

Village of Almena, WI
Tuesday, July 30, 2024

Chapter 268. Vehicles and Traffic

[HISTORY: Adopted by the Village Board of the Village of Almena as Ch. 7 of the former Village Code. Amendments noted where applicable.]

§ 268-1. State traffic laws adopted.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

Except as otherwise specifically provided in this code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, 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 code 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 code. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

§ 268-2. Snowmobiles.

- A. State snowmobile laws adopted. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- (1) Section 350.01, Definitions.
- (2) Section 350.02, Operation of Snowmobiles on or in Vicinity of Highway.
- (3) Section 350.03, Right-of-Way.
- (4) Section 350.04, Snowmobile Races, Derbies and Routes.
- (5) Section 350.045, Public Utility Exemption.
- (6) Section 350.047, Local Ordinance to be Filed.
- (7) Section 350.05, Operation by Youthful Operators Restricted.
- (8) Section 350.055, Safety Certification Program Established.
- (9) Section 350.07, Driving Animals.
- (10) Section 350.08, Owner Permitting Operation.
- (11) Section 350.09, Head Lamps, Tail Lamps and Brakes.
- (12) Section 350.10, Miscellaneous Provisions for Snowmobile Operation.

- (13) Section 350.12, Registration of Snowmobiles; trail use stickers.
 - (14) Section 350.13, Uniform Trail Signs and Standards.
 - (15) Section 350.15, Accidents and Accident Reports.
 - (16) Section 350.17, Enforcement.
 - (17) Section 350.18, Local Ordinances.
 - (18) Section 350.19, Liability of Landowners.
- B. Applicability of rules of the road to snowmobiles. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, be subject to §§ 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1) and (9), Wis. Stats.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- C. Snowmobile routes designated.
- (1) Streets. Except as provided in §§ 350.02 and 350.03, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, golf course or on any other public property in the Village except as hereinafter designated. The following streets are designated snowmobile routes:
 - (a) Through Shadyside Park and down Washington Street.
 - (b) However, all streets except Main Street are snowmobile-permitted through streets in order to reach destinations.
 - (2) Parks. Operation of snowmobiles on marked routes or trails is authorized in Shadyside Park subject to approval of the Village Board.
 - (3) Markers. The Village shall procure, erect and maintain appropriate snowmobile route, trail or limit markers.
- D. Permitting operation by improper persons prohibited. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under State law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous or narcotic drug.
- E. Operation while under influence prohibited. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile anywhere within the Village.
- F. Written consent of owner required. The consent required under § 350.10(1)(f), (k), (l) and (m), Wis. Stats., shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- G. Speed. No person shall operate a snowmobile upon any public right-of-way or highway within the Village of Almena at a speed in excess of that permitted or posted for other motor vehicles or in any public park or area at a speed in excess of 15 miles per hour.
- H. Hours of operation. No person shall operate a snowmobile upon any public highway or other public property within the Village between the hours of 11:00 p.m. and 8:00 a.m.
- I. Unattended vehicles. No person shall leave or allow a snowmobile owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- J. Operation on sidewalks or malls prohibited. No person shall operate a snowmobile on any sidewalk, pedestrianway or mall within the Village.

§ 268-3. Official traffic signs and signals.

- A. Police responsible. The Police employed by the Village shall procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of this chapter as required by state law. Signs shall be erected in such locations and in such manner as the Village Board determines will best effect the purposes of this chapter and give adequate warning to users of the streets and highways.
- B. Removal of unofficial signs and signals. The police employed by the Village have the authority granted by § 349.09, Wis. Stats., and shall order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or § 346.41, Wis. Stats. Any charge imposed on any premises for removal of an illegal sign, signal or device shall be reported to the Village Board at its next regular meeting for review and certification.
- C. Avoidance of traffic control device prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.

§ 268-4. Parking.

