

66.0113 * Citation Ordinance

STATE OF WISCONSIN
Town of Cable
Bayfield County

SECTION I – TITLE/PURPOSE

The title of this Ordinance is the Town of Cable Citation Ordinance. The purpose of this ordinance is to authorize the Town Board of the Town of Cable, or its designees, to issue citations for violations of Town of Cable ordinances, including ordinances with statutory counterparts.

SECTION II – AUTHORITY

The Town Board of the Town of Cable has the specific authority under s. 66.0113, Wis. Stats., to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

The Town Board of the Town of Cable, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the Town Board present and voting, provides the authority for the Town of Cable to issue citations for violations of Town of Cable ordinances, including ordinances with statutory counterparts.

SECTION IV – COVERAGE

- A. The Town Board prescribes the form for citations to be issued in the Town of Cable by the Town Board, or its designees, for violations of Town of Cable ordinances shall be provided in this subsection and shall include all of the following:
1. The name and address of the alleged violator.
 2. The 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 a manner that can be readily 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 that in essence informs the alleged violator of all of the following:
 - a. That the alleged violator may make a cash deposit of a specified amount to be mailed to a specified official within a specified period of time.
 - b. That if the alleged violator makes a cash deposit, he or she need not appear in court unless subsequently summoned.
 - c. 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 contest.

- d. 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 s. 66.0113 (3) (d), Wis. Stats.
 - e. That is the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by the 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 s. 800.093, Wis. Stats.
- 8. A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement that accompanies the citation to indicate that he or she read the statement required under s. 66.0113 (1) (b) 7., Wis. Stats., and shall send the signed statement with the cash deposit.
 - 9. Any other information as may be deemed necessary.

- B. The Town Board adopts the following schedule of cash deposits that are required for the various Town of Cable ordinance violations, which includes for each listed violation costs, fees, and surcharges imposed under ch. 814, Wis. Stats.: See Attachment A.
- C. The Town Board names the following court, clerk of court, or other official to whom cash deposits are to be made and require that receipts be given for cash deposits: Town of Cable, Treasurer.
- D. The Town Board requires that in traffic regulation actions, except for parking regulation violations, the uniform traffic citation specified in s. 345.11, Wis. Stats., shall be used by the Town of Cable in lieu of the citation form noted above in subsection C.

SECTION V – ISSUANCE AND SERVICE OF CITATION

- A. The Town of Cable citations may be issued by the Town Board of the Town of Cable or the Town Board of the Town of Cable may designate certain Town of Cable, Bayfield County or other municipal officials, with their written approval, to issue such citations.
- B. The Town of Cable citations, in addition, shall specifically be issued by the Town of Cable Chairman. This official may also designate a person to issue such Ordinances for the Town of Cable and this official may revoke this authority to issue anytime.
- C. The Town of Cable Town Board has designated the Town Chair or any other person approved by the Town Board to serve citations for the Town of Cable upon issuance. Any person specifically authorized by the Town Board to issue citations by the Town Board of the Town of Cable may also serve such citations.

SECTION VI – RELATIONSHIP TO OTHER LAWS

The adoption and authorization for use of a citation under this ordinance does not preclude the Town Board of the Town of Cable from adopting any other ordinance or providing for the enforcement of

any other law or 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 proceedings under any other ordinance or law relating to the same of 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.

SECTION VII – SEVERABILITY

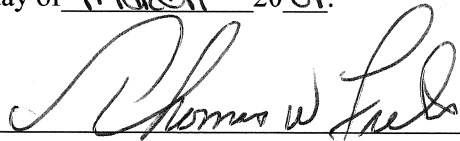
If any provision of this ordinance of its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision of application, and to this end, the provisions of this ordinance are severable.

SECTION VIII – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 15TH day of March 2007.



Town Chair



Town Supervisor



Town Supervisor

Filed this 15TH day of March 2007



Town Clerk

ATTACHMENT A

- Ordinance # 1** Not less than \$100.00 nor more than \$500.00
- Ordinance #2** Not less than \$25.00 nor more than \$200.00
- Ordinance #3** Not less than \$25.00 nor more than \$200.00
- Ordinance #5** Not less than \$100.00 nor more than \$500.00
- Ordinance #5-A** Not less than \$5.00 nor more than \$250.00
- Ordinance #6** Not less than \$100.00 nor more than \$500.00
- Ordinance #11** Not less than \$25.00 nor more than \$100.00 (first offense)
Not less than \$50.00 nor more than \$200.00 (subsequent offenses)
- Ordinance #13** Not less than \$50.00 nor more than \$200.00 plus as amount equal to one cent for each pound of total excess load when the total excess load is not over 2,000 pounds; two cents for each pound of total excess load if the excess load is over 2,000 pounds and not over 3,000 pounds; three cents for each pound of total excess load if the excess load is over 3,000 pounds and not over 4,000 pounds; five cents for each excess pound of the load if the excess load is over 4,000 pounds and not over 5,000 pounds; seven cents for each pound of total excess load if the excess is over 5,000 pounds.
- Ordinance #15** Not less than \$25.00 nor more than \$50.00 (first offense) Each day that the firearm is discharged shall constitute a new offense. Repeat offenders: Not less than \$50.00 nor more than \$100.00 if said repeat offense is committed within three years of the preceding offense.
- Ordinance #18** Section B (a) – Not less than \$50.00 for the first violation, \$200.00 for a second violation, and not more than \$2000.00 for a third or subsequent violation
- Section B (b) – Not less than \$10.00 nor more than \$1000.00 for each violation
- Section 1.13 - \$25.00
- Section 1.15 - \$25.00
- Section 1.16 - \$50.00
- Section 1.17 - \$50.00
- Section 1.18 - \$50.00

Section 1.19 - \$50.00 (1st time violator)
\$200.00 (2nd time violator)
\$400.00 (3rd time violator)

Section 1.20 - \$50.00

Section 1.21 - \$200.00

Section 1.22 - \$100.00

Section 1.23 - \$100.00

Section 1.24 - \$50.00

Section 1.25 - \$200.00

Section 1.26 - \$100.00

Section 1.27 - \$200.00

Section 1.29 - \$100.00

Section 1.30 - \$50.00

Section 1.33 - \$50.00

Section 1.35 - \$100.00

Section 1.36 - \$50.00

Ordinance #19 \$25.00 (1st alleged offense)
\$35.00 (2nd alleged offense)
\$50.00 (3rd alleged offense)

Ordinance #20 Not less than \$25.00 nor more than \$50.00 (1st offense)
Not less than \$50.00 nor more than \$100.00 (subsequent offense)

Ordinance #21 Not less than \$25.00 nor more than \$50.00 (1st offense)
Not less than \$50.00 nor more than \$100.00 (subsequent offense)

Ordinance #22 \$20.00 each violation plus expense incurred by the Town to remove the snow and ice.

Ordinance #23 \$25.00 (1st violation) \$50.00 (subsequent violation)

Ordinance #26A-06 - Max of \$100.00 for each violation.