

2.01 The Town Board of the Town of Wescott does ordain as follows:

1. INTENT. This ordinance repeals prior Ordinance 2-81 due to the extensive changes to s. 66.119 since original adoption. Through use of the citation method, the town will have the option of proceeding against violators of town ordinances through an efficient enforcement method that minimizes the need for active oversight by the town attorney, thereby reducing town costs. However, the town reserves the right to proceed otherwise when remedies sought are appropriate, such as complaint for injunction.

2. AUTHORITY. This ordinance is enacted pursuant to s. 66.119, allows the town to use the option of citation for those ordinances set forth herein, and also for any separate ordinance wherein citation is authorized.

3. FORM. The citation shall contain 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 such manner as can readily be 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 a cash deposit based on the schedule established by this or other town ordinance may be made which shall be delivered or mailed to the Clerk of Court prior to the time of the scheduled court appearance.
  - 2. That if a deposit is made, no appearance in court is necessary unless the defendant is subsequently summoned.
  - 3. That if a cash deposit is made and the alleged violator does not appear in court, he/she 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/her to appear in court to answer the complaint.
  - 4. 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 warrant for the defendant's arrest or consider the non-appearance to be a plea of no contest and enter judgement, or an action may be commenced to collect the forfeiture;
- H. 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 "G" above has been read. Such statement shall be sent or brought with the cash deposit;
- I. 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 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 Section 800.093 (municipal court).
- J. Such other information as the town deems necessary.

3. SCHEDULE OF DEPOSITS. The following schedule of cash deposits is established for use with citations based under this ordinance.

<u>ORDINANCE TITLE</u>	<u>OFFENSE</u>	<u>DEPOSITS &amp; COSTS</u>
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Individual ordinances have information - this left blank for future use

Deposits shall be made in cash, money order or certified check to the Clerk of Circuit Court who shall provide a receipt therefor.

4. ISSUANCE OF CITATION. The enforcement officer or chairperson may issue citations with respect to those specified ordinances which are directly related to his/her official responsibilities. In any particular ordinance, another specified officer may be authorized. Where appropriate, such as traffic and water enforcement, the DNR or Sheriff's Department personnel may also enforce.

5. PROCEDURE. Section 66.119(3) Wisconsin Statutes relating to violator's options and procedures on default is hereby adopted and incorporated by reference.

6. NONEXCLUSIVITY.

A. OTHER ORDINANCE. Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matters.

B. OTHER REMEDIES. The issuance of a citation hereunder shall not preclude the Town Board or any authorized office from proceedings under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

7. SEVERABILITY. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

8. EFFECTIVE DATE. This ordinance shall take effect upon its passage and publication on posting as provided by law. The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Wescott on July 11, 1995.

Vote for:  3  against  0  S \_\_\_\_\_

Chairperson Michel Schuler

S/ \_\_\_\_\_

Supervisor Russell Robbins

S/ \_\_\_\_\_

Supervisor Willis Qualheim

Attested to and posted in the following  
3 public places within 30 days of passage:

Town hall  
Town office  
Fire Department Building on Lake Drive

S/ \_\_\_\_\_

Clerk Karla Duchac

ORDINANCE DESIGNATING  
ENFORCEMENT OFFICERS AS POLICEMEN

WHEREAS, the Town of Wescott has adopted several ordinances, such as the dog ordinance, parking ordinance, nuisance ordinance, which are to be enforced by enforcement officers designated by the Town Board.

WHEREAS, the Town of Wescott has need to have the enforcement officers assist as policemen at the Town Hall.

WHEREAS, the enforcement officers must be appointed as policemen by the Town Board to have full peace officer powers.

WHEREAS, it is in the Town of Wescott's interest to have the enforcement officers appointed as policemen for use in limited purposes.

NOW THEREFORE, Pursuant to Section 60.56 of the Wisconsin Statutes, the Town Board of Supervisors of the Town of Wescott does hereby ordain that the enforcement officers appointed by the Town Board of Wescott shall be appointed policemen with full peace officers powers.