- A. No person shall park, stop or leave standing any motor vehicle, whether attended or unattended, upon any street within the Village limits unless it is parallel to the edge of the street, headed in the direction of traffic, on the right side of the street and with the right wheels of the vehicle within 12 inches of the curb or edge of the street.
- B. Winter parking. No person shall park, stop or leave standing any motor vehicle in any public street in the Village in any one place between the hours of 2:00 a.m. and 6:00 a.m. from November 1 through March 31 of each year inclusive.
- C. Soo Avenue parking. No person shall park, stop or leave standing any motor vehicle on Soo Avenue from Garfield Street to Washington Street for a period exceeding two hours between 8:00 a.m. and 5:00 p.m.
- D. U.S. Highway No. 8 parking. No person shall, at anytime, park, stop, or leave standing, any motor vehicle along either side of U.S. Highway No. 8, within the Village limits.
- E. County Trunk Highway "P" parking.
 - (1) No person shall, at any time, park, stop, or leave standing, any motor vehicle along either side of County Trunk Highway "P" south of U.S. Highway No. 8 to the south Village limits.
 - (2) No person shall, at any time, park, stop, or leave standing, any motor vehicle along either side of County Trunk Highway "P" from the center of its intersection with U.S. Highway No. 8 to a point 350 feet north of said center of said intersection.
- F. Parking of trucks and trailers restricted; street parking. No person owning or having control of any truck, trailer, truck power unit, tractor, bus, or recreation vehicle or combination of vehicles weighing in excess of 12,000 pounds gross weight, or over 16 feet in length (including accessories, racks, or other physical extensions), or having a height of more than eight feet from the roadway, shall park the same upon any street, avenue, or public way in the Village in areas zoned residential or primarily residential in nature. The provisions of this subsection shall not be deemed to prohibit the temporary parking of such equipment for up to two hours or the lawful temporary parking of such equipment upon any street, avenue or public way in the Village for the actual loading or unloading of goods, wares or merchandise, providing, however, the "loading" and "unloading" as used in this section shall be limited to the actual time consumed in such operation. The Village Board may, however, designate specific truck parking zones. The Chief of Police may authorize short-term temporary parking under unusual circumstances.

- G. Forty-eight-hour limitation. No person, firm, or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle or any description on any public streets or public parking lots in the Village of Almena for a period of 48 or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established, the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this section, he/she is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this chapter.
- H. Stopping and parking sign. It shall be unlawful for any person to stop or park a motor vehicle in any manner on public or private property or parking lot contrary to a regulatory sign posted thereon, which such sign may permit parking by certain persons and limits, restricts or prohibits stopping or parking as to other persons without the consent of the owner or lessee of the property.
- I. No person shall operate a motor vehicle in such a manner as to leave the roadway and park, stop, or travel upon or across any private or public property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of said property.
- J. The prohibitions against parking, stopping, or leaving a vehicle contained in § **268-4B** through **G**, inclusive, do not apply when:
- (1) The vehicle becomes disabled while on the highway in such a manner or to such an extent that it is impossible to avoid stopping or temporarily leaving the vehicle in the prohibited place; or
 - (2) The stopping of the vehicle is necessary to avoid conflict with other traffic or to comply with traffic regulations or the directions of a traffic officer or traffic control sign or signal;
 - (3) The vehicle of a public utility, as defined in § 196.01(5), Wis. Stats., or a rural electric cooperative is stopped or left standing and is required for maintenance, installation, repair, construction or inspection of its facilities by the public utility or a rural electric cooperative when warning signs, flags, traffic cones, or flashing yellow lights or barricades have been placed to warn approaching motorists of any obstruction to the traveled portion of the highway.
 - (4) When the Village has issued a permit for such parking.
- K. After the permitted period of parking has elapsed, any change of location of the vehicle of less than three stalls shall be and remain a violation of the parking restriction and a violation of these ordinances. A "stall" is defined as a space equal to the length or width of the vehicle involved, depending on whether the vehicle is moved forward, backward, or laterally.
- L. Establishment of parking and weight restrictions. The Village Board is hereby granted the authority, within the reasonable exercise of police power, to prohibit, limit the time or otherwise restrict the stopping, standing, or parking of vehicles beyond the provisions of Ch. 346, Wis. Stats. The Village Board shall 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.
- M. "U" turn prohibited. No person operating a motor vehicle shall turn his vehicle so as to proceed in the opposite direction at the intersections of:

Intersection
Lulu Avenue and Washington Street.
Soo Avenue and County Trunk Highway "P"
Soo Avenue and Garfield Street.
Soo Avenue and Washington Street

N. Removal; other penalties:

- (1) Any vehicles violating any of the foregoing parking restrictions may be removed and taken to any available storage and impoundment area either by order of a law enforcement officer or by the owner of the property in front of which it is parked. In such case the owner of said vehicle shall pay the costs of removal and storage before he/she may regain possession thereof.
- (2) The owner, operator, possessor, or person in control of any vehicle which is in violation of any of the foregoing parking and turning regulations may, in addition to or in lieu of other penalties, be subject to a forfeiture of not less than \$25 nor more than \$200 plus usual court costs.

