

Repealed and Re-enacted 11/19/1973 etc.

#1

AN ORDINANCE OF THE TOWN OF OAKLAND IN JEFFERSON COUNTY,
WISCONSIN TO REGULATE VEHICULAR TRAFFIC IN THE TOWN OF OAKLAND.

THE TOWN BOARD OF THE TOWN OF OAKLAND, JEFFERSON COUNTY,
WISCONSIN, DOES ORDAIN AS FOLLOWS:

Section 1. Provisions of State Law Adopted by Reference.

(1) State Traffic Forfeiture Laws Adopted. Except as otherwise specifically provided in this ordinance, all provisions of chapters 340 to 348 Wis. Stats. describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this ordinance 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 ordinance.

Sections of chapters 340 to 348 adopted by reference shall include but not be limited to the following:

- 340.01 Words and phrases defined
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- 341.04 (3) a) Penalty for operating unregistered or improperly registered vehicle
- 341.11 Contents, issuance and display of certificate of registration; issuance of duplicate certificate
- 341.15 Display of registration plates
- 341.16 Issuance of duplicate plates
- 341.42 Reciprocity permits
- 341.51 Failure to apply for registration
- 341.55 Penalty for misuse of plates
- 341.57 Registration of finance companies, credit unions and banks
- 341.61 Improper use of evidence of registration
- 341.62 False evidence of registration
- 341.63 When registration to be suspended
- 342.01 Words and phrases defined
- 342.05 When certificate of title required
- 342.06 (3) Application for certificate of title
- 342.15 Transfer of interest in a vehicle
- 342.16 Transfer to or from dealer
- 342.23 Secured party's and owner's duties

342.30 Anti-theft and anti-fraud provisions
342.31 " " " "
342.33 " " " "
342.34 " " " "
343.01 Words and phrases defined
343.10 Occupational licenses
343.12 School bus operators to obtain special license
343.125 Chauffeurs to obtain special license; chauffeur's
license for taxi drivers
343.14 Application for license
343.19 Duplicate license
343.22 Notice of change of address or name
343.305 Suspension of license or refusal to submit to
chemical tests for intoxication
343.35 Surrender of licenses upon cancellation,
revocation or suspension
343.45 Permitting unauthorized person to drive
343.46 Duty of persons renting vehicles to another
344.01 Words and phrases defined
344.45 Penalties for violations of chapter
344.46 " " "
344.47 " " "
344.51 Financial responsibility for domestic rented vehicles
345.01 Words and phrases defined
345.11 Uniform traffic citation and complaint
345.17 Penalty for false statements
345.18 Sentencing of juveniles
345.20 to 345.53 General provisions in traffic forfeiture actions
345.55 Traffic officers not to profit from arrests
346.01 Words and phrases defined
346.02 Applicability of chapter
346.03 Applicability of rules of the road to authorized
emergency vehicles
346.04(1)&2 Obedience to traffic officers, signs and signals
346.05 to 346.16 Driving, meeting, overtaking & passing
346.17(1) (2) and (4) Penalty for violating s. 346.04 to 346.16
346.18 to 346.21 Right of way
346.22 Penalty for violating ss. 346.18 to 346.21
346.23 to 346.29 Respective rights and duties of drivers
and pedestrians
346.30 Penalty for violating ss. 346.23 to 346.29
346.31 to 346.35 Turning and stopping and required signals
346.36 Penalty for violating ss. 346.31 to 346.35
346.37 to 346.42 Traffic signs, signals and markings
346.43 Penalty for violating ss. 346.37 to 346.42
346.44 to 346.48 Required stops
346.49 Penalty for violating ss. 346.44 to 346.48
346.50 to 346.55 Restrictions on stopping and parking
346.56 Penalty for violating ss. 346.51 to 346.55
346.57 to 346.595 Speed restrictions

346.60 Penalty for violating ss. 346.57 to 346.595
346.61 Applicability of sections relating to reckless and
drunken driving
346.62 (1) and (3) Reckless driving -- first offense in 4 years
346.63 (1), (3) and (4) Operating under influence of intoxicant-
first offense in 5 years
346.64 Employment of drunken operators
346.65 (1), (2) and (4) Penalty for violating ss. 346.62
to 346.64
346.66 Applicability of sections relating to accidents and
accident reporting
346.68 and 346.69 Duty upon striking unattended vehicle --
upon striking property on or adjacent to highway --
first offense within a year
346.70 Duty to report accident
346.71 Coroners or medical examiners to report; require
blood specimen
346.72 Garages to keep record of repairs of accident damage
346.73 Accident reports not to be used in trial
346.74 (1), (2), (3), and (4) Penalty for violating ss.
346.67 to 346.73
346.77 to 346.81 Bicycles and play vehicles
346.82 Penalty for violating ss. 346.77 to 346.81
346.87 to 346.94 Miscellaneous rules
346.95 Penalty for violating ss. 346.87 to 346.94
347.01 to 347.05 General provisions
347.06 to 347.29 Lighting equipment
347.30 Penalty for violating lighting equipment requirements
347.35 to 347.49 Other equipment
347.50 Penalty for violating ss. 347.35 to 347.49
348.01 to 348.02 General provisions
348.05 to 348.10 Size and load
348.11 Penalty for violating size and load limitations
348.15 to 348.20 Weight
348.21 Penalty for violating weight limitations
348.25 to 348.27 Permits
348.28 Permits to be carried -- penalty