FURTHER, the Town Board directs that the enforcement officers shall have the authority of the policemen in carrying out the duties of enforcement officers in the Town of Wescott, including enforcement of any ordinance where citation provisions are allowed.

The enforcement officers shall further be subject to the rules and policies of the Town Board of Wescott as established for the enforcement officers.

This ordinance shall take effect upon its passage and publication as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of Wescott  
on January 19th, 1982.

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Don Darm, Town Chairman

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Fred Martzke, Town Supervisor

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Franklin Strauss, Town Supervisor

Filed this 19th day of January, 1982.

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Art Gast, Town Clerk

## POSTING OF LOCAL ORDINANCES

**EXAMPLE:** A township passes a boating ordinance that is 4 pages in length. The ordinance lists upon which waters the regulations pertain, the enforcement agency responsible for enforcement, which state laws are adopted, definitions as found in Chapter 30, Wis. Stats., designation of all slow-no-wake areas to be marked by buoys, water ski hours and hours of slow-no-wake. It also discusses the placement of rafts and construction materials to be used in piers.

### WHAT MUST THE TOWNSHIP POST??

**STATE LAWS ADOPTED** i.e., battery covers, registration, age restrictions, slow-no-wake within 100' of a dock, no water-skiing after sunset, OWI rules?

**NO,** State laws need not be posted - they are the same for boaters throughout Wisconsin.

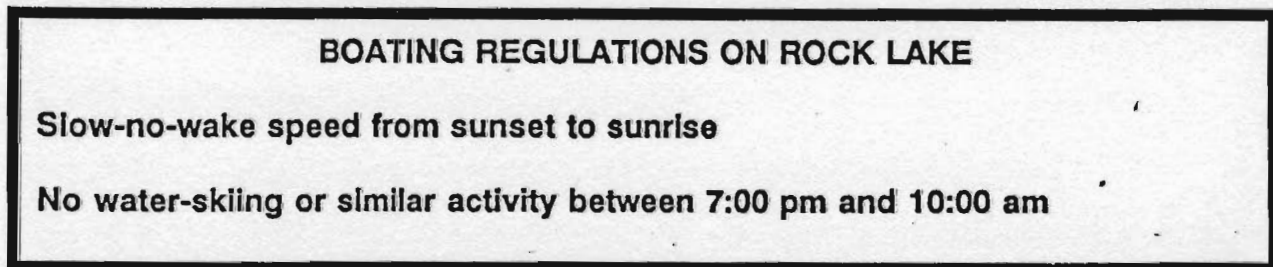
**WHERE ARE THE SLOW-NO-WAKE ZONES LOCATED?  
WHAT ABOUT SWIM AREAS?**

**NO,** these areas will be marked by navigational aids **on the water.**

**WATER SKI HOURS OR SLOW-NO-WAKE TIMES?**

**YES!** These are the only regulations more restrictive and unique to the lake.

Here's what the sign might look like:



Helpful, but not necessary, information the sign might contain:

- ★ telephone number of local police department or 9-1-1
- ★ map of the lake showing slow-no-wake areas, marinas, depth contours

## POSTING OF LOCAL ORDINANCES

### Wisconsin Statutes

30.77(4) **Publicizing Local Regulations.** All local regulations adopted under sub. (3) shall be prominently posted by the local authority which enacted them at all public access points within the local authority's jurisdiction and also shall be filed with the department.

### Wisconsin Administrative Codes

NR 5.15 **Posting Requirements.** The posting requirements for local authorities under s.30.77(4), Stats., shall be a sign with a minimum of 3 inch lettering posted at each public landing listing a summary, synopsis, or outline of those regulations more restrictive than state law including but not limited to speed limits, water ski hours and personal watercraft restrictions, if any. (effective 8-1-93)

### Main Points of Posting Requirement ---

1. Shall be posted by the local authority which enacted the regulation.
2. Shall be posted at all public access points.
3. Shall be a sign with 3 inch lettering (minimum).
4. Shall list those regulations more restrictive than state law.
5. May be a summary, synopsis or outline of those regulations.