O. Arterial highways. The following streets in the Village are hereby designated and declared to be arteries for through traffic:

Name of Street	Intersection
Lulu Avenue	From the west curb of County Trunk Highway P to the east curb of Alma Street
Soo Avenue	From the west curb of County Trunk Highway P to the east curb of Alma Street

§ 268-5. Traffic code: prohibition of noises disturbing public peace.

[Amended 5-8-2018 by Ord. No. 2018-3]

A. Disorderly conduct with a motor vehicle.

- (1) No person within the Village of Almena through the use of a motor vehicle, including but not limited to an automobile, truck, motorcycle, mini-bike, ATV, snowmobile, or any motorized unit within the Village of Almena, to cause or provoke disorderly conduct with said motorized unit.
- (2) No person shall operate a motor vehicle in such a manner as to make or cause any unnecessary, loud, disturbing, or annoying sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the Village, whether by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud muffler noises.
- (3) No person shall engage in any motor vehicle speed contest, exhibition of speed or display of power on any public or private area in the Village.
- (4) No person shall operate a motor vehicle in such a manner as to leave the roadway and park, stop or travel upon or across any private or public property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of said property.

B. Compression brakes prohibited.

- (1) It is unlawful for any person to engage in engine braking in any motor vehicle on roads within the Village where signs have been erected stating "ENGINE BRAKING PROHIBITED," except for emergency situations for the purpose of avoiding a collision with another person, animal, object, vehicle, or property. Any person violating the provisions of this section shall be subject to forfeiture as provided in § 268-5B(5), Penalty.
- (2) Definition. As used in this section, the following terms shall have the meanings indicated:

ENGINE BRAKING

The use of a dynamic braking device (commonly referred to as, "Jake brakes[®]," "Jacob's brakes," "engine brakes," or "compression brakes") for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without or

limiting the use of wheel brakes. In definition, the process of downshifting and releasing the clutch to utilize the vehicle's engine to slow in order to meet proper speed restrictions.

- (3) Emergency vehicle exception. The prohibition set forth in Subsection **A** of this section shall not apply to "authorized emergency vehicles," as that term is defined by § 340.01(3), Wis. Stats., when responding to an emergency call, when in pursuit of an actual or suspected violator of the law, or when responding but not upon returning from a fire alarm.
- (4) Emergency defense exception. For purposes of this section, "cases of emergency" are defined as circumstances which present an immediate danger to life or property. It shall be affirmative defense to prosecution under this section that compression brakes were applied in an emergency and were necessary for the protection of person and/or property.
- (5) Penalty. Any person violating this section shall be subject to the penalties set forth in § **268-5** of this Code. Each day of violation shall constitute a separate offense. Any person violating this section shall, upon conviction, pay the forfeiture of \$250.

§ 268-6. Traffic code: LSV (low-speed vehicles), ATV (all-terrain vehicles), and UTV (utility terrain vehicles) on Village streets.

[Added 6-12-2018 by Ord. No. 2018-6]

- A. Purpose. The purpose of § **268-6** is to allow, subject to regulation, the use of LSVs (low-speed vehicles), ATVs (all-terrain vehicles), and UTVs (utility terrain vehicles) on all Village streets within Village limits in the Village of Almena.
- B. Definitions. As used in this section, the following terms shall have the meanings indicated:

ATV

Has the meaning set forth at § 23.33(1)(b), Wis. Stats., which incorporates the definition at § 340.01(2g), Wis. Stats. It is not a low-speed vehicle. Defined as a commercially designed and manufactured motor driven device to which all of the following applies:

- (1) It has a net weight, without fluids, of less than 900 pounds, but not more than 2,000 pounds.
- (2) It has a width of 50 inches or less.
- (3) It is equipped with a seat designed to be straddled by the operator.
- (4) It travels on three or more low-pressure or nonpneumatic tires.

LSV

"Low-speed vehicle" must meet the National Highway Traffic Safety Administration's (NHTSA) Federal Motor Vehicle Safety Standards and must have a certification label stating that the vehicle meets those standards. An ATV, UTV, or golf cart is not a low-speed vehicle.

