

ORDINANCE #40

TRAFFIC LAWS

An Ordinance to regulate traffic upon the streets, alleys and highways
of the Village of Cochrane, Wisconsin

The Village Board of the Village of Cochrane do ordain as follows:

Section 1. State Traffic Laws Adopted. The statutory provisions describing and defining regulations with respect to vehicles and traffic in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of said statutes, 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.

- 340.1 -343.01 and 348.01 (Words and Phrases Defined)
- 346.02-(Applicability of Chapter 346)
- 346.03-(Authorized Emergency Vehicles)
- 346.04-(Obedience to Traffic Officers, Signs and Signals)
- 346.05-through 346.16 (Driving, Meeting, Overtaking, and Passing)
- 346.18-through 346.21 (Right of Way)
- 346.23-through 346.29 (Drivers and Pedestrians)
- 346.31-through 346.35 (Turning and Stopping and Required Signals)
- 346.37-through 346.42 (Traffic Signs, Signals and Markings)
- 346.44-through 346.48 (Required Stops)
- 346.50-through 346.55 (Restrictions on Stopping and Parking)
- 346.595-(Motor-driven cycles)
- 346.61-through 346.64 (Reckless and Drunken Driving)
- 346.66-through 346.69, 346.70 (1) and 346.72 (Accidents and Accident reports)
- 346.77-through 346.81 (Bicycles and Play Vehicles)
- 346.87-(Limitations on Backing)
- 346.88-(Obstruction of Operator)
- 346.89-(Inattentive Driving)
- 346.90-(Following Emergency Vehicle)
- 346.91-(Crossing Fire Hose)
- 346.92-(Illegal Riding)
- 346.93-(Intoxicants in Vehicles Carrying Minor)
- 346.94-(Miscellaneous Prohibited Acts)
- 941.01-(Reckless driving off Highways)

Section 2. Speed Limits. State Speed Limits Adopted. The provisions of

ss. 346.57, 346.58, and 346.59 of the Wisconsin Statutes, relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein.

Section 6. Erection of Official Traffic Signs and Signals. The Village Board is hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the state highway division giving such notice of the provisions of Section 2 of this ordinance as required by state law. Signs shall also be erected in such locations and manner as authorized by the governing body as to give adequate warning to users of the street, alley or highway in question.

Section 7. Penalty.

- (a) Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$2.00 nor more than \$40.00 together with the costs of prosecution, (and not less than \$50.00 nor more than \$100.00 for the 2nd conviction within a year) and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days, provided that the minimum forfeiture for a violation of any provision of Section 2 of this ordinance shall be \$25.00 and the minimum forfeiture for a violation of any provision of Section 1 of this ordinance described and defined in s. 346.61 through 346.64 of the Wisconsin Statutes shall be \$75.00; provided, that in no case shall the forfeiture imposed for violation of any provision of this ordinance exceed the maximum fine for the same offense under the laws of the state of Wisconsin.
- (b) The provisions of S. 345.16 of the Wisconsin Statutes shall apply to adjudications of violation of any provisions of this ordinance.

Section 8. Enforcement.

- (a) Stipulation of Guilt or Nolo Contendere. The marshal, or officer designated by him, upon request of any person charged with a violation of any provision of this ordinance within 48 hours after issuance of a citation therefor may accept a written stipulation of guilt or nolo contendere and required penalty from such person. Such stipulation shall be in substantially the following form:

STIPULATION OF GUILT (Nolo Contendere)

State of Wisconsin)

County of _____) ss.

I, _____ having been issued a citation on the ___ day of _____ 19___, for violation of section ___ of Ordinance No. ___ of the Village of _____, Wis. Hereby stipulate that I plead nolo contendere to the charge cited and consent to forfeit as the penalty for such offense without court order or hearing the sum of \$_____ herewith delivered to the marshal of said Village.

Dated _____ Signed _____

Received by _____

- (b) Forfeited Penalty. The sum to be forfeited pursuant to such stipulation shall be as provided in the schedule of penalties established by the marshal and approved by the Village Board. (Such sum shall include the amount of \$2.00 for payment of Clerk's fee.)
- (c) Forfeitures to Treasurer. Officer to Post Bond, Qualify. The officer accepting forfeited penalties shall deliver them to the Village Treasurer within 20 days after receipt by him. Any officer authorized to receive stipulations and forfeitures under this Ordinance shall qualify by taking the oath prescribed by s. 19.01, Wis. Stats. and filing an official bond in the sum of \$100.00 as prescribed by said s. 19.01.
- (d) Bail Bonds. Nothing in this section shall be construed to limit the right of the proper authorities to accept bail bonds, deposits or certificates or money deposits as provided in ss. 66.114, 345.13, 345.135, or 954.44 of the Wisconsin Statutes.
- (e) Statement of Notice. Any official, enforcement officer or the Village attorney accepting a stipulation of guilt, or nolo contendere, or bail under the provisions of this section or prosecuting a violation of this ordinance shall comply with the provisions of ss. 343.27 and 343.29 of the Wis. Statutes and shall inform the accused of the effect of a stipulation, forfeiture of bail or plea of guilt or nolo contendere. Such official or officer shall be in substantially the following form:

STATEMENT OF NOTICE

State of Wisconsin)

County _____) ss.

I, _____ having been issued a citation on the ___ day of _____, 19__ for violation of section ___ hereby acknowledge that I have been informed that a stipulation of guilt, or nolo contendere or forfeiture of bail or plea of guilty or nolo contendere by me on the above charge will result in my license being revoked or my operator's record being charged with demerit points and that 12 demerit points will result in my operator's license being revoked.

Dated _____ Signed _____

Received By _____

Such stipulation of notice shall be a part of or attached to the stipulation of guilt, if such stipulation is entered into

Section 9. References to Statutes. The term "Wisconsin Statutes" wherever used in this ordinance shall mean the Wisconsin Statutes of 1969 as from time to time amended, modified, repealed or otherwise altered by the state legislature.

Section 10. Repeal of Conflicting Ordinances. All Ordinances regulating traffic upon the streets, alleys and highways of the Village of Cochrane, Wis., and all ordinances or parts of ordinances in conflict with this ordinance heretofore enacted by the Village Board of the Village of Cochrane, Wis., are hereby repealed.

Section 11. Severability. The provisions of this ordinance shall be deemed severable and it is expressly declared that the Village 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 provisions to other persons or circumstances shall not be affected thereby.

Section 12. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication as provided by law

Adopted this 13th day of Oct., 1970
Published October 22, 1970

(Signed) Vernon Florin, Village President
(Signed) Kermit Spieth, Village Clerk