

CODE OF ORDINANCES
Town of Willard, Rusk County, Wisconsin

CHAPTER 1
CONSTRUCTION AND GENERAL PROVISIONS

1.01 CONSTRUCTION OF ORDINANCES

When construing the ordinances of the Town of Willard, the following rules shall be observed, unless such construction would be inconsistent with the express content or manifest intent of the ordinance.

- (1) WISCONSIN STATUTES.** The term 'Wisconsin Statutes' wherever used in this code shall mean the current Wisconsin Statutes.
- (2) GENDER, SINGULAR AND PLURAL.** Every word in any ordinance importing the masculine gender shall extend to, and be applied to, females as well as males; and every word importing the singular number shall extend to, and be applied to, several persons, or things, as well as to one person, or thing.
- (3) PERSON.** The word 'person' extends, and applies to: firms, corporations, or voluntary associations, as well as to individuals, unless plainly inapplicable.
- (4) HIGHWAYS.** Where used in this code, the word 'highway' refers to the alleys, streets, and highways, of the Town of Willard.
- (5) REASONABLE TIME OR NOTICE.** In all cases where any ordinance shall require any action to be done in a reasonable time, or a reasonable notice to be given, such reasonable time, or notice, shall be deemed to mean such time only as may be necessary for the prompt performance of such duty, or compliance with such requirement of notice.
- (6) COUNTY JAIL.** In all cases where the words 'county jail' are used, in any provision of this code, the words shall be construed to mean the County Jail of Rusk County.

1.02 CONFLICT AND SEPARABILITY

- (1) CONFLICT OF PROVISIONS.** If any provision of different chapters of this Code conflict with, or contravene each other, the provisions of each chapter shall prevail as to all matters, and questions, arising out of the subject matter of such chapter.
- (2) SEPARABILITY OF CODE PROVISIONS.** If any section, subsection, sentence, clause, or phrase, of this code is, for any reason, held to be invalid, or unconstitutional, because of any decision of any court of competent jurisdiction such decision shall not affect the validity of any other section, subsection, sentence, clause, or phrase, or portion thereof.

1.03 GENERAL PENALTY WHEN NO PENALTY IS PROVIDED

- (1)** Any person who violates any provision of any regulatory ordinance of the Town of Willard for which no other penalty is fixed shall, upon conviction thereof, be subject to a forfeiture not to exceed two hundred dollars (\$200.00).
- (2)** When a forfeiture shall be imposed for the violation of any ordinance of the Town of Willard, or any section thereof, the court may also sentence the defendant to pay the costs of the action and be imprisoned until such forfeiture and costs are paid, in no case, however, to exceed six (6) months; and the court may also issue an execution against the property of the defendant for the amount of the forfeiture and the costs.
- (3)** No violation of any ordinance of the Town of Willard shall be construed to be a misdemeanor, nor shall imprisonment be imposed as a punishment for violation of any ordinance of the Town of Willard, except in the event of the failure of any defendant to pay the forfeiture imposed by the court under the provisions of this code.

1.04 ADOPTION OF CITATION ENFORCEMENT PROCEDURE FOR VIOLATIONS OF ORDINANCES

- (1)** The Town of Willard adopts, by this ordinance, the use of the citation method of enforcement of ordinance violations.
 - (a)** When the municipal court is in existence, this method shall be non-exclusive and at the discretion of the Town Board. The provisions of Wisconsin Statutes, including the form of citation outlined in Chapter 800, Wisconsin Statutes, may be used.
 - (b)** If the Town of Willard shall not have a municipal court in existence, a citation meeting the requirements of Chapter 66, Wisconsin Statutes, may be used where applicable.
- (2)** The form of the Wisconsin Uniform Municipal Citation Form, MSC-1 is adopted as the citation form to be used by enforcement officials of the Town of Willard. A copy of form MSC-1 shall henceforth be used by the Town of Willard where applicable. For violations as to which The Uniform Traffic Citation, Wisconsin Statutes, applies, such citation form may be used.

- (3) Cash deposits may be made to the Town Clerk or Town Treasurer. Receipts shall be given for such deposits. The provisions of Wisconsin Statutes shall apply.
- (4) The Schedule of Cash deposits set forth as Appendix A is adopted for the various ordinance violations and penalty assessments imposed by Wisconsin Statutes. The Schedule is to be amended by Resolution.

1.05 EFFECTIVE DATE. This code shall take effect, and be in force, after its adoption, passage, publication, posting, filing, and recording, according to Wisconsin Statutes. When printed, a copy of said code is to be kept on file, and open for public inspection, in the Office of the Town Clerk of the Town of Willard.

Ordinance Chapter 1
Adopted this 11th day of September, 2017

Robert Nelson Yea Nay _____
Mark Taft Yea Nay _____
Linda Bentley Yea Nay _____

Attest: Mary Jane Nelson, Town Clerk