

Title 1 ► Chapter 2

Use of Citation

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Sec. 1-2-1 Authorization for Use of Citation.

The Village of Wausaukee hereby elects to use the citation method of enforcement of ordinances. All Village officers and other Village personnel charged with responsibility of enforcing the provisions of this Code of Ordinances are hereby authorized pursuant to Sec. 66.0113, Wis. Stats., to issue citations for violations of this Code of Ordinances, including ordinances for which a statutory counterpart exists.

Sec. 1-2-2 Officials Authorized to Issue Citation.

In addition to citation issuance by law enforcement officers, citations authorized in Section 1-2-1 above may be issued by the following officials in their areas of responsibility:

- (a) Building Inspector.
- (b) Zoning Administrator.
- (c) Fire Inspector.
- (d) A Village Trustee(s) and/or Village President annually designated by majority vote of the Village Board.

Sec. 1-2-3 Form of Citation.

The form of the citation to be issued by law enforcement officers or other designated Village of Wausaukee officials is incorporated herein by reference and shall provide for the following information:

- (a) The name, address, date of birth and physical description of the alleged violator;
- (b) The factual allegations describing the alleged violation;
- (c) The time, date and place of the offense;
- (d) The Section number of the Ordinance violated;
- (e) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so;
- (f) The time at which the alleged violator may appear in court;
- (g) A statement that in essence informs the alleged violator of all of the following:
 - (1) That a cash deposit of a specified amount may be made, which deposit shall be mailed or delivered to a specified official prior to the time of the initial court appearance.
 - (2) That if a deposit is made, no appearance in court is necessary unless he/she is subsequently summoned.
 - (3) That if a cash deposit is made and the alleged violator does not appear in court, he/she will be deemed to have entered a plea of no contest and submitted for forfeiture, a penalty imposed by Section 757.05, Wis. Stats., a jail assessment imposed by Sec. 302.46(1), Wis. Stats., a crime laboratories and drug law enforcement assessment imposed by Sec. 165.755, Wis. Stats., any applicable consumer information assessment imposed by Sec. 100.261, Wis. Stats., and any applicable domestic abuse assessment imposed by Sec. 973.055(1), Wis. Stats., not to exceed the amount of the deposit or, if the court does not accept the plea of no contest, a summons will be issued commanding him/her to appear in court to answer the complaint.
 - (4) That if no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or a warrant for the alleged violator's arrest or consider the nonappearance to be a plea of no contest and enter judgment, or the Village may commence an action to collect the forfeiture, the penalty assessment imposed by Sec. 757.05, Wis. Stats., a jail assessment imposed by Sec. 302.46(1), Wis. Stats., a crime laboratories and drug law enforcement assessment imposed by Sec. 165.755, Wis. Stats., any applicable consumer information assessment imposed by Sec. 100.261, Wis. Stats., and any applicable domestic abuse assessment imposed by Sec. 973.055(1), Wis. Stats.
 - (5) That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under Sec. 800.093, Wis. Stats.
- (h) A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement which accompanies the citation to indicate that he/she

read the statement required under Subsection (g) above and the signed statement shall be sent or brought with the cash deposit;

- (i) Such other information as may be deemed necessary.

Sec. 1-2-4 Schedule of Cash Deposits.

The schedule of cash deposits for the various ordinances for which a citation may be issued are as established on the deposit schedule adopted by the Village Board, a copy of which is on file with the Village Clerk-Treasurer. In addition to the deposit amount listed, the deposit must include a penalty assessment imposed by Sec. 165.87, Wis. Stats., and court costs as imposed by Sec. 800.10, Wis. Stats. Village law enforcement authorities shall be provided a copy of all bond schedules and amendments thereto.

Sec. 1-2-5 Receipt of Cash Deposits.

Deposits shall be made in cash, money order, personal checks or certified check to the Clerk of Municipal Court or Village office. Receipts shall be given for all deposits received.

Sec. 1-2-6 Procedure.

Sec. 66.0113, Wis. Stats., relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

Sec. 1-2-7 Nonexclusivity of Chapter.

- (a) Adoption of this Chapter does not preclude the Village Board from adopting any other ordinance providing for the enforcement of any other law or ordinance relating to the same or other matters.
- (b) The issuance of a citation hereunder shall not preclude the Village or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.