

CHAPTER 68

Citation and Penalties for Town Ordinance Violations

Section 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 it 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.

Section 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 the 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.

Section 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 judgement 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 judgement, 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.

Section 68.05 Authorized 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 Chairperson, Town of Wilson Supervisors, and the Sheboygan County Sheriff's Department or any designated agent thereof. 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. Citations may be served by the Town Chairperson or any other person approved by the Town Board.

Section 68.06 Issuance of a Citation:

The adoption and authorization for use of a citation under this Ordinance does not preclude the Town from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter. The issuance of a citation under this Ordinance does not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter does not preclude the issuance of a citation under this Ordinance.

The Town Clerk and Town Attorney are hereby authorized and directed to make all changes within the Town of Wilson Code of Ordinances necessary to reflect this Ordinance.

This ordinance shall be in effect on the day after posting or publication as required by law.

Enacted this 5th day of March 2018

Town of Wilson by John Ehmann, Town Chairman

Published and Posted as a Class I notice on the 8th day March 2018

Georgene Lubach, Clerk

APPENDIX CITATION AND PENALTIES FOR TOWN ORDINANCE VIOLATIONS

The following cash deposits, together with the taxable costs and disbursements and the levy of the penalty assessment where applicable according to WI Stat 165.87 shall be as follows:

General Ordinances of Town of Wilson

| | |
|------------|----------|
| Chapter 1 | \$50.00 |
| Chapter 3 | \$50.00 |
| Chapter 7 | \$100.00 |
| Chapter 8 | \$50.00 |
| Chapter 9 | \$100.00 |
| Chapter 10 | \$50.00 |
| Chapter 17 | \$100.00 |
| Chapter 23 | \$25.00 |
| Chapter 25 | \$250.00 |
| Chapter 26 | \$250.00 |
| Chapter 27 | \$200.00 |
| Chapter 30 | \$25.00 |
| Chapter 31 | \$100.00 |
| Chapter 50 | \$50.00 |
| Chapter 52 | \$10.00 |
| Chapter 54 | \$100.00 |
| Chapter 60 | \$50.00 |
| Chapter 61 | \$25.00 |
| Chapter 62 | \$50.00 |
| Chapter 63 | \$50.00 |
| Chapter 65 | \$65.00 |
| Chapter 66 | \$50.00 |
| Chapter 67 | \$100.00 |
| Chapter 90 | \$50.00 |

UNOFFICIAL