

TOWN OF CLOVERLAND
CITATION ORDINANCE
ORDINANCE NO. 18.01

SECTION I – TITLE/PURPOSE

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

SECTION II – AUTHORITY

The town board of the Town of Cloverland has the specific authority under s. 66.0113, Wis. Stats., to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

The town board of the Town of Cloverland, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the town board present and voting, provides the authority for the Town of Cloverland to issue citations for violations of the Town of Cloverland ordinances, including ordinances with statutory counterparts.

SECTION IV – COVERAGE

A. Except as provided in subsection E of this Section IV, the town board prescribes the form for citations to be issued in the Town of Cloverland by the town board, or its designees, for violations of Town of Cloverland ordinances which citations shall be as provided in this subsection and which 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 offense.
4. The section of the ordinance 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.
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.

<u>Ordinance Title</u>	<u>Offense</u>	<u>Deposits & Costs</u>
Driveways Ordinance 2.01 costs	Failure to obtain permit	\$100 plus current court costs
costs	Failure to properly construct driveway	\$100 plus current court costs for each violation
costs	Failure to correct violation	\$100 plus current court costs for each day violation continues
Lighting Ordinance 3.01 court costs	Failure to comply with provisions	\$25 plus current court costs for each day of violation after 30 day notification of violation
Animal Control Ordinance 4.01	Violation	\$10
Building Setback Ordinance 5.01 offense	Failure to obtain setback variance if less than 75' setback	\$10 minimum per day nor more than \$200 per plus current court costs
Signs Ordinance 9.01 violation	Violation	\$25 for each day of after 45 day notice plus current court costs
Snowmobile Access Ordinance 10.01	Violation	As found in s.350.11(1)(a) Wis. Stats.
Fireworks Storage Ordinance more than 12.01 costs	Failure to obtain permit	\$25 minimum nor \$100 plus current court costs
Recycling Ordinance 13.01	Violation	\$50 first offense \$200 second offense \$2000 third or subsequent offense plus current court costs
Fire Damaged Buildings 14.01 than	Violation	\$25 minimum nor more

		\$100 plus current court costs
Road Weight Limits 15.01 Stats.	Violation	per ch. 348 & 349 Wis.
Boating & Water 17.01	Violation	\$50 first offense \$100 maximum for each subsequent offense within
1		year plus current court costs

C. The town board designates the Clerk of Circuit Court for Vilas County, Wisconsin, as the official to whom cash deposits are to be made and requires that receipts be given for cash deposits.

D. The town board requires that in traffic regulation violation actions, except for parking regulation violations, the uniform traffic citation specified in s. 345.11, Wis. Stats., shall be used by the Town of Cloverland in lieu of the citation form noted above in subsection A.

E. The town board requires that in actions for violations of Town of Cloverland ordinances enacted in accordance with s. 23.33(11)(am) or s. 30.77, Wis. stats., the citation form specified in 23.54, Wis. Stats., shall be used in lieu of the citation form noted above in subsection A.

SECTION V – ISSUANCE AND SERVICE OF CITATION

A. The Town of Cloverland citations may be issued by the Town Board of the Town of Cloverland or it may designate certain Town of Cloverland, Vilas County, or other municipal officials, with their written approval, to issue such citations.

B. In addition, the following officials may issue citations as indicated:

Animal Control:	Animal Control Officer
Recycling:	County Officer
Fire Damaged Buildings:	Town Board or Joint Municipal Fire Commission Designee
Road Weight Limits:	Town Board or County Officer

SECTION VI – PROCEDURE

The provisions of Wis. Stats. s. 66.0113(3), relating to violator’s options and procedure on default, are adopted and incorporated in this section by reference.

SECTION VII – NON-EXCLUSIVITY

The adoption and authorization for use of a citation under this Ordinance does not preclude the Town Board of the Town of Cloverland 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.

SECTION VIII –SECTION IX – SEVERABILITY

If any provision of this ordinance of 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 of application, and to this end, the provisions of this ordinance are severable.

SECTION IX – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly post or publish this ordinance as required under s. 60.80 Wis. stats.

Adopted this 7th day of March, 2007.

TOWN OF CLOVERLAND:

By: Scott Maciosek, Chairman

By: Chuck Wranosky, Supervisor

By: Joe Eisele, Supervisor

By: Marty Ketterer, Supervisor

By: Steve Favorite, Supervisor

By: Mildred Ritzer, Town Clerk

ADOPTED: March 7, 2007

PUBLISHED: _____

EFFECTIVE: _____