

CHAPTER 92

Enforcement of Code

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Sec. 92.01 Citations.

- (1) **Authorization for Use of Citations.** The Town hereby elects to adopt and authorize the use of citations to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.
- (2) **Officials Authorized to Issue Citations.** Citations authorized by this Code may be issued by Town and Dane County law enforcement officers and by the following designated Town officials, whenever there are such Town officials, with respect to matters directly related to each official's area of responsibility. The officials granted authority to issue citations under this section may delegate that authority to other Town employees only with the approval of the Town Board:
 - (a) Building Inspector.
 - (b) Weed Commissioner.
 - (c) Health Inspector.
 - (d) Animal Control Officer.
 - (e) Fire Chief.
 - (f) Public Works Supervisor. The Town Public Works Supervisor/Road Supervisor/Highway Patrolman/Road Patrolman is authorized to issue a citation for the violation of any parking regulation contained in section 50.01 of this Code that is adopted from Chapter 346 of the Wisconsin Statutes and for the violation of section 50.08(2) of this Code.
- (3) **Forms of Citations.** Each citation shall contain the information required by Wisconsin law and may contain additional information.
- (4) **Receipt for Cash Deposits.** Deposits shall be made by cash, money order, personal check, or certified check to the clerk of the municipal court. A receipt shall be given for each cash deposit received.

Sec. 92.02 Party to an Offense.

A person may be charged with and convicted of the commission of an offense if that person directly committed an offense or if that person aided and abetted the commission of an offense.

Sec. 92.03 General Penalty Provisions.

- (1) **Penalties.** Except where a penalty is provided elsewhere in this Code:
 - (a) **General Penalties.** Any person found guilty of having violated any provision of this Code shall be subject to a forfeiture of not less than \$30.00 nor more than \$1,000.00; shall be ordered to pay all costs, fees, penalties, assessments, surcharges, and other charges that are or can be imposed by state law; and shall be ordered to pay the costs of prosecution whenever such costs are allowed by state law.
 - (b) **Adopted Penalties.** Any person found guilty of having violated any provision of this Code that is adopted from a state provision shall be subject to a minimum forfeiture equal to the minimum forfeiture or fine permitted for violation of the state provision and to a maximum forfeiture equal to the maximum forfeiture or fine permitted for violation of the state provision, provided that the maximum forfeiture shall not exceed \$2,000.00; shall be ordered to pay all costs, fees, penalties, assessments, surcharges, and other charges that are or can be imposed by state law; and shall be ordered to pay the costs of prosecution whenever costs are allowed by state law. If an adopted state provision has no penalty provision, the general penalty provisions of this Code shall apply.
 - (c) **Parking Violations.** Notwithstanding any other penalty provision in this Code, any person found guilty of having violated section 50.08(5) of this Code after having had a parking citation filed with or transmitted to the municipal court for processing shall forfeit \$20.00 and all costs, fees, penalties, assessments, surcharges, and other charges that are imposed by state law.
- (2) **Juvenile Dispositions and Sanctions.** For a juvenile adjudged to have violated an ordinance, the municipal court is authorized to impose any of the dispositions listed in secs. 938.343 and 938.344, Stats., in accordance with the provisions of those statutes. For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the court under secs. 938.343 or 938.344, Stats., the municipal court is authorized to impose any of the sanctions listed in sec. 938.355(6)(d), Stats., in accordance with the provisions of those statutes.
- (3) **Continued Violations.** Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
- (4) **Other Remedies.** The Town shall have any and all other remedies afforded by Wisconsin law in addition to the remedies, terms, and penalties described in this Code.

Sec. 92.04 Deposit Schedule.

The Town's deposit schedule shall consist of the most recent Revised Deposit Schedules adopted by the Wisconsin Judicial Conference as supplemented and amended by the deposit schedule shown on the following pages. The deposit amount shall be the basic deposit amount plus all costs, fees, assessments, charges, surcharges, and penalties imposed by law.

