

TOWN OF RHINE MUNICIPAL CODE

CHAPTER 7: CITATIONS AND PENALTIES

Section	Title	Page
7.01	Citation Authority	1
7.02	Penalties: When Not Otherwise Designated	2
7.03	Offenses Against State Laws Subject to Forfeiture	2

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7.01 CITATION AUTHORITY¹

(1) Purpose. The purpose of this section is to authorize specific Town officials to issue citations for violations of this Municipal Code, including sections with statutory counterparts.

(2) Authority. This section is adopted pursuant to § 66.0113, Wis. Stats., and except as otherwise provided herein, its provisions and any future amendments describing and defining procedures with respect to the issuance and resolution of citations for code violations are adopted by reference as if fully set forth herein.

(3) Form.

(a) General citations issued pursuant to this section shall be on the "Wisconsin Uniform Municipal Citation" or a form which is substantially similar, and which includes all of the information required by § 66.0113(1)(b), Wis. Stats.

(b) For traffic violations, except for parking violations, the uniform traffic citation specified in § 345.11, Wis. Stats., shall be used in lieu of the citation form described in subsection (a).

(4) Bond; Cash Deposits. For any non-traffic citation issued pursuant to this section, the required bond/cash deposit shall be the minimum forfeiture amount allowed for the violation, plus applicable statutory costs, fees, surcharges and assessments. Cash deposits are to be made to, and a receipt obtained from, the Clerk of the Village of Elkhart Lake/Town of Rhine Municipal Court.

(5) Issuance. Citations may be issued by:

(a) The Town Chair,

(b) The Town Clerk, as specifically directed by the Town Board on a case by case basis, or

(c) A county or municipal law enforcement agency, when acting pursuant to a specific request or a contract to provide law enforcement services within the Town.

(6) Service. Citations may be served by the county or municipal law enforcement agency with which the Town contracts, or the Sheboygan County Sheriff. For any citation issued to a minor, a copy of the citation shall be mailed or delivered to the child's parent or legal guardian within seven (7) days of issuance.

(7) Relationship to Other Laws. The authorization granted pursuant to this section and any citation issued hereunder does not preclude nor mandate the Town to enforce any code, ordinance, rule, or regulation in any manner it deems appropriate.

¹ Chapter 7 was substantially revised and renumbered by Ord. 2009-1, adopted May 5, 2009.

² 7.03 was created by Ord. 2022.05 adopted 12.13.22

7.02 PENALTIES: WHEN NOT OTHERWISE DESIGNATED

(1) General Penalty. Except as otherwise provided, any person who violates any of the provisions of this Code shall be subject to a forfeiture of not less than \$100.00 nor more than \$1,000.00, plus the costs of prosecution.

(2) Default. Any person who fails to pay a forfeiture or costs shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.

(3) Continued Violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code. (Rev. 08/07/01; Rev & Renum. 5/05/09)

7.03 OFFENSES AGAINST STATE LAWS SUBJECT TO FORFEITURE²

The following Wisconsin Statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of the Town provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

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| (1) | § 125.07 | Underage and intoxicated persons; presence on licensed premises; possession; penalties. |
| (2) | § 134.65 | Cigarette and Tobacco Products Retailer License |
| (3) | § 134.66 | Restrictions on Sale or Gift of Cigarettes or Nicotine or Tobacco Products. |
| (4) | § 167.10 | Fireworks Regulated |
| (5) | § 175.25 | Illegal Storage of Junked Vehicles |
| (6) | § 254.92 | Purchase or Possession of Cigarettes or Tobacco Products by Person under 19 Prohibited. |
| (7) | § 287.81 | Littering |
| (8) | § 939.05 | Parties to Crime |
| (9) | § 939.22 | Words and Phrases Defined |
| (10) | § 940.19 | Battery |
| (11) | § 941.10 | Negligent Handling of Burning Materials |
| (12) | § 941.12 | Interfering with Fire Fighting |
| (13) | § 941.13 | False Alarms and Interference with Firefighting |

² 7.03 was created by Ord.2022.05 adopted 12.13.22

- (14) § 941.20 Reckless Use of Weapon
- (15) § 941.23 Carrying Concealed Weapon
- (16) § 941.231 Carrying a Concealed Knife
- (17) § 941.235 Carrying a Firearm in a Public Building
- (18) § 941.35 Emergency Telephone Calls
- (19) § 941.37 Obstructing Emergency or Rescue Personnel
- (20) § 942.05 Opening Letters
- (21) § 943.01(l) Criminal Damage to Property
- (22) § 943.11 Entry into Locked Vehicle
- (23) § 943.125 Entry into Locked Coin Box
- (24) § 943.13 Trespass to Land
- (25) § 943.14 Criminal Trespass to Dwellings
- (26) § 943.145 Criminal Trespass to a Medical Facility
- (27) § 943.15 Entry into Locked Site
- (28) § 943.20 Theft
- (29) § 943.21 Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator, Gas Station.
- (30) § 943.34 Receiving Stolen Property
- (31) § 943.37 Alteration of Property Identification Marks
- (32) § 943.50 Retail Theft
- (33) § 943.55 Removal of a Shopping Cart
- (34) § 944.15 Public Fornication
- (35) § 944.20 Lewd and Lascivious Behavior
- (36) § 945.01 Definitions Relating to Gambling
- (37) § 945.02 Gambling
- (38) § 945.04 Permitting Premises to be Used for Commercial Gambling
- (39) § 946.40 Refusing to Aid Officer

- (40) 946.41 Resisting or Obstructing Officer
- (41) 946.42(2) Escape
- (42) § 946.69 Falsely Assuming to Act as Public Officer or Employee
- (43) § 946.70 Impersonating Peace Officer
- (44) § 946.72 Tampering With Public Records or Notices
- (45) § 947.01 Disorderly Conduct
- (46) § 947.012 Unlawful Use of Telephone
- (47) § 947.0125 Unlawful Use of Communication Systems
- (48) § 947.013 Harassment
- (49) § 947.06 Unlawful Assemblies
- (50) § 948.45(1) Contributing to Truancy
- (51) § 951.01 Definitions Relating to Crimes Against Animals
- (52) § 951.015 Construction and Application
- (53) § 951.02 Mistreating Animals
- (54) § 951.03 Dognapping and Catnapping
- (55) § 951.04 Leading Animal from Motor Vehicle
- (56) § 951.05 Transportation of Animals
- (57) § 951.06 Use of Poisonous and Controlled Substances
- (58) § 951.07 Use of Certain Devices Prohibited
- (59) § 951.08 Instigating Fights Between Animals
- (60) § 951.09 Shooting at Caged or Staked Animals
- (61) § 951.10 Sale of Baby Rabbits, Chicks and Other Fowl
- (62) § 951.13 Providing Proper Food and Drink to Confined Animals
- (63) § 951.14 Providing Proper Shelter
- (64) § 951.15 Abandoning Animals