

CHAPTER 6 TRAFFIC CODE

6.01	State Traffic Laws Adopted
6.02	Speed Limits
6.03	Through Streets Designated
6.04	One-Way Street
6.05	Parking Restrictions
6.06	Erection of Official Traffic Signs and Signals
6.07	Unnecessary Acceleration Prohibited
6.08	Snowmobiles
6.09	Absolute Sobriety
6.10	Penalty
6.11	Enforcement

6.01 STATE TRAFFIC LAWS ADOPTED

Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340—348, §§ 350.01—350.99, 941.01 and 23.33, Wis. Stats., describing and defining regulations with respect to vehicles, snowmobiles, traffic and all-terrain vehicles, including procedure for prosecution and penalties to be imposed, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Such statutory provisions shall be enumerated with the prefix 6 immediately preceding the State Statute number. Any act required to be performed or prohibited by any regulation 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 to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State.

6.02 SPEED LIMITS

(1) Except as provided in sub. (2), §§346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if set forth herein in full.

(2) SPEED ZONES.

(a) STH 67. The speed limits on STH 67 shall be as follows:

1. 35 mph from the intersection of such highway with North Lake Shore Drive, east to its intersection with Orchard St.
2. 35 mph from the intersection of Geneva St. and Elkhorn Rd., north to a point 200 north of its intersection with Stark St.

3. 25 mph from the intersection of Geneva St. (STH 67) with Orchard St., east to its intersection with Elkhorn Rd.

(b) Geneva St. East of Elkhorn Rd. 25 mph from the intersection of Elkhorn Rd. with Geneva St., east to Cedar Point Dr., then 30 mph from the intersection of Cedar Point Dr. with Geneva St. to the east Village limits.

(c) Harris Rd. 25 mph north from its intersection with Geneva St. to the north Village limits.

(d) Conference Point Rd. 20 mph from its intersection with Collie St. south to where it ends at Conference Point Camp.

6.03 THROUGH STREETS DESIGNATED

(1) THROUGH HIGHWAYS. In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions thereof are declared to be through highways:

-All State trunk highways.

-Cedar Point Dr.

-Cherry St.

-Conference Point Dr.

-Congress St.

-Collie St. at its intersection with Congress St.

-Geneva St.

-Walworth Ave.

-Williams St. at its intersection with Cherry St.

(2) STOP SIGNS. In the interests of public safety, stop signs shall be installed by the Chief of Police in conformity with the Wisconsin Official Traffic Control Device Manual at all entrances to the above designated through streets from other streets intersecting thereon.

(3) CONTROLLED INTERSECTIONS DESIGNATED. In the interest of public safety, the following intersections are declared controlled intersections and stop signs or official traffic control signals shall be installed thereon in conformity with the Wisconsin Official Traffic Control Device Manual on the following streets at the listed intersections:

-Center St. at its intersection with Orchard.

-Center St. at its intersection with Hill St.

-Cherry St. at its intersection with Hill Street

-Conference Point Rd. at its intersection with Collie St.

-Dartmouth Rd., northbound lane at its intersection with Prospect Pl.

-Elmhurst St. at its intersection with Olive St.

-Fair Oaks Dr. at its intersection with Hill St.

- Fair Oaks Dr. at its intersection with Maple Ln.
- Fair Oaks Dr. at its intersection with Evergreen Cir.
- Forest Dr. at its intersection with Lakewood Dr.-
- Free Church Rd. at its intersection with Willabay.
- Frontage Rd. at its intersection with Theatre Rd.
- Frost St. at its intersection with Smythe. -
- Grandview Dr. at its intersection with North Lakeshore Drive.
- Hawthorne St. at its intersection with Fair Oaks Dr.
- Hawthorne St. at its intersection with Lakewood Dr.
- Highland St. at its intersection with Hickory.
- Lakewood Trail at its intersection with Lakewood Dr.
- Lakewood Trail at its intersection with Theater Rd.
- Maple Lane at its intersection with Fair Oaks Dr.
- Maple Lane at its intersection with Evergreen Cir.
- Oakwood St. at its intersection with Center St.
- Olive St. at its intersection with Williams St.
- Orchard St. at its intersection with Center St.
- Ravina Dr. at its intersection with North Lakeshore Drive.
- Ravina Dr. at its intersection with Constance Blvd. (4-way stop).
- Stark St. at its intersection with Williams St.
- Smythe St. at its intersection with Forest St. and Forest St. at its intersection with Smythe St. (4-way stop).
- Walworth Ave. at its intersection with Olive St. (4-way stop).
- Walworth Ave. at its intersection with Stark St.

