

TOWN OF RHINE MUNICIPAL CODE

**CHAPTER 7: CITATIONS AND PENALTIES**

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**7.01 CITATION AUTHORITY<sup>1</sup>**

(1) Purpose. The purpose of this section is to authorize specific Town officials to issue citations for violations of this Municipal Code, including sections with statutory counterparts.

(2) Authority. This section is adopted pursuant to § 66.0113, Wis. Stats., and except as otherwise provided herein, its provisions and any future amendments describing and defining procedures with respect to the issuance and resolution of citations for code violations are adopted by reference as if fully set forth herein.

(3) Form.

(a) General citations issued pursuant to this section shall be on the "Wisconsin Uniform Municipal Citation" or a form which is substantially similar, and which includes all of the information required by § 66.0113(1)(b), Wis. Stats.

(b) For traffic violations, including parking violations, the uniform traffic citation specified in § 345.11, Wis. Stats., shall be used in lieu of the citation form described in subsection (a). (*Rev. 02/02/2010*)

(4) Bond; Cash Deposits. For any non-traffic citation issued pursuant to this section, the required bond/cash deposit shall be the minimum forfeiture amount allowed for the violation, plus applicable statutory costs, fees, surcharges and assessments. Cash deposits are to be made to, and a receipt obtained from, the Clerk of the Village of Elkhart Lake/Town of Rhine Municipal Court.

(5) Issuance. Citations may be issued by:

(a) the Town Chair,

(b) the Town Clerk, as specifically directed by the Town Board on a case by case basis, or

(c) a county or municipal law enforcement agency, when acting pursuant to a specific request or a contract to provide law enforcement services within the Town.

(6) Service. Citations may be served by the county or municipal law enforcement agency with which the Town contracts, or the Sheboygan County Sheriff. For any citation issued to a minor, a copy of the citation shall be mailed or delivered to the child's parent or legal guardian within seven (7) days of issuance.

(7) Relationship to Other Laws. The authorization granted pursuant to this section and any citation issued hereunder does not preclude nor mandate the Town to enforce any code, ordinance, rule, or regulation in any manner it deems appropriate.

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<sup>1</sup> Chapter 7 was substantially revised and renumbered by Ord. 2009-1, adopted May 5, 2009.

**7.02 PENALTIES: WHEN NOT OTHERWISE DESIGNATED**

(1) General Penalty. Except as otherwise provided, any person who violates any of the provisions of this Code shall be subject to a forfeiture of not less than \$100.00 nor more than \$1,000.00, plus the costs of prosecution.

(2) Default. Any person who fails to pay a forfeiture or costs shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.

(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. (Rev. 08/07/01; Rev & Renum. 5/05/09)