DEPOSIT SCHEDULE

Chapter 30 Outdoor Fires

Ordinance Number	Offense	Basic Deposit Amount
30.01(1)	Outdoor fire without a permit	\$ 100.00
30.01(4)(a)	Prohibited outdoor fire	\$ 200.00
30.02(1)	Outdoor fire restriction violation - [describe]	\$ 100.00
30.02(2)	Outdoor fire in prohibited place	\$ 100.00
30.02(3)	Failure to supervise outdoor fire	\$ 100.00
30.02(4)	Inadequate fire suppression equipment/personnel	\$ 100.00
30.02(5)	Burning prohibited material	\$ 200.00

Chapter 31 Large Assemblies

Ordinance Number	Offense	Basic Deposit Amount
31.02	Allowing large assembly without a permit	\$1,000.00
31.04	Violation of large assembly permit condition	\$1,000.00

Chapter 50 Traffic

Ordinance Number	Offense	Basic Deposit Amount
50.01	Violation of state traffic code	\$ 30.00
50.02	Violation of sound amplification ordinance; adopting 349.135	\$ 30.00
50.02	Negligent operation of vehicle off highway; adopting 941.01	\$ 50.00
50.02	Operating vehicle without owner's consent adopting 943.23	\$ 100.00
50.04	Disorderly conduct with a motor vehicle	\$ 50.00
50.05	Unnecessary noise with a motor vehicle	\$ 30.00
50.06	Operation of motor vehicle in place without permission	\$ 50.00
50.07	Improper use of school bus lights	See 346.48(2)
50.08(1)	Abandoned vehicle	See 346.94(13)
50.08(2)	Violation of alternate side parking regulation	See 346.55(4)
50.08(3)	Violation of emergency parking regulation	See 346.55(4)
50.08(5)	Parking violation	\$ 20.00

Chapter 51 Alcohol Beverages

Ordinance Number	Offense	Basic Deposit Amount
51.01	Failure to obtain alcohol beverage license; adopting 125.04(1)	\$ 500.00
51.01	Unlawfully procuring for, selling, dispensing, or giving away alcohol beverage to an underage person; adopting 125.07(1)(a)1: 1 st in 30 months 2 nd in 30 months 3 rd in 30 months 4 th or more in 30 months <i>(mandatory alcohol license suspension for each offense)</i>	\$ 100.00 \$ 500.00 \$1,000.00 \$2,000.00
51.01	Licensee unlawfully selling, vending, dealing, or trafficking in alcohol beverage to or with an underage person; adopting 125.07(1)(a)2 1 st in 30 months 2 nd in 30 months 3 rd in 30 months 4 th or more in 30 months <i>(mandatory alcohol license suspension for each offense)</i>	\$ 100.00 \$ 500.00 \$1,000.00 \$2,000.00
51.01	Adult knowingly permitting or failing to take action to prevent illegal consumption on premises owned or under the adult's control; adopting 125.07(1)(a)3 1 st in 30 months 2 nd in 30 months 3 rd in 30 months 4 th or more in 30 months <i>(mandatory alcohol license suspension for each offense)</i>	\$ 100.00 \$ 500.00 \$1,000.00 \$2,000.00
51.01	Adult intentionally encouraging or contributing to an underage alcohol violation; adopting 125.07(1)(a)4 1 st in 30 months 2 nd in 30 months 3 rd in 30 months 4 th or more in 30 months <i>(mandatory alcohol license suspension for each offense)</i>	\$ 100.00 \$ 500.00 \$1,000.00 \$2,000.00
51.01	Procuring for, selling, dispensing or giving away alcohol beverage to an intoxicated person; adopting 125.07(2)(a)1	\$ 100.00
51.01	Licensee selling, vending, dealing, or trafficking alcohol beverage to an intoxicated person; adopting 125.07(2)(a)2	\$ 100.00
51.01	Licensee directly or indirectly permitting underage person on licensed premises; adopting 125.07(3)(a)	\$ 100.00
51.01	Underage procuring or attempting to procure alcohol beverage from a licensee; adopting 125.07(4)(a)1	<i>See the uniform deposit schedule</i>

Chapter 51 Alcohol Beverages (continued)

