

## CHAPTER 39

### PARKING

**39.01 PARKING IN SIGNED AREA.** (1) When signs authorized by resolution of the Common Council are erected in any block or in any off street parking area giving notice of prohibiting or restricted parking, no person shall park a vehicle in such block or area contrary to the instructions of any such sign.

- (2) Section 346.505, Wisconsin Statutes, is hereby adopted by reference as though fully set forth herein.
- (3) Section 346.53(3), Wisconsin Statutes, is hereby adopted by reference as though fully set forth herein.

**39.02 NIGHT PARKING.** (1) No Parking 3:00 a.m. to 6:00 a.m. – Business District. Unless otherwise posted, between 3:00 a.m. and 6:00 a.m., no person shall park a vehicle or allow a vehicle to remain parked on any City street within the area bounded by the following streets: Water Street on the east, Pine Street on the south, Elm Street on the west and Furnace Street on the north, including on either side of said streets forming the boundaries of said area.

- (2) No Parking 2:00 a.m. to 6:00 a.m. – Other Streets. Unless otherwise posted, between 2:00 a.m. and 6:00 a.m. on and between November 15 and April 1 of each year, no person shall park a vehicle or allow a vehicle to remain parked on any of the following streets:

On Water Street between Highway 151 and north City limits;

On Second Street between Furnace Street and Sylvia Street;

On Main Street between Broadway and the west City limits;

On Sylvia Street between Fourth Street and Second Street;

On Mineral Street between Water Street and the east City limits;

On Fourth Street between Furnace Street and Sylvia Street;

On Broadway between Main Street and the City limits on the northerly end;

On Chestnut Street between Furnace Street and Adams Street;

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On Adams Street between Chestnut Street and Short Street;

On Lancaster Street between Adams Street and north City limits;

On Elm Street between Adams Street and Ridge Avenue;

On Pine Street between Jay Street and Elm Street;

On South Chestnut Street between the southerly City limits and Pine Street;

On Southwest Road between Court Street and South Chestnut Street;

On Court Street between Pine Street and Southwest Road.

- (3) Exceptions. The foregoing regulations notwithstanding, permission may be granted for occasional out-of-town guests at private homes to park their vehicles on such streets by calling the Platteville Police Department and identifying their vehicle, the location where it will be parked and the date when it will be parked. Such permission shall not be granted for more than four consecutive days.
- (4) Alternate Side Parking. In addition to the foregoing regulations and restrictions from 2:00 a.m. to 6:00 a.m. on and between November 15 and April 1 of each year there shall be no parking only on alternate sides of all streets not listed above on which parking on both sides would otherwise be allowed with parking on such streets during such period to be only on the sides which have even numbered house numbers on even days and on the sides which have odd numbered house numbers on the odd days of each month. The foregoing notwithstanding, the following streets shall be exempt from the alternate side parking rules set forth herein: University Plaza, Greenwood Avenue between Longhorn Drive and the West end, and on College Drive from Greenwood Avenue to Sunset Drive, unless a "Snow Emergency for Parking" is declared by the University of Wisconsin, Platteville.
- (5) Cul-de-sac Parking. In addition to the foregoing regulations and restrictions, from 2:00 a.m. to 6:00 a.m. on and between November 15 and April 1 of each year there shall be no parking on any cul-de-sac in the City of Platteville.

**39.03 VEHICLES PARKED ON PRIVATE PROPERTY.** In addition to any and all other penalties provided in this chapter for a violation of Section 346.55(3), Wisconsin Statutes, which is adopted by reference in Section 38.01, whenever such section is violated, the police may have the vehicle which is parked in violation of such section towed away and impounded and the cost of such towing and impounding shall be paid by the owner of the vehicle. Further, such vehicle may be impounded until such towing and impounding costs have been paid. However, no vehicle parked in violation of Section 346.55(3), Wisconsin

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Statutes, may be towed or impounded except upon written complaint of the owner or lessee of the property upon which such vehicle is parked.

**39.04 MAXIMUM PARKING TIME.** In all cases where no other shorter limitation shall apply, the maximum time limit for parking vehicles on any street in the City is 48 hours.

