

# Chapter 1

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## Traffic and Parking

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### Sec. 8-1-1 State Traffic Laws Adopted.

- (a) **Statutes Adopted.** The provisions of Chapters 340-350 of the Wisconsin Statutes that the Town may adopt as ordinances are hereby adopted as ordinances and are incorporated herein as if fully set forth. Any act required to be performed or prohibited by any provision incorporated herein is required or prohibited by this section. Any future amendment of any of said Chapters that the Town may adopt as an ordinance is hereby adopted as an ordinance and is incorporated herein as if fully set forth as of the effective date of that future amendment.
- (b) **Other State Laws Adopted.** There are also hereby 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 349 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:

941.01 Negligent Operation of Vehicle Off Highway  
941.03 Highway Obstruction

- 943.11 Entry into Locked Vehicle
- 943.23 Operating Motor Vehicles Without Owners Consent
- 947.045 Drinking in Motor Vehicle on Highway

- (c) **Statutes Specifically Incorporated by Reference.** Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1995-96 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) **General References.** General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

**Sec. 8-1-2 State Administrative Code Provisions Adopted.**

- (a) **Administrative Regulations Adopted.** The provisions of the traffic regulations promulgated by the Wisconsin Department of Transportation under Chapter 110, Chapter 347, or Chapter 348 of the Wisconsin Statutes that the Town may adopt as ordinances are hereby adopted as ordinances and are incorporated herein as if fully set forth. Any act required to be performed or prohibited by any provision incorporation herein is required or prohibited by this section. Any future regulation promulgated by the Wisconsin Department of Transportation under Chapter 110, Chapter 347, or Chapter 348 of the Wisconsin Statutes that the Town may adopt as an ordinance is hereby adopted as an ordinance and is incorporated herein as if fully set forth as of the effective date of that future regulation. Any future amendment of any provision incorporated herein that the Town may adopt as an ordinance is hereby adopted as an ordinance and incorporated herein as if fully set forth as of the effective date of that future amendment. Rules pertaining to federal motor vehicle carrier safety standards are not adopted.
- (b) **Non-Compliance Prohibited.** No person shall operate or allow to be operated on any highway, street or alley within the Town a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Sec. 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 8-1-1 of this Chapter.
- (c) **Owner's Liability.** Any owner of a vehicle not equipped as required by this Section who knowingly causes or permits such vehicle to be operated on a highway in violation of this Section is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Sec. 347.04, Wis. Stats., relating to nonapplicability of demerit points shall apply to owners convicted of a violation of this Section.
- (d) **Safety Checks.**
  - (1) **Operators to Submit to Inspection.** When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section or that the vehicle's equipment is in proper adjustment

or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.

- (2) **Authority of Officer.** Any law enforcement officer serving the Town is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
- (3) **Vehicle to be Removed From Highway.** Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated, except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Sec. 110.075(5), Wis. Stats., and shall require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the issuing officer within the time specified in the order.
- (e) **Penalty.** Penalty for violation of any provision of this Section, including the provisions of the Wisconsin Administrative Code, incorporated herein by reference, shall be as provided in Subsection (c) of this Section, together with the costs of prosecution and applicable penalty assessment.

**Sec. 8-1-3            Official Traffic Signs and Control Devices; Prohibited Signs, Signals and Markers.**

- (a) **Duty of Town Board to Erect and Install Uniform Traffic Control Devices.** Whenever traffic regulations created by this Chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 8-1-1, require the erection of traffic control devices for enforcement, the Town Board or its designee shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Town Board or its designee, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the Town of Westport.
- (b) **Code Numbers to be Affixed to Official Traffic Control Devices.** The Town Board or its designee shall cause to be placed on each official traffic control sign a guide board, mile post, signal or marker erected under Subsection (a), a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code

numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.

- (c) **Prohibited Signs and Markers in Highways.** No person other than an officer authorized by this Chapter to erect and maintain official traffic control devices or his or her designee shall place within the limits of any street or highway maintained by the Town any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board or its designee or, where applicable, the State or Dane County Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this Subsection shall be subject to removal as provided in Subsection (d).
- (d) **Removal of Unofficial Signs, Markers, Signals and Traffic Control Devices.** The Town Board or its designee may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this Chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be noted by the Town Board or its designee to the Town Board for review and certification at the Board's next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

*State Law Reference:* Sections 346.41 and 349.09, Wis. Stats.

