

Menominee County Ordinance # 72

The Menominee County Sheriff's Office

To Enforce Certain Town of Menominee Ordinances

WHEREAS, the Menominee Town Board has previously adopted a code of ordinances for the protection, safety and well-being of the residents and visitors of the Town of Menominee and the protection and preservation of the property located in the Town; and

WHEREAS, the Menominee Town Board has considered the options for the enforcement of said ordinances; and

WHEREAS, the Menominee Town Board has determined that the most efficient and fiscally responsible way to enforce said ordinances is through an existing law enforcement agency; and

WHEREAS, the Menominee County Sheriff's Office has personnel trained in the enforcement of ordinances who are on duty 24 hours per day, 7 days per week, 365 days per year; and

WHEREAS, the Menominee County Sheriff has expressed a willingness to assist municipalities in Menominee County in enforcing local ordinances;

NOW THEREFORE, the Menominee Town Board does hereby ordain the following:

1. The Menominee Town Board delegates the authority to enforce the Town of Menominee code of ordinances to the Menominee County Sheriff's Office.
2. That this ordinance is not intended to infringe upon or otherwise replace any other enforcement options that the Town of Menominee has, to enforce its ordinances.
3. That this ordinance shall become effective upon its passage and publication per WI Stats.
4. That a copy of this approved ordinance shall be forwarded to the Menominee County Sheriff's Office, Menominee County Clerk of Circuit Court, Menominee County Corporation Counsel, Menominee County District Attorney, and the Menominee County Clerk.

Penalty Provisions

1. Penalties will be assessed under the requirements of the Town Ordinance that is being enforced.
2. Continued violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
3. Execution against defendant's property. Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of any court for violation of any provision of this Code or ordinance of the Town, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for such forfeiture and costs.

Uniform citation method adopted.

1. Creation. Pursuant to Wis. Stats. § 66.0113, the Town elects to use the citation method of enforcement of ordinances other than those for which a statutory counterpart exists.
2. If the alleged violator makes a cash deposit and does not appear in court, he/she either will be deemed to have tendered a plea of no contest and submitted a forfeiture.

A penalty assessment imposed by Wis. Stats. § 757.05, a jail assessment imposed by Wis. Stats. §302.46(1), a crime laboratories and drug law enforcement assessment imposed by Wis. Stats. § 165.755, any applicable consumer information assessment imposed by Wis. Stats. § 100.261 and any applicable domestic abuse assessment imposed by Wis. Stats. 973.055(1) 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.

This Ordinance shall take effect upon its passage and publication.

Dated this 22nd day of March, 2023

Attest: Laure Pecore, Menominee County Clerk

