

# Section 10

Citation Ordinance  
State Traffic Laws  
Adopted

**CODE OF GENERAL ORDINANCES**

**TOWN OF HUMBOLDT**

**BROWN COUNTY, WISCONSIN**

**CHAPTER 10**

**CITATION ORDINANCE/STATE TRAFFIC LAWS ADOPTED**

- 1. Title and Purpose**
- 2. Authority**
- 3. Adoption of Ordinance**
- 4. Coverage**
- 5. Issuance and Service of Citation**
- 6. Relationship to Other Laws**
- 7. State Traffic Laws Adopted**
- 8. Brown County Joint Municipal Court Bond Schedule**

# CODE OF GENERAL ORDINANCES

## TOWN OF HUMBOLDT

### BROWN COUNTY, WISCONSIN

#### CHAPTER 10

#### CITATION ORDINANCE

##### SECTION I - TITLE AND PURPOSE

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

##### SECTION II – AUTHORITY

The Town Board of the Town of Humboldt 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 Humboldt, 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 Humboldt to issue citations for violations of Town of Humboldt ordinances, including ordinances with statutory counterparts.

##### SECTION IV – COVERAGE

- A. Except as provided in subsection E and F of this Section IV, the Town Board prescribes the form for citations to be issued in the Town of Humboldt by the Town Board, or its designees, for violations of Town of Humboldt ordinances shall be as 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 violations.
  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 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 judgement under s. 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. e. 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 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 deemed necessary.

- B. The Town Board adopts the following schedule of cash deposits that are required for the various Town of Humboldt ordinance violations, in addition to violation costs, fees, and surcharges imposed under Ch. 814, Wis. Stats.:

Any person that violates any Town of Humboldt ordinance shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$1,000.00, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days.



Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in the Town ordinances shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of the Town ordinances.

- 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:
  - 1. Town of Humboldt Treasurer.
  - 2. Joint Municipal Court of Brown County.
- D. The Town Board requires that in traffic regulation violation actions, except for parking regulation violations, the uniform traffic citation specified in s. 345.11, Wis Stats., shall be used by the Town of Humboldt in lieu of the citation form noted above in subsection C.
- E. The Town Board requires that in actions for violations of Town of Humboldt ordinances enacted in accordance with s. 23.33 (11) (am) or s 30.77, Wis. Stats., the citation form specified in s. 23.54 Wis. Stats., shall be used in lieu of the citation form noted above in subsection C.
- F. If the action for a violation of a municipal ordinance is to be in municipal court, the citation used shall be in compliance with s. 800.02 (2), Wis. Stats. The service of the citations in municipal court shall conform with s. 800.01, Wis Stats. The officers authorized to issue citations for municipal court actions are: Town Chairman, Supervisors, Zoning Administrator, Constable, Town Building Inspector and Brown County Sheriff's Department Officers. The citation for any violation to be heard in municipal court shall contain substantially all of the following information:
  - 1. The name, address, and date of birth of the defendant.
  - 2. The name and department of the issuing officer.
  - 3. The violation alleged, the time and place of occurrence, a statement that the defendant committed the violation, the ordinance, resolution, or bylaw violated and a designation of the violation in language, which can be readily understood.
  - 4. A date, time and place for the court appearance, and a notice to appear.
  - 5. Provisions for the amount of a deposit and stipulation in lieu of a court appearance, if applicable.
  - 6. Notice that the defendant may make a deposit and thereby obtain release if an arrest has been made.
  - 7. Notice that the defendant may, by mail prior to the court appearance, enter a plea of guilty and may within 10 days after entry of the plea request a jury trial.

8. Notice that, if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant is deemed to have tendered a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment, and crime laboratories and drug law enforcement assessment, any applicable consumer protection assessment, and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1) Wis stats., not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.
9. Notice 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 violation resulted in damage to the property of or physical injury to a person other than the defendant, the court may summon the defendant into court to determine if restitution shall be ordered under s. 800.093, Wis. Stats.
10. Notice that if the defendant does not make a deposit and fails to appear in court at the time fixed in the citation, the court may issue a summons or a warrant for the defendant's arrest or may enter a default judgment against the defendant.
11. Any other pertinent information.

