

## POLK COUNTY TRAFFIC AND MOTOR VEHICLE ORDINANCE

The County Board of Supervisors of the County of Polk do ordain as follows:

**Section 1. State Traffic Laws Adopted.** Except as otherwise specifically provided in this ordinance the statutory provision in Chapter 340 to 348 of the Wisconsin Statutes 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 by reference, made a part of this ordinance as if fully set forth therein. Any act required to be performed or prohibited by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of statutes incorporated herein are intended to be made part of this ordinance in order to secure uniform statewide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

**Section 2. Penalties.** Any person who shall violate any of the provisions of this ordinance shall, upon conviction, be subject only to a monetary forfeiture of the same sum of money as provided in the penalty sections of the Wisconsin Statutes as incorporated by reference in this ordinance, together with the costs of prosecution. In default of payment of the forfeiture and costs, the convicted person may be imprisoned until such forfeiture and costs are paid but not to exceed the maximum period of imprisonment provided as a possible penalty for violation of the same or similar Wisconsin Statute.

In the event no specific penalty is provided for by the Wisconsin Statutes adopted herein, then the penalty shall be a forfeiture of not less than \$1.00

nor more than \$200.00 together with the costs of prosecution or, in the event of default of payment of said forfeiture and costs, imprisonment in the County Jail until said forfeiture and costs are paid but not to exceed 90 days.

In no instance shall the forfeiture and costs or the imprisonment for default of payment exceed the maximum allowable upon conviction for a violation of the same or similar Wisconsin Statutes.

**Section 3. Enforcement.** The sheriff or any deputy sheriff may commence a forfeiture action by the issuance of a citation on the Uniform Citation and Complaint form prescribed by the Wisconsin Statutes and may accept a signed stipulation of guilt or no contest and the bond therefore in accordance with the bond schedule adopted by the Circuit Court. Any other person may commence a forfeiture action pursuant to this ordinance by signing a complaint in the office of the District Attorney for Polk County.

**Section 4. Forfeitures.** Forfeitures collected pursuant to this ordinance shall be placed in the County General Fund.

**Section 5. Provisions.** The provisions of this ordinance shall be deemed severable. If any provision of this ordinance is found to be invalid by reason of non-conformity with the State Law or constitution such defect shall not affect the validity of any other provision of this ordinance.

**Section 6.** All Polk County ordinances or parts of ordinances regulating traffic and motor vehicles which are in conflict with this ordinance are hereby repealed.

**Section 7.** This ordinance shall take effect upon passage and publication, according to law.

Submitted at the request of the Public Protection Committee.

Approved as to form by John E. Schneider, District Attorney.

Moved by Sup. McCurdy and seconded by Sup. Gamache to adopt Res. 53. Adopted by a voice vote.