(4) YIELD SIGNS TO BE ERECTED. The Chief of Police is authorized and directed to place yield right-of-way signs conforming to the Wisconsin Official Traffic Control Device Manual at the following intersections on highways in the exclusive jurisdiction of the Village, provided if the intersected highway is part of a through highway designated under sub. (1), the provisions of §349.07 (7)(a), Wis. Stats., applies:

- Center St. at its intersection with Smythe.
- Center St. at its intersection with Valley St.
- Constance Blvd., except its intersection with Ravina Dr.

- Evergreen Circle: at its intersection with Maple Ln.
- Forest at its intersection with Frost Dr.
- Hickory St.
- Pine Grove: at its intersection with Lakewood Dr.-
- Stam St.
- Stark St.
- Van Bee at its intersection with Frost Dr.

(5) DUTY OF THE CHIEF OF POLICE TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this chapter, including a Wisconsin traffic regulation adopted by reference herein, require the erection of traffic control devices for enforcement, the Chief of Police 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 code device, devices shall be erected in such locations and in such a manner as in the judgment of the Chief of Police will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.

(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 this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §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 §346.18(6), Wis. Stats.

6.04 ONE-WAY STREET

Walworth Ave. between Geneva and Cherry Sts. is designated as a one-way street permitting traffic to proceed only in a northerly direction.

6.05 PARKING RESTRICTIONS

(1) RESTRICTIONS.

(a) Boat Launch Parking. No person shall park or leave standing, a vehicle or trailer in the Boat Launch parking lot in a manner that is contrary to the restrictions that the Village Board may impose on the parking of vehicles and trailers and which are listed on the official signs that are posted in that parking lot by the Village of Williams Bay.

(b) Penalty for Violation of _6.05(1)(a) Shall be as Follows: The penalty provisions of this Code of Ordinances, 20.05 herein, shall apply except for a violation of 6.05(1)(a), a minimum forfeiture of \$25.00.

(2) WALWORTH AVE. PARKING. No person shall park a vehicle on Walworth Ave. between Geneva and Cherry Sts., except at an angle on the east side of the street and parallel to the west side of the street between the marked lines. Parking on Walworth Ave. between Geneva and Cherry Sts. shall be limited to not more than one hour in duration and shall be marked by official one hour parking zone signs.

(3) OTHER REGULATIONS. -

(a) Parking Meters. When any vehicle is parked in a parking meter zone, the vehicle operator shall deposit or cause to be deposited a coin of the denomination indicated and put such meter in operation. Failure to deposit such coin and put the meter in operation is prohibited.

(b) One or Two Hour Zones. When signs have been erected upon any street indicating that stopping, standing and parking is limited to one hour, limited to 2 hours or is prohibited during designated hours as specified thereon, no person shall park any vehicle on such street in violation of any such signs.

(c) Double Parking. No operator of any vehicle shall stop, stand or double park in a roadway other than parallel with the edge of curb of the roadway headed in the direction of lawful traffic movement.

(d) Blocking Alley. No operator of any vehicle shall stop, stand or park such vehicle within an alley in such position as to block the driveway or entrance to any abutting property.

(e) Blocking Driveway. No operator of any vehicle shall stop, stand or park at any place where the standing of any vehicle will block the use of any driveway.

(f) Wrong Side of Street. No person shall stand or park a vehicle in a roadway other than parallel with the edge of curb of the roadway headed in the direction of lawful traffic movement.

(g) Winter Night Parking Restrictions. No person shall park, stop or leave standing any vehicle on any Village street between 2 a.m. and 6 a.m. from November 15 of each year to April 15 of the following year. Signs shall be erected at or reasonably near the corporate Village limits as provided in §349.13, Wis. Stats., advising of the existence of this subsection. Permission for parking for guests of residents may be granted by the Police Department on a per night basis for not more than 14 consecutive days for any one person or vehicle. Such permission may be granted by the Police Department upon a phone notification for not more than 3 days. If request is made for permission to park for more than 3 days, applicant shall complete an appropriate application at the Police Department for such purpose.

(h) Parking During Snow Emergencies. Whenever the Chief of Police shall, by reason of heavy snow storm or blizzard, proclaim a snow emergency pursuant to §166.23, Wis. Stats., no person shall park, stop or leave standing any vehicle upon the streets or any portions of the streets during the hours as set forth in the proclamation.

(i) Fire Hydrant. No operator of any vehicle shall stop, stand or park such vehicle at any curb within 15' of a fire hydrant.

(j) No Parking Zone. No operator of any vehicle shall stop, stand or park at any place where official signs have been erected indicating a No Parking Zone.