#### SECTION V – ISSUANCE AND SERVICE OF CITATION

- A. The Town of Humboldt citations may be issued by the Town Chairman of the Town of Humboldt, the Town zoning administrator or the Town Constable.
- B. The Town of Humboldt - citations, in addition, shall specifically be issued by Town of Humboldt and Brown County Officials. This official may also designate a person to issue such Ordinances for the Town of Humboldt and this official may revoke this authority to issue anytime.
- C. The Town of Humboldt Town Board has designated the Town Chair or any person approved by the Town Board to serve any citations for the Town of Humboldt upon issuance. Any person specifically authorized by the Town Board to issue citations by the Town Board of the Town of Humboldt 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 Humboldt 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 proceeding 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.

Approved on 8/5/24

Effective 8/6/24

Town of Humboldt

Ta Vabe

Town Chair

Wesley J Orner

Town Supervisor

Jeffrey Z. Stitt

Town Supervisor

Attest:

Indy Baer

Town Clerk



## STATE TRAFFIC LAWS ADOPTED

Except as otherwise specifically provided in this chapter, the statutory provisions or rules of Wis. Stat. Chs. 340 to 348, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute or rules of the department of transportation incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes or rules of the Wisconsin Department of Transportation incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulations of traffic on the highways, streets and alleys of the state.

Approved on 8/5/24

Effective 8/6/24

Town of Humboldt

Tim Varley

Town Chair

Wesley J. Dornier

Town Supervisor

[Signature]

Town Supervisor

Attest:

Judy Bauerl

Town Clerk



## Brown County Joint Municipal Court (BOND SCHEDULE)

The Town Board of the Town of Humboldt does Hereby resolve that the following shall be the Bond Schedule to be used in the Brown County Joint Municipal Court.

It is further resolved that, if at any time any questions arise as to this Bond Schedule, the municipal Judge for the Brown County Joint Municipal Court shall be contacted and only the municipal Judge shall have the authority to release someone without bond or on a signature bond.

The Bond Schedule shall be as follows: (revised 2023)

Ord. Section	Description	Deposit	Penalty Surcharge	Court Costs	Jail Assess.	Crime Lab	Total Forfeiture
3	Street Numbers	\$100	\$26	\$38	\$10	\$13	\$187
5	Waste Disposal & Recycling	1 <sup>st</sup> Off. \$50 2 <sup>nd</sup> Off. \$200	\$13 \$52	\$38 \$38	\$10 \$10	\$13 \$13	\$124 \$313
6	Sexually Oriented Adult Entertainment	\$500	\$130	\$38	\$10	\$13	\$691
7	Transportation, Disposal, and Storage of solid waste	\$200	\$52	\$38	\$10	\$13	\$313
7	Nuisances	\$200	\$52	\$38	\$10	\$13	\$313
8	Dwelling Code	\$25 per day	26% of total deposit	\$38	\$10	\$13	Total of all columns
9	Dog Control	\$50	\$13	\$38	\$10	\$13	\$124
11	Agricultural Shoreland Mngt	\$150	\$39	\$38	\$10	\$13	\$250
12	Zoning Ordinance	\$25 per day	26% of total deposit	\$38	\$10	\$13	Total of all columns
13	License & Permits	\$100	\$26	\$38	\$10	\$13	\$187
16	Road Use	\$100	\$26	\$38	\$10	\$13	\$187
17	Wind Energy	\$100	\$26	\$38	\$10	\$13	\$187
18	Sex Offender	\$100	\$26	\$38	\$10	\$13	\$187
19	Community Center	\$500	\$130	\$38	\$10	\$13	\$691
21	Firearms Ord.	\$100	\$26	\$38	\$10	\$13	\$187

NOTE: For Parking violations subtract Penalty Surcharge, jail Assessment, & crime lab costs