

Chapter 178

PEACE AND GOOD ORDER

[HISTORY: Adopted by the Town Board of the Town of Summit 10-20-1993 by Ord. No. 202. Amendments noted where applicable.]

GENERAL REFERENCES

Animals — See Ch. 75.
Drug paraphernalia — See Ch. 117.
Firearms — See Ch. 129.
Fireworks — See Ch. 136.
Loitering — See Ch. 160.
Nuisances — See Ch. 168.
Storage of vehicles and junk — See Ch. 184, Art. I.
Dumping and littering — See Ch. 205, Art. I.

§ 178-1. State offenses adopted. [Amended 2-6-1997 by Ord. No. 219]

The current and future statutory provisions of Chs. 938 to 948, Ch. 951, §§ 86.06 and 86.192, § 146.70, § 961.41, §§ 961.571 through 961.577 and § 968.075, Wis. Stats., describing and defining regulation against the peace and good order of the state, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a term of imprisonment, are adopted and by reference made part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any current or future statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications to the current or future statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of peace and good order of the state.

§ 178-2. Violations and penalties. [Amended 2-6-1997 by Ord. No. 219¹]

Any person violating the provisions of this chapter shall, upon conviction, be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.

§ 178-3. Deposit schedule.

A deposit schedule shall be set by separate resolution of the Town Board. If a deposit schedule has not been established for a specific violation, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.

§ 178-4. Enforcement.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- A. Enforcement procedure. This chapter shall be enforced according to the statutory provisions of §§ 66.0111, 66.0109, 66.0115, 66.0113, 66.0114, 345.20 to 345.53 and Ch. 799, Wis. Stats., which are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future additions, amendments, revisions or modifications of the statutes incorporated herein are intended to be made a part of this chapter in order to secure uniform statewide regulation and enforcement of traffic and municipal ordinance violations. Further the Town of Summit specifically elects to use the citation method of enforcement.
- B. Deposit.
- (1) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the Police Station, the Clerk of Municipal Court's office or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with § 66.0111, Wis. Stats., or, if the deposit is mailed, the signed statement required under § 66.0111 shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
 - (a) If he fails to appear in court at the time fixed in the citation, he may be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 - (b) If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.
 - (2) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Town Board and shall include the costs, fees and surcharges imposed under Ch. 814, Wis. Stats. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder, which shall include the costs, fees and surcharges imposed under Ch. 814, Wis. Stats.²
 - (3) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by § 66.0111, Wis. Stats.
- C. Stipulation of no contest. Any person charged with a violation of this chapter may make a stipulation of no contest pursuant to § 66.0113, Wis. Stats., which shall be received at the Police Station or the office of the Clerk of Court within 10 days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under § 178-3 above, if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

stipulation for cause shown.