

## TWO PARTY COMPLAINT INSTRUCTIONS

These instructions and attached form are for your use to complain regarding any number of different situations that are investigated by either the Department of Public Works, Housing Department or the Police Department.

In order to successfully prosecute this matter, the City Attorney's Office would be looking for the same type of evidence and detail normally produced by various city investigators. Normally this would include photographs where applicable. It would be extremely helpful for you to have read and be familiar with the particular ordinance involved in filling out the form. Reading the ordinance will better help you to ensure you have addressed all of the necessary information to allow us to proceed. A list of the more common ordinances involved is attached. Copies of the actual ordinances are available at the City Clerk's Office and the library.

It is required that two non-related complainants witness the violation and are willing to come to court, if necessary. The complainants must live in different dwellings. If your complaint does result in the issuance of a citation, you may be required to appear in court to testify as to your observations. For that reason, it is critical that you detail as much information as possible now. You should realistically expect at least a 3-month delay in addition to any necessary time for further city staff investigation or for time required to be allowed for compliance if the applicable ordinance requires issuance of orders.

Once the attached form has been completed, it should be delivered to the appropriate department as soon as possible after observing the violation. **Wisconsin State Statutes require moving vehicle noise violations to be reported to the police department within 24 hours from the time of the violation.** If the form involves a police department matter, it should be directed to the office of the patrol captain; if it is a housing department matter, it should be directed to the housing department director; and, if it is a DPW matter, it should be directed to the inspection officer. Any photographs or supplementary information should be attached. You may phone the respective departments to be advised on the status of the complaint.

If the defendant pleads not guilty, the matter will be set for a Pre-Trial Conference. If that fails to resolve the matter, a trial will be set. You will be served with a subpoena if you are needed to give testimony at the trial. Trials are typically held on Thursdays at 3:00 p.m. in the Forum at City Hall. The defendant will be entitled to cross-examine you at the time of trial although the cross-examination will be limited to matters that are relevant to the claimed offense.

If you have any questions regarding completion of these forms or the status of a complaint you may contact the Police Department at 364-6800; the Department of Public Works at 364-2929, or the Housing Department at 364-6650.

## TYPICAL ORDINANCE VIOLATIONS

<b><u>Brief Description</u></b>	<b><u>Statute or Ordinance Number</u></b>	<b><u>Dept.</u></b>
Barking Dogs	16.05(10)	PD
General Residential Noise	15.12(2)	PD
Parking – sidewalk blocking	Wis. Stats. 346.52(1)(d)	PD
Parking – alternate	13.03	PD
Moving vehicle noise	Wis. Stats. 346.94 (16)	PD
Snow and Ice Removal	11.22	DPW
Trash – Containers out early or late	17.06 (14)(d)	DPW
Parking on non-surfaced area	Art. XVI	Hsg.
Excess motor vehicles	Art XVI	Hsg.
Unregistered Motor Vehicle	7.23 (7)(a)	Hsg.
Major overhaul of motor vehicle	7.23(7)(c)	Hsg.
Excess number trailers/recreational vehicles	7.23 (7)(d)	Hsg.