

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 6 OF THE MUNICIPAL CODE OF THE TOWN OF LAKE MILLS CONCERNING TRAFFIC CODE AND ENFORCEMENT

WHEREAS, the Town of Lake Mills has adopted an ordinance to enforce traffic, vehicle, and snowmobile regulations within the Town; and

WHEREAS, the Town Board of the Town of Lake Mills has determined it is appropriate to update the Town’s ordinance to reflect changes in provisions of the Wisconsin Statutes and to make language in the Town’s ordinance consistent with Statutory and Administrative Code provisions; and

WHEREAS, the Town Board has determined that modifying the Town of Lake Mills Municipal Code to adopt Statutory and Code provisions as indicated will make the Ordinances and regulations more easily understood,

NOW, THEREFORE, the Town Board of the Town of Lake Mills, Jefferson County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Title 6 of the Municipal Code of the Town of Lake Mills, Jefferson County, Wisconsin is hereby repealed and re-created as follows:

Town of Lake Mills

Chapter 1

TRAFFIC CODE, ENFORCEMENT

- 6-1-1: State Traffic Laws Adopted
- 6-1-2: Enforcement, Citations
- 6-1-3: Traffic Control Devices Provided
- 6-1-4: Penalty
- 6-1-5 All-Terrain Vehicles
- 6-1-6 Severability
- 6-1-7 Adoption and Amendments

6-1-1: STATE TRAFFIC LAWS ADOPTED:

Except as otherwise specifically provided in this chapter, the following provisions of the Wisconsin Statutes and the Wisconsin Administrative Code are hereby adopted by reference as if fully set forth:

- a. Wisconsin Statutes Chapter 110,
- b. Wisconsin Statutes Chapters 340-348,
- c. Wisconsin Statutes Chapter 350, relating to snowmobiles,
- d. Wisconsin Administrative Code Trans. 102, and
- e. Wisconsin Administrative Code Trans. 305

The Wisconsin Statutes and Wisconsin Administrative Code sections cited in paragraphs a.- e. above the statutory provisions in Wisconsin Statutes Ch. 110, Ch. 340 to 348, Trans. 102, Trans. 305, and Ch. 350 (snowmobiles), describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby 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 regulations of traffic on the highways, streets, and alleys of the Town of Lake Mills.

~~6-1-1: STATE TRAFFIC LAWS ADOPTED: Except as otherwise specifically provided in this chapter, the statutory provisions in CHs. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby 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, o modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulations of traffic on the highways, streets, and alleys of the State of Wisconsin.~~

- ~~———— 6.347.12 ———— Use of Multiple Beam Head lamps~~
- ~~———— 6.347.13 ———— Tail Lamps~~
- ~~———— 6.347.14 ———— Stop Lamps~~
- ~~———— 6.347.15 ———— Direction Signal Lamps or Devices~~
- ~~———— 6.347.16 ———— Clearance Lamps and Reflectors~~
- ~~———— 6.347.17 ———— Color of Clearance and Marker lamps and Reflections~~
- ~~———— 6.347.19 ———— Visibility of Clearance Lamps and Reflectors~~

- ~~6.347.20 Lamp or Flag on Projection Load~~
- ~~6.347.21 Lamps and Flags on Trains of Agricultural Vehicles~~
- ~~6.347.22 Lamps on Farm Tractors and Self-Propelled Farm Implements~~
- ~~6.347.23 Lamps on Highway Maintenance Equipment~~
- ~~6.347.24 Lamps on Non-motor Vehicles and Equipment~~
- ~~6.347.245 Identification Emblem on Slow Moving Vehicles~~
- ~~6.347.25 Special Warning Lamps on Emergency Vehicles~~
- ~~6.347.26 Restrictions on Certain Optional Lighting Equipment~~
- ~~6.347.27 When Lighted lamps required on Parked Vehicles~~
- ~~6.347.28 Certain Vehicles to Carry Flares or Other Warning Devices~~
- ~~6.347.29 Display of Warning Devices for Certain Vehicles When Standing on Highway~~
- ~~6.347.35 B-rakes~~
- ~~6.347.36 Performance Ability on Brakes~~
- ~~6.347.38 Horns and Warning Devices~~
- ~~6.347.39 Mufflers~~
- ~~6.347.40 Mirrors~~
- ~~6.347.41 Speed Indicators~~
- ~~6.347.42 Windshield Wipers~~
- ~~6.347.43 Safety Glass~~
- ~~6.347.44 Painting Requirements~~
- ~~6.347.45 Tire Equipment~~
- ~~6.347.46 Fenders and Mudguards~~
- ~~6.347.47 Drawbars, Trailer Hitches, and Mobile Home Couplings~~
- ~~6.347.48 Seat Belts~~
- ~~6.347.485 Protective Headgear for Motorcycles~~
- ~~6.347.486 General Requirements (Motorcyclists)~~

~~6.347.487 Seating Requirements (Motorcyclists)~~

~~6.347.49 Equipment of Vehicles Transporting Flammable Liquids~~

~~6.347.50 Adoption of Ch. MVD 5 of Department of Transportation Defining Requirements Set Forth Under Ordinance no. 6.347.02 through and inclusive of 6.347.49.~~