**39.05 DIAGONAL PARKING.** Vehicles shall be parked diagonally to the curb at those places on streets within the City which are designated by lines placed diagonal to the curb by the City through its proper officials or employees, such parking to be at the angle to the curb indicated by said lines. No vehicle exceeding 20 feet in length shall be parked diagonally on any street but shall be parked parallel to the curb and at places other than those designated for diagonal parking.

**39.06 PARKING IN SPACES DESIGNATED.** The Director of Public Works may have markings painted or placed upon the curb and/or upon the street adjacent to each parking space or parking area for the purpose of designating parking space or spaces to be used by the public. It shall be unlawful and a violation of this chapter to park any vehicle across such line.

**39.07 LIMITED TIME PARKING.** Specific time limits for parking on certain streets, street locations and municipal parking lots shall be established by the Common Council and noted on the Official Traffic Map and posted on the street, street location or lot.

**39.08 RESTRICTED PARKING OF TRUCKS ON CITY STREETS.** No person, firm, or corporation shall cause a commercial or freight carrying semi-truck or its tractor or trailer separately or a commercial or freight carrying straight-truck longer than 24 feet to be parked on any street in the City of Platteville from 10:00 p.m. to 6:00 a.m., or more than six hours during any other time.

**39.09 TEMPORARY PARKING RESTRICTIONS.** The Chief of Police is hereby authorized to temporarily restrict or prohibit parking in any of the parking zones where new construction, remodeling, alterations, equipment loading or unloading operations or other work is in progress, making it necessary that access be maintained at such place. Such temporarily restricted parking areas shall be plainly marked as a no parking zone for other vehicles. All applications therefor shall be made to the Chief of Police who is authorized to act upon same.

**39.10 LOADING ZONE.** Loading zones shall be as established from time to time by the Common Council. The Common Council shall take into consideration the degree of

necessity therefor as affected by the proposed use thereof, possible alternative measures such as use of private off-street parking, the extent to which same may be made available for use by more than one person or establishment, and the degree of inconvenience caused the public by same. All such zones shall be plainly marked as such and all persons are hereby prohibited from making improper use thereof.

**39.11 MISCELLANEOUS.** (1) Street Maintenance. Whenever it is necessary to clean or repair a street or any part thereof in the City, the City of Platteville Street Department shall post such streets or parts thereof with signs bearing the words "No Parking". Such signs shall be erected at least 24 hours prior to the time maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

(2) Parking in Driveways. No person shall park or leave standing any motor vehicle in or across any private driveway without permission of the owner or lessee of the property upon which such driveway is located.

(3) Snow Emergency Parking Restrictions. Whenever the City Manager shall, by reason of a heavy snowstorm, blizzard or other natural condition, proclaim a snow emergency; pursuant to Section 66.325, Wisconsin Statutes, or a City of Platteville ordinance, no person shall park, stop, or leave standing any vehicle upon the streets or any portions of the streets during the hours when such snow emergency is in effect.

**39.12 REMOVAL OF ILLEGALLY PARKED VEHICLES.** Any vehicle parked or left standing upon a highway, street, alley or other public grounds in violation of any City ordinance is hereby declared to be a public nuisance and a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of a police officer, Platteville Community Service Officers, and the Director of Public Works or his/her designee(s), to a position where parking, stopping or standing is not prohibited. Any police officer, Platteville Community Service Officers, and the Director of Public Works or his/her designee(s), after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this code, is authorized to remove such vehicle to a position where parking is not prohibited and may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer, or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle at his own facility or at a City provided facility. A storage fee in an amount as set from time to time by a resolution of the Common Council shall be charged if impounded on City property. The City shall pay the towing charge and the owner or operator of the vehicle shall pay the City for the cost of towing and impounding, if impounded on City property, and such fees, charges, and costs shall be added to the amount of the penalty set forth in Section 39.50 of this code, except that during snow emergencies no towing fee shall be charged or assessed against the owner of any vehicle removed under the emergency powers granted by Section 39.11(3) of this code.

If a vehicle has been impounded by the City and is not claimed by the owner within 48 hours, it shall be deemed an abandoned vehicle and the procedures set forth in Section 39.14 shall apply.

**39.13 REGISTRATION RECORD OF VEHICLES AS EVIDENCE.** When any vehicle is found upon a street or highway in violation of any provision of any City ordinance regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation or a comparable authority of any other state, shall be subject to the penalties provided in the chapter.

