

May 8, 2012 **Proposed Citation Ordinance**

Town of Auburn  
Chapter 50  
Citation Ordinance

50.1 Method of Enforcement.

The Town of Auburn hereby elects to use the citation method of enforcement of ordinances. All Town law enforcement officers and other Town personnel charged with the responsibility of enforcing the provisions of this Code of Ordinances are hereby authorized pursuant to Wis. Stat. § 66.0113, to issue citations for violations of this Code of Ordinances, including ordinances for which a statutory counterpart exists.

50.2 Information Contained in Citation.

The citation shall contain the following:

- (a) The name and address of the alleged violator.
- (b) 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 readily be 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 Chapter may be made which shall be delivered or mailed to the Town Clerk prior to the time of the scheduled court appearance.
  - (2) That if a deposit is made, no appearance in court is necessary unless he 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, 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.
  - (4) 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.
- (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 Subsection (a) above has been read. Such statement shall be sent or brought with the cash deposit.
- (i) Such other information as the Town deems necessary.

50.3 Form of Citation.

The form of the citation to be used by the Town of Auburn is on file in the Town Clerk's office and is adopted by reference as though fully set forth herein.

50.4 Schedule of Deposits.

- (a) The schedule of cash deposits shall be established for use with citations issued under this Chapter

by the Town Board according to the penalty provision of this Code.

(b) Deposits shall be made in cash, money order or check to the Town Clerk, who shall provide a receipt therefor.

#### 50.5 Issuance of Citation.

(a) Law Enforcement Officer. Any law enforcement officer may issue citations authorized under this Chapter.

(b) Town Officials. The following Town officials may issue citations with respect to those specified ordinances which are directly related to their official responsibilities:

(1) Director of Public Works;

(2) Fire Chief or Fire Inspector;

(3) Building Inspector; Plumbing Inspector; Electrical Inspector; HVAC Inspector.

#### 50.6 Procedure.

Wis. Stats. §66.0113, relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

#### 50.7 Non exclusivity.

(a) Other Ordinance. Adoption of this Chapter 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 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.