

ORDINANCE NO. 2014-24

**AN ORDINANCE CREATING SECTION 1.11 OF CHAPTER 1, GENERAL PROVISIONS,
OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE RELATING TO CITATIONS**

**THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES
ORDAIN THAT SECTION 1.11 OF CHAPTER 1, GENERAL PROVISIONS, OF THE VILLAGE OF
ALLOUEZ MUNICIPAL CODE BE CREATED TO READ AS FOLLOWS:**

SECTION 1. Section 1.11 CITATION. Pursuant to Wis. Stats. § 66.0113, the Village hereby elects to use the citation method of enforcement of ordinances, including those for which a statutory counterpart exists.

A. *Information required.* The municipal citation shall contain the following information:

- (1) The name and address of the alleged violator.
- (2) Factual allegations describing the alleged violation.
- (3) The time and place of the offense.
- (4) The section of the Code violated.
- (5) A designation of the offense in such manner as can readily be 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 which in essence informs the alleged violator:
 - (a) That a cash deposit based on the schedule established by the Village Board as a part of this Code may be made which shall be delivered or mailed to the Clerk of Municipal Court prior to the time of the scheduled court appearance.
 - (b) That if a deposit is made, no appearance in court is necessary, unless he is subsequently summoned.
 - (c) 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 or, if the court does not accept the plea of no contest, a summons will be issued commanding him to appear in court to answer the complaint.
 - (d) That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
- (8) 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 subsection A.(7) of this

section has been read. Such statement shall be sent or brought with the cash deposit.

- (9) Such other information as the Village deems necessary.
- B. *Form of citation.* The Village hereby adopts for use the Wisconsin Uniform Municipal Citation, Form MSC 1, consisting of a three-part citation, a sample of which is on file in the office of the Village Clerk and adopted by reference as though fully set forth herein.
- C. *Schedule of deposits.* The schedule of cash deposits for use with citations issued under this section shall be as adopted by the Village Board from time to time and such schedule shall be on file in the office of the Chief of Police and in the office of the Village Clerk. Deposits shall be in cash, money order or certified check to the Village Clerk or to the Clerk of Court, Municipal Court, who shall provide a receipt.
- D. *Issuance of citation.*
- (1) *Law enforcement officer.* Any law enforcement officer may issue citations authorized under this section.
 - (2) *Village officials.* The following Village officials and their designated agents may issue citations with respect to those specified sections which are directly related to their official responsibilities:
 - (a) Building inspector.
 - (b) Fire and health inspector.
 - (c) Zoning administrator.
 - (d) Park security officers as specified in Wis. Stats. § 19.35(2).
 - (e) Street superintendent.
 - (f) Code enforcement officer.
 - (g) Animal control/humane officer.
- E. *Procedure.* Wis. Stats. § 66.0113(3), relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.
- F. *Nonexclusivity.*
- (1) *Other ordinances.* This section does not preclude the Village Board from adopting any other ordinances or providing for the enforcement of any law or ordinance relating to the same or other matter.

- (2) *Other remedies.* The issuance of a citation hereunder shall not preclude the Village or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Dated this 7th day of October, 2014.

Steven VandenAvond, Village President

ATTEST:

Debra M. Baenen, Village Clerk

DATE OF PUBLICATION:
