

## ORDINANCE NO. 3

### TRAFFIC ORDINANCE

The Town Board for the Town of Geneva, Walworth County, Wisconsin, does ordain that the Town of Geneva Ordinance No. 3 is hereby amended and restated as follows.

#### Section 1. State Traffic Laws Adopted.

Except as otherwise specifically provided in this Chapter, the State of Wisconsin statutory provisions enumerated below, 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 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 regulation of traffic on the highways, streets, and alleys of the State. All existing and future amendments, repeals, or modifications made to any of the incorporated statutes by the Wisconsin Legislature are hereby adopted and by reference made a part hereof.

- A. Wisconsin Statutes Chapters 340 through 348 inclusive.
- B. Wisconsin Statutes Chapter 350 (Snowmobiles)
- C. Wisconsin Statutes Section 23.33 (All-Terrain Vehicles)
- D. Wisconsin Statutes Section 66.95 (Leaving Keys in Parked Vehicles)
- E. Wisconsin Statutes Section 159.81 (Littering)
- F. Wisconsin Statutes Section 941.01 (Negligent Operation of Vehicle)
- G. Wisconsin Statutes Chapter 110 (Motor Vehicles)
- H. Wisconsin Statutes Chapter 194 (Motor Vehicle Transportation)
- I. Wisconsin Statutes Chapter 349 (State and Local Powers)
- J. Wisconsin Administrative Code Chapter Trans. 305 (Standards for Vehicle Equipment)

#### Section 2. Modification of Town Highway Speed Limits.

The speed limits upon the following Town highways in the area designated are hereby established as follows:

- A. Springfield Road, Town of Geneva, Walworth County. Thirty-Five (35) miles per hour for all vehicles from its intersection with County Trunk "H" easterly for a distance of 0.35 of a mile.
- B. Palmer Road, Town of Geneva, Walworth County. Thirty-Five (35) miles per hour for all vehicles from its intersection with Como Road westerly for a distance of 0.60 of a mile.
- C. Sunset Boulevard, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour from its intersection with State Trunk Highway 50 northerly to its intersection with Kelly Road.
- D. Kelly Road, Town of Geneva, Walworth County. Thirty (30) miles per hour for all vehicles from its intersection with South Como Road easterly to its intersection with Schofield Road with no parking on the south side of the road from South Como Road to Walden Lane.
- E. South Como Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with State Trunk Highway 50 northerly to its intersection with South Shore Drive.

- F. Schofield Road, Town of Geneva, Walworth County. Thirty-Five (35) miles per hour for all vehicles from its intersection with State Trunk Highway 50 northerly to its intersection with South Shore Drive.
- G. South Shore Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Schofield Road southwesterly to its intersection with South Como Road.
- H. Wildwood Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with McDonald Road southerly, westerly, and northerly to its west intersection with McDonald Drive.
- I. Forest Street, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with State Trunk Highway 50 northerly to its intersection with McDonald Drive.
- J. Marshall Lane, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with McDonald Drive northerly for a distance of 0.60 of a mile.
- K. McDonald Road, Town of Geneva, Walworth County.
  - 1. Twenty-Five (25) miles per hour for all vehicles from intersection with Forest Street westerly for a distance of .4 of a mile.
  - 2. Thirty-Five (35) miles per hour for all vehicles from a point .4 of a mile west of its intersection with Forest Street westerly to its intersection with Schofield Road.
- L. Williams Street, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with State Trunk Highway 120 northerly to its intersection with Hickory Lane.
- M. Alder Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Park Drive westerly to its intersection with Jute Road.
- N. Lakeview Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Sycamore Road westerly to its intersection with Daffodil Road and then from its intersection with Evergreen Road westerly to its intersection with Gooseberry Road.
- O. Lincoln Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Como Road westerly to its intersection with Ridge Road.
- P. Sycamore Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Lincoln Road northerly to its intersection with Park Drive.
- Q. Queens Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Woodland Drive northerly to its intersection with County Trunk Highway "H".
- R. Park Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with County Trunk Highway "H" westerly to its intersection with Alder Drive.

- S. Juniper Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with County Trunk Highway "H" southerly to its intersection with Lake Shore Drive.
- T. Woodland Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Violet Road easterly to its intersection with Lake Shore Drive.
- U. Lake Shore Drive, Town of Geneva, Walworth County.
  - 1. Twenty-Five (25) miles per hour for all vehicles from its intersection with Dandelion Road easterly to its intersection with Acacia Road.
  - 2. Twenty-Five (25) miles per hour for all vehicles from its intersection with Woodland Drive northeasterly to its intersection with Juniper Road.
- V. Beach Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with County Trunk Highway "H" southerly to its intersection with Lake Shore Drive.
- W. Club House Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with County Trunk Highway "H" southerly and westerly to its intersection with Beach Road.
- X. Acacia Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Club House Drive southerly to its intersection with Lake Shore Drive.
- Y. Dandelion Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Longfellow Road southerly to its intersection with Lake Shore Drive.
- Z. Longfellow Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Dandelion Road easterly to its intersection with Lake Shore Drive.
- AA. Whittier Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Dandelion Road easterly to its intersection with Lake Shore Drive.
- BB. Hemlock Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Dandelion Road easterly to its intersection with Lake Shore Drive.
- CC. Violet Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Woodland Drive southerly to its intersection with Hemlock Road.
- DD. Como Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Palmer Road southerly to its intersection with Lincoln Drive.

- EE. Center Street, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with State Trunk Highway "120" northerly for a distance of 0.37 of a mile.
- FF. Chestnut Street, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Center Street westerly to its intersection with Highland Drive.
- GG. Highland Drive, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Hickory Lane southerly for a distance of 0.16 of a mile.
- HH. Hickory Lane, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Highland Drive westerly to its intersection with Williams Street.
- II. Snake Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from the West Corporate Limits of the City of Lake Geneva southerly and westerly for a distance of 0.06 of a mile.
- JJ. Reimer Road, Town of Geneva, Walworth County. Thirty-Five (35) miles per hour for all vehicles from its intersection with State Trunk Highway "67" easterly to its intersection with Petrie Road.
- KK. Springfield Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles from its intersection of Springfield Road with County Trunk Highway "H" northeasterly to the intersection of Springfield Road with Weeks Road.
- LL. West End Road, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with South Como Road to its intersection with Red Chimney Road.
- MM. Petrie Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles from the intersection of Petrie Road with County Trunk Highway "H" southerly on Petrie Road past Palmer Road to the cul de sac at the Geneva National complex which is located approximately 1/4 mile south of Palmer Road.
- NN. MacLean Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles from the City Limits of Elkhorn easterly to Bowers Road.
- OO. Weaver Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles from the intersection of County Trunk NN easterly to Bowers Road.
- PP. Hospital Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles from the intersection of Bowers Road easterly to Weeks Road.
- QQ. Dell Place, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Alder Drive northerly to its intersection with Como Road.
- RR. Bowers Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles between the intersections of Bowers Road and Springfield Road and Bowers Road and County Trunk NN.

- SS. North Como Road from County Highway H to MacLean Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles north and south between County Highway H and MacLean Road.
- TT. Willow Bend Road from County Highway 67 to Springfield Road, Town of Geneva, Walworth County. Forty-Five (45) miles per hour for all vehicles between County Highway 67 and Springfield Road.
- UU. Maple Tree Lane, Town of Geneva, Walworth County. Twenty-Five (25) miles per hour for all vehicles from its intersection with Kelly Road southerly for a distance of 0.19 of a mile.

Section 3. Lake Como Beach, Sunset Hills, and Wildwood Subdivisions.

Unless established otherwise in Section 2 of this Ordinance, the speed limits on all roads in Lake Como Beach Subdivision, Sunset Hills Subdivision, and Wildwood Subdivision are hereby established at Twenty-Five (25) miles per hour.

Section 4. Modified Speed Limits Adopted.

Wherever, pursuant to the powers specified in Section 349.11 of the Wisconsin Statutes, the State Highway Commission, with respect to the State Trunk Highway System, and wherever, pursuant to the powers specified in Section 349.11 of the Wisconsin Statutes, the County Board of the County of Walworth, with respect to the highways under its jurisdiction, shall determine, upon the basis of an engineering and traffic investigation, that the speed limits established by Section 349.11 of the Wisconsin Statutes are not reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a highway, and the State Highway Commission or the County Board of Walworth County, Wisconsin, as the case may be, has determined and declared a different speed limit at such location and has posted such areas and has indicated by appropriate signs the speed limits. Such speed limits thereby determined and established are declared to be the speed limits of such areas under this Ordinance, and such speed limits are hereby adopted by reference as a part of this Ordinance.

Section 5. Modified Parking Rule Adopted.

Wherever, pursuant to the powers specified in Section 346.53(6) and Section 349.13 of the Wisconsin Statutes, with respect to the highways under its jurisdiction, parking is prohibited along any highway where the posted speed limit is 35 mph or higher.

Section 6. Stop Signs.

All stop signs having been installed and maintained within the Town prior to the effective date hereof are hereby confirmed and shall be deemed provided for pursuant to Section 349.07 Wis. Stats. The Town may provide for additional stop signs by Resolution of the Town Board from time to time.

Section 7. Official traffic signs and control devices.

(1) Installation of Uniform Traffic Control Devices.

- (a) Whenever traffic regulations created by this chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 1 require the erection of traffic control devices for enforcement, the Highway Department, with the cooperation of the Police Department, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply.

