

ORDINANCE NUMBER 1.01
AN ORDINANCE OF THE TOWN OF BLOOMING GROVE
RELATING TO ISSUANCE OF CITATIONS FOR
VIOLATIONS OF TOWN ORDINANCES

The Town Board of the Town of Blooming Grove, Dane County, Wisconsin, do ordain as follows:

Section 1. Statutory Authority.

Pursuant to Section 66.119 of Wisconsin Statutes, the Town Board of Supervisors of the Town of Blooming Grove, Dane County, Wisconsin, 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 offense.
- (d) The section of the Ordinance violated.
- (e) A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
- (f) The time at which the 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 Town Clerk prior to the specified time.
 - (2) That if a deposit is made no appearance in court is necessary unless he or she is subsequently summoned.
 - (3) That if a cash deposit is made the alleged violator does not appear in court he 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 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. Deposits.

The following deposits is established for use with citations issued under this Ordinance:

DEPOSITS & COSTS

\$50 plus \$7 costs

Deposits shall be made in cash, money order or certified check to the Clerk of the Town of Blooming Grove who shall provide a receipt thereafter.

Section 4. Issuance of Board Citations.

The Town may issue citations.

Section 5. Procedure.

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

Section 6. Nonexclusivity.

- (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 office from proceeding under any other Ordinance or law or by any other enforcement method to enforce any Ordinance, regulation or order.

Section 7. Severability.

If any provisions 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 this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 8. Effective Date.

This Ordinance shall take effect the day after its publication.

The above and foregoing Ordinance was duly adopted by the Town Board of the Town of Blooming Grove at a regular meeting held on the 18th day of July, 1989.

Chairman Patricia Ampe

Supervisor Marlen J. Moody

Supervisor Stephen R. Sasso

I hereby certify that the foregoing Ordinance relating to issuance of citations for violations of Town Ordinances was published as a Class 1 notice under ch. 985, Wis. Stats., on the 26th day of July, 1989.

Date: _____

Clerk