(k) Improper Parking. No person shall park any vehicle upon a street in such manner or under such conditions as to leave available less than 18' of the width of the roadway for free movement of vehicular traffic on a 2-way street or less than 10' of the width of the roadway for free movement of vehicular traffic on a one-way street.

(l) Yellow Line. No operator of any vehicle shall stop, stand or park in any area along the curbing that has been striped yellow.

(m) Official Signs. No person shall park a vehicle contrary to the notice specified on such sign.

(n) Parking on Crosswalk or Intersection. No operator of any vehicle shall stop, stand or park within 15' of a crosswalk or intersection, except in a roadway marked with lines designating parking spaces.

(o) Parking at or Opposite Fire Station. No operator of any vehicle shall stop, stand or park such vehicle at any place within 20' of the entrance to any fire station, and on the side of any lot opposite the entrance to any fire station within 75' of such entrance.

p) Parking on Sidewalk. No operator of any vehicle shall stop, stand or park such vehicle on any sidewalk.

(q) Parking in Private Parking Lot. No person not so entitled shall park a vehicle in a private parking lot unless authorized by order of the custodian.

(r) Parking in Public Parking Lot. No person shall park a vehicle upon any property owned by a company or the Village and used for the transaction of public business where such parking is prohibited by order of the custodian of such property.

(s) Parking Obstructing Traffic. The operator of a vehicle shall not operate such vehicle to allow the same to remain upon any street in such a manner as to form an unreasonable obstruction to the traffic thereon.

(t) Handicapped Parking. Except for a motor vehicle used by a physically disabled person as defined under s. 346.503(1), no person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or parking facility reserved, by official traffic signs indicating the restriction, for vehicles displaying special registration plates issued under s. 341.14(1), (1a), (1e), (1m), (1q) or (1r)(a) or a special identification card issued under s. 343.51 or vehicles registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

1. The penalty provisions of this Code of Ordinances, §20.05 herein, shall apply except the minimum forfeiture upon conviction of this §6.05(3)(t) shall be \$100.00 together with cost of prosecution.

(u) Semitractor, Trailer Parking. Semitrailers, tractor semitrailers or truck tractors, as defined in §340.01, Wis. Stats., shall not park on any Village street, except that such vehicles may park on the street for the purpose of loading or unloading and only during such time while actively engaged in loading or unloading the vehicle.

(v) Payment of Municipal Fees Required. No person shall park or leave standing any vehicle on any street or public parking area belonging to or leased by the Village after having obtained a municipal benefit or a municipal service without first paying the required fee for the use or benefit thereof. The owner of a vehicle involved in a violation of this subsection shall be liable for a violation hereof subject to the defenses to the owner defined and described in §346.485(5)(b), Wis. Stats. This subsection shall be enforced using the nonmoving traffic violation procedure set forth in §345.28, Wis. Stats., with the forfeiture to be \$55 for a violation of this subsection.

(w) Terrace or Parkway. No person shall park, stop or leave standing any vehicle or trailer on any Village terrace or parkway where curb and gutter are installed. Terrace or parkway is defined as the area between the curb and the sidewalk or, if sidewalk is not installed, the area between the curb and the abutting property line.

(x) Street Maintenance. Whenever it is necessary to maintain, repair or restore a Village street or highway or any part thereof, the Chief of Police shall post appropriate signs bearing the words No Parking-Street Maintenance Work.

Such signs shall be erected at least 2 hours prior to the time street or highway maintenance, repair or restoration work is to be commenced and shall remain in place until all maintenance, repair or restoration work is completed. The street or highway shall include the berm, shoulder, terrace and all areas within the public right-of-way involved in the maintenance, repair or restoration of the street or highway. No person shall park a motor vehicle in violation of such signs.

(y) Resident Parking Lots. No person shall park a vehicle in a parking lot or other parking area marked by official signs indicating that lot or parking area is restricted for use by residents vehicles properly displaying resident parking permits. Resident parking permits shall be affixed to the vehicle for which they are issued in the manner prescribed by the Village at the time of issuance.

(z) Extended Parking of Trailers Prohibited. No person shall park, stop, or leave standing a trailer as defined by §340.01(71), Wis. Stats., on any Village street for a period of time in excess of 24 hours.

(aa) Boat Launch Parking.-

1. No person shall park or leave standing, a vehicle in the Boat Launch parking lot in a manner that is contrary to the restrictions that the Village Board may impose on the parking of vehicles and trailers and which are listed on the official signs that are posted in the parking lot by the Village of Williams Bay.

2. The penalty provisions of this Code of Ordinances, §20.05 herein, shall apply except the minimum forfeiture upon conviction of this §6.05(3)(aa) shall be \$25.00 together with cost of prosecution.