- (b) Whenever State law grants discretion to local authorities in erecting or placement of uniform traffic control devices the installation of such devices shall be subject to the standards, guidelines and warrants set forth in the Uniform Traffic Control Device Manual.
- (2) 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 Highway Department, in consultation with the Chief of Police, or, where applicable, the State 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 (3) of this section.
- (3) Removal of Unofficial Signs, Markers, Signals and Traffic Control Devices. The Highway Department or Chief of Police, or their designee, may remove any sign, signal, marking, item or other devices, which is placed, maintained or displayed in violation of this chapter or State Law.

Section 8. Registration record of vehicle as evidence.

When any vehicle is found upon a street, alley 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 1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

Section 9. Parking restrictions.

- (1) Signs and Indication. Restricted and prohibited parking areas shall be clearly marked. "No Parking" zones shall be so designated either by a sign stating "No Parking At Any Time" or words to that effect or by marking the prohibited space with yellow paint. A no parking area excludes all classes of vehicles. Other restricted areas shall state with particularity either the class of individual or vehicles permitted or restricted from parking in such areas. Restricted parking zones include, but are not limited to:
  - (a) Handicapped only;
  - (b) Police vehicles only;
  - (c) Town personnel and/or employees only;
  - (d) Emergency on-call personnel only;
  - (e) 15-minute, 30-minute, one hour and 2-hour parking only;
  - (f) No parking by vehicles over a listed weight;
  - (g) Loading and unloading zones.
- (2) Locations of Restricted Parking Zones. Specific locations for prohibited or restricted parking zones may be found in the minutes of Town Board proceedings, Town records of past and current ordinances and in Police Department records. The Chief of Police shall maintain, at all times, a current list of restricted or prohibited parking zones. These records shall be available for public inspection in accordance with Section 1 of this code.
  - (a) No two vehicles other than motorcycles or motor driven cycles shall be permitted to share any marked parking space or stall, nor shall any single vehicle be permitted to occupy more than one marked parking space or stall.
  - (b) No vehicle shall be parked and left running while unoccupied at any time.
  - (c) After a citation has been issued, each additional hour shall constitute a separate violation for which additional citations may be issued.

(3) Posted Limitations.

- (a) 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 or markings, each zone so designated in accordance with the provisions of Section 349.13, Wis. Stats.
- (b) 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 the hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this code.
- (c) The Chief of Police, the head of the Highway Department and/or emergency personnel are granted the authority, within 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, Wis. Stats., and shall also 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.
  1. No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
  2. After parking limitations on any given street have expired, any change of location of not more than one stall or less moving less than 20 feet following expiration of the parking period allowed shall be and constitute a violation of this chapter.

Section 10. Stopping or parking prohibited in certain specific places.

- (1) Parking in Driveways. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property on which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (2) Parking in the Right-of-Way. When parking in the right-of-way, any parked, stopped or left standing vehicle shall leave an unobstructed width of at least 15 feet upon the roadway. The unobstructed width must be between the vehicle and the opposite edge of the paved road for the free passage of other vehicles.
- (3) 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.

Section 11. Enforcement.

- (1) Enforcement Procedures.
  - (a) How Enforced. This chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.
  - (b) Applicable Court Procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this code, the traffic regulations in this code shall be enforced in Municipal Court in accordance with the provisions of Section 345.20(2)(b) and Chapter 800, Wis. Stats.

(2) Citations.

- (a) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this chapter except those provisions which describe or define nonmoving traffic violations and violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
- (b) Parking Citations or Tickets. The Chief of Police shall recommend for adoption by the Town Board a citation or ticket for use in enforcing the nonmoving offenses in this chapter. Such citation or ticket shall be used for enforcement of nonmoving traffic regulations created or adopted by this chapter, including violations of nonmoving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in Section 1, and all provisions regarding nonmoving traffic violations in this chapter. The citation or ticket for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with subsection (3)(b) of this section. Nonmoving traffic citations or tickets may be issued by law enforcement officers or by civilian employees of the Police Department.

(3) Deposits and Stipulations.

(a) Uniform Traffic Offenses.

- 1. Who May Make. Persons arrested or cited for violations of moving traffic offenses created by this chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.
- 2. Delivery or Mailing of Deposit and Stipulation. Any person stipulating guilt or no contest under the preceding subsection must make the deposit required under Section 345.26, Wis. Stats., or if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Municipal Judge. Deposits may be brought or mailed to the Town within 5 days of the issuance of the citation in lieu of court appearance.
- 3. Receipt Required to Deposit. Every official accepting a stipulation under the provisions of this chapter shall comply with the provisions of Sections 343.28, 343.30, 345.26(1)(a), and 345.27(2), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11, Wis. Stats. The official or person receiving the deposit shall make available upon request and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within 45 days to Town Treasurer.

(b) Nonmoving Traffic Offenses.

