

STATE OF WISCONSIN
Town of Rock
Wood County
Ordinance 2021-11

The Town Board for the Town of Rock hereby ordains as follows:

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Rock Citation Ordinance. The purpose of this ordinance is to authorize the Town Board of the Town of Rock, or its designees, to issue citations for violations of Town of Rock ordinances, including ordinances with statutory counterparts.

SECTION II – AUTHORITY

The Town Board of the Town of Rock, Wood County, Wisconsin, has the specific authority under Wis. Stat. § 66.0113 to adopt this ordinance.

SECTION III – COVERAGE

- A. Except as provided in subsection D, the form for citations for violations of Town ordinances shall include all of the following:
1. The name and address of the alleged violator.
 2. The factual allegations describing the alleged violation.
 3. The time and place of the alleged violation.
 4. The ordinance number violated.
 5. A designation of the offense in a manner that can be readily understood by a person making a reasonable effort to do so.
 6. The time at which the alleged violator may appear in court, and a statement describing whether the appearance is mandatory.
 7. A statement that informs the alleged violator of all of the following:
 - a. That the alleged violator may make a cash deposit of a specified amount to be mailed to a specified official within a specified time.
 - b. That if the alleged violator makes a cash deposit, he or she need not appear in court unless appearance is mandated by the court or he or she is subsequently summoned.
 - c. That if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, plus costs, fees, and surcharges imposed under Wis. Stat. chapter 814, not to exceed the amount of the deposit, or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

- d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, the court may issue a summons or a warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment under Wis. Stat. § 66.0113 (3)(d), or the municipality may commence an action against the alleged violator to collect the forfeiture, plus costs, fees, and surcharges imposed under Wis. Stat. chapter 814.
 - e. That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under Wis. Stat. § 800.093.
8. A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement that accompanies the citation to indicate that he or she read the statement required under Wis. Stat. § 66.0113(1)(b)7., and shall send the signed statement with the cash deposit.
- B. The deposit schedule established by the Wisconsin Judicial Conference shall apply to deposits for violations of Town of Rock Ordinances.
 - C. The Town Board names the Wood County Circuit Court, Wood County Clerk of Court, or either's designated official to receive cash deposits.
 - D. When state law mandates use of a specific citation form for an ordinance or statutory violation, that form shall be used in lieu of the citation form described in subsection A.

SECTION IV – ISSUANCE AND SERVICE OF CITATION

- A. Citations may be issued by the Town Board.
- B. The Town Chair, the Wood County Sheriff's Department, or any person approved by the Town Board may serve any citations for the Town of Rock upon issuance.

SECTION V – RELATIONSHIP TO OTHER LAWS

The adoption and authorization for use of a citation under 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 any other matter. The issuance of a citation under this ordinance does not preclude proceeding under any other ordinance or law relating to the same or any other matter.

SECTION VI – SEVERABILITY

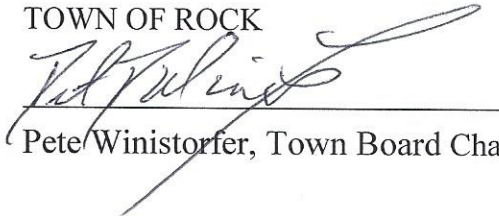
If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION VII – EFFECTIVE DATE

This ordinance is effective on publication or posting.

Adopted this 29th day of November 2021

TOWN OF ROCK



Pete Winistorfer, Town Board Chairperson

Attested to as of November 29 2021.



Jill Wrench, Town Clerk