

## CHAPTER 2

### Use of Citation (Bond Schedule)

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#### **SEC. 1-2-1 AUTHORIZATION FOR USE OF CITATION**

Pursuant to the authority granted by Section 66.119, Wis. Stats., the use of a citation to be issued for violation of ordinances other than those for which a statutory counterpart exists is hereby authorized.

#### **SEC. 1-2-2 OFFICIALS AUTHORIZED TO ISSUE CITATION.**

Citations authorized in Section 1-2-1 above may be issued by law enforcement officers of the Village and by designated Village officials with respect to sections of the Code which are directly related to the official's area of responsibility. The officials granted authority to issue citations under this Section may delegate the authority to other Village employees within the designated official's department with the approval of the Village Board.

#### **SEC. 1-2-3 FORM OF CITATION**

The form of the citation to be issued by designated Village officials is incorporated herein by reference and shall provide for the following information:

- (a) The name, address and date of birth of the alleged violator;
- (b) The factual allegations describing the alleged violation;
- (c) The date and place of the offense;
- (d) The section of the ordinance 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:
  - (1) That the alleged violator may make a cash deposit of a specified amount to be mailed to a specified official within a specified time;
  - (2) That if the alleged violator makes such a deposit, he need not appear in court, unless subsequently summoned.
  - (3) That if the alleged violator makes a cash deposit and does not appear in court, he will be deemed to have tendered a plea of no contest submitted to a forfeiture and a penalty assessment imposed by Section 165.87, Wis.Stats., and court costs as imposed by Section 800.10, Wis.Stats., not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest;

- (4) That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture and the penalty assessment imposed by Section 165.87 Wis.Stats;
- (h) A direction that if the alleged violator elects to make a cash deposit, the alleged violator shall sign an appropriate statement which accompanies the citation to indicate that he read the statement required under Subsection (g) and shall send the signed statement with the cash deposit;
- (i) Such other information as the Village deems necessary.

**SEC. 1-2-4 SCHEDULE OF CASH DEPOSITS AND RECEIPT OF CASH DEPOSITS**

The schedule of cash deposits for the various ordinances for which a citation may be issued are as established on the deposit schedule adopted by the Village Board, a copy of which is on file with the Clerk-Treasurer. In addition to the deposit amount listed, the deposit must include a penalty assessment imposed by Section 165.87, Wis.Stats., and court costs as imposed by Section 800.10 Wis.Stats.

Deposits shall be made in cash, money order, check, credit card, or certified check to: Lakeside Municipal Court, Fond du Lac County, Wisconsin

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

<b>ORDINANCE CHAPTER</b>	<b>OFFENSE</b>	<b>DEPOSITS AND COSTS</b>
#3-1-10 (Open Burning)	Violation	\$100 plus current court costs

(Attached are remaining Schedule of Deposits 3-15-1 through Well Abandonment)

Remaining schedule of deposits copied from Matt Parmentier and in agreement with Lakeside Municipal Court

Sec 1-2-4  
Schedule of Cash Deposits and  
Receipt of Cash Deposits

3-15-1 through 3-15-8 (Liquid Manure)	Each Violation	\$300 plus current court costs
4-1-2 (Grading)	Violation	\$100 plus current court costs
4-2-7 (Snow Removal)	Violation	\$250 plus current court costs
4-3-1 through 4-3-2 (Driveways)	Violation	\$100 plus current court costs
4-4-1 through 4-4-15 (Trees and Shrubs)	Violation	\$100 plus current court costs
4-5-1 through 4-5-3 (Regulation of Parks)	Violation	\$100 plus current court costs
6-1-4f (Grass and Weeds)	Violation	\$100 plus current court costs
6-1-5f (Smoking)	Violation	\$100 plus current court costs
6-2-1 (Spilled Waste)	Violation	\$500 plus current court costs
6-3-1 through 6-3-8 (Refuse Disposal and Collection)	Violation	\$100 plus current court costs
7-1-1 through 7-1-5 (Licenses)	Violation	\$100 plus current court costs
	Subsequent violations	\$350 plus current court costs
7-1-5 (Violation of Quarantine Order)	Violation	\$500 plus current court costs

