

## CHAPTER 2

### Issuance of Citations

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#### **SEC. 1-2-1 METHOD OF ENFORCEMENT.**

The Town of Packwaukee hereby elects to use the citation method of enforcement of ordinances. All Town law enforcement officers and other Town 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 INFORMATION CONTAINED IN 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 violated.
- (e) A designation of the offense in such 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 may be made which shall be delivered or mailed to the Clerk of Circuit Court prior to the time of the scheduled court appearance.
  - (2) That, if a deposit is made, no appearance in court is necessary unless he is subsequently summoned.
  - (3) That, if a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have entered a plea of no contest, or, if the court does not accept the plea of no contest, a summons will be issued commanding him 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, an action may be commenced to collect the forfeiture.
- (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 required under Subsection (a) above has been read. Such statement shall be sent or brought with the cash deposit.

- (i) Such other information as the Town deems necessary.

### **SEC. 1-2-3 FORM OF CITATION**

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

- (a) The name and address of the alleged violator;
- (b) The factual allegations describing the alleged violation;
- (c) The date and place of the offense;
- (d) The Section 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 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 read the statement required under Subsection (g) and
- (h) Such other information as may be deemed necessary.

### **SEC. 1-2-4 SCHEDULE OF DEPOSITS.**

- (a) The schedule of cash deposits shall be established for use with citations issued under this Chapter according to the penalty provision of this Code.
- (b) Deposits shall be made in cash, money order or certified check to the Clerk of Court who shall provide a receipt therefore.
- (c) The Town Board adopts the following schedule of deposits that are required for the various Town of Packwaukee ordinance violations, which includes for each listed violation cost, fees, and surcharges imposed under ch. 814 Wis. Stats. **Schedule on (Following page)**

SCHEDULE OF CASH DEPOSITS TO BE POSTED  
WITH TOWN OF PACKWAUKEE ORDINANCE VIOLATION CITATIONS

Ordinance	Deposit	CC	Penalty	( Jail CDL)	CSS	JINFO	Total
<b>Public Nuisance</b>							
Health	\$30	25	7.8	(18.00)	80	9	\$169.80
2nd Violation	\$60	25	15.6	(18.00)	80	9	\$207.60
<b>Morals</b>							
Morals	\$30	25	7.8	(18.00)	80	9	\$169.80
2nd violation	\$60	25	15.6	(18.00)	80	9	\$207.60
<b>Peace &amp; Safety</b>							
Peace & Safety	\$30	25	7.8	(18.00)	80	9	\$169.80
2nd violation	\$60	25	15.6	(18.00)	80	9	\$207.60
<b>Animal Control</b>							
License	\$50	25	13	(18.00)	80	9	\$195
Vaccination	\$50	25	13	(18.00)	80	9	\$195
Quarantine	\$100	25	26	(18.00)	80	9	\$258
Running Loose	\$30	25	7.8	(18.00)	80	9	\$169.80
<b>Other Violations</b>							
1st Violation	\$30	25	7.8	(18.00)	80	9	\$169.80
2nd Violation	\$60	25	15.6	(18.00)	80	9	\$207.60
<b>All Other Violations</b>							
1st Violation	\$30	25	7.8	(18.00)	80	9	\$169.80
2nd Violation	\$60	25	15.6	(18.00)	80	9	\$207.60

CC =Court Cost  
 PEN =Penalty Surcharge  
 (JAIL) =Jail Surcharge (Combined)  
 (CDL) =Crime Lab & Drug Surcharge  
 CSS =Court Support Service Surcharge  
 JINFO =Justice Information Surcharge

**SEC. 1-2-5 ISSUANCE OF CITATION.**

- (a) **Town Officials.** The following Town officials may issue citations with respect to those specified Ordinances which are directly related to their official responsibilities:
  - (1) The Town Clerk at the discretion of the Town Board or other officer appointed by the majority vote of the Town Board.
  - (2) A supervisor(s) or other Town official designated by the Town Board to issue citations for enforcement of this Code of Ordinances. The designated supervisor(s) shall be selected by majority vote of the Town Board by May 1<sup>st</sup> in odd-numbered years, if elected in odd numbered years or even numbered years if elected in even numbered years, for a two (2) year grant of authority running concurrently with his term of office.
- (b) **Delegated Authority.** The Town officials named in Subsection (2) above may delegate their authority to issue citations to their subordinates, provided such delegation is authorized by the Town Board.
- (c) **Law Enforcement Officer** Any law enforcement officer may serve citations.

**SEC. 1-2-6 PROCEDURE.**

Section 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.**

- (a) **Other Ordinance.** Adoption of this Chapter does not preclude the Town 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 Town 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.