



## City of Racine, Wisconsin Agenda Briefing Memorandum

**AGENDA DATE:**

Intro to Council Date:

Standing Committee Date:

Final Action Council Date:

**PREPARED BY:** Robin K. Zbikowski, Senior Assistant City Attorney

**REVIEWED BY:** Scott R. Letteney, City Attorney

**SUBJECT:**

Communication presented by Alder Coe requesting the creation of an ordinance that, upon the certification of debt from unpaid parking citations, provides debtors with the administrative procedure by which to appeal the certification of debt and/or to contest the parking citation.

**BACKGROUND & ANALYSIS:**

Most citations issued by RPD are transmitted to the City of Racine Municipal Court. There, if the defendant fails to appear in court and/or fails to pay a money judgment, the court may utilize one or more methods prescribed under Wisconsin Statutes section 800.095 to collect the debt. Parking citations issued by RPD, however, take a different route. Uncontested and unpaid parking citations are handled exclusively by RPD, and thus the methods available to collect the debt are different from those made available to the court.

Under Wisconsin Statutes section 71.935, RPD may certify the debt to the Wisconsin Department of Revenue. Within five days of certification, RPD is required by statute to notify the debtor of the certification of debt, the basis for the certification and the debtor's right to appeal, and the debtor's right to contest the citation. Additionally, RPD must provide the debtor with the administrative procedure by which to request an appeal and/or to contest the citation, and the proposed legislation accomplishes both.

**STAFF RECOMMENDED ACTION:** Not applicable.

**FISCAL NOTE & BUDGETARY IMPACT:** None.