OPERATOR

Has the same meaning as is set forth in § 23.33(1)(iw), Wis. Stats., and shall further be defined as meaning a person who "operates" an LSV, ATV, UTV, or golf cart, as the term "operate" is defined at § 23.33(1)(ir), Wis. Stats.

UTV

Has the meaning set forth at § 23.33(1)(ng), Wis. Stats. Defined as a commercially designed and manufactured motor-driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

- (1) A weight, without fluids, of 2,000 pounds or less.
 - (2) Four or more low-pressure tires or nonpneumatic tires.
 - (3) A steering wheel.
 - (4) A taillight, brake light, and two headlights.
 - (5) A width of not more than 65 inches.
 - (6) A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
 - (7) A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.
- C. Standards of an LSV. To be eligible for use on streets of the Village, a low-speed vehicle shall comply with the following standards:
- (1) It shall be four-wheeled and shall have a speed range potential of at least 10 miles per hour but not more than 25 miles per hour on a paved surface and a gross vehicle weight at rest of less than 3,000 pounds.
 - (2) It shall have headlights, front and rear turn signals and stop lamps.
 - (3) It shall have red reflex reflectors on each side as far to the rear as practicable and one such reflector on the rear.
 - (4) It shall have an exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror.
 - (5) It shall have a parking brake.
 - (6) It shall have a windshield which conforms to the requirement of the Federal Motor Vehicle Safety Standard on glazing material (49 CFR 571.205).
 - (7) It shall possess a vehicle identification number (VIN) which complies with the Federal Code (49 CFR 565).
 - (8) It shall have a Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.50056 and Federal Motor Safety Standard No. 209 for each designated seating position.
 - (9) It shall meet the general test conditions under 49 CFR 571.50056.
 - (10) It shall be self-propelled by gas or electric power (also known as "neighborhood electric vehicles").
- D. Operation of an LSV.
- (1) For operation on public roads, an LSV must be titled and registered through the DMV. The license plate must be displayed on the LSV.
 - (2) The operator of a low-speed vehicle shall be in possession of a valid driver's license at the time of its operation on Village streets and follow all traffic laws.
 - (3) LSV operators must have a motor vehicle liability policy in effect that covers the LSV and meets minimum required coverage. The LSV operator must display proof of insurance coverage upon demand from any traffic officer.
 - (4) Low-speed vehicles may be operated only upon those streets having a posted speed limit of 35 miles per hour or less.
 - (5) LSVs may never travel on or across U.S. highways, expressways, freeways, interstate highways or other controlled-access highways.

- (6) The operator of an LSV shall comply in all respects with all ordinances of the Village, together with applicable state laws.
- (7) A slow-moving vehicle sign is not required on LSV.
- (8) Operator shall not exceed 25 m.p.h. on Village streets.
[Amended 7-11-2023 by Ord. No. 2023-2]

E. Operation of an ATV or UTV.

- (1) No person shall operate either an ATV or UTV on any streets who fails to meet all of the following conditions:
 - (a) The operator shall follow all current traffic laws.
 - (b) Operator shall not exceed 25 m.p.h. on Village streets.
[Amended 7-11-2023 by Ord. No. 2023-2]
 - (c) ATVs or UTVs may be operated only upon those streets having a posted speed limit of 35 miles per hour or less.
 - (d) The operator shall follow all current local ordinances.
 - (e) Operators shall proceed and ride in single file.
 - (f) Unattended vehicles. No person shall leave or allow an ATV or UTV owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
 - (g) Operation on sidewalks, pedestrianway, and parks are prohibited. No person shall operate an ATV or UTV on any sidewalk, pedestrianway, or park within the Village.
 - (h) Operation on private premises restricted. No person shall operate an ATV or UTV on any private property not owned or controlled by him/her within the Village without the express consent or permission of the owner.
- (2) Operation shall be subject to all provisions of § 23.33, Wis. Stats., which is adopted as a part of this chapter by reference, pursuant to § 23.33(11), Wis. Stats.
- (3) A copy of this chapter shall be filed with the Department of Natural Resources, Barron County Sheriff's Department, Turtle Lake Police Department, and any other law enforcement agency who services the Village of Almena.

