

ORDINANCE NO. 3

TRUANCY CITATION ORDINANCE

ASHLAND COUNTY, WISCONSIN

The County Board of Supervisors of the County of Ashland do ordain as follows:

SECTION I: PURPOSE

- A. The purpose of this Ordinance is to achieve greater efficiency and economy in the enforcement of certain Ashland County Ordinances and to guarantee the fairness and consistency of enforcement procedures.

SECTION II: AUTHORITY

- A. This Ordinance is created pursuant to the authority granted by Statute 66.19(1)(a) of the Wisconsin Statutes, as amended by 1987 Wisconsin Act 389. Ashland County elects to continue to use the citation method of enforcement.
- B. Nothing contained in this Ordinance shall be construed to prevent the use of any other method of enforcing Ashland County Ordinances, including but not limited to, the use of a summons and complaint as provided for under Chapters 66 and 799, or the use of a petition as provided for under Chapter 48 of the Wisconsin Statutes.

SECTION III: ORDINANCES AFFECTED

- A. Citations may be issued in the enforcement of the following ordinances:
1. Habitual Truancy Ordinance (Ordinance No. 1).
  2. Contributing to Truancy Ordinance (Ordinance No. 2)

SECTION IV: PERSONS AUTHORIZED TO ISSUE CITATIONS

- A. The following persons may issue citations authorized under this Ordinance:
1. Any Law Enforcement Officer with jurisdiction in Ashland County.

SECTION V: THE CITATION

- A. The Citation issued pursuant to this Ordinance shall provide for the following:
1. The name and address of the alleged violator
  2. The factual allegations describing the alleged violation

3. The time and place of the offense.
  4. The Section of the Ordinance violated
  5. A designation of the offense in such a manner as can readily be understood by a person making a reasonable effort to do so
  6. The time at which the alleged violator may appear in court
- B. For citations alleging a violation of Ordinance No. 1 (Habitual Truancy Ordinance), the citation shall also contain a statement which informs the alleged violator that he or she must appear on the date and time noted in the citation.
- C. For citations alleging a violation of Ordinance No. 2 (Contributing to Truancy), the citation shall in essence inform the alleged violator as follows:
1. That the alleged violator may make a cash deposit based on the schedule established by this Ordinance to be mailed or delivered to the Clerk of Courts prior to the time of the scheduled court appearance.
  2. That if the alleged violator makes such a deposit, he or she need not appear in court unless subsequently summoned.
  3. That if the alleged violator makes a cash deposit and does not appear in court, either he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the Court does not accept the plea of no contest.
  4. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture.
  5. 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 or she read the statement required under Section V. B. of this Ordinance and shall send the signed statement with the cash deposit.

SECTION VI: FORM OF CITATION

- A. The form of the citation used under this Ordinance shall be approved by the Ashland County District Attorney.

SECTION VII: SCHEDULE OF DEPOSIT

- A. This section shall apply only to those citations alleging a violation of Ordinance No. 2 (Contributing to Truancy).

CURRENT DEPOSIT: \_\_\_\_\_

Ordinance No. 06-1989-07

Dated this 20th day of June, 1989.

Signed:

*Thomas J. Kew*  
*Howard Pearson*  
*Quall Nelson*  
*Caroline Sandin*  
*Paul Spkwin*  
*Albert S. Detmer*