

## **Ordinance 2026-20**

### **CHAPTER 20 An Ordinance Repealing and Replacing Ordinance No. 8**

#### **ISSUING CITATIONS FOR VIOLATION OF ORDINANCES AND PROVIDING A SCHEDULE OF CASH DEPOSITS**

##### **Section 8.1. Authority.**

Pursuant to the authority of Section 66.0113 of the Wisconsin Statutes, the Town of Hampden hereby authorizes the use of a citation to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

##### **Section 8.2. The Citation.**

- (a) The citation shall contain the following:
  - (1) The name, address, date of birth, if known, and physical description of the alleged violator.
  - (2) Factual allegations describing the alleged violation.
  - (3) The time and place of the offense.
  - (4) The section of the ordinance violated.
  - (5) A designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so.
  - (6) The time at which the alleged violator may appear in court.
  - (7) A statement which in essence informs the alleged violator:
    - (A) That a cash deposit based on the schedule established by the Town's schedule of deposits may be made which shall be delivered or mailed to the Columbia County Clerk of Circuit Court prior to the time of the scheduled court appearance.
    - (B) That if a cash deposit is made, no appearance in court is necessary unless he or she is subsequently summoned.
    - (C) That if a cash deposit is made and the alleged violator does not appear in court, the alleged violator will be deemed to have entered a plea of no contest and submitted to a forfeiture not to exceed the amount of the deposit, plus costs on any applicable assessments or, if the court does not accept the plea of no

contest, a summons will be issued for the alleged violator to appear in court to answer the citation.

(D) That if no cash deposit is made and the alleged violator does not appear in court at the time specified, the court may issue a summons or a warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment, or the Town may commence an action against the alleged violator to collect the forfeiture, plus costs and any applicable assessments.

(8) 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 8.2(a)7 above has been read. Such statement shall be sent or brought with the cash deposit.

(9) Such other information as may be deemed necessary by the Town.

(b) The form of the citation shall be uniform and used by all law enforcement officers and other town officials.

### **Section 8.3. Schedule of Deposits.**

(a) The Town shall adopt by resolution a schedule of deposits for use with citations issued under this Chapter for violations of the Code of Ordinances.

(b) In addition to the appropriate cash deposit amount as established by the schedule of deposits, all citations shall further specify the corresponding penalty assessments, court costs, court automation fee, and jail assessment.

(c) Deposits shall be paid in cash, money order or cashier's check to the Columbia County Clerk of Circuit Court who shall provide a receipt therefor.

(d) The Town may issue a violation letter before a citation is issued that explains the violation and gives the violator the option of paying the deposit within then (10) business days to avoid court costs and penalty assessments. If the forfeiture is not paid within ten (10) business days, a citation will be issued which will consist of the forfeiture, plus court costs and applicable assessments.

### **Section 8.4. Issuance of Citations.**

Any law enforcement officer may issue citations for enforcement of any ordinances as authorized. In addition, the Town Chairperson, Town Engineer or Building Inspector is hereby authorized to issue citations for enforcement of any ordinances as well.

### **Section 8.5. Procedure.**

The provisions of Section 66.0113(3) of the Wisconsin Statutes, as may from time to time be amended, relating to violator's options and procedure on default are hereby adopted and incorporated herein by reference.

**Section 8.6. Nonexclusivity.**

Adoption of this Chapter 8 in no way precludes the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter. The issuance of a citation hereunder shall not preclude the Town Board or any authorized officer from proceeding under any other law or ordinance or by any other enforcement method to enforce any ordinance, regulation or order.

**Section 8.7. Severability.**

The various provisions of this Chapter are deemed severable, and it is expressly declared that the Town Board would have passed the other provisions hereof irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Chapter and the application of such provisions to other persons or circumstances shall not be affected thereby and shall continue in full force and effect.

Adopted this 20th day of October, 2026 by the Town Board of Hampden.

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David Tuschen, Chairman

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William Hoffman, Supervisor 1

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Taylor Dahl, Supervisor 2

Attest:

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Nanette Hensen, Clerk