

**RESOLUTION NO. 2026-33**

**VILLAGE OF YORKVILLE  
COUNTY OF RACINE, STATE OF WISCONSIN**

**A RESOLUTION ADOPTING A CODE ENFORCEMENT POLICY FOR THE VILLAGE  
OF YORKVILLE**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE OF WISCONSIN, RESOLVES AS FOLLOWS:**

**WHEREAS**, the Village has prepared a draft policy for code enforcement policies and procedures for consideration by the Yorkville Village Board; and

**WHEREAS**, a draft code enforcement policy titled “Code Enforcement Policies and Procedures” (attached hereto as “**Exhibit A**”), was presented to and reviewed by the Yorkville Village Board on August 24, 2026; and

**WHEREAS**, the Village Board aims to ensure compliance with all Zoning and General ordinances through fair and consistent procedures; and

**WHEREAS** the Village Board seeks to protect the public health, safety, and welfare, and enhance livability within the Village; and

**WHEREAS**, the adoption of a formal, written policy will ensure that all code enforcement actions are conducted uniformly, equitably, and in compliance with due process requirements; and

**WHEREAS**, the Village Board believes it is in the best interest of the Village and its residents to formally adopt the Code Enforcement Policy.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, hereby adopts a code enforcement policy for the Village of Yorkville, attached hereto and incorporated herein as “**Exhibit A**”.

This Resolution was adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 24<sup>th</sup> day of August, 2026.

**VILLAGE OF YORKVILLE**

Ayes: 3

By: /s/ Douglas Nelson  
Douglas Nelson, President

Nays: 0

Attest: /s/ Janine Carls  
Janine Carls, Clerk

Abstentions: 0

Absences: 2

# Village of Yorkville

## Code Enforcement Policies and Procedures

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### 1. Mission, Purpose, and Scope

The Village of Yorkville aims to protect public health, safety, and welfare, and enhance livability by ensuring compliance with all Zoning and General ordinances through fair, consistent procedures.

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| <b>Mission</b>        | To promote voluntary compliance while utilizing progressive enforcement measures, up to and including legal action, when necessary.                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Purpose</b>        | To establish standard procedures and guidelines, including methods for investigation and evaluation, and issuance of citations and orders to correct conditions that are in direct violation of the governing code.                                                                                                                                                                                                                                                                                     |
| <b>Scope</b>          | Apply to all Building Inspectors, Code Enforcement Officers, Humane Officers, Village Staff, and Sheriff's Department Officers.<br>In addition, the processes and procedures for Zoning Administration, as outlined in the Racine County Development Services Memorandum dated December 23, 2025, subject 'Development Services Complaint Intake and Enforcement Process', are hereby incorporated by reference into the Code Enforcement Policy and shall be adhered to as if fully set forth therein. |
| <b>Governing Code</b> | Village of Yorkville General Code of Ordinances and Zoning Ordinances, as well as legally adopted manuals/statutes.                                                                                                                                                                                                                                                                                                                                                                                     |

### 2. Prioritization of Violations

When resource constraints prevent addressing all issues, cases will be prioritized in the following order. Lower-priority violations may be elevated based on aggravating circumstances (e.g., deliberate action, economic harm, significant size, or repeat offenses).

| <b>Priority Rank</b>    | <b>Violation Type</b>                                             |
|-------------------------|-------------------------------------------------------------------|
| <b>Tier 1 (Highest)</b> | Imminent threats to public health, safety, or welfare.            |
| <b>Tier 2</b>           | Construction of non-permitted structures.                         |
| <b>Tier 3</b>           | Violations affecting storm drainage, wetlands, or adjacent areas. |
| <b>Tier 4</b>           | Properties with multiple complaints received.                     |
| <b>Tier 5</b>           | General Zoning and Junk violations.                               |
| <b>Tier 6 (Lowest)</b>  | All other violations, including civil complaints.                 |

### 3. Initiation of Code Enforcement (Complaint Intake)

Enforcement action begins via a filed Report of Concern (form available at the Village Office/website).

