



AN ORDINANCE: By Public Services & Safety Comm.  
Re: Amending Code §1-25 relating to citation  
authority

ORDINANCE NO. 2014-1  
Introduced: February 5, 2014  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

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

**Section 1.** Section 1-25 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

### Sec. 1-25. Issuance of citation.

- (a) *Law enforcement officer.* Any law enforcement officer may issue citations authorized under this article.
- (b) *City officials.* The following City officials may issue citations with respect to those ordinances which are directly related to their official responsibilities:
  - (1) Any sworn law enforcement officer;
  - (2) Any community service or parking enforcement officer (limited to parking, noise and animal ~~complaints~~violations);
  - (3) ~~[Reserved];~~
  - ~~(4)~~ Fire Chief or specified designee by position on file with the City Clerk with respect to violations of chapters 6 and 7;
  - ~~(5)~~ Community Development Director or specified designee by position on file with the City Clerk with respect to violations of chapters 9, 10, and subpart B (Land development regulations);
  - ~~(6)~~ Director of Parks and Recreation or specified designee by position on file with the City Clerk with respect to violations of chapters 18 and 19; ~~and~~
  - ~~(7)~~ Director of Public Works or specified designee by position on file with the City Clerk with respect to violations of chapters 10, 12, 14 and 17; and
  - (7) Director of Water Utility or specified designee by position on file with the City Clerk with respect to violations of chapter 17.

- (8) The designations of paragraphs (2) through (7) of this chapter are in addition to the authority under subparagraph (1) of this subsection. Nothing shall be construed to limit the authorization of a law enforcement officer to issue citations for any of these violations.
- (9) ~~No citations may be~~ issued under subparagraphs (3) through (7) ~~without the shall be subject to the advice review~~ of the City Attorney. Citations under subparagraphs (1) and (2) shall be subject to review and supervision by the Police Chief or his designee.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Ramos/Stevenson  
Adopted: February 5, 2014  
Approved: February 5, 2014  
Published: February 10, 2014

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
City Attorney James G. Godlewski  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1005210