

9.31 UNIFORM CITATION METHOD ADOPTED

9.31.1 CREATION. Pursuant to §66.0113, Wis. Stats., the Village hereby elects to use the citation method of enforcement of ordinances, including those ordinances for which a statutory counterpart exists.

9.31.2 CITATION. The citation shall contain the following:

- (a) The name and address of the alleged violator.
- (b) Factual allegations describing the alleged violation.
- (c) The time and place of the offense.
- (d) The section of the ordinance or the municipal code 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 which, in essence, informs the alleged violator, as follows:

1. A cash deposit of a specified amount may be made which shall be delivered or mailed to the Clerk of Courts prior to the time of the scheduled court appearance.

2. If such a deposit is made, the alleged violator need not appear in court unless he is subsequently summoned.

3. If a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment imposed by §165.87, Wis. Stats., the jail assessment imposed by §53.46, Wis. Stats., and the automation fee imposed by §814.635, Wis. Stats., not to exceed the amount of the deposit or, if the court does not accept the plea of no contest, a summons shall be issued demanding him to appear in court to answer the complaint.

4. If no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture and the penalty assessment

imposed by §165.87, Wis. Stats., the jail assessment imposed by §53.46, Wis. Stats., automation fee imposed by §814.635, Wis. Stats.

(h) A direction that if the, an act alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under par. (g) above has been read. Such statement shall be sent or brought with the cash deposit.

(i) Such other information as the Village Board deems necessary.

9.31.3 DEPOSITS.

(a) Each citation issued under this section, except those to which par. 9.31.3 (d) below applies, shall specify a cash deposit as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference or, where applicable, the Village Deposit Schedule, which is hereby adopted by reference, which consists of the appropriate forfeiture, the current penalty assessment, the jail assessment, the automation fee and court costs.

(b) Deposits shall be made in cash, money order or check to the County Clerk of Courts, who shall provide a receipt therefor.

(c) The penalty assessment imposed by §165.87, Wis. Stats., the jail assessment imposed by §53.46, Wis. Stats., and the automation fee imposed by §814.635, Wis. Stats., shall be added to all forfeitures hereunder, except where said forfeitures are derived from citations issued for violations of ordinances for which State law controls or for ordinances involving nonmoving traffic violations. Said assessments shall be in an amount determined after deducting the court costs.

(d) The deposit, including costs, pertaining to any minor receiving a citation under this section shall in no event exceed the maximum penalties provided in Ch. 48, Wis. Stats., plus the penalty assessment imposed by §165.87, Wis. Stats., the jail assessment imposed by §53.46, Wis. Stats., and the automation fee imposed by §814.635, Wis. Stats., except that costs and penalties shall not be assessed against minors unless Wisconsin law so provides.

9.31.4 DEPOSIT SCHEDULE. Every officer issuing a citation for any violation of this Code shall indicate on the citation the amount of the deposit, as provided in sub. 9.31.3 above, that the alleged violator may make in lieu of court appearance.

9.31.5 ISSUANCE OF CITATION. Citations authorized under this section may be issued by the following:

- (a) Any law enforcement officer.
- (b) The Building Inspector.
- (c) The Fire Inspector.
- (d) One or more Village Trustees designated by the village Board.

9.31.6 PROCEDURE. Section 66.0113(3), Wis. Stats., relating to a violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

9.31.7 NONEXCLUSIVITY.

- (a) Other Ordinances. Adoption of this section does not preclude the village Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (b) Other Remedies. 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.