

Section 4.01 Traffic Code

4.01(A) Title/Purpose

The title of this Section is Traffic Code. The purpose of this Section is to regulate traffic-related activities to promote the welfare and safety of the residents of the Town of Leeds.

4.01(B) Authority

The Town Board of the Town of Leeds has the specific authority under Wis. Stat. § 349.06 to adopt this Section.

4.01(C) State Traffic Laws Adopted

Except as otherwise specifically provided in this Chapter, the statutory provisions in Chapters 194, 340 to 347 and 351, Wis. Stats., describing and defining regulations with respect to vehicles of traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations which the statutory penalties a fine or term of imprisonment are hereby adopted and, by reference, made 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 state-wide regulations of traffic on the highways, streets and alleys of the street.

4.01(D) Penalties

The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable.

(1) Forfeitures for violation of Wis. Stat. § 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.

(2) The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

4.01(E) Enforcement

This Chapter shall be enforced in accordance with the provisions of Wis. Stat. §§ 345.20 to 345.53, Chapter 229 and § 66.0114.

- (1) Any Town supervisor or peace officer may enforce sections of this Chapter.
- (2) The uniform citation promulgated under Wis. Stat. § 345.11 shall be used for all moving and non-moving traffic violations, except parking violations.
- (3) Every authorized peace officer accepting a forfeited penalty or money deposit under this Chapter shall receipt therefore in triplicate as provided in Wis. Stat. § 345.25(3)(b). Every supervisor or peace officer accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Wis. Stat. §§ 343.27, 343.28, 345.26(1)(a) and 345.27(2).
- (4) Citations for all parking violations under this Chapter shall conform to Wis. Stat. § 345.28 and shall permit direct mail payment of the applicable forfeiture to the Town Clerk within 72 hours of the issuance of the citation in lieu of a court appearance. The citation shall specify thereon the amount of the applicable forfeiture as provided in this Chapter.
- (5) When any vehicle is found upon a street, highway or other public right-of-way in violation of any provision of this Code regulating the stopping, standing or parking of vehicles and the identify of the owner 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 the enforcement of this Section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses defined and described in Wis. Stat. § 346.485(5), shall be a defense for an owner charged with such violation.
- (6) Every authorized peace officer issuing a citation for any violation of this Chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Town Board Schedule or the State Uniform Bond Schedule.
- (7) Any authorized peace officer accepting deposits or forfeited penalties under this Chapter shall deliver them to the County Clerk of Courts within twenty (20) days after receipt, except for parking forfeitures which shall be turned over to the Town Treasurer.