

## **CHAPTER 279. CITATIONS FOR VIOLATION OF CITY ORDINANCES.**

**279.01. Use of Citation Authorized.** The use of a citation as provided in this section is authorized for any violation of any ordinance of the City of Ashland. Any citation for which a particular form is prescribed by state law shall comply with state law. In other cases, the citation shall be in substantially the form as set forth in Appendix A to this Ordinance (or an electronic version thereof) and shall provide for the following:

- (a) The name and address of the alleged violator.
- (b) The factual allegations describing the alleged violation.
- (c) The time and place of the offense.
- (d) The section of the ordinance violated.
- (e) A designation of the offense in a manner that 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 or she 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 or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, plus costs, fees, and surcharges imposed under Ch. 814, Wisconsin Statutes, 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, 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 Commission may commence an action against the alleged violator to collect the forfeiture, plus costs, fees, and surcharges imposed under Ch. 814, Wisconsin Statutes.

(5) That if the court finds that the violation involves an ordinance that prohibits conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both, and that the violation resulted in damage to the property of or physical injury to a person other than the alleged violator, the court may summon the alleged violator into court to determine if restitution shall be ordered under sec. 800.093, Wisconsin Statutes.

(6) 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 or she read the information provided under this subsection 10.40(g), and shall send the signed statement with the cash deposit.

(7) Such other information as the issuing officer may deem necessary or useful.

#### **279.02. Establishment of Bond Schedule.**

(a) Statutory counterpart. For any ordinance for which a statutory counterpart exists, the minimum cash deposits that shall be required with a plea of no contest or guilty shall be as set forth in the then current Bond and Bail Schedules adopted by the Wisconsin Judicial Conference.

(b) Municipal Bond Schedule. For any ordinance for which a cash deposit is set forth in the Municipal Bond Schedule attached as Appendix B to this Ordinance, the minimum cash deposits that shall be required with a plea of no contest or guilty shall be as set forth therein. If the costs, fees, and surcharges imposed under Chapter 814, Wisconsin Statutes are amended, Appendix B shall be deemed amended to comply therewith, as of the effective date of the amendment to Chapter 814, and the total deposit required shall be adjusted accordingly without further action required of the City Council.

(c) No statutory counterpart or municipal bond schedule amount. For any ordinance for which a statutory counterpart does not exist, and for which no deposit amount is provided in Appendix B, the minimum cash deposits that shall be required with a plea of no contest or guilty shall be 120% of the minimum forfeiture, rounded up to the nearest five dollars or, if no minimum forfeiture is provided in ordinance, then one-quarter of the maximum forfeiture, rounded up to the nearest five dollars, together with the then current and applicable costs, fees, and surcharges imposed under Chapter 814, Wisconsin Statutes.

**279.03. Payment of Deposits.** All deposits shall be submitted to the Ashland County Clerk of Court.

**279.04 Authority to Issue Citations.** Any law enforcement officer may issue a citation for any violation of any City ordinance. In addition, the following officials may issue citations with respect to ordinances which are directly related to the official responsibilities of the official:

- (a) Building Inspector
- (b) Zoning Administrator
- (c) Marina Manager
- (d) Park and Recreation Director
- (e) Fire Chief
- (f) Humane Officer
- (g) Public Works Director

**279.05. Other Proceedings.** The issuance of a citation does not preclude the City from proceeding under any other law or procedure related to the same subject matter for which the citation was issued.

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**CITY OF ASHLAND ORDINANCE VIOLATION CITATION AND COMPLAINT**  
 STATE OF WISCONSIN, CIRCUIT COURT FOR ASHLAND COUNTY

JUVENILE  ADULT

The undersigned, an officer for and on behalf of the City of Ashland states on oath (upon information and belief) that said defendant did,

CITY OF <b>ASHLAND</b>	on	20	at	A.M. P.M.	violate Ord. No-	Adopting State Statute
	Name - First		Middle Initial	Last		Describe Violation
Address (Residence)		Post Office	State	Zip		
Birthdate	Driver's License	State	Sex	Race	Height	
Vehicle Plate	Exp.	State	Make	Type	Weight	Hair Eyes
<b>YOU ARE HEREBY SUMMONED TO APPEAR IN THE ABOVE NAMED COURT</b>						On Hwy/ Street
AT	CITY OF					County of Ashland, City of Ashland
ON	20	AT	AM	PM		
to answer to the above complaint and in case of your failure to appear a warrant for your arrest may be issued						
<input type="checkbox"/> If checked, you may, in lieu of Court appearance, within five (5) days, sign the Stipulation below and bring or mail your stipulation with the amount indicated below to the Clerk of Circuit Court, Courthouse Building, Ashland, Wisconsin 54806. After 5 days, Court action will be instituted.						Officer's Signature
STIPULATION, I, the undersigned, do hereby stipulate no contest to the offense charged above, waive my right to a trial and agree to pay the amount prescribed below.						Badge No.
Signature						Date:
				Date	Amount	Sworn to before me
						Title

**INSTRUCTIONS - READ CAREFULLY**

**MANDATORY APPEARANCE?** (See other side.)  
 If your citation is marked as a mandatory court appearance, you **MUST** appear in court. The "appearance not mandatory" instructions do not apply to you.

