

## Chapter 14

### CITATIONS

**[HISTORY: Adopted by the Town Board of the Town of Middle Inlet 6-10-2004. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Joint Municipal Court — See Ch. 19.

#### § 14-1. Statutory authority.

Pursuant to § 66.0113, Wis. Stats., the Town Board hereby elects to use the citation method of enforcement of Town ordinances described herein, or in separate ordinance, including those for which a statutory counterpart exists.

#### § 14-2. Form of citation.

The citation shall contain the following:

- A. The name and address of the alleged violator;<sup>1</sup>
- B. The factual allegations describing the alleged violation;
- C. The time and place of the offense;
- D. The section of the ordinance violated;
- E. A designation of the offense in such a manner as can readily be 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:
  - (1) That a cash deposit based on the schedule established by this chapter or other Town ordinance may be made which shall be delivered or mailed to the Clerk of Courts prior to the time of the scheduled court appearance.
  - (2) That if a deposit is made, no appearance in court is necessary unless the defendant is subsequently summoned to appear.
  - (3) That, if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, plus costs, fees, and surcharges imposed under Ch. 814, Wis. Stats., not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

contest.<sup>2</sup>

- (4) That, if the alleged violator does not make a cash deposit and does not appear in court at the time specified, the court may issue a summons or a warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment under § 66.0113(3)(d), Wis. Stats., or the municipality may commence an action against the alleged violator to collect the forfeiture, plus costs, fees, and surcharges imposed under Ch. 814, Wis. Stats.<sup>3</sup>
- (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 § 800.093, Wis. Stats.<sup>4</sup>

- H. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement under Subsection G above has been read. Such statement shall be sent or brought with the cash deposit.
- I. Such other information as the Town deems necessary.

**§ 14-3. Schedule of deposits.**

- A. The following schedule of cash deposits is established for use with citations under this chapter:<sup>5</sup>

<b>Ordinance</b>	<b>Offense</b>	<b>Deposits and Costs</b>
Chapter 203, Animals, Article I, Dog Control	Violation	\$100 plus current court costs
Chapter 219, Building Construction, Article I, Building Regulations	Failure to obtain building permit as required	\$100 plus current court costs
Chapter 247, Driveways and Culverts	Violation	\$100 plus current court costs
Chapter 285, Highways, Article I, Highway Construction	Violation	\$100 plus current court costs
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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).  
3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).  
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5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Article II, General  
Regulations

Chapter 318, Licenses and Permits, Article II, General Regulations	Violation	\$100 plus current court costs
Chapter 342, Nuisances	Violation	\$100 plus current court costs and compliance within 30 days; additional \$50 per day for continuing violation past 30 days
Chapter 394, Solid Waste, Article I, Recycling	Violation	\$100 plus current court costs
Chapter 405, Subdivision of Land	Violation	\$100 plus current court costs
Chapter 430, Vehicles and Traffic, Article I, Parking on Municipal Property	Violation	\$100 plus current court costs plus applicable towing costs
Chapter 430, Vehicles and Traffic, Article II, Traffic Regulations	Violations without adopted state statutes counterpart	\$100 plus current court costs

- B. Deposits shall be made in cash, money order or certified check to the Clerk of Court, who shall provide a receipt therefor.

**§ 14-4. Issuance of citations.**

The following officials may issue citations with respect to any ordinance which has been enacted by the Town of Middle Inlet:

- A. The Chairperson for the Town of Middle Inlet.
- B. Any Supervisor of the Town of Middle Inlet as so designated and authorized by the Chairperson.

**§ 14-5. Procedure on default.**

Section 66.0113(3), Wis. Stats., which governs a violator's options and procedure on default, is adopted and incorporated herein by reference as if the same were more fully set forth in its entirety herein.

**§ 14-6. Nonexclusivity.**

- A. Other ordinances. Adoption of this chapter does not preclude the Town Board adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matters.

- B. Other remedies. The issuance of a citation hereunder shall not preclude the Town Board from proceeding under any other ordinance or law or by any other law enforcement method to enforce any ordinance, regulation or order authorized.