

ORDINANCE NO. 6-1

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**SECTION 1:** That Title 6 of the Municipal Code of the Town of Lake Mills, Jefferson County, Wisconsin is hereby repealed and re-created as follows: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

6-1-2: ENFORCEMENT, CITATIONS:

- a) ENFORCEMENT PROCEDURE: This Title shall be enforced according to Section 66.0114 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 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.

- d) 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.
- e) 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.
- f) 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 10, 2022

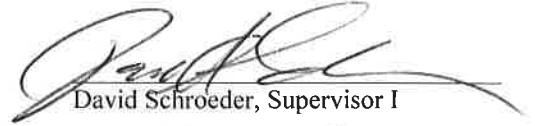
Adopted this 14<sup>th</sup> day of June, 2022

Attest:

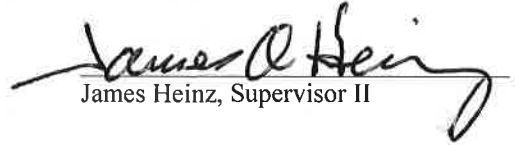
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Robin Untz, Clerk



Thomas Buechel, Town Chairperson



David Schroeder, Supervisor I



James Heinz, Supervisor II