



Town of Washington

Vilas County, Wisconsin

CITATION WRITING POLICY AND PROCEDURE

Policy

- A. Town officials authorized to issue citations
 1. Only the Town Chairperson and the Animal Control Officer have the authority to write citations. Each is assigned an officer number by the Clerk of Circuit Court.
 2. The Animal Control Officer and the Town Chairperson may write citations for violations of the Town of Washington Code of Ordinances Chapter 6, Animal Control Ordinance, without prior approval by the town board. The Animal Control Officer may write citations only for Chapter 6 violations.
 3. Citations for violations of all town ordinances other than Chapter 6, Animal Control Ordinance, must be discussed and approved by the town board at a properly noticed meeting.

- B. Issuance of warnings before writing citations
 1. It is the policy of the town board to attempt to bring non-compliant individuals into compliance with applicable ordinances before writing citations. Reasonable efforts must be undertaken to make individuals aware of the ordinance provision(s) not being complied with and to provide at least one warning, either written or verbal, and to provide reasonable time for the individual to become compliant before writing a citation.
 2. After a citation is written and delivered to the Clerk of Circuit Court, it is possible for the citation to be withdrawn. Such an action requires:
 - a) Approval of the town board.
 - b) A letter from the Town Chairperson to the Vilas County Circuit Court Judge referencing the citation and specifics and explaining why the town wishes to withdraw the citation.

Procedure

- A. Town will send a warning letter making the individual aware of the ordinance provision(s) not being complied with in an attempt to encourage ordinance compliance. If, after a reasonable time, compliance has not been achieved, a citation will be written.
- B. Record of citations
 1. The Town shall develop an electronic Citation Log containing the following information:
 - a) Citation number.
 - b) Deposit and costs.
 - c) Officer number.
 - d) Letter date.
 - e) Citation day, month and year.
 - f) Alleged violator name and address.
 - g) Ordinance chapter and section.
 - h) To wit offense.
 - i) To wit name.
 - j) To wit address of offense.
 - k) Facts of alleged violation.
 - l) Summons day, month, year and time.
 - m) Name and title of person issuing the citation.
 - n) Method of service.
 2. The Town Chairperson or Animal Control Officer shall provide details of the alleged violation to the town clerk for entry into the Town of Washington Citation log. Details to be provided include:
 - a) The name and address of the alleged violator.
 - b) Date the warning letter was sent.
 - c) The factual allegations describing the alleged violation.
 - d) The time and place of the alleged offense.
 - e) The chapter and section of the ordinance violated.
 - f) The "to wit" offense.
 - g) The deposit and costs.
 - h) Method of service.
 3. The Town Clerk shall maintain the Citation Log.
 4. The Town shall develop an appropriate letter to accompany the citation which includes the following information:
 - a) Citation number, name of the person to whom the citation is issued, and location of the alleged violation.
 - b) Instructions for cash deposit.
 - c) Forfeiture stipulation.
 - d) Advice that continuation of the alleged violation may result in issuance of further complaints or citations
 5. The citation and letter will be automatically generated via mail merge with the Citation Log.

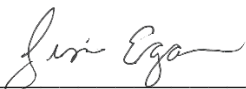
C. Serving of Citations

1. The serving of citations may be accomplished by any of the following methods at the discretion of the clerk:
 - a) Served in person by any elected officer of the Town, or by the appointed Animal Control Officer for citations pertaining to Chapter 6: Animal Control Ordinance. Unless circumstances of the citation dictate otherwise, this is the preferred method of service.
 - b) Served by a Vilas County Law Officer when circumstances of the citation are such that it may be inappropriate for a Town Officer to serve the citation. This option may be suitable for service addresses within Vilas County.
 - c) Served by the United States Postal Service. This option is intended for service to addresses outside Vilas County.
2. The Town Clerk shall complete an Affidavit of Mailing for all citations served via the United States Postal Service.
3. The citation, citation letter, warning letter, and affidavit of mailing shall be sent electronically to the Vilas County Clerk of Circuit Court within 48 hours of issuance.
4. If citations served by United States Postal Service are returned as undeliverable, the Town Clerk shall notify the Clerk of Circuit Court and send returned citation to the Clerk of Circuit Court.

D. Appearance in Court

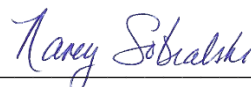
1. On the Friday preceding the Monday summons date, the town clerk shall contact the Clerk of Circuit Court to determine if the forfeiture for the specific citation has been paid.
 - a) If payment has been received by the Court, no further action by the town representative is necessary.
 - b) If payment of the forfeiture has not been received, a town board representative shall appear in court the following Monday at 8:30 AM to observe whether the cited party appears as summoned.
 - c) If the cited party appears as summoned, further involvement in the proceeding by the town board representative may or may not be requested by the judge.
 - d) If the cited party fails to appear as summoned, the town board representative shall request a "Default Order" from the judge.

This Policy and Procedure is adopted this 8th day of February, 2023



Jim Egan, Town Chairperson

Attest



Town of Washington Clerk