

CHAPTER 23
CITATION

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23.01 AUTHORITY

The Village Board, of the Village of Ferryville, Crawford County, Wisconsin has the specific authority under s. 66.0113, Wis Stats. to adopt this ordinance.

23.02 ADOPTION OF ORDINANCE

The Village Board, adopted on proper notice with a quorum and by vote by a majority of the Village Board members present and voting, provides the authority for the Village Board to designate that the Village Clerk/Treasurer may issue citations for violations of the Village of Ferryville ordinances, including ordinances with statutory counterparts.

23.03 COVERAGE

Except as provided in sections 23.03(7)(d) and 23.03(7)(e), the form for citations to be issued in the Village of Ferryville, by the Ferryville Village Clerk/Treasurer for violations of the Village of Ferryville code of ordinances shall include 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 number of the ordinance violated.
- (5) Designation of the offense in a manner that can be readily understood by a person or make a reasonable effort to do so.
- (6) The time the alleged violator may appear in court.
- (7) A statement that in essence 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 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 Chapter 814, Wis Stats., 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, he 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 s. 66.0113(3)(d), Wis. Stats., or the municipality may commence an action against the alleged violator to collect the forfeiture, plus costs, fees and surcharges imposed under Chapter 814, Wis. Stats.
 - (e) That if the court finds the violation involves an ordinance that prohibits conduct that is the same 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, Wis. Stats.
- (8) A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign a appropriate statement that accompanies the citation to indicate that she or he read the statement required under s. 66.0113(1)(b)7, Wis. Stats., and shall send the signed statement with the cash deposit.
- (9) Any other information as may be deemed necessary.

23.04 PENALTIES OR FORFEITURES

Penalties or forfeitures for citation violations shall be set forth as in each applicable portion of the Code of Ordinances or other ordinance.

23.05 ISSUANCE AND SERVICE OF CITATIONS

The Village of Ferryville Village Board has designated the Village Clerk/Treasurer to serve any citations for the Village of Ferryville upon issuance.

23.06 RELATIONSHIP TO OTHER LAWS

The adoption and authorization for use of a citation under this ordinance does not preclude the Village Board of the Village of Ferryville from adopting any other ordinance or providing for the

enforcement of any other law or 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 of any other matter. Proceeding under any other ordinance or law relating to the same or any other matter does not preclude the issuance of a citation under this ordinance.

23.07 SEVERABILITY

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