

## **Section 3.01 Issuance of Citations**

### **3.01(A) Title/Purpose**

The title of this Section is Issuance of Citations. The purpose of this Section is to permit the Town of Leeds to issue citations for violations of this Code.

### **3.01(B) Authority**

Pursuant to Wis. Stat. § 66.0113, the Town of Leeds is authorized to issue citations for violations of ordinances, including Sections of this Code for which a statutory counterpart exists.

### **3.01(C) Form of Citation**

- (1) Required Information. The citation shall contain the following:
  - (a) The name and address of the alleged violator.
  - (b) Factual allegations describing the alleged violation.
  - (c) The time and place of the offense.
  - (d) The Section of the Code violated.
  - (e) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so.
  - (f) The time at which the alleged violator may appear in court.
  - (g) A statement which in essence informs the alleged violator:
    - (i) That a cash deposit based on the schedule established by in Section 3.03 of this Code may be made which shall be delivered or mailed to the Columbia County Clerk of Circuit Court prior to the time of the scheduled court appearance.
    - (ii) That if a cash deposit in the amount specified in Section 3.03 of this Code is made, no appearance in court is necessary unless he or she is subsequently summoned.

(iii) That if a cash deposit in the amount specified in Section 3.03 of this Code is made and the alleged violator does not appear in court, the alleged violator will be deemed to have entered a plea of no contest and submitted to a forfeiture not to exceed the amount of the deposit, plus costs on any applicable assessments or, if the court does not accept the plea of no contest, a summons will be issued for the alleged violator to appear in court to answer the citation.

(iv) That if no cash deposit is made and the alleged violator 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, or the Town may commence an action against the alleged violator to collect the forfeiture, plus costs and any applicable assessments.

(h) A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under 3.01(C)(1)(g) subparagraph 7 above has been read. Such statement shall be sent or brought with the cash deposit.

(i) Such other information as may be deemed necessary by the Town.

(2) Format. The form of the citation shall be uniform and used by all law enforcement officers and other town officials.

### **3.01(D) Violation Letters**

The Town may issue a violation letter before a citation is issued that explains the violation and gives the violator the option of paying the deposit within seven (7) business days to avoid court costs and penalty assessments if the forfeiture is not paid within seven (7) business days, a citation will be issued which will consist of the forfeiture, plus court costs and applicable assessments.

### **3.01(E) Issuance of Citations**

Any law enforcement officer may issue citations for enforcement of any Section of this Code authorized under this Section. In addition, the Town Constable, if any, any law enforcement officer, the Town Chairperson, Town Engineer or Building Inspector are hereby authorized to issue citations for enforcement of any Section of this Code.

**3.01(F) Procedure**

The provisions of Wis. Stat. § 66.0113(3), as may from time to time be amended, relating to violator's options and procedure on default are hereby adopted and incorporated herein by reference.

**3.01(G) Penalty**

Any person violating this Section shall be fined as provided in Section 3.02 of this Code. Each day of violation shall constitute a separate offense under this Section.