

## CHAPTER 7

### COUNTY CITATION ORDINANCE

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CHAPTER 7

COUNTY CITATION ORDINANCE

**7.101 Adoption**

(1) To expedite the resolution of ordinance violations, the County Board of Rock County hereby adopts the citation enforcement procedure authorized by section 66.0113, Wis. Stats., to enforce those ordinances identified in section 7.103 other than those which a statutory counterpart exists.

(2) The adoption herein of the citation method of enforcement shall not preclude the county or officers authorized to issue citations under this ordinance from proceeding under any other enforcement ordinance, regulation, statute, law, rule or order that pertains to the subject matter addressed by the citation or to any other matter. Proceedings under any other ordinance, regulation, statute, law, rule or order pertaining to that or any other matter shall not preclude the issuance of a citation.

**7.102 Effect of Citation**

The citation shall have the legal effect specified in section 66.0113, Wis. Stats., and a duly issued citation shall confer subject matter jurisdiction upon the Circuit Court for the County of Rock.

**7.103 Ordinances Identified; Schedule of Cash Deposits and Penalty Assessments**

(1) The schedule of cash deposits required for the various ordinance violations identified below is hereby adopted by reference as amended (Resolution No. 08-8A-054) for use with citations issued under this chapter. In addition, the person making the deposit shall also deposit a sufficient amount to include the penalty assessment prescribed by section 814.78, Wis. Stats. The following are ordinances identified for enforcement under this County Citation Ordinance.

<u>Ordinance Number</u>	<u>Subject Matter</u>
<u>Public Health Ordinance (Chapter 6):</u>	
6.106	Compliance
6.110	Permit and License Requirements and Fees
6.112	Public Nuisances
6.113	Private Water Supply
6.114	Mobile Home Parks
6.115	Public Swimming Places
6.116	Public Indoor and Outdoor Swimming Pools
6.117	Recreational and Education Camps
6.118	Campgrounds and Camping Resorts

6.119	Restaurants
6.120	Vending of Foods and Beverages
6.121	Retail Food Establishments
6.122	Hotel, Tourist and Rooming Houses, and Bed and Breakfast Establishments
6.123	Private Sewage Systems
6.125	Public Beaches
6.126	Tattoo and Body Piercing

Land Division Regulations (Chapter Sections 4.129(a)-(d))

Shoreland Zoning Ordinance (Chapter 16.34, proposed Section 4.234)

- 16.34 (2) Failure to apply for and obtain a Shoreland Permit prior to commencing work subject to the ordinance or failure to complete work according to permit and ordinance standards.
- 16.34 (3) Failure to apply for and obtain a Shoreland Conditional Use Permit prior to commencing work subject to this ordinance or failure to complete work according to permit conditions of approval and ordinance standards.
- 16.34 (4) Prohibited Uses in Shoreland District
- 16.34 (5)(D)&(E) Constructing a building or structure within 75 feet from the ordinary high-watermark of navigable waters.
- 16.34 (5)(F) Removing trees and shrubs within the shoreland buffer area beyond the limits allowed by ordinance without having an approved cutting plan.

Erosion Control Ordinance (Chapter Sections 4.1101-4.1113)

Storm Water Management Ordinance (Chapter Sections 4.801-4.813)

Floodplain Zoning Ordinance (Chapter Sections 4.401-4.410)

Parks (Chapter 5 Sections 5.01-5.02)

(2) A person issued a citation under any ordinance listed in the schedule shall be required to remit the amount provided for therein, in cash or by certified check or money order, to the Clerk of Courts at the Courthouse, Janesville, Wisconsin. The Clerk shall provide a receipt for each cash deposit so received.

**7.104 Procedure**

The provisions of section 66.0113(3), Wis. Stats., on the violator's options and the procedure on default are hereby adopted.

### **7.105 Persons Authorized to Issue Citations**

(1) The following county officials may issue citations for the violations of ordinances directly related to their official responsibilities.

#### Chapter 5

- (a) Parks director or his/her designees.

#### Chapter 6

- (a) Rock County Health Officer;
- (b) Rock County Environmental Health Director; and
- (c) Rock County Environmental Health Sanitarians pursuant to written authorization of either (a) or (b).

#### Chapters 4.101-4.130, 4.200-4.260 & 4.401-4.410

- (a) Rock County Planning and Development Director or designee
- (b) Rock County Zoning Administrator or designee

#### Chapters 4.801-4.813 & 4.1101-4.1113

- (a) Rock County Land Conservationist
- (b) Rock County Land Conservation Staff pursuant to written authorization of Rock County Conservationist.

(2) The officials named in (1) above may submit to the County Board written nominations of employees within their respective offices who should be delegated authority to issue citations for violations of ordinances related to their official responsibilities.

(3) Citation issuance authority may be revoked in the same manner in which it was conferred.

### **7.106 Nonexclusivity and Severability**

Adoption of this ordinance does not preclude adoption of any other ordinance providing for enforcement relating to the same or any other subject matter. Should any section or provision of this ordinance be declared unconstitutional or invalid or be repealed, the constitutionality or validity of the remainder shall not be affected.

### **7.107 Form of Citation**

The form of the citation authorized by this ordinance is appended to the ordinance codified by this chapter and is incorporated by reference.

This ordinance shall take effect the day after publication.

Repealed and Recreated 1/10/13, Res. No. 12-12A-190