Ordinance Number	Offense	Basic Deposit Amount
51.01	Underage possession or consumption of alcohol beverage on licensed premises, under 17 years; adopting 125.07(4)(a)2 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00
51.01	Underage possession or consumption of alcohol beverage on licensed premises, 17-20 years; adopting 125.07(4)(a)2 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd in 12 months <i>(optional driver's license revocation of up to 2 years)</i> 4 th or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00 \$ 750.00
51.01	Underage entry or attempted entry onto licensed premises, under 17 years; adopting 125.07(4)(a)3 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00
51.01	Underage entry or attempted entry onto licensed premises, 17-20 years; adopting 125.07(4)(a)3 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd in 12 months <i>(optional driver's license revocation of up to 2 years)</i> 4 th or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00 \$ 750.00
51.01	Falsely represented age for purpose of receiving alcohol beverage from licensee, under 17 years; adopting 125.07(4)(a)4 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00
51.01	Falsely represented age for purpose of receiving alcohol beverage from licensee, 17-20 years; adopting 125.07(4)(a)4 1 st in 12 months <i>(optional driver's license suspension of 30-90 days)</i> 2 nd in 12 months <i>(optional driver's license suspension of up to 1 year)</i> 3 rd in 12 months <i>(optional driver's license revocation of up to 2 years)</i> 4 th or more in 12 months <i>(optional driver's license revocation of up to 2 years)</i>	\$ 90.00 \$ 150.00 \$ 500.00 \$ 750.00
51.01	Underage possession or consumption of alcohol beverage; adopting 125.07(4)(b)	See the uniform deposit schedule

Chapter 51 Alcohol Beverages (continued)

Ordinance Number	Offense	Basic Deposit Amount
51.01	Identification card violation; adopting 125.085(3)(a)	<i>See the uniform deposit schedule</i>
51.01	Identification card violation; adopting 125.085(3)(b)	<i>See the uniform deposit schedule</i>
51.01	School-related possession of alcohol beverage; adopting 125.09(2)(b)	<i>See the uniform deposit schedule</i>

Chapter 52 Public Safety and Order

Ordinance Number	Offense	Basic Deposit Amount
52.01	29.29 Noxious substance in water	\$ 100.00
	167.10 Fireworks violation	\$ 200.00
	175.25 Illegal storage of junked vehicle	\$ 100.00
	940.19(1) Battery	\$ 500.00
	941.10 Negligent handling of burning material	\$ 300.00
	941.12(2) Interfering with fire fighting-equipment	\$ 500.00
	941.12(3) Interfering with fire fighting-hydrant	\$ 500.00
	941.13 False alarm	\$ 300.00
	941.20(1) Reckless use of weapon	\$ 300.00
	941.23 Carrying a concealed weapon	\$ 200.00
	941.235 Carrying a firearm in a public building	\$ 500.00
	941.24 Possession of switchblade knife	\$ 300.00
	941.2965 Illegal use of a facsimile firearm	\$ 200.00
	941.297 Sale of imitation firearm	\$ 200.00
	941.35 Illegal conduct relating to emergency telephone call	\$ 200.00
	941.36 Fraudulent tapping of electric wire or gas or water meter or pipe	\$ 100.00
	941.37(2) Obstructing emergency or rescue personnel	\$ 500.00
	942.05 Illegal opening of letter	\$ 100.00
	943.01(1) Damage to property	\$ 100.00
	943.017 Illegal graffiti	\$ 200.00
	943.11 Illegal entry into locked vehicle	\$ 200.00
	943.125 Illegal entry into locked coin box	\$ 200.00
	943.13 Trespass to land	<i>See the uniform deposit schedule</i>

Chapter 52 Public Safety and Order (continued)