| <b>Complaint Type</b> | <b>Requirements</b>                                                                                                                              | <b>Discretionary Action</b>                                                                                                 |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Standard</b>       | Requires exact address and nature of complaint. Complainant's contact information is preferred but may be subject to Wisconsin Open Records Law. | Village Staff may send an <i>initial letter of advisement</i> requesting voluntary remediation before filing a formal case. |

|                  |                                                 |                                                                                                                                                                                                                                                                                                                    |
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| <b>Anonymous</b> | Requires exact address and nature of complaint. | Investigated at the discretion of Village Staff depending on the: reliability of the complaint; whether the complaint alleges an imminent threat to public health, safety, or welfare; ease or difficulty with which the complaint can be verified. The complaint must be independently verified by Village staff. |
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#### 4. Case Assignment and Initial Investigation

| Step                     | Action and Responsibility                                                                                                                                                                                                                                                                                                                                                                                     |
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| 1. Intake and Assignment | Village Staff log the complaint into the Code Enforcement database and assign it to appropriate officer: Humane Officer, Building Inspector, Code Enforcement Officer, Zoning Administrator, or Racine County Sheriff's Department. (Emergencies go immediately to the Sheriff's Department.)                                                                                                                 |
| 2. Field Investigation   | The assigned officer should investigate all complaints within seven business days to: verify the existence and severity of a violation; document the conditions with notes and photographs; engage external agencies (Health Department, Humane Officer) if applicable.                                                                                                                                       |
| 3. Invalid Violation     | If no code violation is found, or the complaint is determined to be a civil matter, the case is closed. Log notes/photos documenting the invalidity of the complaint into the code enforcement database. Notify the complainant and Village Staff as applicable. Let the complainant know that if issues reoccur, the complainant should report the concern again, with photos or other evidence if possible. |
| 4. Valid Violation       | Enforcement prioritizes voluntary compliance. The responsible officer may attempt an initial verbal contact before issuing a formal notice. If attempt is unsuccessful, the officer begins the progressive enforcement process. Any verbal contact must be documented in the Code Enforcement database including the date, time, and substance of the contact.                                                |

#### 5. Progressive Enforcement Steps

Per Section 1-14 of the Village's Code of Ordinances, "the village code enforcement officer, Racine County Sheriff's Department and other village personnel charged with the responsibility of enforcing the provisions of this Code are hereby authorized to issue citations for violations of this Code, including ordinances for which a statutory counterpart exists."

Service of notices and orders may be completed by the inspector or contracted enforcement agency either in person or in a manner consistent with the code of ordinances; Sheriff's department may assist. Officers should maintain an open line of communication and well-documented correspondence with the property owner to obtain compliance.

##### Enforcement Steps

| Phase One: Initial Letter and Order to Correct |                                                                                                                                                            |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Letter Must Include                            | <ol style="list-style-type: none"> <li>1. Ordinance in violation</li> <li>2. Facts that lead to the conclusion that a violation has taken place</li> </ol> |

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|                             | <ol style="list-style-type: none"> <li>Steps to obtain compliance</li> <li>Compliance deadlines and penalties for noncompliance</li> <li>Standard notification of reinspection fees (each additional inspection after first – per property) (if applicable)</li> <li>Officer contact information</li> <li>Copies of ordinance section allegedly violated attached to the letter itself.</li> </ol> |
| Compliance Period           | <b>10 to 45 days</b> (up to 60-90 for specific violations per code)                                                                                                                                                                                                                                                                                                                                |
| Granting Extensions         | Officers may grant one extension equal to the original time frame granted. The officer may, at their discretion, grant an additional extension for extenuating circumstances (such as health or financial issues), provided the reasoning is fully documented.                                                                                                                                     |
| Reinspection and Escalation | If compliance is not achieved upon reinspection after the final extension deadline has passed, move to Phase Two.                                                                                                                                                                                                                                                                                  |
| Bypassing Phase One         | Phase One of the enforcement process may be bypassed and enforcement may proceed directly to Phase Two if the nature of the violation is such where allowing the violation to continue will cause the severity of the violation to worsen.                                                                                                                                                         |

| <b>Phase Two: Final Warning and Notice of Inspection Fees</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Final Warning to Include                                      | <ol style="list-style-type: none"> <li>Ordinance in violation</li> <li>Facts that lead to the conclusion that a violation has taken place including a brief enforcement action history (i.e. letter sent x date, reinspection x date, no steps taken to obtain compliance).</li> <li>Steps to obtain compliance</li> <li>Final compliance deadline</li> <li>Notice of reinspection fees currently due</li> <li>Officer contact information</li> <li>Applicable penalty to be imposed if deadline is unmet</li> <li>Copies of ordinance section allegedly violated attached to the letter itself.</li> </ol> |
| Compliance Period                                             | Additional 10 to 45 days                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Failure to Comply                                             | If the deadline is unmet, the officer proceeds to issue a citation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| <b>Phase Three: Citation</b>                                                                                                                                                                                                             |
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| The Code Enforcement Officer or Sheriff's Deputy will issue the citation, which may be hand-delivered or sent via certified mail. The officer will retain a copy and send duplicates to the Municipal Court Clerk and the Village Clerk. |
| 1. Name of person alleged to be in violation of the Village's Ordinances, Zoning Codes, or legally adopted manuals/statutes                                                                                                              |
| 2. Statement of facts describing the alleged violation                                                                                                                                                                                   |
| 3. Date, time and place of the offense                                                                                                                                                                                                   |

