

TOWN OF CLEVELAND

Citation ordinance

Resolution

ENFORCEMENT OF ORDINANCES; ISSUANCE OF CITATIONS

SECTION 11.01 METHOD OF ENFORCEMENT

Pursuant to the Town of Cleveland's authority under sec. 66.0113 Wis. Stats, the Town elects to issue citations for violations of ordinances, including ordinances for which statutory counterparts exist.

SECTION 11.02 FORM OF CITATION

Citations shall contain all information required by sec. 800.02(2) Wis. Stats. The form of the citation to be used by the Town is on file for public inspection in the office of the Town Clerk and is adopted by reference as though fully set forth herein.

SECTION 11.03 SCHEDULE OF DEPOSITS

The town adopts the schedule of deposits established by the Jackson County Clerk of Circuit Court, subject to alteration from time to time. A copy of the current schedule of deposits established by the Jackson County Clerk of Circuit Court is on file for public inspection in the office of the Town Clerk and is adopted by reference as though fully set forth herein.

SECTION 11.04 ISSUANCE OF CITATIONS

Any law enforcement officer may issue citations authorized under this chapter. Additionally, the following Town officials and personnel may issue citations with respect to ordinances which are directly related to their official responsibilities:

- (1) Town Constable
- (2) Any member of the Town Board
- ~~(3) The Town Plan Commission Chair Person~~

SECTION 11.05 PROCEDURE

Sec. 66.0113(3) Wis. Stats, regarding a violator's options and procedures on default, is hereby adopted by reference as if fully set forth herein.

SECTION 11.06 GENERAL PENALTY AND LIABILITY FOR ENFORCEMENT COSTS

(1) General Penalty. Except where a penalty is provided elsewhere in this Code of Ordinances, any person who shall violate any of the provisions of this Code of Ordinances shall, upon conviction of such violation, forfeit not less than Fifty dollars (\$50) nor more than five hundred (\$500).

(2) Liability for Enforcement Costs. Any person convicted of an ordinance violation under the Town of Cleveland Code of Ordinances shall also pay all costs and expenses involved in the case, including the Town's attorney fees reasonably incurred in the prosecution of such action.

SECTION 11.07 PAYMENT OF FORFEITURES

The Town designates the Jackson County Clerk of Circuit Court to receive cash deposits and requires that receipts be given for cash deposits.

SECTION 11.08 RELATIONSHIP TO OTHER LAWS

The adoption of this ordinance does not preclude the Town from adopting any other ordinance, providing for the enforcement of any other law, providing other means for the enforcement of Town ordinances, or providing for the enforcement of any other law or ordinance relating to the same or any other matter.

SECTION 11.09 SEVERABILITY

If any provision of this Ordinance is held invalid, such invalidity does not affect other provisions of this Ordinance that can be given effect without the invalid portions, and to this end, each provision of this Ordinance is severable.

SECTION 11.10 EFFECTIVE DATE

Following passage by the Town Board; this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

Signed: Chairman *Thomas Maciejak*

Date: 3-10-2015

Attest: Clerk *D. Della...*