Ordinance Number	Offense	Basic Deposit Amount
52.01	943.14 Trespass to dwelling	\$ 500.00
	943.145 Trespass to a medical facility	\$ 500.00
	943.15 Illegal entry into locked site	\$ 500.00
	943.20 Theft	\$ 200.00
	943.21 Fraud on innkeeper or taxicab operator	\$ 200.00
	943.22 Use of cheating token	\$ 100.00
	943.225 Refusal to pay for motor bus ride	\$ 100.00
	943.24 Issue of worthless check	\$ 100.00
	943.37 Alteration of property identification mark	\$ 200.00
	943.38(3) Forgery	\$ 200.00
	943.392 Fraudulent data alteration	\$ 200.00
	943.41 Credit card crime	\$ 200.00
	943.455 Theft of cellular telephone service	\$ 200.00
	943.46 Theft of cable television service	\$ 200.00
	943.47 Theft of satellite cable programming	\$ 200.00
	943.50 Retail theft	\$ 200.00
	943.55 Removal of a shopping cart	\$ 100.00
	943.61 Theft of library material	\$ 100.00
	943.70 Computer crime	\$ 200.00
	944.20 Lewd and lascivious behavior	\$ 200.00
	944.23 Making lewd, obscene or indecent drawing	\$ 200.00
	944.36 Solicitation of drinks	\$ 100.00
	945.02 Gambling	\$ 200.00
	945.04 Permitting premises to be used for commercial gambling	\$ 500.00
	946.40 Refusing to aid officer	\$ 500.00
	946.41 Resisting or obstructing officer	\$ 500.00
	946.42 Escape	\$ 500.00
	946.46 Encouraging violation of probation or parole	\$ 300.00
	946.69 Falsely assuming to act as public officer or employee	\$ 200.00
	946.70 Impersonating peace officer	\$ 500.00
	946.72 Tampering with public record or notice	\$ 100.00
	947.01 Disorderly conduct	\$ 130.00
	947.012 Unlawful use of telephone	\$ 100.00
	947.0125 Unlawful use of computerized communication system	\$ 100.00
	947.013 Harassment	<i>See the uniform deposit schedule</i>
	947.06 Unlawful assembly	\$ 100.00
	948.51 Hazing	\$ 300.00
	951.02 Mistreating animal	\$ 500.00
	951.03 Dognapping or catnapping	\$ 500.00

Chapter 52 Public Safety and Order (continued)

Ordinance Number	Offense	Basic Deposit Amount
52.01	951.04 Leading animal from motor vehicle	\$ 100.00
	951.05 Cruel transportation of animal	\$ 500.00
	951.06 Expose animal to poisonous or controlled substance	\$ 500.00
	951.07 Illegal use of certain animal device	\$ 500.00
	951.08 Instigating fight between animals	\$ 500.00
	951.09 Shooting at caged or staked animal	\$ 500.00
	951.095 Harassment of police animal	\$ 500.00
	951.10 Illegal sale of baby rabbit, chick or other fowl	\$ 100.00
	951.11 Illegal artificially colored animal	\$ 100.00
	951.13 Failure to provide proper food and drink to confined animal	\$ 500.00
	951.14 Failure to provide proper shelter of animal	\$ 500.00
	951.15 Illegal neglect or abandonment of animal	\$ 500.00
	951.573(1) Possession of drug paraphernalia	\$ 100.00
	951.574(1) Manufacture or delivery of drug paraphernalia	\$ 100.00
	951.575(1) Delivery of drug paraphernalia to a minor	\$ 500.00
52.02	938.983(2) Possess, buy, attempt to buy, or falsely represent age to receive tobacco product	<i>See the uniform deposit schedule</i>
	961.573(2) Possession of drug paraphernalia	<i>See the uniform deposit schedule</i>
	961.574(2) Manufacture or delivery of drug paraphernalia	<i>See the uniform deposit schedule</i>
	961.575(2) Delivery of drug paraphernalia to a minor	<i>See the uniform deposit schedule</i>
52.03	Curfew violation	\$ 100.00
52.04	Hunting or discharge of firearm	\$ 500.00
52.05	Prohibited weapons	\$ 300.00
52.06	Possession of marijuana	\$ 100.00
52.07	Damage to property	\$ 200.00
52.08	Damage to public property	\$ 200.00
52.09	Interference with public safety officer	\$ 500.00
52.10	Failure to obey lawful order	\$ 300.00
52.11	Trespass	\$ 70.00
52.12	Littering	\$ 200.00
52.13	Loud and unnecessary noise	\$ 100.00
52.14	Disturbance of lawful assembly	\$ 100.00
52.15	Drunkenness	\$ 200.00
52.16	Dog at large/barking	\$ 50.00
52.17	Right-of-way violation	\$ 200.00

Chapter 53 False Alarms

Ordinance Number	Offense	Basic Deposit Amount
53.01	False report of an emergency	\$ 500.00
53.02	False alarm	
	1 st	\$ 50.00
	2 nd	\$ 150.00
	3 rd	\$ 250.00

Chapter 54 Election Activity Restrictions

Ordinance Number	Offense	Basic Deposit Amount
54.03	Election activity violation	\$ 250.00

For any offenses not listed herein, unless the maximum forfeiture is less than \$100.00, in which case the basic deposit amount shall be the maximum forfeiture -- \$ 100.00