

CHAPTER 20

UNIFORM CITATION ORDINANCE

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20.01 Authorization and purpose. This ordinance is created pursuant to Wis. Stat. § 66.0113, which provides for a county ordinance to authorize the use of a citation to be issued for violations of ordinances, including ordinances for which a statutory counterpart exists.

20.02 Citation form. The citation used pursuant to this ordinance shall substantially conform to Wis. Stat. § 66.0113. Each agency authorized to issue these citations shall be responsible for their acquisition, distribution, issuance and the final disposition of actions resulting therefrom.

20.03 Schedule of forfeitures and cash deposits. The attached schedule of forfeitures, as amended from time to time, is hereby incorporated as if fully set forth herein and any person issued a citation for violations of any provision listed in this schedule shall be required to submit as a cash deposit the amount of the forfeiture and in addition, the penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46, the automation fee imposed by s. 814.635, the court support fee imposed by s. 814.634, court costs imposed by s. 814.6, and any other fee or assessment imposed by the Wisconsin Statutes for that offense, to the Sauk County Clerk of Courts, Courthouse, Baraboo, Wisconsin, 53913, or a personal appearance shall be required at the time and date shown on the citation.

20.04 Persons authorized to issue citations. In addition to regularly designated law enforcement officers of Sauk County, the Sauk County Board of Supervisors may designate by resolution other officials who may issue citations, and may revoke the authority by resolution.

20.05 Prosecution of ordinance violations. Except as otherwise provided by law, the Sauk County District Attorney shall prosecute all alleged county traffic actions and actions concerning violation of county ordinances which are in conformity with state criminal laws and the courts of Sauk County. The Sauk County Corporation Counsel shall prosecute those actions which are outside the scope of the duties of the Sauk County District Attorney pursuant to Wis. Stat. § 978.05(2).

20.06 Relationship to other laws. The adoption and authorization for use of a citation under this chapter shall not preclude the governing body from adopting any other ordinance or providing for the enforcement of any other law or ordinance related to the same or any other matter. The issuance of a citation under this chapter shall not preclude the proceeding under any other ordinance or law relating to the same or any other matter. The proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this chapter.

20.07 Schedule of forfeitures. Pursuant to Wis. Stat. § 66.0113(1)(c), the following schedule of forfeitures is hereby established for violations of the stated county ordinance for which a citation is issued under the authority of this chapter. The cash deposit will be the amount of the forfeiture plus any fee or assessment imposed by state statute. Deposits may be made in cash, personal check, or money order. Checks and money orders shall be made payable to the Sauk County Clerk of Courts. The officer who issues the citations may accept the deposit from the cited person but shall thereafter forward the deposit along with the citation to the clerk of courts. In all cases an official who accepts a cash deposit shall issue a receipt for the cash deposit.

(1) CHAPTER FOUR: SAUK COUNTY TRUANCY AND JUVENILE TOBACCO PRODUCTS.

- (a) Authorizing forfeitures of not more than \$50.00 for the first offense, nor more than \$100.00 for a second or subsequent offense within one year, up to a maximum cumulative forfeiture of not more than \$500.00 during a school semester pursuant to Section 4.03:

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

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|----|-----------|----------------------------|
| 1. | \$50.00 | first offense; s. 4.03(b) |
| 2. | \$ 100.00 | second offense; s. 4.03(b) |

- (b) Authorizing penalties of not less than \$20.00 nor more than \$200 pursuant to Section 4.06(a) and authorizing forfeitures of not less than \$40.00 nor more than \$300 for any subsequent offense within one year pursuant to Section 4.06(b):

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

- | | | |
|----|----------|---|
| 1. | \$50.00 | first offense; s. 4.06(a) |
| 2. | \$100.00 | subsequent offense within a one-year period; s. 4.06(b) |

- (2) CHAPTER SIX: TRAFFIC AND SNOWMOBILE RULES AND REGULATIONS;** pursuant to Section 6.02 (2) which authorizes penalties of not less than \$10.00 nor more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

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|-----|----------|--|
| (a) | \$50.00 | excessive acceleration, spinning tires, unnecessary noise; s. 6.04 |
| (b) | \$20.00 | parking and nonmoving violations adopted; s. 6.05(1)* |
| (c) | \$150.00 | parking in handicapped zones; s. 6.05(2)* |

All other regulations adopted will have the forfeiture as specified in state statute and a deposit as specified in the deposit schedule established by the judicial conference pursuant to Wis. Stat. § 345.26(2)(a).

