

Ordinance 00XX-25 – Certification of Parking Citation Debt

An ordinance to create Chapter 94, Article I, Section 94-23 of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 18, Article I, Section 94-23 of the Municipal Code of the City of Racine, Wisconsin is created as follows:

Sec. 94-23. – Certification of Parking Citation Debt.



(a) *Definitions.* In this section:

(1) *Debt* means a parking citation of at least \$20 that is unpaid and for which there has been no court appearance by the date specified in the citation or, if no date is specified, that is unpaid for at least 28 days.

(2) *Debtor* means a person who owes a debt to the city.

(3) *Department* means the Wisconsin Department of Revenue.

(b) *Certification.* The Racine Police Department may certify to the department any debt owed to it.

(c) *Notification.* Not later than 5 days after certification under subsection (b), the Racine Police Department shall notify the debtor in writing of its certification of the debt to the department, of the basis of the certification and of the debtor's right to appeal, and of the debtor's right to contest the citation.

(d) *Request for review.* The debtor may appeal the determination to certify the debt by filing with the Racine Police Department within 10 days after the date of the mailing of the notice of certification a written request for review of the determination that states the specific grounds for the debtor's objections thereto.

(e) *Review and decision.* Within 30 days after the filing of the request for review under subsection (d), the Racine Police Department Customer Service Representative Supervisor shall review the notification and the request for review along with the objections stated therein and render a written decision that is mailed first class to the debtor.

(f) *Appeal of decision.* The debtor may appeal the Racine Police Department Customer Service Representative Supervisor's decision to the Racine County Circuit Court within 30 days after the date of the mailing of the decision to the debtor.

- (g) *Contest the citation.* The debtor may contest the parking citation by filing with the Racine Police Department within 20 days after the date of the mailing of the notice of certification a request to contest the citation.
- (h) *Opt out.* The city elects not to be governed by the procedures under Wisconsin Statutes chapter 68 for purposes of this section.

State Law reference – Setoffs for municipalities and counties, Wis. Stat. § 71.935; Election not to be governed by [chapter 68], Wis. Stat. § 68.16.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: None.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.