~~6.348.02 Applicability of Ch. 348~~

~~6.348.05 Width of Vehicles~~

~~6.348.06 Height of Vehicles~~

~~6.348.07 Length of Vehicles~~

~~6.348.08 Vehicle Trains~~

~~6.348.09 Projecting Loads on Side of Vehicle~~

~~6.348.10 Special Limitations on Load~~

~~6.348.15 Weight Limitations on Class "A" Highways~~

~~6.348.16 Weight Limitations on Class "B" Highways~~

~~6.348.17 Special or Seasonal Weight Limitations~~

~~6.348.175 Seasonal Operating Rights for Vehicles Hauling Peeled or Unpeeled Forest Products Cut Crosswise~~

~~6.348.18 Weight Limitations Apply to Publicly Owned Vehicles: Exceptions~~

~~6.348.185 Empty Weight to be indicated on Side of Certain Vehicles: Rules~~

~~6.348.19 Traffic Officers May Weigh Vehicles and Require Removal of Excess Load.~~

~~6.348.20 Policy in Prosecuting Weight Violations~~

~~6.348.25 General Provisions Relating to Permits for Vehicles and Loads of Excessive Size and Weight~~

~~6.348.26 Single Trip Permits~~

~~6.348.27 Annual or Multiple Trip Permits~~

~~6.348.28 Permits to be carried~~

~~6.350.01 to 6.350.19 Snowmobiles~~

~~6.941.01 Reckless Driving off Highways~~

~~6.941.03 Highway Obstruction~~

6-1-2: ENFORCEMENT, CITATIONS:

- a. ENFORCEMENT PROCEDURE: This Title shall be enforced according to Section 66.420114 Chapter 799 and Sections 345.20 to 345.53, Wisconsin Statutes, as amended from time to time.
- b. DEPOSIT. Any person arrested for a violation of this Title may make a deposit of money as directed by the arresting officer at the police station or at the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with Section 343.24, Wisconsin Statutes, or if the deposit is mailed, the signed statement required under Section 343.27 shall be made with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or

If he fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as forfeiture, he will be summoned into court to answer the complaint.

The amount of the deposit shall be the deposit shall be determined in accordance with the deposit schedule established by the Board of County Judges.

The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by Section 345.26(3) (b).

If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted by Wisconsin State Statutes.

- c. STIPULATION OF NO CONTEST. Any person charged with a violation of this Title, except Sections 346.62(1) and 346.63(1), Wisconsin Statutes, may make a stipulation of no contest pursuant to Section 345.27, Wisconsin Statutes, which must be received at the office of the Police Department or Clerk of Court within ten (10) Days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under subsection 6-1-2(b) of this Section, if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in Section 345.37, Wisconsin Statutes.

6-1-3: TRAFFIC CONTROL DEVICES PROVIDED: The Town Board shall procure, erect, and maintain appropriate standard traffic signs, signals, and markings conforming to the rules of the State Highway Division giving notice of the provisions of Chapters 2, 3, and 4 of this Title. The Town Board may establish and designate and shall thereafter maintain or cause to be maintained by appropriate

devices, marks, or lines upon the surface of the streets, crosswalks at intersections, where the streets intersect, and at such other places as they may deem necessary. Signs shall be erected in such locations and manner as authorized by the Town Board as to give adequate warning to users of the street, alley, or highway in question.

6-1-4: PENALTY. The penalty for violation of any provision of this Chapter shall be forfeiture as hereafter provided, together with costs under Section 345.27, Wisconsin Statutes.

- a. STATE FORFEITURE STATUTES. Forfeitures for violation of Sections 340.01 to 348.28 shall conform to the forfeiture permitted to be imposed for violation of the Statutes adopted by reference, including any variations or increases for subsequent offenses.
- b. STATE FINE STATUTES. The forfeiture for violation of any Statutes adopted by reference hereunder, for which the penalty is a fine, shall not exceed the maximum fine permitted under such Statute.
- c. LOCAL REGULATIONS. The penalty for violation of this Title shall be as provide in Section 1-5-1 of this code.

6-1-5: ALL TERRAIN VEHICLES. The statutory provision of Section 23.33 of the Wisconsin Statutes describing and defining regulations with respect to all terrain vehicles, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any future amendments, revisions, or modifications of Section 23.33 of the Wisconsin Statutes incorporated herein are intended to made part of this amendment to the Town of Lake Mills ordinance.

6-1-6: SEVERABILITY

If any provision of this ordinance is found invalid or unconstitutional or if the application for the Ordinance to any person or circumstances is found to be invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions contained herein or the application of this Ordinance which can be given effect without the invalid or unconstitutional provision of application

6-1-7: ADOPTION AND AMENDMENTS

This ordinance shall be in full force and effect from its date of adoption and publication as provided by law.

Adopted June 8, 1995

Amended May ___, 2022

Adopted this ___th day of May, 2022.

