

ORDINANCE NO. 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, DO ORDAIN that Ordinance Number 1 of the Town
of Oakland is hereby repealed and recreated to read as follows:

Section 1. (A) State Traffic Laws Adopted. Except as otherwise
specifically provided in this ordinance, the statutory provisions
in Chapters 340 through 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 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 pro-
hibited by this ordinance. Any future amendments, revisions or
modifications of the statutes incorporated herein are intended to
be made part of this ordinance in order to secure uniform state-
wide regulations of traffic on the highways, streets and alleys
of the State of Wisconsin.

(B) State Traffic Laws Omitted. Sec. 342.40, Wis.
Stats., is specifically not adopted as a part of this ordinance.
Abandoned vehicles shall be regulated pursuant to the terms of
Ordinance No. 28 of the Town of Oakland.

Section 2. Establishment of Maximum Permissible Speeds. 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 sec.
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:

(A) Park Road. 35 miles per hour for all vehicles
from its intersection with U.S. Highway 12, northerly to its
intersection with U.S. Highway 18.

(B) Ripley Road. 25 miles per hour for all vehicles
from its intersection with Park Road, easterly to its intersec-
tion with County Trunk Highway "A".

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

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

(E) Potters Road. 25 miles per hour for all vehicles from its intersection with North Street, northerly to its intersection with U.S. Highway 18.

(F) Simonsen Street. 25 miles per hour for all vehicles from its intersection with Church Road, southerly to its intersection with U.S. Highway 12.

(G) 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.

(H) Second Street. 25 miles per hour for all vehicles from its intersection with North Street, southerly to its intersection with U.S. Highway 12.

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

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

(K) Sleepy Hollow Road. 25 miles per hour for all vehicles from its intersection with U.S. Highway 12, southeasterly to its termination.

(L) Marina Lane. 25 miles per hour for all vehicles from its intersection with U.S. Highway 12, northerly to its termination.

(M) 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.

(N) 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.

(O) 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.

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

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

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

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

(T) 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.

(U) 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 3. Penalty. The penalty for violation of Sections 1 and 2 of this Ordinance shall be a forfeiture as hereinafter provided with the cost of prosecution imposed as provided in sec. 345.27, Wis. Stats.

(A) State Forfeiture Statutes. Forfeitures for violation of any provision of Chapters 341 through 348, Wis. Stats., adopted by reference in Sections 1 and 2 of this ordinance shall conform to forfeitures for violation of the comparable state offense including any variations or increases for second offenses.

(B) Parking Violations. Ordinance No. 1(m) of the Town of Oakland previously adopted shall be amended and renumbered as Ordinance No. 1, Section 3(B), and shall read as follows:

(1) Section 1 herein adopts by reference sec. 346.52, Wis. Stats., "Stopping Prohibited in Certain Specified Areas" and sec. 346.56, Wis. Stats., providing for penalties therefor. It being the consensus of the Town Board that the penalties imposed by 346.56, Wis. Stats., are excessive, the following penalty and penalty system shall apply to all violations of sec. 346.52, Wis. Stats., as adopted by reference herein.

(a) The penalty for a violation of sec. 346.52, Wis. Stats., as adopted by reference herein, shall be a forfeiture in the amount of \$30 for the first offense within 24 hours and \$60 for the second offense

within 24 hours, except that if payment is made for violation of such within 10 days of the violation, the penalty shall be \$15, and if payment is made within 3 days of the violation, the penalty shall be \$5.

(b) Any person charged with a non-moving violation may mail the amount of the forfeiture specified on the parking ticket to the Town of Oakland Municipal Court.

(c) Any person charged with a non-moving violation who fails to make payment under sec. (a) within 30 days shall be issued a summons for appearance in Municipal Court of the Town of Oakland in which case the provisions of secs. 345.34 to 345.47, Wis. Stats., will apply.

(d) If the person does not appear in court in response to the citation or make payment within 28 days of the date specified in court, the provisions of sec. 345.28, Wis. Stats., providing for the suspension and refusal of the vehicle registration shall apply.

Section 4. Enforcement. This ordinance shall be enforced in accordance with the provisions of secs. 66.12, 345.20 through 345.60, and Chapter 800, Wis. Stats.

(A) Uniform Traffic Citation and Complaint. The uniform traffic citation and complaint promulgated under sec. 345.11, Wis. Stats., shall be used for all violations under this ordinance.

(B) 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), Wis. Stats., 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, Wis. Stats.

(C) 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.

(D) 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 secs. 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.

(E) Judgment of Forfeiture. If the defendant is found guilty, the municipal judge 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.

(F) Reference to Statutes. References to specific statutory sections wherever used in this ordinance shall mean Wisconsin Statutes of 1985-1986, or as subsequently revised.

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

(H) 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, the remainder of the ordinance and application of such provisions to other persons or circumstances shall not be affected thereby.

(I) 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.

(J) Authority. It is the intention of this Town Board to adopt this ordinance pursuant to the authority granted by sec. 349.06, Wis. Stats., 1985-1986.

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

Dated this 17th day of November, 1987.

TOWN BOARD, by:

Raymond C. Bercof
Town Chairman

Attest:

Evelyn J. Vlesermeier
Town Clerk

Passed: 11/17/87

Vote:

Ayes: 3 Noes: 0

Published: December 3, 1987.