*The above fines are doubled if not paid within 10 days of issuance of the citation. The above fines are increased as otherwise provided in Wisconsin Statutes and Sauk County Code.

- (3) CHAPTER SEVEN: ZONING ORDINANCE;** pursuant to Section 7.146 which authorizes penalties of not less than \$50.00 nor more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

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|-----|--------|---|
| (a) | \$ 200 | violations of Subchapter IV, Permitted, Conditional, and Special Exception Uses |
| (b) | \$ 150 | violations of Subchapter V Secondary Standards |
| (c) | \$ 50 | violations of Subchapter VI Parking and Loading |
| (d) | \$ 200 | violations of Subchapter VII Lot Area, Lot Coverage, Setbacks, Floor Area, Density, Building Height |
| (e) | \$ 150 | violations of Subchapter VIII Nonconforming Uses and Structures |
| (f) | \$ 50 | violations of Subchapter IX Planned Rural Development |
| (g) | \$ 100 | violations of Subchapter X Sign Regulations |
| (h) | \$ 200 | violations of Subchapter XI Mobile Tower Siting |

- (4) **CHAPTER EIGHT: SHORELAND PROTECTION ORDINANCE;** pursuant to Section 8.15(3) which authorizes penalties of not more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 100 dimension of building site regulations; s. 8.05
- (b) \$ 100 highway setback lines; s. 8.06(1)
- (c) \$ 100 boathouse regulations; s. 8.06(3)
- (d) \$ 100 building setbacks from the water; s. 8.06(2)
- (e) \$ 150 tree cutting regulations; s. 8.07
- (f) \$ 150 filling, grading, lagooning and dredging regulations; s. 8.08
- (g) \$ 150 regulations of nonconforming uses; s. 8.09
- (h) \$ 100 conditional uses (special exception permits required); s. 8.13(3)(a) and (b)
- (i) \$ 200 violations of conditions attached to special exception permits; s. 8.13(3)(c)
- (j) \$ 150 land use permits, when required; s. 8.13(2)
- (k) \$ 50 zoning permits, information and materials to be supplied on application; s. 8.13(5)

- (5) **CHAPTER NINE: FLOOD PLAIN ZONING ORDINANCE;** pursuant to Section 9.34 which authorizes penalties of not less than \$50.00 nor more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 100 regional floodway district regulations; subch. IV Floodway district
- (b) \$ 100 regional floodfringe districts regulations; subch. V Floodfringe district
- (c) \$ 100 general floodplain district regulations; subch. VI General Floodplain district
- (d) \$ 100 regulation of nonconforming uses; subch. VII Floodstorage district
- (e) \$ 100 nonconforming uses; subch. VIII Nonconforming uses
- (f) \$ 100 administration; subch. IX Administration

- (6) **CHAPTER TEN: COUNTY PARKS;** pursuant to Section 10.05(1) which authorizes penalties of not less than \$10.00 nor more than \$100.00.

FORFEITURE PROVISION, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 100 prohibition of destruction, molestation and defacing of natural features or property; unauthorized presence; s. 10.01(2)
- (b) \$ 50 permit required for public meetings, assemblies, speeches, etc.; s. 10.02
- (c) \$ 50 prohibition of disturbing other park users, noise limits; s. 10.03(1)
- (d) \$ 10 regulations of sports, games, etc.; s. 10.03(2)

