

ORDINANCE # 60

CITATIONS FOR ORDINANCE VIOLATIONS

AN ORDINANCE RELATING TO ISSUANCE OF CITATIONS FOR VIOLATIONS OF ORDINANCES AND PROVIDING A SCHEDULE OF CASH DEPOSITS

The Village Board of the Village of Cochrane, Buffalo County, Wisconsin, does ordain as follows:

SECTION 1.

Pursuant to S. 66.119, Wis. Stats., the Village of Cochrane hereby elects to use the citation method of enforcement of ordinance other than those for which a statutory counterpart exists.

SECTION 2. THE CITATION

- A. The citation shall contain the following:
1. The name and address of the alleged violator.
 2. The factual allegations describing the alleged violator.
 3. The time and place of the offense.
 4. The section of the ordinance 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 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 such a deposit, he or she need not appear in court unless 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, a penalty assessment imposed by s. 165.87, a jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment by s. 973.055 (1) 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 sub. (3)(d), or the municipality may commence an action against the alleged violator to collect the forfeiture, the penalty assessment imposed by s. 165.87, the jail

assessment impose by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1).

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 s. 800.093.

8. A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement which accompanies the citation to indicate that he or she read the statement required under subd. 7 and shall send the signed statement with the cash deposit.

9. Such other information as the Village deems necessary.

B. The form of the citation to be used by the Village is attached hereto and is made a part of this ordinance by reference.

SECTION 3. SCHEDULE OF DEPOSITS

A. The following schedule of cash deposits is established for use with citation issued under this ordinance.

Dated this 9th day of July, 1996.

/s/ Blaine Proue, President

/s/ Lois Fetting, Village Clerk

This ordinance was unanimously passed and adopted at a Regular Meeting of the Village Board on July 9th, 1996.