

Town of Brooklyn, Green County, WI

Ordinance #5.9

Title: Issuance of Citations for Violations of Town Ordinances

This ordinance amends and restates ordinance #5.9 entitled "Issuance of Citations for Violations of Town Ordinances" dated 03/24/2015 with change in format, wording and additions.

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

1. Authority and responsibility: Pursuant to WI Stat 6.113 of Wisconsin Statutes, The Town Board hereby elects to use the citation method of enforcement of town ordinances herein or in a separate ordinance, including those for which a statutory counterpart exists.
2. 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 circumstance shall not be affected thereby.
3. Enforcement Procedure: 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 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 or before Town Board;
 - 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 Green County Clerk of Court or Town of Brooklyn Clerk prior to the time of scheduled appearance.
 - 2) That if a deposit is made, no appearance is necessary unless the defendant is subsequently summoned.
 - 3) That if a cash deposit is made and the alleged violator does not appear in person, they will be deemed to have entered a plea of no contest, and submitted to a forfeiture with applicable penalty assessment, or if the court or Town Board does not accept the plea of no contest, a summons/notice will be issued commanding the defendant to appear in person to answer the complaint.
 - 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 3.G. above has been read. Such statement shall be sent or brought with the cash deposit;
 - I. A statement that if the court or Town Board finds that violation involves an offense that prohibits conduct prohibited by state statute punishable by fine or imprisonment of both

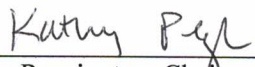
and that the violation resulted in property damage or physical injury to a person other than the alleged violator, the court may summon the defendant into court to determine if the restitution shall be ordered under WI Stat 800.093 (municipal court)

4. Penalty: The following schedule of deposits are established for use with citations under this ordinance:

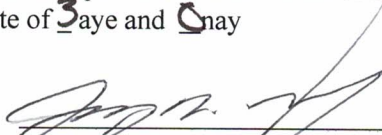
ORDINANCE TITLE	OFFENSE	DEPOSITS AND COSTS
Dwelling Code Ordinance #2.4	Failure to obtain building permit as required	\$200 plus current legal costs
Electrical Code Ordinance #2.6	Failure to comply with electrical code inspections as required	\$200 plus current legal costs
Disposal of Waste and Recyclables at Town Facilities #4.1	Failure to comply with ordinance	\$100-\$500 plus current legal costs and penalty assessment
All other ordinances	Other ordinance violations	\$100 plus current legal costs

Effective Date: This ordinance shall be effective 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 10th day of April, 2023, by a vote of 3aye and 0nay



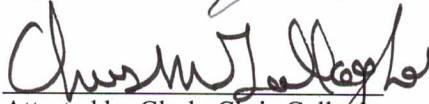
 Kathy Pennington, Chairperson



 Supervisor 1, Jeffrey McNeely



 Supervisor 2, Abbigail Kriebs



 Attested by Clerk, Chris Gallagher

NOTE: This ordinance was originally adopted on 09/11/2000, by Chair Jim Scrivner, Supervisor 1 Herb Hanson, Supervisor 2 Bob McNeely, and Clerk: Judy Follett.