- (e) \$ 50 permits for use of picnic areas, s. 10.03(3)
- (f) \$ 50 permit required for sales or solicitations; s. 10.03(4)
- (g) \$ 50 permit required for distribution, display or affixing of cards, targets, banners or advertising; s. 10.03(5)
- (h) \$ 100 regulation of firearms, dangerous weapons or fireworks; s. 10.03(6)
- (i) \$ 20 regulation of no glass in parks, s. 10.03(7)
- (j) \$ 50 regulation of hunting or trapping; s. 10.03(8)
- (k) \$ 50 prohibition of throwing stones or missiles; s. 10.03(9)
- (l) \$ 50 regulation of fires; s. 10.03(10)
- (m) \$ 10 regulation of firewood, s. 10.03(11)
- (n) \$ 20 regulation of washing of vehicles; s. 10.03(12)
- (o) \$ 20 regulation of animals; s. 10.03(13)
- (p) \$ 50 prohibition of conduct designated the disturbance of waters and wildlife; s. 10.03(14)
- (q) \$ 50 prohibition of conduct designated the disturbance of flora, structures or property; s. 10.03(15)
- (r) \$ 50 permit required for taxiing of aircraft, stunt flying or parachuting; s. 10.03(16)
- (s) \$ 20 regulation of driving and parking vehicles; s. 10.03(17) and 10.03(18)
- (t) \$ 20 regulation of traffic, s. 10.03(19)
- (u) regulation of recreational vehicles
 - 1. \$ 10 bicycles; s. 10.03(20)(a)
 - 2. \$ 50 motorized vehicles; s. 10.03 (20)(b)
 - 3. \$ 50 motorized snow vehicles; s. 10.03 (20)(c)
 - 4. \$ 50 propeller-driven or motorized icecraft or watercraft; s. 10.03(20)(d)
- (v) regulation of watercraft
 - 1. \$ 50 permits required; s. 10.03(21)(a)
 - 2. \$ 20 no motorcraft on lakes
 - A. White Mound Lake; s. 10.03(21)(b)(1)
 - B. Hemlock Park Lake; s. 10.03(21)(b)(2)
 - 3. \$ 20 no motorized watercraft allowed in beach area; s. 10.03(21)(c)
- (w) \$ 10 regulation of swimming, bathing attire and use of soaps or detergents; s. 10.03(22)

- (x) \$ 100 prohibition of drunken, disorderly or publicly offensive persons, language or conduct; s. 10.03(23)
- (y) \$ 10 regulation of smoking or possession of lighted cigarettes, cigars, etc.; s. 10.03(24)
- (z) \$ 100 regulation of refuse, waste or sewerage disposal; s. 10.03(25)
- (aa) \$ 50 permit required for disposal or deposit of materials; s. 10.03(26)
- (bb) \$ 100 regulation of infrastructure construction 10.03(27)
- (cc) \$ 50 permit required for digging, trenching or taking of materials; s. 10.03(28)
- (dd) \$ 100 compliance with conditions attached to digging, etc., permit; s. 10.03(29)
- (ee) \$ 20 compliance with special park closing, generally or to designated persons; s. 10.03(30)
- (ff) \$ 20 regulation of camping; s. 10.03(31)
- (gg) \$ 100 interference with authorized personnel; s. 10.03(32)
- (hh) \$ 50 regulation of normal hours of operations; s. 10.03(33)
- (ii) Procurement and responsibilities of persons obtaining permits pursuant to Section 10.03(33) and payment of fees required pursuant to Section 10.04:

FORFEITURE

1. \$ 25 First violation in one (1) year
2. \$ 50 Second violation in one (1) year
3. \$ 100 Third and subsequent violations in one (1) year

- (7) **CHAPTER ELEVEN: CERTAIN STATE CRIMINAL LAWS ADOPTED;** pursuant to Section 11.14 which authorizes penalties of not less than \$10.00 nor more than \$1,000.00.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 50 disorderly conduct; s. 11.03
- (b) \$ 200 damage to property; s. 11.04
- (c) \$ 100 theft; s. 11.05
- (d) \$ 100 issue of worthless checks; s. 11.06
- (e) \$ 50 fraud on hotel or restaurant keeper; s. 11.07
- (f) \$ 100 retail theft; s. 11.08
- (g) \$ 200 resisting or obstructing officer; s. 11.09
- (h) \$ 200 possession of controlled substance; s. 11.10
- (i) \$ 100 possession of drug paraphernalia; s. 11.11

- (j) \$ 100 absconding without paying rent; s. 11.12
- (k) Violating curfew; allowing or permitting a minor to violate curfew; s. 11.13

FORFEITURE

1. \$ 25 first violation in one year
 2. \$ 50 second violation in one year
 3. \$ 100 third and subsequent violations in one year
- (l) Illegal use, sale, or possession of fireworks; Section 11.14

FORFEITURE

1. \$ 250 first violation in one year; and forfeiture of fireworks
 2. \$ 500 second violation in one year; and forfeiture of fireworks
 3. \$ 1,000 third and subsequent violations in one year; and forfeiture of fireworks
- (8) **CHAPTER TWELVE: OPEN AIR ASSEMBLY;** pursuant to Section 12.07 which authorizes penalties, of not less than \$1,000.00 nor more than \$10,000.00 for each violation. Each day of continued violation is a separate offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

