



# Wauwatosa, WI

7725 W. North Avenue  
Wauwatosa, WI 53213

## Signature Report

Resolution-Council: R-25-6

File Number: 25-0144

Enactment Number: R-25-6

### Resolution approving a Municipal Court deposit schedule for non-moving violations

WHEREAS, the deposit schedule for non-moving citations violations issued by the Wauwatosa Police Department for prosecution in municipal court is to be based upon a schedule set by the Wauwatosa Municipal Court, which schedule is to be approved by the common council; and

WHEREAS, the Municipal Judge has drafted a deposit schedule to be utilized by the Wauwatosa Police Department when issuing non-moving citations, which was presented to the Government Affairs Committee at its meeting of January 21, 2025, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa that the deposit schedule prepared by the Wauwatosa Municipal Court and attached hereto, is hereby adopted for use by the Wauwatosa Police Department, pursuant to the provisions of Section 800.037 of the Wisconsin Statutes.

By: Government Affairs Committee

Adopted

  
City Clerk Steven Braatz

Date

1-28-25

Approved

  
Mayor Dennis McBride

Date

2/3/2025

### City of Wauwatosa Deposit Schedule

Ordinance	Statute	Offense	Deposit (1st)*	Total (1st)	Deposit (2nd)**	Total (2nd)	Deposit (3rd+)**	Total (3rd)
6.08.010(B)	125.07(4)(B)	LL-Alcohol Use/Poss/Odor (Adult defendant)	\$100.00	\$187.00	\$200.00	\$313.00	\$300.00	\$439.00
6.08.010(B)	125.07(4)(B)	LL-Alcohol Use/Poss/Odor (Juvenile defendant)	\$50.00	\$124.00	\$100.00	\$187.00	\$150.00	\$250.00
6.90.010(a)	961.41(3g)	Poss of Controlled Substance (all other than marijuana)	\$300.00	\$439.00	\$400.00	\$565.00	\$800.00	\$1,069.00
6.90.010(b)	961.41(3g)e	Poss of Marijuana (Adult Defendant)	\$100.00	\$187.00	\$150.00	\$250.00	\$250.00	\$313.00
6.90.010(b)	961.41(3g)e	Poss of Marijuana (Juvenile Defendant)	\$50.00	\$124.00	\$100.00	\$187.00	\$250.00	\$313.00
6.90.020(c)(1)	961.573(1)	Poss of Paraphernalia	\$50.00	\$124.00	\$200.00	\$313.00	\$400.00	\$565.00
7.01.010(48)	948.61	Dangerous Weapons on School Property	\$500.00	\$691.00				
7.02.010(1)(a)	941.23	Carrying a Concealed Weapon	\$200.00-\$500.00	\$313.00-\$691.00				
7.02.010(10)	943.34(1)	Conceal/Receive Stolen Property	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(11)	943.41	Fraud - Credit Cards	\$100.00-\$1,000.00	\$187.00-\$1,321.00				
7.02.010(12)	943.50(1m)	Retail Theft (Adult Defendant)	\$100.00-\$1,000.00	\$187.00-\$1,321.00				
7.02.010(12)	943.50(1m)	Retail Theft (Juvenile Defendant)	\$50.00-500.00	\$124.00-\$691.00				
7.02.010(14)	944.20(1)(a)	Lewd & Lascivious Behavior - In Public	\$150.00-300.00	\$250.00-\$439.00				
7.02.010(18)	946.41	Obstructing Officer (Adult defendant)	\$100.00-250.00	\$187.00-\$376.00				
7.02.010(18)	946.41	Obstructing Officer (Juvenile defendant)	\$50.00-250.00	\$124.00-\$376.00				
7.02.010(18)	946.41	Resisting Officer (Adult Defendant)	\$200.00-\$600.00	\$313.00-\$817.00				
7.02.010(18)	946.41	Resisting Officer (Juvenile Defendant)	\$200.00	\$313.00				
7.02.010(19)	940.19(1)	Battery (Adult defendant)	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(19)	940.19(1)	Battery (Juvenile defendant)	\$50.00-\$200.00	\$124.00-\$313.00				
7.02.010(20)	941.1	Negligent Handling of Burning Materials	\$100.00	\$187.00				
7.02.010(22)	941.13	Intentionally Give False Alarm	\$100.00	\$187.00				
7.02.010(25)	943.11	Entry Into Locked Vehicle	\$300.00	\$439.00				
7.02.010(26)	947.01	Disorderly Conduct (Adult defendant)	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(26)	947.01	Disorderly Conduct (Juvenile defendant)	\$50.00-\$400.00	\$124.00-\$565.00				
7.02.010(3)	943.01	Criminal Damage to Property	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(30)	947.013(1m)	Harrassment	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(38)	939.05	Party to a Crime	\$50.00-\$500.00	\$124.00-\$691.00				
7.02.010(5)	943.13	Criminal Trespass to Land	\$100.00-\$300.00	\$187.00-\$439.00				
7.02.010(50)	323.28	Violate an Emergency Order	\$100.00	\$187.00				
7.02.010(6)	943.14	Criminal Trespass to Dwelling	\$200.00-\$500.00	\$313.00-\$691.00				
7.02.010(7)(a)	943.20(1)	Theft of Property less than \$500.00 in value	\$100.00-\$500.00	\$187.00-\$691.00				
7.02.010(8)	943.21	Fraud on Hotel/Restaurant	\$150.00	\$250.00				
7.32.010(a)		Sex Offender - Residency Violation (amount per day, per WI 55)		\$500.00				
7.46.010		Noise - General	\$200.00	\$313.00	\$300.00	\$439.00	\$400.00	\$565.00
7.46.040		Noise - Animals	\$100.00	\$187.00	\$200.00	\$313.00	\$300.00	\$439.00
7.48.005		Contribute to Delinquency of child	\$250.00	\$376.00				
7.48.010(10)		Intentionally Make False Report	\$200.00	\$313.00				
7.48.010(11)		Trespass or Damage to Property	\$150.00	\$250.00				
7.48.010(5)		Littering	\$100.00	\$187.00				
7.48.010(7)		Disturbing the Peace - Discharge of Weapon	\$700.00	\$943.00				
7.56.020		Loitering Prohibited	\$60.00	\$136.60				
7.56.020		Prowling Prohibited (Juveniles)	\$100.00-\$300.00	\$187.00-\$439.00				
7.56.020		Prowling Prohibited (Adult)	\$200.00-\$500.00	\$313.00-\$691.00				
7.56.040(B)(1)		Loitering on School Property - Language	\$100.00	\$187.00				
7.56.040(B)(2)		Loitering on School Property - Smoking	\$100.00	\$187.00				
7.56.080		Loitering on Private Property	\$200.00	\$313.00				
7.58.020(a)	118.163(2)	Truancy	\$100.00	\$187.00	\$150.00	\$250.00	\$200.00	\$313.00
7.58.100(a)		Contributing to Truancy	\$150.00	\$250.00	\$250.00	\$376.00	\$350.00	\$502.00
7.84.010		Curfew Violation	\$100.00	\$124.00	\$150.00	\$250.00	\$200.00	\$313.00
7.93.020		Display Facsimile Firearm	\$200.00	\$313.00				

