

TOWN OF BROOKLYN, GREEN COUNTY, WI

ORDINANCE # 5.9

Title: ISSUANCE OF CITATIONS FOR VIOLATIONS OF TOWN ORDINANCES

Adopted: 03/24/2015

This ordinance supersedes ordinance # 9-11-2000B entitled "ISSUANCE OF CITATIONS FOR VIOLATIONS OF TOWN ORDINANCES" with a change in numbering, format and wording but no change in substance.

The Town Board of Supervisors of the Town of Brooklyn, Green County, does ordain as follows:

SECTION 1-STATUTORY AUTHORITY

Pursuant to Section 65.119 of Wisconsin Statutes, the Town Board hereby elects to use the citation method of enforcement of town ordinances described herein, or in a separate ordinance, including those for which a statutory counterpart exists.

SECTION 2 - FORM OF CITATION

The citation shall include the following:

- a) The name and address of the alleged violator;
- b) The factual allegations describing the alleged violation;
- c) The time and place of the offense;
- d) The section of the ordinance violated;
- e) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so;
- f) The time at which the alleged violator may appear in court;
- g) A statement which, in essence, informs the alleged violator:

1. That a cash deposit based on the schedule established by this or other town ordinance may be made which shall be delivered or mailed to the Clerk of Court prior to the time of the scheduled court appearance.
2. That if a deposit is made, no appearance in court is necessary unless the defendant is subsequently summoned.
3. 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, and submitted to a forfeiture with applicable penalty assessment, or if the court does not accept the Plea of no contest, a summons will be issued commanding the defendant to appear in court to answer the complaint.
4. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or warrant for the defendant's arrest or consider the non-appearance to be a plea of no contest and enter judgment, or an action may be commenced to collect the forfeiture.

h) 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 "g" above has been read. Such statement shall be sent or brought with the cash deposit;

i) A statement that if the court finds that the violation involves an offense that prohibits conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in property damage or physical injury to a person other than the alleged violator, the court may summon the defendant into court to determine if restitution shall be ordered under Section 800.093 (municipal court);

j) Such other information as the town deems necessary.

SECTION 3-SCHEDULE OF DEPOSITS

The following schedule of deposits is established for use with citations under this ordinance:

<u>ORDINANCE TITLE</u>	<u>OFFENSE</u>	<u>DEPOSITS AND COSTS</u>
Dwelling Code Ordinance No. 9-11-2000A, revised to Ordinance # 2.4 3/24/2015	Failure to obtain Building permit as required.	\$200.00 plus current court costs.

All other zoning

0

ordinance violations.

\$100.00 plus current court costs.

Deposits shall be made in cash, money order or certified check to the Clerk of Court of Green County who shall provide a receipt therefore.

SECTION 4 - ISSUANCE OF A CITATION

The following official may issue citations with respect to those specified ordinances which are directly related to their responsibilities.

ORDINANCE TITLE

ENFORCEMENT OFFICER

#2.4 WI Uniform Dwelling Code

Building Inspector

SECTION 5 - PROCEDURE

Section 66.119(3) Wisconsin Statutes relating to violator's options and procedures on default is hereby adopted and incorporated by reference.

SECTION 6 - NONEXCLUSIVITY

A. OTHER ORDINANCES

Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.

B. OTHER REMEDIES

The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

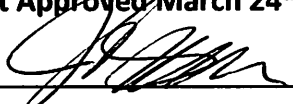
SECTION 7 - SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provision may be declared invalid. If any portion of this ordinance or the applicability thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

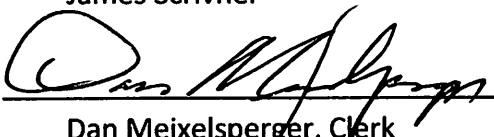
SECTION 8 - EFFECTIVE DATE

This ordinance shall be effective October 1, 2000, and upon passage and publication as provided by law. This ordinance was adopted by the Town Board of Supervisors of the Town of Brooklyn at a regular meeting on the 11th day of September, 2000 by a vote of 3 aye and 0 nay.

Revised Format Approved March 24th, 2015 by Town Board of Supervisors.

Chairman: 
James Scrivner

Dated: 3/26/2015

Attested: 
Dan Meixelsperger, Clerk