### **Sec. 8-1-4            Registration Record of Vehicle as Evidence.**

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 8-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Sec. 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

### **Sec. 8-1-5            School Bus Warning Lights.**

Notwithstanding the provisions of Sec. 346.48(2)(b)2., Wis. Stats., adopted by reference in Section 8-1-1 to the contrary, school bus operators shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

### **Sec. 8-1-6            Operators to Obey Traffic Control Devices.**

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 8-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Sec. 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Sec. 346.18(6), Wis. Stats.

## Sec. 8-1-7 Special Weight Limits.

- (a) **Purpose.** Pursuant to Section 319.16(1)(a), Wis. Stats., the Town of Westport is authorized to impose special weight limitations due to special or temporary conditions which may cause deterioration of the highways in the Town. Roadbeds and highways in the Town of Westport are under considerable stress due to construction, vehicle traffic and other special traffic uses and therefore, in an effort to preserve the Town of Westport's street and highway system, the Town Board or its designee, is hereby authorized to impose special restrictions on the use of Town streets and highways and to designate special weight limits routes according to the specific provisions in this Section and in conjunction with the corresponding Wisconsin Statutes.
- (b) **Applicability.** This Section shall apply to the following users:
- (1) **Non-Pneumatic Tires.** All Vehicles not operating completely on pneumatic tires; and
  - (2) **Heavy Vehicles.** All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than eight thousand (8,000) pounds except when the vehicle is being used for the purpose of obtaining orders or moving or delivering supplies or commodities to or from a place of business or residence located on a road designated as a special weight limit route. In no event shall the weight of the vehicle and load on any town road exceed the limitations pertaining to class "A" highways.
- (c) **Administration.** The Town Board, in cooperation with the Dane County Sheriff's Department, shall administer this Section. Administration shall include:
- (1) **Posting of Signs.** Appropriate signs shall be procured, erected and maintained, giving notice of this Section and of the special weight limitation established herein. The Town Board or its designee shall erect signs in such locations and in such a manner as, in the judgment of the Town Board or its designee, will carry out the purposes of this Section and give adequate warning to users of the streets and highways of the Town of Westport.
  - (2) **Construction Vehicles.** The Town Board or its designee may grant temporary permits to allow construction vehicles to use Town streets or highways designated as special weight limits routes. These permits may be granted only when use of a designated route is shown by the user to be necessary for the vehicle to access the construction site.

- (3) **Town and Utility Vehicles.** Town-owned or operated vehicles are specifically excluded from the provisions of this Section. Vehicles owned and operated by a public utility will be exempt from the provisions of this Section when being driven to or from the site of any construction, repair or maintenance of electric, gas or water service located within the Town of Westport.
- (d) **Penalty for Violation.** The penalty for violation of any provision of this Section shall be a forfeiture as hereinafter provided, together with the costs of prosecution imposed and provided in Section 345.20 to 345.53, Wis. Stats. The forfeiture for a violation of any provision of this Section shall not be less than Fifty Dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00).
- (e) **Enforcement.** This Section shall be in force in accordance with the provisions of Sections 345.20 to 345.53, Chapters 299 and 800, and Sec. 66.12, Wis. Stats.
- (f) **Prohibited Signs and Markers on Highways.** No person, other than an officer or his or her designee authorized by this Section to erect and maintain special weight limits route signs, shall place within the limits of any street or highway maintained by the Town of Westport any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board or its designee, or where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in the violation of this Section shall be subject to removal.

*State Law Reference:* Section 349.16, Wis. Stats.

## Sec. 8-1-8      **Restrictions on Parking; Posted Limitations.**

- (a) **Seventy-two (72) Hour Limitation.** No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the Town for a period of seventy-two (72) or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this Section, he/she is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this Chapter. A law enforcement officer may cause said vehicle to be removed to a proper impoundment and storage area within Dane County where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he/she may recover the possession thereof.
- (b) **Posted Limitations.**
- (1) The Town Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Town shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.

- (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.
- (3) The Town Board is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346. The Town Board shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.

**Sec. 8-1-9 Unlawful Removal of Parking Citations.**

No person other than the owner or operator thereof shall remove a Town parking ticket from a motor vehicle.