7-1-6 through 7-1-14 (Nuisance animals)	Violation	\$100 plus current court costs
	Subsequent violations	\$200 plus current court costs
7-1-15 through 7-1-19 (Acts of Cruelty to Animals)	Violation	\$200 plus current court costs
7-2-3 (Alcohol License Required)	Violation	\$200 plus current court costs
7-2-13 (Posting of Alcohol License)	Violation	\$100 plus current court costs
7-2-14 (Violations of Conditions of Alcohol License)	Violation	\$100 plus current court costs
7-2-14 (Closing Hours)	Violation	\$100 plus current court costs
7-4-1 (Direct Seller License Required)	Violation	\$100 plus current court costs
7-4-7 (Prohibited Direct Seller Practices)	Violation	\$100 plus current court costs
7-7-1 (Regulation of Fireworks)	Each Violation	\$100 plus current court costs
8-1-1 through 8-1-20	Moving Traffic Violation	Forfeiture consistent with Wis. Stat. § 814.63(1) and (2) or Wis. Stat. § 814.65(1) and Wis. Stat. § 346.655 when applicable

8-1-1 through 8-1-20	Violations Related to Parking	\$50 plus current court costs
	Subsequent Violations Related to Parking	\$150 plus current court costs
8-1-1 through 8-1-20 (Violations not Related to Moving or Parking)	Violation	\$100 plus current court costs
8-2-1 through 8-2-8 (Snowmobiles)	Violation	\$250 plus current court costs
8-3-1 through 8-3-8 (Abandoned and Junked Vehicles)	Violation	\$100 plus current court costs
8-4-1 through 8-4-8 9 (ATV/UTV Violations)	Violation	Forfeiture consistent with Wis. Stat. §23.33(13)
9-2-1 through 9-2-16 (Offenses Against Public Safety and Peace)	Violation	\$250 plus current court costs
9-3-1 through 9-3-11 (Offenses Against Property)	Violation	\$250 plus current court costs
9-4-1 through 9-4-2 (Obscenity)	Violation	\$500 plus current court costs
9-5-1 (Sale to Underage or Intoxicated Persons)	Violation	\$250 plus current court costs

9-5-2 (Underage Persons Presence in Places of Sales)	Violation	\$250 plus current court costs
9-5-3 (Underage Persons)	Violation	\$50 plus current court costs
	Violation (second in 12 months)	\$100 plus current court costs
	Violation (2 or more previous violations)	\$150 plus current court costs
9-5-5(a)(1) (Making False or Altered Identification Cards)	Violation	\$250 plus current court costs
9-5-5(a)(2) (Presenting False or Altered Identification Cards)	Violation	\$100 plus current court costs
9-5-5(b) (Underage making or presenting Identification Card)	Violation (making)	\$250 plus current court costs
9-5-5(b) (Underage making or presenting Identification Card)	Violation (presenting)	\$100 plus current court costs
9-5-6 (Possession of Alcohol Beverages on School Grounds)	Violation	\$200 plus current court costs
9-6-1 through 9-6-5 (Nuisance)	Violation	\$100 plus current court costs

Zoning Ordinance* Includes 10-1-1 through 10-1-149	Violation	\$250 plus current court costs
10-4-1 through 10-4-17 (Building Violations)	Violation	\$100 plus current court costs
10-5-1 through 10-5-4 (Fair Housing)	Violation	\$100 plus current court costs
10-8-1 through 10-8-11 (Housing Code)	Violation	\$100 plus current court costs
Wellhead Protection Ordinance	Violation	\$150 plus current court costs
Well Abandonment and Well Operation Ordinance	Violation	\$200 plus current court costs

**1-2-5 ISSUANCE OF CITATION**

Any law enforcement officer or the following officials may issue citations with respect to those specified Code provisions which are directly related to their official responsibilities.

<b>ORDINANCE TITLE AND CHAPTER</b>	<b>ENFORCEMENT OFFICIAL</b>
3-1-10 (Open Burning)	Village President / Village Trustee / Fire Chief
3-15-1 through 3-15-8 (Liquid Manure)	Village President / Village Trustee
4-1-2 (Grading)	Village President / Village Trustee / Building Inspector
4-2-7 (Snow Removal)	Village President / Village Trustee

**SEC. 1-2-5 ISSUANCE OF CITATION**

(Attached are the Ordinance Title and Chapter Codes and designated Enforcement Officials)



4-3-1 through 4-3-2 (Driveways)	Village President / Village Trustee / Building Inspector
4-4-1 through 4-4-15 (Trees and Shrubs)	Village President / Village Trustee / Building Inspector
4-5-1 through 4-5-3 (Regulation of Parks)	Village President / Village Trustee
6-1-4f (Grass and Weeds)	Village President / Village Trustee
6-1-5f (Smoking)	Village President / Village Trustee
6-2-1 (Spilled Waste)	Village President / Village Trustee
6-3-1 through 6-3-8 (Refuse Disposal and Collection)	Village President / Village Trustee
7-1-1 through 7-1-5 (Licenses)	Village President / Village Trustee
7-1-5 (Violation of Quarantine Order)	Village President / Village Trustee
7-1-6 through 7-1-14 (Nuisance animals)	Village President / Village Trustee
7-1-15 through 7-1-19 (Acts of Cruelty to Animals)	Village President / Village Trustee
7-2-3 (Alcohol License Required)	Village President / Village Trustee
7-2-13 (Posting of Alcohol License)	Village President / Village Trustee
7-2-14 (Violations of Conditions of Alcohol License)	Village President / Village Trustee

