

Chapter 11.04 STATE STATUTES ADOPTED

11.04.010 State traffic forfeiture laws adopted.

Except as otherwise specifically provided in this chapter, all provisions of Chapters 340 to 348 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the state of Wisconsin.

(Ord. O-82-39 § 1, 1982; Ord. O-78-84 § 1, 1978)

11.04.015 Trans 305 adopted.

All provisions of Chapter Trans 305, Wisconsin Administrative Code, are adopted by reference excepting the penalty provisions thereof. Any person violating the provisions of this section shall be subject to the general penalty provisions of this code.

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11.04.020 Other laws adopted.

There are also adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this chapter shall be as provided in Chapters 340 to 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as provided in Section 1.12.010 of this code.

941.01(1) (Negligent operation of vehicle off highway)

947.045 (Drinking in motor vehicles on highway)

941.03 (Highway obstruction).

(Ord. O-76-81 § 1, 1976; Ord. 72-15 § I (part), 1972: prior code § 11.01(1) (b))

11.04.030 Enforcement.

This chapter shall be enforced in accordance with the provisions of Sections 345.20 to 345.53, Chapter 299 and Section 66.0114, of the Wisconsin Statutes.

(Ord. O-02-1 § 1 (part), 2002; Ord. 72-15 § I (part), 1972: prior code § 11.01(2) (part))

11.04.040 Stipulation of guilt or no contest.

Stipulations of guilt or no contest may be made by persons arrested for violations of this chapter in accordance with Section 66.0114(1)(b), Wisconsin Statutes, whenever the provisions of Section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and

complaint under Section 345.11, Wisconsin Statutes, and may be accepted within ten days of the date of the alleged violation. Stipulations may be accepted by the city police department.

(Ord. O-02-1 § 1 (part), 2002; Ord. O-75-154 § 1, 1975; Ord. 72-15 § I (part), 1972: prior code § 11.01(2) (a))

11.04.050 Deposits.

Any person stipulating guilt or no contest under Section 11.04.040 must make the deposit required under Section 345.26, Wisconsin Statutes, or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the municipal judge and approved by the common council. Deposits may be brought or mailed to the office of the police department as directed by the arresting officer. Deposits for parking or nonmoving violations shall be mailed or brought to the city police department.

(Ord. 72-15 § I (part), 1972: prior code § 11.01(2) (b))

11.04.060 Notice of demerit points and receipt.

Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefor in triplicate as provided in Section 345.26(3) (b), Wisconsin Statutes. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of Sections 343.27, 343.28, 345.26(1) (a) and 345.27(2), Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11, Wisconsin Statutes.

(Ord. 72-15 § I (part), 1972: prior code § 11.01(2) (c))

11.04.070 Forfeitures in treasury—Officer to post bond and qualify.

Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the city treasurer within twenty days after receipt. Any officer authorized to accept deposits under Section 345.26, Wisconsin Statutes, or this chapter shall qualify by taking the oath prescribed by Section 19.01, Wisconsin Statutes, and filing an official bond in the sum of ten thousand dollars as described by Section 19.01.

(Ord. 72-39 § 1, 1972: Ord. 72-15 § 1 (part), 1972: prior code § 11.01(2) (d))

11.04.080 Collection of forfeitures for parking violations—State procedures adopted.

If the alleged violator of a "nonmoving traffic ordinance violation" (herein defined to mean parking violation) fails to pay the amount of forfeiture as provided on such citation or fails to appear in court within twenty-eight days after the issuance of the nonmoving traffic citation, the chief of police or his designee may take any or all of the actions authorized under Wisconsin Statutes 345.28 and 345.34 through 345.47 inclusive, which are hereby specifically adopted and shall be followed in actions to recover forfeitures for nonmoving traffic violations. The additional cost of using the registration program as established under Wisconsin Statutes 85.13 shall be assessed against and added to the amount of forfeiture to be paid by the alleged violator as authorized by Wisconsin Statutes 345.28.

(Ord. O-84-47 § 1, 1984; Ord. O-82-71 § 1, 1982)