

ORDINANCE No. 2017-1

**AN ORDINANCE REGARDING
FORM OF CITATIONS AND PENALTY ASSESSMENTS**

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION I. ADOPTION OF PROVISIONS.

Section 1-2-2 of the Village of Bristol Code of Ordinances pertaining to form of citations and penalty assessments is repealed and recreated to read as follows:

Sec. 1-2-2 Form of Citation.

The form of the citation to be issued by law enforcement officers, Village Safety Officers or other designated Village of Bristol officials is incorporated herein by reference and shall provide for the following information:

- (a) The name, address, date of birth and physical description of the alleged violator;
- (b) The factual allegations describing the alleged violation;
- (c) The time, date and place of the offense;
- (d) The Section number of the Ordinance violated;
- (e) A designation of the offense in such manner as 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 that in essence informs the alleged violator of all of the following:
 - (1) That a cash deposit of a specified amount may be made, which deposit shall be mailed or delivered to the specified official prior to the time of the initial court appearance.
 - (2) That if a deposit is made, no appearance in court is necessary unless he/she 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 for forfeiture, a penalty imposed by Section 757.05, Wis. Stats., a jail assessment imposed by Sec. 302.46(1), Wis. Stats., a crime laboratories and drug law enforcement assessment imposed by Sec. 165.755, Wis. Stats., any applicable consumer information assessment imposed by Sec. 100.261, Wis. Stats., and any applicable domestic abuse assessment imposed by Sec. 973.055(1), Wis. Stats., not to exceed the amount of the deposit 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 a warrant for the alleged violator's arrest or consider the nonappearance to be a plea of no contest and enter judgment, or the Village may commence an action to collect the forfeiture, the penalty assessment imposed by Sec. 757.05, Wis. Stats., a jail assessment imposed by Sec. 302.46(1), Wis. Stats., a crime laboratories and drug law enforcement assessment imposed by Sec. 165.755, Wis. Stats., any applicable consumer information assessment imposed by Sec. 100.261, Wis. Stats., and any applicable domestic abuse assessment imposed by Sec. 973.055(1), Wis. Stats.
 - (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, Wis. Stats.
- (h) 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/she read the statement required under Subsection (g) above and the signed statement shall be sent or brought with the cash deposit;
 - (i) Such other information as may be deemed necessary.

SECTION II. SEVERABILITY.

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

SECTION III. EFFECTIVE DATE.

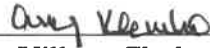
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 27th day of February, 2017.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk

INTRODUCED: 2/27/17

PASSED: 2/27/17

PUBLISHED: _____
(POSTED)

State of Wisconsin :
County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct and complete copy of an Ordinance duly and regularly adopted by the Village Board of the Village of Bristol on the 27th day of February, 2017, and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 27th day of February, 2017

Amy Klemko

Amy Klemko, Village Clerk