\$ 5,000 violation of ch. 12; s. 12.07

- (9) **CHAPTER FIFTEEN: ALL-TERRAIN VEHICLE (ATV) AND UTILITY-TERRAIN VEHICLE (UTV) CROSSINGS AND ROUTES ON COUNTY TRUNK HIGHWAYS;** Pursuant to section 15.06, any person who violates any section of chapter 15, or statutes adopted by reference other than a violation under section 15.06(3) of this ordinance, shall pay a forfeiture of not less than \$50.00 nor more than \$500.00 for each offense. A violation of section 15.06(3) for operating an ATV off the roadway of a designated ATV route; to include the grassy in-slope, ditches, or other highway rights-of-way other than for direct access from a trail to a roadway on a designated trail; or operating outside of permitted times for route use, or operating in excess of permitted speed; shall result in a forfeiture of not less than \$25.00 or more than \$250.00. Each day of continued violation is a separate offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

\$ 100.00 violation of ch. 15; s. 15.06; except that forfeitures for violations that are in conformance with state law may be cited as a violation of ch. 15, but the forfeiture amount shall be the amount provided in *State of Wisconsin Revised Uniform Deposit and Bail Schedule for Conservation, Environmental Protection, Boating, Snowmobile, ATV, and Captive Wildlife Violations* that is currently in effect at the time of the violation.

- (10) **CHAPTER TWENTY-TWO: LAND DIVISION AND SUBDIVISION REGULATIONS;** pursuant to Section 22.71 which authorizes penalties, referencing state statute ch. 236, of not more than \$1,000.00.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 250 subdivision regulations; s. 22.10 through s. 22.63
- (b) \$ 150 certified survey map regulations; s. 22.25 through s. 22.63

- (11) **CHAPTER TWENTY-FOUR: NONMETALLIC MINING RECLAMATION ORDINANCE;** pursuant to Section 24.33 which authorizes penalties, referencing Wis. Stat. § 295.19(3), of not less than \$10.00 nor more than \$5,000.00 for each violation. Each day of continued violation is a separate offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 500 violation of ch. 24; s. 24.33
- (b) \$ 2,500 violation of an approved reclamation plan; s. 24.33

- (12) **CHAPTER TWENTY-FIVE: PRIVATE SEWAGE SYSTEM ORDINANCE;** pursuant to Section 25.15 which authorizes penalties of \$50.00 for the first offense, not less than \$50.00 nor more than \$200.00 for each subsequent offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

- (a) \$ 50 first violation of s. 25.07 through s. 25.13
- (b) \$ 100 second violation of s. 25.07 through s. 25.13
- (c) \$ 200 third and subsequent violations of s. 25.07 through s. 25.13

- (13) **CHAPTER TWENTY-SIX: MANURE MANAGEMENT ORDINANCE;** pursuant to Section 26.19(1) which authorizes penalties of not less than \$25.00 nor more than \$200.00 for each offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

\$ 25 - \$200 first and subsequent violations of s. 26.10, 26.12(1), 26.17 and 26.18(4)

- (14) **CHAPTER TWENTY-SEVEN: ANIMAL CONTROL ORDINANCE;** pursuant to Section 27.13 the following penalties are authorized:

FORFEITURE

- (a) \$25 first violation in one (1) year
- (b) \$50 second violation in one (1) year
- (c) \$75 third violation in two (2) years
- (d) \$100 fourth and subsequent violations in three (3) years

- (15) **CHAPTER TWENTY-EIGHT: ENVIRONMENTAL HEALTH ORDINANCE.**

- (a) Authorizing forfeitures of not less than \$500 nor more than \$2,000 and which authorizes the suspension of licenses for up to a period of 3 years, pursuant to Sections 28.018, 28.019, and 28.020(4):

FORFEITURE

1. \$500 first violation by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in one year
2. \$1,000 second violation by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in one year
3. \$2,000* third and subsequent violations by a tattoo practitioner, a body-piercing practitioner, a tattoo establishment, or a body-piercing establishment in 3 years

*and suspension of permit for a period of 3 years

- (b) Authorizing forfeitures of not less than \$50 nor more than \$200, pursuant to Section 28.022(2):

FORFEITURE

1. \$50 first violation in one year
2. \$100 second violation in one year
3. \$150 third violation in 2 years
4. \$200 fourth and subsequent violations in 3 years

- (c) Authorizing forfeitures of not less than \$25 nor more than \$200, pursuant to Section 28.020(4):

FORFEITURE

1. \$50 first violation within 12 months.
2. \$100 second and subsequent violations within 12 months.