Section 2. Vehicle Abandonment Prohibited; Removal;
Disposal; Penalty

(1) Pursuant to ss. 342.40(3) and 349.06 Wis. Stats.,
the Town Board of the Town of Oakland, Jefferson County, Wis-
consin, does adopt section 342.40 Wis. Stats.

(2) The Town law enforcement officer or his duly authorized
representative is empowered to remove any abandoned vehicle to
a civil place of impoundment and to dispose of said vehicle
pursuant to s. 342.40 Wis. Stats.

(3) Any person violating s. 342.40(1) Wis. Stats. may be punished by forfeiting not less than \$10 nor more than \$100 for the first offense, and for the second or each subsequent conviction within one year thereafter by forfeiting to the Town of Oakland not less than \$25 nor more than \$200 together with costs of prosecution in each instance. The owner of any abandoned vehicle, except a stolen vehicle, is also responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered for the sale of the vehicle may be recovered in a civil action by the Town of Oakland against the owner.

Section 3. A traffic and engineering investigation having been made by the Department of Transportation, Division of Highways, on the following Town Roads, the following maximum permissible speeds are hereby established as reasonable and safe pursuant to s. 349.11 Wis. Stats. which speeds shall be set forth herein and shall become effective upon approval of the Highway Commission and upon the erection of standard signs giving notice thereof:

The following roads are all located in the Town of Oakland, Jefferson County, Wisconsin:

1. Park Road. 35 miles per hour for all vehicles from its intersection with US Highway 12, northerly to its intersection with US Highway 18.

2. Ripley Road. 25 miles per hour for all vehicles from its intersection with Park Road, easterly to its intersection with County Trunk Highway "A".

3. Church Road. 25 miles per hour for all vehicles from its intersection with Park Road, westerly to its intersection with Simonsen Street.

4. Skogen Road. 25 miles per hour for all vehicles from its intersection with Park Road, westerly to its intersection with Potters Road.

5. Potters Road. 25 miles per hour for all vehicles from its intersection with North St., northerly to its intersection with US Highway 18.

6. Simonsen Street. 25 miles per hour for all vehicles from its intersection with Church Road, southerly to its intersection with US Highway 12.

7. North Street. 25 miles per hour for all vehicles from its intersection with Potters Road, westerly to the east corporate limits of the Village of Cambridge.

8. Second Street. 25 miles per hour for all vehicles from its intersection with North Street, southerly to its intersection with US Highway 12.

9. Grace Lane. 25 miles per hour for all vehicles from its intersection with Potters Road, easterly to its termination.

10. Gusta Lane. 25 miles per hour for all vehicles from its intersection with Grace Lane, northerly and easterly to its termination.

11. Sleepy Hollow Road. 25 miles per hour for all vehicles from its intersection with US Highway 12, southeasterly to its termination.

12. Marina Lane. 25 miles per hour for all vehicles from its intersection with US Highway 12, northerly to its termination.

13. Island Lane. 25 miles per hour for all vehicles from a point 0.35 of a mile north of its intersection with Milwaukee Lane, northerly to its termination.

14. Advent Road. 25 miles per hour for all vehicles from its intersection with County Trunk Highway "A", westerly for a distance of 0.35 of a mile.

15. Retzlaff Road. 35 miles per hour for all vehicles from a point 0.10 of a mile north of its intersection with Advent Road, northerly for a distance of 0.20 of a mile.

16. Cemetery Lane. 25 miles per hour for all vehicles from its intersection with Park Road, easterly to its termination.

17. Friedel Avenue. 25 miles per hour for all vehicles from its intersection with Ripley Road, northerly to its termination.

18. Beach Drive. 25 miles per hour for all vehicles from its intersection with Ripley Road, northerly to its termination.

19. Poplar Avenue. 25 miles per hour for all vehicles from its intersection with Ripley Road, northerly to its termination.

20. Woodcrest Lane. 25 miles per hour for all vehicles from its intersection with Sleepy Hollow Road, southerly and easterly to its intersection with Sleepy Hollow Road.

21. Wolff Lane. 35 miles per hour for all vehicles from its intersection with Beach Drive, northerly to its intersection with U. S. Highway 18.