**APPEARANCE NOT MANDATORY?** (See other side.)  
**IF YOU WISH TO DISPUTE THE CITATION**, you must either appear in court or enter a "not guilty" plea by mail prior to your court date. You may do so even if you have already paid the deposit or posted a bond. Please include either:

- a photocopy of your citation and your correct mailing address, **OR**
- your correct name and mailing address, citation number, court appearance date listed on the citation, offense and arresting police agency.

These should be mailed to the court address written under "YOU ARE NOTIFIED TO APPEAR" on the other side. The court will schedule another court date and/or a trial. Your trial will be to a judge, unless you demand a jury trial in writing within 10 days of the court date on your citation and enclose the proper fee. Make check payable to the **Clerk of Court** and forward it to the address shown on the other side.

**IF YOU DO NOT WISH TO DISPUTE THE CITATION**, simply mail in the "deposit permitted" amount on the other side of the citation by your court date, with a statement saying you do not wish to contest the citation. Please include either:

- a photocopy of your citation, **OR**
- your correct name and address, citation number, court appearance date listed on the citation, offense and arresting police agency.

Make check payable to the **Clerk of Court** and mail it to the **Clerk of Circuit Court, Courthouse, Ashland, WI 54806**. You do not need to appear. The court will either:

- accept your nonappearance as a plea of no contest, find you guilty and keep the "deposit permitted" amount as payment for your citation, **OR**
- decline to accept the deposit and order you to appear in court by summons or warrant.

**IF YOU DO NOTHING** the court may either:

- issue a warrant for your arrest, **OR**
- issue a summons for you to appear in court, **OR**
- find you guilty for failing to appear in court and order you to pay the forfeiture and costs imposed by the court.

City of Ashland  
Municipal Bond Schedule  
Ordinance 279 Appendix B

<u>Ordinance #</u>	<u>Violation Description</u>	<u>Forfeiture</u>	<u>CC, PS, JS, CL &amp; Drug, CS, JI</u>	<u>Total</u>
614	Abandoned vehicle (7 days)	\$100.00	\$163.50	\$263.50
123	Interfere with Public Works	\$50.00	\$150.50	\$200.50
201.01	Obstructing Streets and Sidewalks	\$25.00	\$144.00	\$169.00
201.02	Littering and Garbage Disposal	\$100.00	\$163.50	\$263.50
201.03	D.C. With Motor Vehicle	\$100.00	\$163.50	\$263.50
201.03	Disorderly Conduct	\$100.00	\$163.50	\$263.50
201.03	Obedience to Officers	\$100.00	\$163.50	\$263.50
201.04	Malicious Mischief / Vandalism	\$100.00	\$163.50	\$263.50
201.05	Unlawful Trespass on RR Property	\$30.00	\$145.30	\$175.30
201.06	Trespass on School Grounds	\$30.00	\$145.30	\$175.30
201.07	Lewdness	\$30.00	\$145.30	\$175.30
201.08	Shoplifting	\$100.00	\$163.50	\$263.50
201.09	Shoplifting \$100.00 and over - State Charge - Retail Theft 943.50	\$25.00	\$144.00	\$169.00
201.10	Spitting in Public Places	\$25.00		\$25.00
	Truancy	\$50.00		\$50.00
	Truancy-2nd Offense	\$75.00		\$75.00
	Truancy-3rd Offense	\$100.00		\$100.00
	Truancy-4th Offense	\$263.50		\$263.50
201.11	Possession and Use of Alcohol by Underage Persons (Under 17 yrs of age)	1st Offense		\$175.30
		2nd Offense		\$213.10
		3rd Offense		\$263.50