- (16) CHAPTER THIRTY-ONE: ALCOHOLIC BEVERAGE CONTROL ORDINANCE;** pursuant to Section 31.09 which authorizes penalties of not less than \$100.00 nor more than \$10,000.00.

- (a) for violation of s. 31.03:

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

1. \$250 First violation within 30 months; s. 31.09(1)(b)(1)
2. \$500 Second violation within 30 months; s. 31.09(1)(b)(2)
3. \$1,000 Third violation within 30 months; s. 31.09(1)(b)(3)
4. \$5,000 Fourth and subsequent violations within 30 months; s. 31.09(1)(b)(4)

- (b) for violation of s. 31.04:

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

1. \$250 First violation within 12 months; s. 31.09(2)(a)
2. \$300 Second violation within 12 months; s. 31.09(2)(b)
3. \$500 Third violation within 12 months; s. 31.09(2)(c)
4. \$750 Fourth and subsequent violations within 12 months; s. 31.09(2)(d)

- (c) for violation of s. 31.05:

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

1. \$100 First violation within 12 months; s. 31.09(3)(a)
2. \$200 Second violation within 12 months; s. 31.09(3)(b)

3. \$300 Third violation within 12 months; s. 31.09(3)(c)
4. \$500 Fourth and subsequent violations within 12 months; s. 31.09(3)(d)

(d) for violation of s. 31.06:

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

\$300 Each violation; s. 31.09(4)

(e) for violation of s. 31.07:

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

1. \$100 Adult violation, person of legal drinking age; s. 31.09(5)(a)
2. \$100 First violation within 12 months; s. 31.09(5)(b)(1)
3. \$200 Second violation within 12 months; s. 31.09(5)(b)(2)
4. \$300 Third violation within 12 months; s. 31.09(5)(b)(3)
5. \$500 Fourth and subsequent violations within 12 months; s. 31.09(5)(b)(4)

(17) CHAPTER THIRTY-NINE: REGULATIONS OF FALSE ALARM.

(a) Authorizing forfeitures of not less than \$50.00 nor more than \$80.00 pursuant to Section 39.05(3)(a):

FORFEITURE

1. None first 2 false alarms for a location in one year
2. \$50 third false alarm per location in one year
3. \$60 fourth false alarm per location in one year
4. \$70 fifth false alarm per location in one year
5. \$80 sixth and subsequent false alarms per location in one year

(b) Authorizing forfeitures of not less than \$ 50.00 nor more than \$ 80.00 pursuant to Section 39.05(3)(b):

FORFEITURE

1. None first 2 violations in one year
 2. \$50 third violation in one year
 3. \$60 fourth violation in one year
 4. \$70 fifth violation in one year
 5. \$80 sixth and subsequent violations in one year
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Chapter 20 of the Sauk County Code of Ordinances repealed and recreated, adopted by the Sauk County Board of Supervisors on November 10, 1992. Amended by the Sauk County Board of Supervisors on April 15, 1997. Amended by the Sauk County Board of Supervisors on April 18, 2000 - Ordinance No. 83-00. Amended by the Sauk County Board of Supervisors on June 19, 2001 - Ordinance No. 40-01. Amended by the Sauk County Board of Supervisors on June 18, 2002 - Ordinance No. 110-02. Chapter 15 repealed in its entirety by the Sauk County Board of Supervisors on December 19, 2006 – Ordinance No. 154-06. Amended by the Sauk County Board of Supervisors on April 17, 2007 – Ordinance No. 51-07. Amended by the Sauk County Board of Supervisors on May 19, 2009 – Ordinance No. 58-09. Amended by the Sauk County Board of Supervisors on July 21, 2009 – Ordinance No. 84-09. Amended by the Sauk County Board of Supervisors on August 18, 2009 – Ordinance No. 99-09. Amended by the Sauk County Board of Supervisors on October 19, 2010 – Ordinance Nos. 119-10 and 120-10. Amended by the Sauk County Board of Supervisors on February 20, 2012 – Ordinance No. 3-12. Amended by the Sauk County Board of Supervisors on April 16, 2013 - Ordinance No. 06-13. Amended by the Sauk County Board of Supervisors on October 15, 2013 - Ordinance No. 64-13. Amended by the Sauk County Board of Supervisors on February 18, 2014 - Ordinance No. 2-14. Amended by the Sauk County Board of Supervisors on June 17, 2014 - Ordinance No. 3-2014. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance No. 9-14. Amended by the Sauk County Board of Supervisors on July 21, 2015 - Ordinance Nos. 7-15 & 8-15.