

**ORDINANCE NO. 2018-3  
TOWN OF KINNICKINNIC  
CITATION ORDINANCE**

An ordinance relating to issuance of citation for violations of Town ordinances.

This ordinance replaces 2007-3 & 2013-3

**SECTION 1: STATUTORY AUTHORITY:** Pursuant to Wisconsin Statutes 66.0113, the Town Board of the Town of Kinnickinnic, St Croix County, Wisconsin, hereby elects to use the citation method of enforcement for the Town Ordinances described herein.

**SECTION 2: FORM OF CITATION:** Citations issued by the Town shall contain 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 name of and section of the ordinance violated
- E. A designation of the offense in a manner that 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 ordinance may be made, which shall be delivered or mailed to the Town Clerk at least twenty-four hours prior to the time of the scheduled court appearance.
  2. That if a cash deposit is made, no appearance in court is necessary unless he or she is subsequently summoned.
  3. That if a cash deposit is made and the alleged violator does not appear in court, he or she will be deemed to have entered a plea of no contest and submitted to a forfeiture or, if the court does not accept the plea of no contest, that a summons will be issued commanding him or her 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 an arrest warrant concerning the defendant, or treat the nonappearance as a plea of no contest and enter a judgment and/or that the municipality may commence an action to collect the forfeiture.
  5. 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

statements required un "G" herein has been read, which statement shall be sent or brought with the cash deposit.

6. Such other information as the Town deems necessary.

**SECTION 3: SCHEDULE OF DEPOSITS:** The following schedule of cash deposits is established for use with citations issued under this ordinance.

<u>Ordinance Title</u>	<u>Offense</u>	<u>Deposits &amp; Costs</u>
Ord 2010-1A & 2010-2 Building Code	Any Violation	\$250.00 plus court costs
Ord 2014-1 Subdivision	Any Violation	\$500.00 plus court costs
Ord 2004-1 Developer Agreement	Any Violation	\$300.00 plus court costs
Ord 2015-2 Alcohol Beverages	1st Violation	\$250.00 plus court costs
Ord 2015-2 Alcohol Beverages	2nd Violation	\$500.00 plus court costs

Deposits shall be made in cash, money order or certified check, delivered to the Town Clerk who shall provide a receipt therefore and promptly forward all such funds to the Town Treasurer.

**SECTION 4: ISSUANCE OF CITATION:** The following Town officials may issue citations with respect to the ordinance specified.

<u>Ordinance Title</u>	<u>Enforcement Official</u>
Building Code	Town Chair, Building Inspector
Subdivision	Town Chair
Developer Agreement	Town Chair
Alcohol Beverages	Town Chair

**SECTION 5: PROCEDURE:** Wisconsin Statutes 66.0113(3) relating to violator's options and procedure on default is hereby adopted and incorporated by reference.

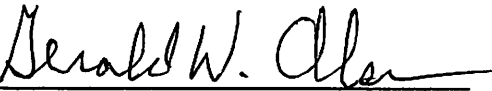
**SECTION 6: NONEXCLUSIVITY:**

- A. Other Ordinance
  - a. Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law, ordinance of forfeiture related to the same or any other matter.
- B. Other Remedies
  - a. The issuance of a citation hereunder shall not preclude the Town Board or any authorized officer from proceeding under any other ordinance, regulation, order or remedy.

**SECTION 7: SEVERABILITY:** If any provision of this ordinance is held to be invalid or unconstitutional by a court, or if the application of this ordinance to any person or circumstance is held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity and those provisions of this ordinance which can be given effect without applying or enforcing the invalid or unconstitutional provision.

**SECTION 8: EFFECTIVE DATE:** This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted on this 4<sup>th</sup> day of December 2018 by the Town Board of the Town of Kinnickinnic.

By:   
Jerry Olson, Town Chair

Attested by:

  
Nicky Thompson, Town Clerk