

## TOWN OF SARATOGA

## ORDINANCE RELATING TO ISSUANCE OF CITATIONS FOR VIOLATIONS OF TOWN ORDINANCES

The Town Board of Supervisors of the Town of Saratoga, Wood County, does ordain as follows:

**Section 1. Statutory Authority**

Pursuant to Wisconsin Statutes 66.119, the Town Board of Supervisors of the Town of Saratoga, Wood County, hereby elects to use the citation method of enforcement of town ordinances described herein, other than those for which a statutory counterpart exists.

**Section 2. Form of Citation**

The citation shall contain the following:

- A. The name and address of the alleged violator;
- B. The factual allegations describing the alleged violation;
- C. The time and place of the alleged offense;
- D. The section of the ordinance violated;
- E. A designation of the offense in such as can readily be 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:
  - 1. That a cash deposit based on the schedule established by this ordinance may be made which shall be delivered or mailed to the Clerk of Municipal Court prior to the time of the scheduled court appearance.
  - 2. That if a deposit is made, no appearance in court is necessary unless he/she is subsequently summoned.
  - 3. That if a cash deposit is made and the alleged violator does not appear in court, he/she will be deemed to have entered a plea of no contest, or if the court does not accept the plea of no contest, a summons will be issued commanding him/her to appear in court to answer the complaint.
  - 4. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
- 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 'G' above has been read. Such statement shall be sent or brought with the cash deposit;
- I. Such other information as the Town deems necessary.

**Section 3. Adoption and Incorporation of Wis. Stats. Chpt. 346**

The Town Board of Supervisors specifically adopts the contents of Chapter 346 of the Wisconsin Statutes and incorporates same herein for the purpose of authorizing the Town Constable to issue ordinance violation citations for violations of the provisions of that statutory section.

**Section 4. Schedule of Deposit**

The following schedule of cash deposits is established for use with citations issued under this ordinance:

<u>Ordinance Title</u>	<u>Offense</u>	<u>Deposit &amp; Costs</u>
Mobile Home Ordinance #72-1-1, & as amended under 83-6-1, 89-2-6, 89-8-21, 89-9-5, 91-4-1, 93-3-1, 97-10-1, 04-2-18, 3-4-1; or its successor	Failure to timely pay monthly parking fees & all other violations.	1 <sup>st</sup> - \$50 + Costs 2 <sup>nd</sup> - \$75 + Costs 3 <sup>rd</sup> - \$100 + Costs 4 <sup>th</sup> and subsequent - \$150 + Costs
Waste Disposal Ordinance 80-5-1; or its successor	All violations	Same as above
Building Code Ordinance 9-7-16A; or its successor	All violations	Same as above
Dog Ordinance #3-2-05, 11-7-07; or its successor	All violations	Same as above
Garbage Disposal #81-7-7 and 83-6-21; or its successor	All violations	Same as above
Business Permit Ordinance 5-3-99; or its successor	All violations	Same as above
Fence Ordinance 2-17-16A; or its successor	All violations	Same as above
Winter Parking Restriction 11-27-2007; or its successor	All violations	Same as above
Driveway Ordinance 3-15-17; or its successor	All violations	Same as above
Sign Ordinance 6-18-2014; or its successor	All violations	Same as above
Traffic Citations	All violations	Same as above
Housing Standards 1-17-18; or its successor	All violations	Same as above
<b>*Regulating the Installation and Maintenance of Address Tiles in The Town of Saratoga 7-20-22A; or its successor</b>	<b>All violations</b>	<b>Same as above</b>
Nuisance Ordinance 9-19-18; or its successor	All violations	1 <sup>st</sup> - \$50 + Costs 2 <sup>nd</sup> and subsequent - \$100 + Costs

Deposits shall be made in cash, money order, or certified check to the Clerk of Municipal Court who shall provide a receipt therefore.

## Section 5. **Issuance of Citation**

<u>Ordinance Title</u>	<u>Enforcement Official</u>
Mobile Home Ordinance	Constable
Waste Disposal Ordinance	Constable
Dog Ordinance	Constable
Garbage Disposal Ordinance	Constable
Business Permit	Constable
Fence Ordinance	Constable
Building Code Ordinance	Constable
Winter Parking Restriction Ordinance	Constable
Driveway Ordinance	Constable
Sign Ordinance	Constable
Traffic Citations	Constable
Housing Standards	Constable
<b>*Regulating the Installation and Maintenance Of Address Tiles in the Town of Saratoga</b>	<b>Constable</b>
Nuisance Ordinance	Constable

## Section 6. **Procedure**

Section 66.119(3), Wisconsin Statutes, relating to violator's options and procedures on default is hereby adopted and incorporated by reference.

## Section 7. **Non-Exclusive**

### A. Other Ordinance

Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.

### B. Other Remedies

The issuance of a citation hereunder shall not preclude the Town Board or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

## Section 8. **Severability**

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provision or application.

## Section 9. **Effective Date**

This ordinance shall take effect upon passage by the Town Board of the Town of Saratoga and upon publication provided by law.

## Section 10. **Revocation of Previous Ordinances**

Town of Saratoga Ordinance 2-7-18 shall be revoked upon the passage of this ordinance.

Adopted this 19th day in September, 2018

**\* Amendment- Ordinance 7-20-22B**