F. Enforcement. All violations of Village ordinances or state law in the operation of an LSV, ATV, or UTV shall be enforced by any law enforcement officer in the same manner as are violations of ordinances and state laws by the operators of standard motor vehicles. In addition, the violation of the standards set forth in this chapter shall be subject to a forfeiture of not less than \$20 nor more than \$250 for each violation plus court costs as outlined in the approved Municipal Court Bond Schedule.

§ 268-7. Golf cart traffic on Village streets.

[Added 9-9-2014]

A. Golf carts shall be permitted to be operated on Village streets upon the following conditions:

- (1) The vehicle, described as "golf cart," shall be commercially manufactured.
- (2) Speed shall not be in excess of 10 mph.
- (3) The operator must hold a valid driver's license.

- (4) There shall be affixed to the rear of the vehicle a "slow moving vehicle sign."
 - (5) The operator shall not be under the influence of any intoxicating liquor, fermented malt beverages, wines, narcotic, or other controlled substances.
 - (6) All other applicable traffic rules and regulations.
- B. Penalty. Any person who shall violate any provision of this section or any regulation, rule or order made hereunder, shall be subject to a penalty as provided in § 1-4 of this Code of Ordinances.

§ 268-8. Violations and penalties.

- A. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided together with costs under § 345.27, Wis. Stats., and a penalty assessment, where applicable, as required under § 757.05, Wis. Stats. Only those violations of ordinances adopted under the sections of the Wisconsin Statutes listed below are exempt from the penalty assessment.
- (1) Section 346.50, Exceptions to Stopping and Parking Restrictions.
 - (2) Section 346.51, Stopping, Standing or Parking Outside of Business or Residence Districts.
 - (3) Section 346.52, Stopping Prohibited in Certain Specified Places.
 - (4) Section 346.53, Parking Prohibited in Certain Specified Places.
 - (5) Section 346.54, How to Park and Stop on Streets.
 - (6) Section 346.55, Other Restrictions on Parking and Stopping.
 - (7) Section 349.13, Authority to Regulate the Stopping, Standing or Parking of Vehicles.
 - (8) Section, 349.14, Authority to Use Parking Meters.
- B. State forfeiture statutes. Any forfeiture for violation of Chs. 340 through 351, Wis. Stats., 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.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- C. Local regulations. Except as otherwise provided in this chapter, the penalty for violation of §§ 268-2 through 268-7 of this chapter shall be as provided in § 1-4 of this Municipal Code.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- D. Parking violations.

Statute/Violation	Forfeiture	
	Minimum	Maximum
§ 346.51(1), Improper parking on/off roadway	\$3	\$200
§ 346.52(1), Stopping/standing in prohibited areas	\$3	\$40
Second conviction within 1 year	\$6	\$100
§ 346.52(2), Stopping/standing on highway by grade school	\$3	\$40
Second conviction within 1 year	\$3	\$100
§ 346.53, Parking/standing where prohibited	\$3	\$40
Second conviction within 1 year	\$6	\$100
§ 346.54, Improper parking/standing of vehicle	\$3	\$40
Second conviction within 1 year	\$6	\$100

Statute/Violation	Forfeiture	
	Minimum	Maximum
§ 346.55(1), Parking on left side of highway	\$3	\$200
§ 346.55(2), Parking vehicle for sale on highway	\$3	\$200
§ 346.55(3), Parking on posted private property	\$3	\$100
Second conviction within 1 year		

§ 268-9. Enforcement.

- A. Enforcement procedure. This chapter shall be enforced according to § 66.0114, Chapter 800 and §§ 345.20 to 345.53, Wis. Stats.
- B. Deposit.
- (1) 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 comply with § 345.26, Wis. Stats., or, if the deposit is mailed, the signed statement required under § 345.26 shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
 - (a) If he/she fails to appear in court at the time fixed in the citation, he/she 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
 - (b) If he/she fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he/she will be summoned into court to answer the complaint.
 - (2) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Board of County Judges and shall include the penalty assessment established under § 757.05, Wis. Stats., court costs and suit tax. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Chief of Police, which shall include the 10% penalty assessment established under § 757.05, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.
 - (3) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by § 345.26(3)(b), Wis. Stats.
- C. Stipulation of no contest. Any person charged with a violation of this chapter except §§ 346.62(1) and 346.63(1) may make a stipulation of no contest pursuant to § 345.27, Wis. Stats., which shall be received at the police station or the office of the Clerk of Court within 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 B if he/she 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 § 345.37, Wis. Stats.