Citation Ordinance

STATE OF WISCONSIN
TOWN OF LAND O' LAKES
VILAS COUNTY

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Land O' Lakes Citation Ordinance. The purpose of this ordinance is to authorize the Town Board and the Town of Land O' Lakes, or its designees, to issue citations for violations of Town of Land O' Lakes ordinances with statutory counterparts.

SECTION II - AUTHORITY

The Town Board of the Town of Land O' Lakes, Vilas County, Wisconsin, has the specific authority under s.66.0113, Wis. Stats., to adopt this ordinance.

SECITON III - ADOPTION OF ORDINANCE

The Town Board of the Town of Land O' Lakes, 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 Land O' Lakes to issue citations for violations of Town of Land O' Lakes ordinances, including ordinances with statutory counterparts.

SECTION IV - SUBDIVISION AND NUMBERING OF THIS ORDINANCE

This ordinance is divided into sections designated by upper case Roman numerals. Sections may be divided into subsections designated by upper case letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lower case letters. Subdivisions may be divided into subdivision paragraphs designated by lower case Roman numerals. Reference to a "section", "subsection", "paragraph", or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

SECTION V - COVERAGE

A. Except as provided in subsection D, the form for citations to be issued in the Town of Land O' Lakes by the Town Board, or its designees, for violations of Town of Land O' Lakes 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 violation.
   3. The time and place of the alleged violation.
   4. The number 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

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7. A statement that in essence informs the alleged violation of all of the following:
   a. That the alleged violator makes 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 Chapter 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 66.0113 (30 (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 chapter 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 may be deemed necessary.

B. The Town Board adopts the following schedule of cash deposits that are required for the various Town of Land O' Lakes ordinance violations, which includes for each listed violation costs, fees, and surcharges imposed under chapter 814, Wis. Stats.:

1. Violation of all ordinances regulating public health, welfare and safety, including the Town of Land O' Lakes Junked Motor Vehicle Ordinance - $50.00 for each violation, plus costs, fees, and other surcharges.
2. Violation of all zoning ordinances and Town of Land O' Lakes Signage Ordinance - $50.00 for each violation, plus costs, fees, and other surcharges.

C. The Town Board names the following court, clerk of court, or other official to whom cash deposits are to be made and required that receipts shall be given for cash deposits: Vilas County Clerk of Circuit Court

Adopted this 30th day of January, 2008.

Daniel G. Balog

Samuel Otterpohl

Michael Stopczynski

Attest:

Flossie L. Knoth, Town Clerk