Section 4. Penalty. The penalty for violation of sections 1 and 3 of this ordinance shall be a forfeiture as herein-after provided together with the cost of prosecution imposed as provided in ss. 345.20 to 345.53 Wis. Stats.

(1) Uniform Offenses. Forfeitures for violation of any provision of Chs. 341 to 348 adopted by reference in Section 1 of this ordinance shall conform to forfeitures for violation of the comparable state offense, including any variations or increases for second offenses.

(2) Speed Restrictions. The forfeiture for violation of any provision of section 3 in this ordinance shall be as follows:

Miles per hour above the limit	Fine
1 to 14 mph	\$30
15 - 19 mph	40
20 - 24 mph	60
25 - 29 mph	80
30 - 34 mph	100
35 - 39 mph	150
40 mph or more	200

Section 5. Enforcement. This ordinance shall be enforced in accordance with provisions of ss. 345.20 to 345.53 and section 66.12(1)(b) Wis. Stats.

(1) The uniform traffic citation and complaint promulgated under s. 345.11 Wis. Stats. shall be used for all violations under this ordinance.

(2) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by persons arrested for violation of this ordinance in accordance with s. 66.12(1)(b) Wis. Stats. whenever the provisions of s. 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under s. 345.11 Wis. Stats., and may be accepted within 10 days of the date of the alleged violation. Stipulations may be accepted in accordance with s. 345.27 Wis. Stats. The Town law enforcement officer is authorized and designated to accept the deposit. Said deposit shall not be in excess of the forfeiture established in this ordinance. Pursuant to s. 66.12(1)(b) the officer receiving said forfeiture shall deposit the same with the Treasurer of the Town of Oakland within 20 days of its receipt. The deposit must also be in accordance with s. 345.26.

(3) Deposits. Any person stipulating guilt or no contest under any violation in this section must make the deposit pursuant to s. 345.26 Wis. Stats., in the amount of the forfeiture provided in this ordinance. Deposits may be brought or mailed to Town police headquarters or the office of the Town law enforcement officer.

(4) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty of money deposit under this ordinance shall receipt therefor in triplicate as provided in s. 345.26(3)(b) Wis. Stats. Every officer accepting a stipulation under the provisions of this ordinance shall comply with the provisions of ss. 343.27, 343.28, 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 s. 345.11 Wis. Stats.

(5) Judgment of Forfeiture. If the defendant is found guilty, the municipal justice may enter judgment against him for a monetary amount not to exceed the maximum forfeiture provided for the violation and for costs under s. 345.53 Wis. Stats. If the judgment is not paid the court may order that the defendant be imprisoned in the Jefferson County jail for a time specified by the court until the judgment is paid, but not to exceed 90 days. The payment of any judgment may be suspended or deferred for not more than 60 days in the discretion of the court.

(6) Traffic Signs. The Town law enforcement officer is authorized to place and maintain standard signs supplied by the Town giving notice of speed limitations and other regulations enacted by this ordinance.

(7) References to Statutes. References to specific statutory sections wherever used in this ordinance shall mean Wisconsin Statutes of 1973, or as subsequently revised.

(8) Repeal of Conflicting Ordinances. All ordinances regulating traffic upon streets, alleys and highways of the Town of Oakland, Jefferson County, Wisconsin, are hereby repealed.

(9). Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board of the Town of Oakland 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, remainder of the ordinance and application of such provisions to other persons or circumstances shall not be affected thereby.

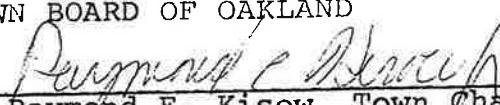
(10). Conformity with State Statutes. In the event any portion of this ordinance is in conflict with any provisions of Chapter 340 through 349 of the statutes of the State of Wisconsin, and this Town Board is not granted the authority to change the provisions as set forth in this ordinance, then the portion of the ordinance being in conflict shall be amended so as to conform with such statutes of the State of Wisconsin.

(11). Authority. It is the intention of this Town Board to adopt this ordinance pursuant to the authority granted by s. 349.06 Wis. Stats. 1973.

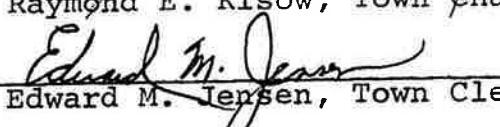
(12) Effective Date. This ordinance shall take effect and be in force upon passage, publication, approval and erection of signs as provided by law.

TOWN BOARD OF OAKLAND

BY


Raymond E. Kisow, Town Chairman

BY


Edward M. Jensen, Town Clerk

Dated at the Town of Oakland
this 19th day of October, 1976.

Adopted October 19, 1976

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Approval by Dept of Transportation, State Highway Commission

Dated: December 6, 1976