**Sec. 8-1-10 Motor Vehicle Conduct Prohibited.**

- (a) **Unnecessary Noise Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the Town.
- (b) **Unnecessary Smoke Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases or odors which are disagreeable, foul or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the Town of Westport.
- (c) **Unnecessary Acceleration Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any stones, gravel, soil, dirt, water, snow, slush, ice, rubber or any other debris to be thrown by the wheels of such motor vehicle upon the person or property of any person in the Town.
- (d) **Avoidance of Traffic Control Device Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign or signal.
- (e) **Operation in Restricted Area Prohibited.** It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop or travel upon or across any public or private property, parking lot, driveway or business service area for any purpose except the official conduct of business located on said property without the consent

of the owner or lessee of the property. This Section shall specifically include but not be limited to:

- (1) Town park property;
  - (2) School properties;
  - (3) Medical facilities;
  - (4) Service stations;
  - (5) Grocery stores;
  - (6) Restaurants;
  - (7) Financial institutions; and
  - (8) Other similar-type businesses with service driveways or drive-up or drive-through facilities.
- (f) **Stopping and Parking Prohibited.** It shall be unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted thereon which may permit parking by certain persons and limits, restricts or prohibits parking as to other persons without the consent of the owner or lessee of the property. Any vehicle parked in violation of this Section may be removed or towed by the property owner at the vehicle owner's expense.
- (g) **Engine Braking Prohibited.**
- (1) **Definitions.**
    - a. “Engine Brakes” are any mechanical exhaust device, compression brake or other braking device in a motor vehicle other than the conventional brake pads and drums or disks, used for the purpose of slowing or stopping a motor vehicle.
    - b. “Emergency” means a situation in which there is an imminent and immediate risk of injury to a person or damage to another vehicle or property. The term does not include situations which result from operating the vehicle in excess of the posted speed limit or from lack of due care by the vehicle operator.
  - (2) **Unlawful use of Engine Brakes and Compression Brakes.** It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated Engine Brakes in the Town of Westport be used in that area, except in an emergency.
  - (3) **Penalties.** Any person who is convicted of violating any provision of this section shall forfeit not less than fifty dollars (\$50.00) nor more than two hundred and fifty dollars (\$250.00) per violation. Any person who is convicted of a second or subsequent violation of the same provision of this section in less than twelve months shall forfeit not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00)

## Sec. 8-1-11      **Unauthorized Vehicles Prohibited on Public Lands.**

- (a) **Declaration of Intent.** The purpose of this Section is to provide safe and healthful conditions for the enjoyment of the park land and open spaces of the Town of Westport



consistent with public rights and interests and with the capability of the land resources so as to protect and maintain the premises properly.

(b) **Applicability.**

- (1) It shall be unlawful for any person without a permit to operate or park any unauthorized motor vehicle in or upon any portion of public land including but not limited to, parks, open spaces, median strips, parkways, school grounds or open space easements, unless designated as a park drive, roadway, parking area or temporary parking areas within such public land. "Motor Vehicle" means any self-propelled device in, upon or by which any person or property is or may be transported or drawn. It includes but is not limited to, truck, van or automobile, motorcycle, motor driven cycle, motor scooter or snowmobile.
- (2) Exempted from this Section are authorized vehicles consisting of motor vehicles owned by the Town of Westport and police, fire and emergency vehicles.

(c) **Permits.**

- (1) Persons desiring to operate a motor vehicle in or upon such portions of land as designated above shall apply in writing to the Town Board to do so. The application shall describe the lands upon which they wish to operate and the time period, not to exceed three (3) days, for which they wish the permit to be issued.
- (2) The Town Board shall rule upon the permit consistent with the purpose of this Section, their discretion based on environmental, sociological and economic impact and with any additional guidelines developed by the Town Board. If the Town Board rules that a permit shall be issued, the permit shall be issued by the Town Board to the person making the application.
- (3) As part of the application, the person shall agree, upon issuance of the permit, to indemnify and hold harmless the Town of Westport and its agents, employees, servants and assigns from any claims, demands, damages, actions or suits of whatever kind or nature out of the applicants act of operating the motor vehicle on any property pursuant to the permit.

(d) **Regulation of Unauthorized Motor Vehicles and Their Use.**

- (1) At no time may a motor vehicle be operated without a muffler which is so constructed and kept in constant operation that it prevents excessive or unusual noise at all times while the engine is in operation.
- (2) At no time may a motor vehicle be operated from sunset to sunrise unless such vehicle carries the lighting equipment required by the Wisconsin Code of Motor Vehicles and such lighting equipment as is necessary to preserve the intent of this Section and unless such equipment is lighted during such operation.

