

CHAPTER 27

ENFORCEMENT BY CITATION

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27.01 ENFORCEMENT BY CITATION

Pursuant to Sec. 66.119, Wis. Stats., the City of Reedsburg hereby elects to use the citation method of enforcement of ordinances other than those for which a statutory counterpart exists and create Chapter 27 of the Reedsburg Code.

27.02 THE CITATION

The citation shall contain the following:

- (1) The name and address of the alleged violator;
- (2) Factual allegations describing the alleged violation;
- (3) The time and place of the offense;
- (4) The section of the ordinance violated;
- (5) A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so;
- (6) The time at which the alleged violator may appear in court;
- (7) A statement which in essence informs the alleged violator:
 - (A) That a cash deposit based on the schedule established by this ordinance may be made which shall be delivered or mailed to the City Clerk prior to the time of the scheduled court appearance;
 - (B) That if a deposit is made, no appearance in court is necessary unless he is subsequently summoned;
 - (C) 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; and
 - (D) 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;
- (8) 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 (7) above has been read. Such statement shall be sent or brought with the cash deposit; and
- (9) Such other information as the City of Reedsburg deems necessary.
 - (A) The form of the citation to be used by the City of Reedsburg is attached hereto and is made a part of this ordinance by reference.

27.03 SCHEDULE OF DEPOSITS

- (1) The following schedule of cash deposits is established for use with citations issued under this ordinance.

<u>ORDINANCE NO.</u>	<u>OFFENSE</u>	<u>DEPOSITS</u>
Chapter 10	Nuisances	\$30
Chapter 9	Disorderly Conduct	\$30
Chapter 14	Building Code Violations	\$30
Chapter 15	Electrical Code Violations	\$30
Chapter 17	Zoning Violations	\$30
Chapter 11	Health	\$15

In calculating the total deposit required, court costs and surcharges (if any) prevailing at the time of the issuance of the citation shall be added.

27.03 Schedule of Deposits

- (2) Deposits shall be made in cash, money order or certified check to the City Clerk who shall provide a receipt therefor.

27.04 ISSUANCE OF CITATION

- (1) Law Enforcement Officer. Any law enforcement officer may issue citations authorized under this ordinance.
- (2) City Officials.
 - (A) The following City officials may issue citations with respect to those specified ordinances that are directly related to their official responsibilities.
 1. Building Inspector
 2. Zoning Commissioner
 3. Health Officer
 4. Electrical Inspector
 5. Fire Inspector
 6. Weed Commissioner
 7. Plumbing Inspector
 8. Parking Services Aide *(created 6/28/04)*
 - (B) Such City officials may delegate their authority to issue citations to their subordinates.

27.05 PROCEDURE

Section 66.119(3), Wis. Stats., relating to violators options and procedures on default, is hereby adopted and incorporated herein by reference.

27.06 NONEXCLUSIVITY

- (1) Other Ordinances. Adoption of this ordinance does not preclude the Common Council from adopting any other ordinance or providing for enforcement of any other law or ordinance relating to the same or other matter.
- (2) Other Remedies. The issuance of a citation hereunder shall not preclude the City of Reedsburg 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.

27.07 SEVERABILITY

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances, is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision of application.

27.08 EFFECTIVE DATE

This ordinance shall take effect and be in force upon its passage and publication as provided by law.