

SECTION 1.0

INTRODUCTION

Section 1.01. Title. This ordinance shall be known as, referred to, or cited as the Citation Ordinance, Town of Silver Cliff, Marinette County, Wisconsin.

Section 1.02. Authority. The Silver Cliff Town Board has the specific authority under Wisconsin State Statute 66.0113 to adopt this ordinance.

Section 1.03. Purpose and Intent. The purpose of this ordinance is to authorize the Town Board, the Constable of the Town of Silver Cliff, and the Code Enforcement Officer to issue citations for violations of Town of Silver Cliff ordinances, including ordinances with statutory counterparts.

Section 1.04. Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing agreements, rules, regulations, or permits previously adopted or issued pursuant to law. However, when this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

Section 1.05. Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town of Silver Cliff, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

Section 1.06. Severability. If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 1.07. Effective Date. This ordinance shall be effective after adoption by the Town Board of Silver Cliff and publication or posting as provided by law.

SECTION 2.0

COVERAGE

Each citation issued in the Town of Silver Cliff shall include the following:

- A. The name and address of the alleged violator.
- B. The factual allegations describing the alleged violation.
- C. The time and location of alleged offense.
- D. The section of the ordinance allegedly violated.
- E. A description of the offense in such manner as can be readily understood by a person

making a reasonable effort to do so.

F. The date and time at which the alleged violator may appear in court.

G. A statement which, in essence, informs the alleged violator the following:

1. That a cash payment based on the Town of Silver Cliff Fine/Forfeiture Schedule Resolution may be made and shall be mailed or hand-delivered to the Clerk of Court prior to the date of the scheduled court appearance.

2. That if payment is made, no appearance in court is necessary unless the defendant is subsequently summoned.

3. That if the alleged violator makes a cash payment and does not appear in court, (s)he either will be deemed to have entered a plea of no contest and submitted to a forfeiture, (plus costs, fees, and surcharges imposed under Chapter 814, Wisconsin statutes, not to exceed the amount of the deposit) or that the violator will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

4. That if no payment is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or warrant for the defendant's arrest or consider the non-appearance to be a plea of no contest and enter judgment, or an action may be commenced to collect the forfeiture.

5. A statement that if the court finds that the violation involves an offense that prohibits conduct prohibited by State Statutes punishable by fine or imprisonment or both, and that the violation resulted in property damage or physical injury to a person other than the alleged violator, the court may summon the defendant into court to determine if restitution shall be ordered under s. 800.093, WI Stats.

H. A direction that if the alleged violator elects to make a cash payment, the alleged violator shall sign an appropriate statement that accompanies the citation to indicate that (s)he has read the statement required under s. 66.0113(1)(b)7 WI Stats., and shall send or bring the signed statement with the cash payment.

I. Such other information as the town deems necessary.

**SECTION 3.0
ISSUANCE AND SERVICE OF CITATION**

Town of Silver Cliff citations may be issued by the Silver Cliff Constable, the Code Enforcement Officer, Silver Cliff town board members, or by other designees approved by the town board.

**SECTION 4.0
RELATIONSHIP TO OTHER LAWS**

The adoption and authorization for use of a citation under this ordinance does not preclude the town board of the Town of Silver Cliff from adopting any other ordinance or for the enforcement of any ordinance relating to the same or any other matter. The issuance of a citation under this

ordinance does not preclude proceeding under any other ordinance relating to the same or any other matter. Proceeding under any other ordinance relating to the same or any other matter does not preclude the issuance of a citation under this ordinance.

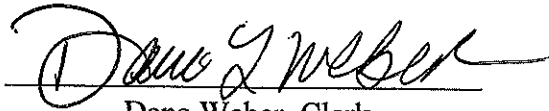
SECTION 5.0

ADOPTION


The foregoing ordinance is hereby adopted by the Town Board of the Town of Silver Cliff on this 12th day of October, 2021.



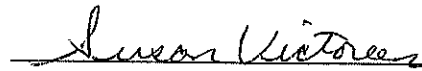
Bruce Weber, Chairman



Dana Weber, Clerk



Dee Farley, Supervisor



Sue Victoreen, Supervisor