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**WOOD COUNTY ORDINANCE #233
ISSUANCE OF WORTHLESS CHECKS**

Chapter 233 .01 ISSUE OF WORTHLESS CHECKS

(1) Whoever does the following shall incur a forfeiture as set forth in Section 233.2
Penalties

Issues any checks or other order for the payment of money which, at the time of issuance, he/she intends shall not be paid.

(2) Any of the following is prima facie evidence that the person at the time he/she issued the check or other order for the payment of money, intended it should not be paid:

A. Proof that at the time of issuance the person did not have an account with the drawee;

B. Proof that at the time of issuance the person did not have sufficient funds or credit with the drawee and that the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order;

C. Proof that when presentment was made within a reasonable time the person did not have sufficient funds or credit with the drawee and the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.

(3) A court to which any forfeiture or deposit is paid hereunder may apply all or part of that amount paid over to the party receiving the worthless check or other order if it concludes justice would be served, as recompense to such party for damages and inconvenience suffered due to the violation of this section that gave rise to the forfeiture or deposit. Such restitutionary payment shall not prejudice or affect any other civil action which such party may have against the issuer of said check or other order.

Chapter 233 .02 PENALTIES

Any person, firm, or corporation violating any provision of this ordinance shall upon conviction be required to forfeit not less than \$10.00 nor more than \$200.00 together with the costs of the action and in default of payment thereof shall be subject to imprisonment in the County Jail for a period not to exceed thirty days.

Chapter 233 .03 ENFORCEMENT

This ordinance shall be enforced in accordance with the provisions of Section 66.12 of the Wisconsin Statutes.

(1) Stipulation of Guilt or No Contest:

Stipulation of guilt or no contest may be made by persons arrested for violations of this ordinance in accordance with Section 66.12(1)(b) Wisconsin Statutes, and may be accepted within ten days of the date of the alleged violation.

(2) Any person stipulating guilt or no contest under Section A must make a deposit in an amount as set forth on the citation for violations of this ordinance. Deposits may be brought or mailed to the office of the Clerk of Courts or may be received by the Wood County Sheriff's Department. Any deposit accepted by the Wood County Sheriff's Department shall be mailed or brought to the Clerk of Courts as soon as possible after receipt thereof.

Chapter 233 .04 REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances heretofore enacted by the County Board of Wood County, Wisconsin in conflict herewith are hereby repealed.

Chapter 233 .05 SEVERABILITY

If any section, clause, or division of this ordinance be declared by the court to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.