- 1. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of nonmoving traffic offenses described and defined in this chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within 10 days of the issuance of the citation to the Town the minimum forfeiture specified for the violation. When payment is made as provided in the paragraph, no court costs shall be charged.
- 2. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation or, if no date is specified on the citation, within 28 days after the citation is issued, the Town may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the



person pursuant to the provisions of Section 345.28(4), Wis. Stats., and subsection (3)(b)3. of this section.

3. Deposits Returned to Town Treasurer. Persons receiving deposits for nonmoving traffic violations under this subsection shall pay over such deposits to the Town Treasurer within 7 days of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense and the name of the depositor.

(c) Registration Suspension Program.

1. The Town shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Section 345.28, Wis. Stats., and Trans. 128, Wis. Adm. Code, and all amendments or changes thereto.
2. The Police Department is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Trans. 128, Wis. Adm. Code. The Police Department is authorized to perform, on behalf of the Town, all functions required of a local authority under said Statutes and Code including, but not limited to:
  - a. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for nonmoving traffic Violations;
  - b. Specifying whether the registration of vehicles involved in unpaid citations for nonmoving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for nonmoving violations;
  - c. Determining the method by which the Town will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
  - d. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
3. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Section 345.28(4)(d), Wis. Stats. The Police Department may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.
4. This subsection shall not be interpreted as requiring that all unpaid citations for nonmoving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The Town's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

Section 12. Penalties.

- (1) 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 345.47, 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 the amount of Section 346.655, Wis. Stats., where applicable. The amount of any citation shall be limited by the maximum amount permitted by Wisconsin Statutes for the imposition of penalties and fines for the offense or violation charged. All forfeitures shall have added to them the additional assessments referred to in Sections 757.05(1), 757.05(2a) and 53.46(1), Wis. Stats., and any other required fees as adopted from time-to-time by the Wisconsin Legislature and included in the Wisconsin Statutory Requirements. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than 60 days. Any person 17 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 90 days.

(2) Other Sanctions.

(a) 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 or imprisonment.

(b) By Municipality. 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.

(3) 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 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.

(4) Forfeitures for Parking Violations.

(a) Forfeitures for Uniform Statewide Parking Stopping and Standing Offenses. Minimum and maximum forfeiture for violation of nonmoving traffic violations adopted by reference in Section 1 as described in Chapters 341 to 349, Wis. Stats., shall conform to forfeitures for violations of the comparable state offenses, including any variations or increases for second offenses, as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.

(b) Penalty for Other Parking Violations.

1. Sections 9 and 10 inclusive, and all statutory parking provisions (except handicapped parking violations provided for in the immediately following subsection) adopted by reference in Section 1 of this code, and cited by use of parking tickets (envelope type): Not less than \$20.00 nor more than \$200.00. Should the forfeiture be paid pursuant to Section 11, such forfeiture shall be in the sum of \$20.00 if paid within 10 days; if paid after 10 days have elapsed, the forfeiture shall be \$40.00; and, if paid after 30 days, the forfeiture shall be \$80.00 and registration may be suspended pursuant to Section 11.

2. As to violation of statutory parking provisions of Section 346.505, Wis. Stats., adopted by reference in Section 1 of this code, prohibiting the parking of motor vehicles used by other than physically disabled persons, as defined by law, in portions of streets or highways (as designated by ordinance) or parking facilities so reserved by official traffic signs for such physically disabled persons, for which such violation is cited by use of parking ticket (envelope type): A forfeiture of \$75.00 if paid within 10 days; if paid after 10 days have elapsed, the forfeiture shall be \$125.00; and, if paid after 30 days, the forfeiture shall be \$200.00 and registration may be suspended pursuant to Section 11.

(5) 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 \$10.00 nor more than \$200.00, together with the cost of prosecution, if any, and in default thereof shall be imprisoned not to exceed 30 days.

Section 13. Severability.

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 14. Separability.

If any Section, Subsection, Sentence, Clause, or Phrase of this Ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other Section, Subsection, Sentence, Clause, or Phrase hereof. The Town Chairman and Town Board of the Town of Geneva hereby declares that it would have passed this Ordinance and each Section, Subsection, Sentence, Clause, Phrase, or Portion thereof irrespective of the fact that any one or more Sections, Subsections, Sentences, Clauses, Phrases, or Portions thereof may be declared invalid or unconstitutional.

Section 15. Effective Date.

The repeal of the existing Ordinance and the passage of the Ordinance herein shall take effect from and after its adoption by the Town Board and upon posting a publication thereof as provided by the Statutes of the State of Wisconsin.

This Ordinance shall take effect upon its passage and publication, as provided by law.

This Ordinance was adopted this 11th day of March, 2024,  
by a vote of: 4 in favor 0 against 0 abstain.