(4) PARKING PERMITTED ALONG COLLIE ST. ADJACENT TO SCHOOL. Parking in designated parking spots along the west side of Collie St. is permitted during the hours of 7:30 a.m. to 4:30 p.m. during school days from the intersection of Hickory St. north to a point 139 feet south of the intersection of Collie St. and Congress St.

(5) REMOVAL OF ILLEGALLY PARKED VEHICLES.

(a) Hazard to Public Safety. Any vehicle parked, stopped or standing in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety.

(b) Removal by Operator. Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.

(c) Removal by Traffic Officer. Any traffic officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter is authorized to remove such vehicle to a position where parking is permitted.

(d) Removal by Private Services. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.

(e) Towing and Storage Charges. In addition to other penalties provided by this chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. If the vehicle is towed by the Police Department, a charge as set forth on a schedule of charges established by the Village board shall be paid for such towing. If the

vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

(6) **REGISTRATION RECORD OF VEHICLE AS EVIDENCE.** When any vehicle is found 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 shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

(7) **REMOVAL OF PARKING CITATIONS PROHIBITED.** No person, other than the owner or operator thereof, shall remove a parking violation or citation from a motor vehicle.

6.06 ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

The Chief of Police is hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving such notice of the provisions of this chapter as required by State law. Signs shall also be erected in such locations and manner as authorized by the governing body as to give adequate warning to users of the street, alley or highway in question.

6.07 UNNECESSARY ACCELERATION PROHIBITED.

(1) No person shall use a motor vehicle, motor driven cycle or motor driven machinery to cause a disturbance of the public peace by spinning the wheels and tires or accelerating the motor causing excessive or unnecessary noise.

(2) No person shall start or accelerate any motor vehicle, motor driven cycle or motor driven machinery with unnecessary exhibition of speed or power on any public or private way within the Village.

(a) Prima facie evidence of such unnecessary exhibition of speed or power shall be unreasonable squealing or screeching sounds emitted by the tires, the throwing of sand or gravel by the tires, the spinning of tires, or excessive noise of the engine.

(b) An "unnecessary exhibition of speed" shall mean speed greater than needed to accelerate into the traffic flow.

6.08 SNOWMOBILES.

In addition to the State snowmobile laws adopted by §6.01 of this chapter, the following special provisions are hereby adopted:

(1) **OPERATION OF SNOWMOBILES AND RECREATIONAL VEHICLES PROHIBITED.** No person shall operate a minibike, all terrain vehicle (ATV) or any other recreational vehicle not registered as a motor vehicle within the Village. Snowmobiles may be operated upon a snowmobile trail or route as designated herein.

(2) **SNOWMOBILE ROUTES DESIGNATED.** Operation of snowmobiles within the Village limits is prohibited except as provided in §350.02 and §350.04, Wis. Stats., or for snowmobile events authorized in accordance with §350.04, Wis. Stats., and only upon the following designated routes of travel for snowmobiles:

(a) On the official snowmobile trail or route as established, properly marked and shown on the snowmobile trail or route map on file with the Village Clerk and approved by the Village Board.

(b) On a private snowmobile trail located upon private property with the annual consent of the owner or lessee as provided herein and approved by the Village Board. The private snowmobile trail permitted herein must be conspicuously marked at all times as a private trail for use only by consent of owner.

(c) Written consent of owner required under §350.10(f)(k)(l) and (m), Wis. Stats., shall be an annual consent, dated and limited to the season for which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained. All such consents shall be approved by the Village Board.

(3) ADDITIONAL REGULATIONS APPLYING TO THE OPERATION OF SNOWMOBILES WITHIN THE VILLAGE LIMITS.

(a) Unattended Snowmobiles. No person shall leave or allow a snowmobile to remain unattended on any public highway or property while the motor is running or with the starting key in the ignition.

(b) Snowmobile Renter's License.

1. No person shall engage in the business of renting or leasing of snowmobiles to the public, or of renting or leasing the use of a snowmobile track or other private property to the public for the operation of snowmobiles thereon, unless he has a license therefor as provided in this section.

2. The application for a snowmobile renter's license shall be filed with the Village Clerk and shall include the name of the owner of the premises upon which such business will be conducted, the proposed period and hours of operation, the name of the person who will conduct the business, the State registration of such commercial owner, if any, and the registration number of any snowmobiles to be leased by such operators and such information as the Village Board may require. The application shall be accompanied by a fee of \$25, which shall be refunded to the applicant in the event a license is denied.

