

CHAPTER 68

CITATIONS AND PENALTIES FOR TOWN ORDINANCE VIOLATIONS

68.01 Provisions of State Law Adopted by Reference. Except as otherwise specifically provided in this Code of Ordinances, the statutory provisions set forth in Section 66.119 of the Wisconsin Statutes, describing and defining the procedure for municipal citations, are hereby adopted and by reference made a part of this Code as if fully set forth herein. Any further amendments, revisions or modifications of the statutes incorporated herein are intended to be made a part of this Code in order to secure uniform statewide regulation of the procedure for municipal citations.

68.02 Form MSC 1. The Wisconsin Uniform Municipal Citation is hereby adopted. Any future amendments, revisions or modifications of this form shall automatically be made a part of this Code. A citation issued for violation of a Town of Wilson ordinance shall contain the following information: the name and address of the alleged violator, a description of the alleged violation, the time and place of the offense, the ordinance which was allegedly violated, the time at which the alleged violator may appear in Sheboygan County Circuit Court, and a statement which informs the alleged violator of his or her options as set forth in section 68.03 of this chapter.

68.03 Violator's Options. The person named as the alleged violator in the citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount specified in the citation, as set forth in section 68.04 of this chapter. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture. If a person appears in court in response to a citation, the citation is used as the initial pleading, and the person may plead guilty, no contest, or not guilty. If the person pleads guilty or no contest, the court shall accept the plea, enter a judgment of guilty, and impose a forfeiture, plus penalty assessments where applicable and court costs. If the alleged violator does not make a cash deposit and does not appear in court at the specified time, the court may issue a summons or warrant for the defendant's arrest, or consider the nonappearance to be a plea of no contest and enter judgment, or the Town may commence an action against the violator to collect the forfeiture and other costs.

68.04 Deposit. Any person stipulating guilt or no contest under section 68.03 of this chapter must make a cash deposit to the Sheboygan County Clerk of Courts, together with the taxable costs and disbursements, and a penalty assessment where applicable according to section 165.87, Wis. Stats., according to the schedule set forth in the Appendix to the Town of Wilson Code of General Ordinances.

68.05 Authority to Issue Citations. The following individuals are hereby authorized to issue citations in the Town of Wilson: the Town of Wilson Constable, the Town of Wilson Fire Chief, the Town of Wilson Chairman and Town of Wilson Supervisors. The Town of Wilson Board of Supervisors may further delegate the authority to issue citations to a Town employee upon a majority vote, and such authority may similarly be revoked by a majority vote.

Effective Date. The herein Ordinance shall take effect upon enactment and publication.

Enacted this 15th day of November, 1999.

Town of Wilson by Keith Schachel, Chairman

This is to certify that the foregoing instrument was duly enacted by the Town Board of the Town of Wilson on the 15th day of November, 1999. Catherine Conrad, Clerk

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