# ASHLAND COUNTY ORDINANCE NO. 0-02-2002-40

The Ashland County Board of Supervisors hereby ordains as follows:

1. The provisions of Section 71.935 of the Wisconsin Statutes, including the definitions of "debt," "debtor," "department" and "refund" set forth therein, are incorporated herein by reference.

2. Any elected official or department head of Ashland County may seek payment of any debt owed to the county through his or her office or department, by certification of the debt to the Wisconsin Department of Revenue in accordance with Section 71.935, Wis. Stats. and the rules of the department pertaining thereto, for payment by set-off against any state tax refund otherwise payable to the debtor.

3. Not later than five (5) days after such certification, the officer or department head shall notify the debtor in writing of the certification of the debt to the department, of the basis of the certification, and of the debtor's right to appeal and, in the case of parking citations, of the debtor's right to contest the citation.

4. a. The debtor shall have the right to appeal the determination to the county's corporation counsel by filing with the corporation counsel within ten (10) days after the date of mailing of the notice of certification a written request for review of the determination, stating the specific grounds for the debtor's objections thereto, and by filing a copy of said request with the certifying officer or department head within said time period.

b. The certifying officer or department head shall provide the corporation counsel with such information regarding the matter as the corporation counsel deems necessary to properly review the determination. A hearing on the appeal shall be held only if deemed necessary by the corporation counsel.

c. Within thirty (30) days after receiving a request for review, the corporation counsel shall render a written decision and send copies thereof by first class mail to the certifying officer or department head and debtor.

d. The debtor may appeal the corporation counsel's decision to the Ashland County Circuit Court within thirty (30) days after the date of mailing of the decision to the debtor.

e. As an alternative to the above procedure, the debtor may appeal a determination by bringing a legal action against the county in Ashland County Circuit Court without first requesting review by the corporation counsel.

Adopted this 4th day of February, 2002.

Gary LaPeer, County Board Chair

Patricia Somppi, County Clerk

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