## City of Wauwatosa Deposit Schedule

Ordinance	Statute	Offense	Deposit (1st)*	Total (1st)	Deposit (2nd)**	Total (2nd)	Deposit (3rd+)**	Total (3rd)
8.12.060		Poss of Electronic Smoking Device by Person < 18	\$50.00	\$124.00	\$100.00	\$187.00	\$150.00	\$250.00
9.04.020(A)(4)		Leash Required for Dog	\$50.00	\$124.00	\$100.00	\$187.00	\$150.00	\$250.00
9.04.020(E)(4)		Care/Maintenance of Animals - Sanitary Conditions	\$200.00	\$313.00	\$400.00	\$565.00	\$600.00	\$817.00
9.04.030		Keeping a Dangerous Dog	\$100.00	\$187.00	\$300.00	\$439.00	\$500.00	\$691.00
9.04.040C		Fail to Quarantine for Rabies	\$100.00	\$187.00	\$200.00	\$313.00	\$300.00	\$439.00
11.48		Any bicycling violation	\$50.00	\$124.00				
11.20.090		Standing or Loitering on Roadway Prohibited	\$50.00	\$124.00				
11.20.100(D)		Entering or Staying Upon Street - Median	\$50.00	\$124.00				
11.44.140(A)		Unregistered Vehicle on Premises	\$50.00	\$124.00				
11.04.015	Ch. 347	Violations of Trans 305	\$30.00	\$98.80				
		Ordinance Violations Not Specified in Deposit Schedule (Adult defendant)	\$150.00	\$250.00				
		Ordinance Violations Not Specified in Deposit Schedule (Juvenile defendant)	\$50.00	\$124.00				
		Any referrals received from the DA's office for municipal violations may exceed the amount listed in this deposit schedule with a maximum amount of \$1,500.00 for the deposit (\$1,956.00 total), not to exceed any maximum amount set forth in the ordinance. The deposit amount must be approved by a Police Supervisor.						

### Notes:

- Denotes Appearance Required
- Denotes set by ordinance. Violations are counted per day.
- Deposit Amount does not include all statutory required costs. The Total Amount includes all costs and assessments required to be included. The Total Amount is to be listed on the citation.
- \* Any deposit amount with a range denotes an incident for which there is a degree of harm relevant to the deposit amount. Police Supervisors must determine the amount of the deposit amount within the range provided herein.
- \*\* Second, Third, and additional citations are for within a 12 month period prior to the date of the incident.