**Sec. 8-1-12 Abandoned Vehicles.**

- (a) No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public highway or private or public property within the Town of Westport for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Except as otherwise provided in this Section, whenever any vehicle has been left unattended without the permission of the property owner for more than forty-eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance. A motor vehicle shall not be considered an abandoned motor vehicle when it is out of ordinary public view, or when designated as not abandoned by a duly-authorized Town or county official pursuant to Town or county ordinance.
- (b) Any vehicle in violation of this Section shall be impounded until lawfully claimed or disposed of under Subsection (c) except that if it is deemed by a duly-authorized Town or county representative that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold by the Town or county prior to expiration of the impoundment period, upon determination by the sheriff having jurisdiction that the vehicle is not stolen or otherwise wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be disposed of in accordance with Subsection (c).
- (c)
  - (1) The Town Chairman, or upon his authorization, any other member of the Town Board or the Town Clerk/Treasurer, shall be the authorized Town representative to make all determinations required by this Section.
  - (2) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of such vehicles may be recovered in a civil action by the Town against the owner.
  - (3) In addition to the payment of the costs of impounding as required by Subsection (c)(2) hereof, the owner of any abandoned vehicle, except a stolen vehicle, shall be required to pay to the Town a forfeiture in the amount of One Hundred Fifty Dollars (\$150.00) for street storage.
  - (4) In addition to the provisions contained herein, all of the provisions of Sec. 342.40, Wis. Stats., are hereby incorporated in this Section except as may be inconsistent with any of the foregoing provisions.

### **Sec. 8-1-13            Speed Restrictions.**

Except as otherwise provided in this section, the speed of any vehicle shall not be in excess of any of the following:

- (a) 25 miles per hour in any business or residence district.
- (b) 35 miles per hour in outlying districts within any city, village or unincorporated village where, on each of both sides of the highway, there is an average distance of not less than 500 feet between buildings thereon.

- (c) 15 miles per hour when passing a schoolhouse at those times when children are going to and from school or are playing within the sidewalk area or about the school.
- (d) 15 miles per hour when passing an intersection properly marked with a "School Crossing" sign of a type approved by the state highway commission when children are crossing or are about to cross the highway.
- (e) 15 miles per hour when meeting or overtaking any school bus stopped outside the corporate limits of any city or village for the purpose of receiving or discharging school children.
- (f) 45 miles per hour on any Town road.

**Sec. 8-1-14            Parking Vehicle to Display for Sale Prohibited**

- (a) **Highway Right of Way.** No person shall stop or leave standing upon any highway, road or street, any vehicle displayed for sale.
- (b) **Private Property.** No person other than an owner or operator of a business located on business-zoned property engaged in the regular business of selling vehicles may display a vehicle for sale upon private premises unless the following conditions are met:
  - (1) Consent to display the vehicle has been given by the owner or lessee of the premises; and
  - (2) The vehicle displayed for sale is parked entirely on the premises; and
  - (3) The premises contains only one (1) vehicle displayed for sale; and
  - (4) The advertisement or sign for sale of the vehicle is not larger than two (2) square feet.

(Sec. 8-1-15 through Sec. 8-1-17 Reserved for Future Use)

**Sec. 8-1-18            Penalties**

- (a) **Forfeiture Penalty.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Sections 165.87 and 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.
- (b) **Other Sanctions.**
  - (1) **By Court.** Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.

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- (2) **By Town.** No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the Town, except a dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **Forfeitures for Violation of Uniform Moving Traffic Regulations.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 8-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this Subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 349, Wis. Stats., for which an imprisonment penalty or fine may be imposed upon the defendant.
- (d) **Forfeitures for parking Violations.**
- (1) **Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses.** Minimum and maximum forfeiture for violation of non-moving traffic violations adopted by reference in Section 8-1-1 as described in Chapters 341 to 349, Wis. Stats., shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.
- (2) **Procedure.** Any parking citation issued pursuant to this subsection shall be a citation form prepared by the Town. If payment for any such citation is received by the Town within 10 days of issuance of the citation, the citation shall not be filed with or transmitted to the municipal court and no court costs shall be payable. If payment for any such citation is not received by the Town within 10 days of issuance of the citation, the citation shall be filed with or transmitted to the municipal court for processing and, if a forfeiture is imposed pursuant to the citation, court costs also shall be imposed, and also the following administrative costs shall be imposed:
- a. Paid after 10 days and a first notice has been sent: \$10.00 fee;
  - b. Paid after 28 days and a second notice has been sent: \$20.00 fee;
  - c. Paid after the ticket has been referred to the department of transportation for suspension: \$40.00 fee; and
  - d. If a person cited appears in court and is found guilty, a fee equal to 20% of the citation amount will be assessed.
- (3) **Penalty for Other Parking Violations.** The penalty for all other parking violations not included under Subsection (1) above shall be a forfeiture of not less than Five Dollars (\$5.00) nor more than Twenty Dollars (\$20.00) for the first offense and not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for the second offense within two years.
- (e) **Other Violations.** Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00).