3. No license shall be issued unless approved by the Village Board after a public hearing on the application. Notice of such hearing shall be given by publication of a Class I notice under Ch. 985, Wis. Stats. The Village Board shall approve issuance of a license only if it determines that the public health, safety and welfare will not be adversely affected thereby, and that the following terms and conditions are met:

a. The applicant must file proof of liability insurance in force covering the premises to be licensed and any snowmobiles to be rented or offered for use to the public, with limits of 50,000/300,000/10,000.

b. The use of the premises must conform with the requirements of the Village Zoning and Building Codes and be approved by the Building Inspector.

c. The licensing period shall be for one year or portion thereof, expiring June 30, with no pro-ration of the fee for a period of less than one year.

d. The Clerk shall issue a new license to any person holding a valid license for the preceding season under this section upon payment of the annual license fee, provided, however, that any such applicant has not been convicted within the preceding 12 months of violation of this section or any State Statute regulating or restricting the use of snowmobiles or snowmobile renters. If any such applicant has been so convicted, he will have to make a new application for consideration.

6.09 ABSOLUTE SOBRIETY.

(1) REQUIRED.

(a) If a person has not attained the age of 21, the person shall not drive or operate a motor vehicle while he has a blood alcohol concentration of more than 0.0%, but not more than 0.1%, by weight of alcohol in the person's blood or more than 0.0 grams, but not more than 0.1 grams, of alcohol in 210 liters of that person's breath.

(b) Any person violating par. (a) shall forfeit \$10. Further, one additional penalty for violation of par. (a) is suspension of a person's operating privilege under §343.30 (1p), Wis. Stats. The person is eligible for an occupational license under §343.10(1), Wis. Stats.

(2) REFUSAL TO TAKE TEST UNDER §343.305, WIS. STATS. If a person arrested for violation of par. (1)(a) refuses to take a test as required by §343.305, Wis. Stats., the refusal is a separate violation and the person is subject to revocation of the person's operating privilege under §343.305(10)(em), Wis. Stats.

(3) AUTHORITY. This section is adopted under and pursuant to the authority granted under §§346.63(2m), 349.03(2) and 349.06(1), Wis. Stats.

6.10 PENALTY.

The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by §757.05, Wis. Stats., a jail assessment if required by §302.46, Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats.

(1) STATE FORFEITURE STATUTES. Forfeitures for violation of any statute adopted by reference for which the penalty is a forfeiture 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) STATE FINE STATUTES. 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.

(3) LOCAL REGULATIONS. Except as otherwise provided in this section, the penalty for violation of this chapter shall be as provided in §20.05 of this Municipal Code.

(4) PARKING VIOLATIONS. Notwithstanding any other provision of this chapter or any other traffic regulation of the Village, the forfeiture for a violation of any parking regulation or restriction shall not be more than \$100.00. The person to whom the ticket has been issued may settle the Village's claim by paying the minimum forfeiture stated on the ticket to the Village within 3 days of issuance.

(5) SNOWMOBILE VIOLATIONS. Any person who shall violate any provision of §6.350.00, except §6.350.08 and 6.350.10(1)(c), shall, upon conviction thereof, forfeit not more than \$250 together with costs of prosecution, and in default of payment thereof may be imprisoned in the County jail not to exceed 90 days; and any person who shall violate §§6.350.07, 6.350.08 and 6.350.10(3) shall, upon conviction thereof, forfeit not more than \$200, together with the costs of

prosecution, and in default of payment thereof may be imprisoned in the County jail not to exceed 90 days.

6.11 ENFORCEMENT.

(1) **PROCEDURE.** This chapter shall be enforced according to §23.33, 66.0114, 345.11 to 345.61, 350.17 and Ch. 800, Wis. Stats.

(2) **DEPOSIT.**

(a) Any person arrested for a violation of this chapter 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 notify the arrested person, orally or in writing, that:

1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered plea of no contest and submitted to a forfeiture and penalty assessment if required by §757.05, Wis. Stats., a jail assessment if required by §302.46, Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats., not to exceed the amount of the deposit that the court may accept as provided in §345.37, Wis. Stats.

2. If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his arrest.

(b) The amount of the deposit shall be determined in accordance with the State of Wisconsin Revised Uniform State Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under §757.05, Wis. Stats., jail assessment and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Police Chief, which shall include the penalty assessment established under §757.05, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

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

(3) **PETITION TO REOPEN JUDGEMENT.** Whenever a person has been convicted in this State on the basis of a forfeiture of deposit or a plea of guilty or no contest and the person was not informed as required under §345.27(1) and (2), Wis. Stats., the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. If the court finds that the petitioner was not informed as required under §345.27(1) and (2), the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.