall become effective upon its passage and publication..." As is the usual practice when an ordinance is adopted, the City Clerk sent the ordinance for publication. It was in the Post Crescent on Monday morning, September 26. By Wisconsin state law, once published the ordinance is in effect. SEC. 2-2-18(c) of the Code of Ordinances indicates a motion to reconsider is invalid where it attempts to undo something that cannot be undone. A "Motion to Reconsider" cannot be used to change an ordinance that has been adopted and published.

Any ordinance can be rescinded or amended. If the purpose of a "Motion to Reconsider" is to amend something in the ordinance, an amendment accomplishes the same thing.

In an effort to accommodate the Alderman's request this item has been scheduled on the Board of Public Works agenda. There is no information included about what is being proposed for change because, although requested, the Alderman failed to provide any information about what part(s) he desires to be changed.

# BROAD STREET PARKING LOT

