



ORDINANCE



Ordinance No. O11-2018-106

ORDINANCE 19

AN ORDINANCE ADOPTING CRIMINAL STATUTES AS COUNTY ORDINANCES

The Board of Supervisors of the County of Ashland, Wisconsin, does ordain as follows:

1. Except as specifically provided herein, each provision in Wisconsin Statutes which sets forth or contains a misdemeanor crime is hereby adopted and is incorporated herein by reference as a part of this Ordinance as if fully set forth herein.
2. Each act which is required to be performed or which is prohibited by a misdemeanor criminal statute in Wisconsin is likewise required to be performed or is prohibited by this Ordinance.
3. A person who commits such an offense in the County of Ashland is violating this section of this Ordinance.
4. The penalties for such offenses which are set forth in Wisconsin Statutes are not incorporated into this Ordinance. The penalties for violating this Ordinance are set forth in this Ordinance.
5. Additionally, Section 939.05, Section 939.30, Section 393.31, and Section 939.32 Wisconsin Statutes are also adopted herein by reference, as if fully set forth herein, except that in each case in such sections the word "crime" is replaced with the word "offense" and the liability imposed by such sections of Wisconsin Statutes are imposed by this Ordinance.
6. To the extent that provisions of Wisconsin Statutes define or describe terms of art, words and/or phrases, they are hereby adopted herein by reference and made a part of this Ordinance as if fully set forth herein.
7. Any future amendments, revisions, or modifications of the Wisconsin Statutes which are incorporated herein by this Ordinance, are intended to be made a part of this Ordinance. Any such amendments, revisions or modifications shall be deemed to be incorporated herein by reference.

PENALTY PROVISIONS

1. **General Penalty.** Except as otherwise provided for herein, any person who shall violate a provision of this Ordinance shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:
 - a. **First Offense.** Any person who shall violate any provision of this Ordinance shall, upon conviction, forfeit not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00), plus any applicable Court costs and assessments. In the event of default of payment of such forfeiture and costs, such person may be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.
 - b. **Second Offense.** Any person found guilty of violating any provision of this Ordinance who has previously been convicted of violation the same section of this Ordinance within one (1) year, shall, upon conviction thereof, forfeit not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each such offense, plus any applicable Court costs and assessments. Default of payment of such forfeiture and costs may result in imprisonment in the County Jail until such forfeiture and costs are paid, but not to exceed six (6) months.



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2. Violations. Each violation, and each day a violation continues to occur, shall constitute a separate offense. Nothing in this ordinance shall preclude the County from maintaining any appropriate action to prevent or restrain a violation of any provision of this Ordinance.

3. Execution. If a person fails to pay any forfeiture and/or the applicable Court costs and assessments, the Court may, in lieu of ordering the imprisonment of the person, or after the person has been released from imprisonment, issue an execution against the property of such person for such forfeiture and costs.

4. Citation Method of Enforcement. Pursuant to Section 66.0113 Wisconsin Statutes, the County adopts and authorizes the use of a citation for violations of this Ordinance. Only law enforcement officers employed or working in Ashland County, Wisconsin are authorized to issue citations to enforce this ordinance.

5. A Circuit Judge for Ashland County may adopt a bond schedule for violations of this Ordinance.

6. This Ordinance shall be effective upon its publication.

Dated at the City of Ashland, Wisconsin this 13th day of November, 2018.

Signed:

	
	
	
	
	
	
	
	
	
	