

CITATION ENFORCEMENT

The Board of Trustees of the Village of Eden, at a duly-noticed meeting with quorum present and voting, hereby ordains the following:

SECTION 1: STATUTORY AUTHORITY

Pursuant to Sec. 66.0113, Wis. Stats., the Village Board hereby elects to use the citation method to enforce the provisions of this Code.

SECTION 2: FORM OF CITATION

- a) The citation shall contain the following information:
- 1) The name and address of the alleged violator;
 - 2) Date of birth of the alleged violator;
 - 2) The 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 readily be 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 this Chapter may be made which shall be delivered or mailed to the Clerk of Court prior to the time of the scheduled court appearance.
 - b. That if a deposit is made, no appearance in court is necessary unless the defendant is subsequently summoned.
 - c. That if a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have entered a plea of no contest, and submitted to a forfeiture with applicable penalty assessment, 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.
 - d. That if no cash deposit is made and the alleged violator does not appear in court

at the time 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.

- 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 Subsection (7) above has been read. Such statement shall be sent or brought with the cash deposit;
- 9) A statement that if the court finds that the violation involves an offense that prohibits conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation results 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 Wis. Stats. Sec. 800.093; and
- 10) Such other information as the Village deems necessary.

SECTION 3: SCHEDULE OF DEPOSITS

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

ORDINANCE and/or CHAPTER	OFFENSE	DEPOSITS AND COSTS
ATV Ordinance	Violation	Forfeiture consistent with Wis. Stat. §23.33(13)
Display of Home and Business Address Number Ordinance	Violation	\$250 plus current court costs
Construction Site Erosion and Sediment Control Ordinance (S. 01-S. 12)	Violation	\$500 plus current court costs
Village Parks Curfew Ordinance (Sections 1-5)	Violation	\$250 plus current court costs

Pet Licenses and Restraint of Dogs and Cats Ordinance (Section 1)	Violation	\$100 plus current court costs
Pet Licenses and Restraint of Dogs and Cats Ordinance (Sections 2-12)	Violation	\$250 plus current court costs
Drainage into the Sanitary Sewer System Ordinance (Sections 1-6)	Violation	\$1,000 plus current court costs
Operation of Outdoor Fire Pits and Fire Place Ordinance (Sections 1-8)	Violation	\$250 plus current court costs
Compression Brake Ordinance (Section 9.02(3))	Violation	\$500 plus current court costs
Illicit Discharge Ordinance (Section 1-14)	Violation	\$1,000 plus current court costs
Building and Mechanical Code Ordinance	Violation	\$500 plus current court costs

(Sections 1-1-01 through 1-1-23)		
Nuisance Ordinance (Sections 1-12)	Violation	\$200 plus current court costs
Post-Construction Storm Water Management Ordinance (S. 01-S.13)	Violation	\$1,000 plus current court costs
Recycling Ordinance (Sections 1.01- 1.19)	Violation	\$250 plus current court costs
Sex Offender Residency Ordinance (Sections 1-9)	Violation	\$500 plus current court costs
Subdivision Control Ordinance (Sections 1-17)	Violation	\$500 plus current court costs
Zoning Ordinance	Violation	\$250 plus current court costs

SECTION 4: 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.

ORDINANCE TITLE AND CHAPTER	ENFORCEMENT OFFICIAL
ATV Ordinance	Village President / Village Trustee
Display of Home and Business Address Number Ordinance	Village President / Village Trustee/ Building Inspector
Construction Site Erosion and Sediment Control Ordinance (S. 01-S. 12)	Village President / Village Trustee / Building Inspector
Village Parks Curfew Ordinance (Sections 1-5)	Village President / Village Trustee
Pet Licenses and Restraint of Dogs and Cats Ordinance (Section 1)	Village President / Village Trustee
Pet Licenses and Restraint of Dogs and Cats Ordinance (Sections 2-12)	Village President / Village Trustee
Drainage into the Sanitary Sewer System Ordinance (Sections 1-6)	Village President / Village Trustee
Operation of Outdoor Fire Pits and Fire Place Ordinance (Sections 1-8)	Village President / Village Trustee/ Fire Chief
Compression Brake Ordinance (Section 9.02(3))	Village President / Village Trustee

<p>Illicit Discharge Ordinance (Section 1-14)</p>	<p>Village President / Village Trustee/ Building Inspector</p>
<p>Building and Mechanical Code Ordinance (Sections 1-1-01 through 1-1-23)</p>	<p>Village President / Village Trustee/ Building Inspector</p>
<p>Nuisance Ordinance (Sections 1-12)</p>	<p>Village President / Village Trustee</p>
<p>Post-Construction Storm Water Management Ordinance (S. 01-S.13)</p>	<p>Village President / Village Trustee/ Building Inspector</p>
<p>Recycling Ordinance (Sections 1.01- 1.19)</p>	<p>Village President / Village Trustee</p>
<p>Sex Offender Residency Ordinance (Sections 1-9)</p>	<p>Village President / Village Trustee</p>
<p>Subdivision Control Ordinance (Sections 1-17)</p>	<p>Village President / Village Trustee</p>
<p>Zoning Ordinance</p>	<p>Village President / Village Trustee</p>

SECTION 5: JUVENILE PENALTIES

The Village elects to come under the jurisdiction of the following statutes as they pertain to juvenile penalties:

- a) §938.343, Disposition of juvenile adjudged to have violated a civil law or ordinance.
- b) §938.344 Disposition; certain intoxicating liquor, beer or drug violations; and Wisconsin Statutes §938.355(6)(d)2 pertaining to the suspension or limitation on the use of a juvenile's vehicle operating privilege.

SECTION 6: PROCEDURE

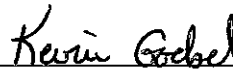
Wis. Stats. Sec. 66.0113(3) relating to violator's options and procedures on default is hereby adopted and incorporated by reference.

SECTION 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.

Dated this 19 day of March, 2024.

VILLAGE OF EDEN



Kevin Goebel, Village President

Attest:


Kari Schlefke, Village Clerk/Treasurer