City of Ashland  
Municipal Bond Schedule  
Ordinance 279 Appendix B

If using State Citation for Alcohol Offenses Please Use Bond Book amounts				
201.12	Possession and Use of Controlled Sub.	\$100.00	\$163.50	\$263.50
201.13	Curfew Violation	\$25.00	\$25.00	\$25.00
201.14	Bicycle Violation	\$25.00	\$144.00	\$169.00
201.15	Possession or Use of Weapons	\$200.00	\$189.50	\$389.50
201.17	Concealed Weapon	\$500.00	\$267.50	\$767.50
201.18	Possession of Switchblade Knife	\$250.00	\$202.50	\$452.50
201.19	Entry to Locked Vehicle	\$500.00	\$267.50	\$767.50
201.20	Criminal Trespass to Land	\$100.00	\$163.50	\$263.50
201.21	Criminal Trespass to Dwelling	\$200.00	\$189.50	\$389.50
201.22	Theft	\$200.00	\$189.50	\$389.50
201.23	Fraud to Hotel or Restaurant Keeper	\$250.00	\$202.50	\$452.50
201.24	Use of Cheating Tokens	\$200.00	\$189.50	\$389.50
201.25	Operate Veh. w/o Owner's Consent	\$250.00	\$202.50	\$452.50
201.26	Issue of Worthless Check	\$200.00	\$189.50	\$389.50
201.27	Receiving Stolen Property	\$200.00	\$189.50	\$389.50
201.28	D.C. - Unlawful Use of Telephone	\$100.00	\$163.50	\$263.50
201.29	Contributing to Delinquency of Child	\$250.00	\$202.50	\$452.50
201.30	Prohibiting Swimming at Kreher Park	\$25.00	\$144.00	\$169.00
201.32	Underage Tobacco - Possession	\$25.00		\$25.00
	Underage Tobacco- Possession- 2nd Offense	\$50.00		\$50.00

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202	Loud Noises	\$50.00	\$150.50	\$200.50
203.10	Loitering	\$100.00	\$163.50	\$263.50
206	False Fire Alarms	\$100.00	\$163.50	\$263.50
208	Shooting Arrows	\$100.00	\$163.50	\$263.50
209	Watercraft Regulations	\$100.00	\$163.50	\$263.50
210	Unlawful Sheltering of Minors	\$100.00	\$163.50	\$263.50
211	Excessive False Alarms	\$50.00	\$150.50	\$200.50
351.02	Dogs and Cats at Large	\$25.00	\$144.00	\$169.00
351.10	Dogs to be Licensed	\$100.00	\$163.50	\$263.50
351.04	Barking Dogs	\$25.00	\$163.50	\$188.50
351.26	Cruelty to Animals	\$100.00	\$163.50	\$263.50
351.28	Shelter for Animals	\$100.00	\$163.50	\$263.50
354	Prohibiting the Feeding of Deer in City Limits	\$50.00	\$140.10	\$190.10
905.16	Use of Sanitary Landfill Site	\$500.00	\$267.50	\$767.50
454	Planting - Maint.- Removing Trees/Shrubs	\$100.00	\$163.50	\$263.50
463	Rules for Use & Conduct in Parks	\$100.00	\$163.50	\$263.50
463.06	Park Hours	\$50.00	\$150.50	\$200.50
463.12	Rubbish Burning	\$100.00	\$163.50	\$263.50
491	Vehicles and People at Airport	\$100.00	\$163.50	\$263.50
502	Use of Streets and Sidewalks	\$100.00	\$163.50	\$263.50
503	Heavy Traffic Routes	\$100.00	\$163.50	\$263.50
504	Vehicular Traffic Ordinance - See State Bond Schedule			
505.05	Snowmobile Ordinance - See State Bond Schedule			
570	Operation of ATV's in City Limits	\$100.00	\$163.50	\$263.50
541	Encroachment onto US Hwy 2	\$25.00	\$144.00	\$169.00

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781.6.6	Erection of Billboards and Signs	\$1,000.00	\$397.50	\$1,397.50
857	Fireworks	\$100.00	\$163.50	\$263.50
858	Hunt, Fish, & Trap in Prentice Park	\$50.00	\$150.50	\$200.50
862	Unauthorized Connection to Cable	\$100.00	\$163.50	\$263.50
882	Arcade License	\$250.00	\$202.50	\$452.50
889	Peddlers and Transient Merchants	\$500.00	\$267.50	\$767.50
911	Taxi cab Ordinance	\$100.00	\$163.50	\$263.50
781.6.6	Sign Ordinance	\$250.00	\$202.50	\$452.50
921	Alcoholic Beverages in Certain Areas	\$50.00	\$150.50	\$200.50
922	Liquor License	\$100.00	\$163.50	\$263.50
933	Bicycles and Skateboards	\$10.00	\$140.10	\$150.10
781	Fence Ordinance	\$250.00	\$202.50	\$452.50
978	Burning of Grass and Leaves	\$50.00	\$150.50	\$200.50
201.03(c)	Obstructing Officer or Resisting	\$100.00	\$163.50	\$263.50
922.40(h)	Drinking in Public Places	\$50.00	\$150.50	\$200.50
900	Violation of Recycling	\$50.00	\$150.50	\$200.50