7-2-14 (Closing Hours)	Village President / Village Trustee
7-4-1 (Direct Seller License Required)	Village President / Village Trustee
7-4-7 (Prohibited Direct Seller Practices)	Village President / Village Trustee
7-7-1 (Regulation of Fireworks)	Village President / Village Trustee
8-1-1 through 8-1-20	Village President / Village Trustee
8-1-1 through 8-1-20 (Violations not Related to Moving or Parking)	Village President / Village Trustee
8-2-1 through 8-2-8 (Snowmobiles)	Village President / Village Trustee
8-3-1 through 8-3-8 (Abandoned and Junked Vehicles)	Village President / Village Trustee
8-4-1 through 8-4-8 9 (ATV/UTV Violations)	Village President / Village Trustee
9-2-1 through 9-2-16 (Offenses Against Public Safety and Peace)	Village President / Village Trustee
9-3-1 through 9-3-11 (Offenses Against Property)	Village President / Village Trustee
9-4-1 through 9-4-2 (Obscenity)	Village President / Village Trustee
9-5-1 (Sale to Underage or Intoxicated Persons)	Village President / Village Trustee

9-5-2 (Underage Persons Presence in Places of Sales)	Village President / Village Trustee
9-5-3 (Underage Persons)	Village President / Village Trustee
9-5-5(a)(1) (Making False or Altered Identification Cards)	Village President / Village Trustee
9-5-5(a)(2) (Presenting False or Altered Identification Cards)	Village President / Village Trustee
9-5-5(b) (Underage making or presenting Identification Card)	Village President / Village Trustee
9-5-5(b) (Underage making or presenting Identification Card)	Village President / Village Trustee
9-5-6 (Possession of Alcohol Beverages on School Grounds)	Village President / Village Trustee
9-6-1 through 9-6-5 (Nuisance)	Village President / Village Trustee
Zoning Ordinance* Includes 10-1-1 through 10-1-149	Village President / Village Trustee
10-4-1 through 10-4-17 (Building Violations)	Village President / Village Trustee / Building Inspector
10-5-1 through 10-5-4 (Fair Housing)	Village President / Village Trustee / Building Inspector
10-8-1 through 10-8-11 (Housing Code)	Village President / Village Trustee / Building Inspector

Wellhead Protection Ordinance	Village President / Village Trustee / Building Inspector
Well Abandonment and Well Operation Ordinance	Village President / Village Trustee / Building Inspector

**1-2-6 PROCEDURE**

*(66.119.3) - Lakeside*

Wis. Stats. Sec. 66.0113(3) relating to violator's options and procedures on default is hereby adopted and incorporated by reference.

**1-2-7 NONEXCLUSIVITY**

- a) Other Provisions. This Chapter does not preclude the Village Board from providing for enforcement of any other law or ordinance relating to the same or some other matter.
- b) Other Remedies. The issuance of a citation hereunder shall not preclude the Village Board or any authorized office from proceedings under any other part of this Code.

**SEC. 1-2-6 PROCEDURE.**

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

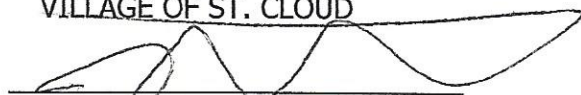
**SEC. 1-2-7 NONEXCLUSIVITY OF CHAPTER.**

- (a) Adoption of this Chapter does not preclude the Village Board from adopting any other ordinance providing for the enforcement of any other law or ordinances relating to the to the same or other matters.
- (b) The issuance of a citation hereunder shall not preclude the Village 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.

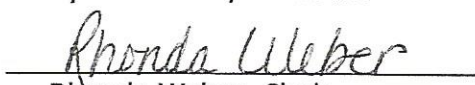
Citation ordinances #1-2-4 and #1-2-5 and related sections contained in this Chapter, shall take effect immediately upon passage and approval of the Village Board at its regular meeting on:  
the 13<sup>th</sup> day of April, 2021.

VILLAGE OF ST. CLOUD

By:

  
Ryan Gebhart, President

Attest:

  
Rhonda Weber, Clerk