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| 4. The chapter and section(s) of Code of Ordinances violated                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 5. A designation of the offense in such a manner as can readily be understood by a person making a reasonable effort to do so.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6. The bond/forfeiture amount. Note: If the bond amount for Section of Code of Ordinances is not scheduled, the catch all bond amount on the Bond Schedule shall be used.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>7. If applicable, indicate on the face of the citation "CONTINUING DAILY VIOLATION."</p> <p>a. Municipal Court Clerk will utilize existing system to track/allow multiple daily forfeitures to be imposed from one citation number if a "Continuing Daily Violation" citation.</p> <p>b. For the prosecutor to prove a "Continuing Daily Violation," the Code Enforcement Officer/Building Inspector (or their designee) must conduct periodic inspections and track the violation's persistence.</p> <p><i>Note: For each day a violation exists or continues to exist, it shall constitute a separate offense with a separate penalty to be imposed if convicted. For continuing daily violations, unless directed otherwise by the Prosecutor, the date the citation is issued should be the date of violation.</i></p> |
| 8. The time and date at which the alleged violator may appear in court.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 9. A statement per Section 1-14(d)(2)(g) of the Village's Code.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10. Directions pertaining to submitting a cash deposit and a signed statement as required under subsection (d)(2)(g).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11. Such other information as deemed necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| Phase Four: Legal Action |                                                                                                                                                                                                                                                                                                                      |
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| Village Clerk Notified   | If a defendant pleads not guilty, or otherwise requests a pre-trial conference, the Municipal Court Clerk will send a copy of the case file to the Village Attorney and cc the Village Clerk. The Village Attorney coordinates with Code Enforcement Officer regarding cases set for pretrial or initial appearance. |
| Prosecutor Notified      | Code Enforcement Officer will send a copy of the complete case file to the Prosecutor including court dates and any other pertinent information.                                                                                                                                                                     |

## 6. Required Case Documentation

To Ensure the integrity of enforcement and support potential legal action, the Village Clerk and assigned officer must maintain comprehensive case files.

- Photos: Date, time, and address overlay required.
- Correspondence: Copies of all letters, Orders to Correct, returned notices, and supplemental emails.
- Chronology: A detailed history tracking all enforcement actions, site visits, extensions, and personal interactions (phone, email, in-person).
- Citations: A copy of the citation, including the violator's name, the section of the code violated, factual allegations, bond/forfeiture amount, and court date.

- Fees: Re-inspection fees must be documented for billing or lien filing. If unpaid, these fees will be billed as a special charge on the property tax bill. A copy of the documentation and the billable amount must be forwarded to the Village Treasurer.

## **7. Resolution and Case Closure**

Legal team involvement:

- Municipal Court Clerk shall notify the Village Inspector or contracted enforcement agency of any citation being set for pretrial.
- Village Inspector or contracted enforcement agency shall transmit a complete copy of the violation file to the Village Prosecutor after pretrial is set.
- Village Attorney as Prosecutor shall:
  - Receive violation file from Building Inspector, contracted code enforcement officer, or Sheriff's Department after a citation has been issued and a pre-trial has been requested;
  - Ensure records and service are consistent with municipal court guidelines and code of ordinances; and
  - Coordinate efforts with original site inspector and supervisors to determine any pretrial follow up, or settlement before trial, or courtroom requirements.
  - Attend any municipal court appearances as required (initial appearance, pretrial, trial, hearings, etc.)
- Village Attorney shall:
  - Take and file cases in appropriate courts to seek appropriate action;
  - Work with Sheriff's Department/inspectors as required for special cases; and
  - Seek Village Board action as required for special cases.

The goal is the final, satisfactory resolution of all violations.

- Compliance: If the required corrections are made, the officer documents the date and method of compliance, notifies the Prosecutor, and, upon any action/notice to the courts after prosecutorial review, the case is closed. The complainant is notified of the resolution.
- Unresolved Cases: If a violation is not resolved, Village Staff will seek Legal Counsel for guidance.
- Record Keeping: All case files are entered into the Village's Code Enforcement database and retained in accordance with the Wisconsin Open Records Law.