**39.14 ABANDONED VEHICLES.** (1) Abandonment of Vehicles Prohibited. No person shall leave or park any vehicle within the City for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.

- (2) Definition. As used in this section "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in Section 38.01 of this code, whether or not such vehicle is registered under Chapter 341, Wisconsin Statutes.
- (3) Presumption of Abandonment. Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance, provided that the vehicle shall not be deemed abandoned under this section if left on private property out of public view and with permission of the owner or lessee.
- (4) Exceptions. This section shall not apply to a vehicle in an enclosed building, or a vehicle in an appropriate storage or depository maintained in a lawful place and manner authorized by the City.
- (5) Removal and Impoundment for Sale. Any vehicle found abandoned in violation of this section shall be impounded by the Police Department until lawfully claimed or disposed of as provided by law.
- (6) Minimum Impoundment Period Before Sale. The minimum period of impoundment before a vehicle may be disposed of shall be 30 days.
- (7) Notice to Owner. The officer removing or causing the removal of any vehicle in violation of this section shall immediately notify the Chief of Police of the abandonment and location of the impounded vehicle and shall within 10 days thereafter notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in Section 342.40(3), Wisconsin Statutes, and shall state that the failure of the owners or lienholders to exercise their rights to reclaim the vehicle

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shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.

- (8) Sale. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bids or auction sale as provided in Section 342.40(3), Wisconsin Statutes, or in such other manner as the Common Council shall direct.
- (9) Sale to Bar Claims Against Vehicle. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.
- (10) Purchaser to Remove Vehicle. The purchaser of any vehicle on sealed bid or auction sale under subsection (7) shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee for each day the vehicle has remained in storage after the second business day subsequent to the sale date. The storage fee shall be in an amount as set from time to time by a resolution of the Common Council. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.
- (11) Notice to Department. Within 5 days after sale or disposition of a vehicle under this section, the Chief of Police shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.
- (12) Request for List. Any listing of vehicles to be sold pursuant to this section shall be made available by the City Clerk to any interested person or organization who makes a request for such list.
- (13) Exemption. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place, not otherwise regulated as a restricted parking, stopping or standing zone, shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the City together with a fee to offset the cost of towing and junking charges and shall be exempt from the provision of this ordinance. The fee shall be in an amount as set from time to time by a resolution of the Common Council.

**39.15 PROCESSING OF UNPAID PARKING CITATIONS AND COLLECTION OF UNPAID FORFEITURES AND COSTS.** (1) The City of Platteville hereby elects to participate in the State of Wisconsin Traffic Violation and Registration Program as set forth in State Statutes and Chapter TRANS 128, Wisconsin Administrative Code. The City will abide by all established rules related to this program.

- (2) Designation of Local Authority. The Chief of Police of the City of Platteville is hereby designated the local authority for purposes of administering this program

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and submitting to the Wisconsin Department of Transportation all notices, correspondence, and remittances.

- (3) Procedure not Exclusive. Nothing in this section shall prevent the City of Platteville from enforcing its parking regulations and from collecting forfeitures for the violation of parking regulations in any other manner provided by law and the procedures set forth herein and the City's participation in the Traffic Violation and Registration Program shall not be deemed to be the exclusive method by which the City may enforce its traffic regulations and collect forfeitures for violations of such regulations.

**39.16 PARKING OF JUNKED OR UNLICENSED VEHICLES PROHIBITED.** No person shall park any junked or unlicensed vehicle on any public highway located within the city limits of the City of Platteville. A vehicle shall be considered junked if it is inoperable for a consecutive period of 30 days. A vehicle which is not in compliance with Wisconsin Administrative Rules for Motor Vehicle Equipment (MVD 5) is not in operable condition. A vehicle which is not licensed for the current license year shall be considered unlicensed.

**39.20 PERMIT PARKING REGULATIONS.** The following areas of the City of Platteville are subject to regulations restricting parking as set forth below. In addition to all other restrictions set forth in Chapter 39, the following restrictions on parking motor vehicles apply.

- (1) Permit Parking Only. The following are street locations whereby parking is only permitted with a parking permit issued by the City of Platteville:
  - (a) Staley Avenue, from Richard Street to Harrison Avenue.
  - (b) West side of Straw Avenue from Richard Street to Harrison Avenue.
  - (c) South side of Division Street from S. Chestnut Street to S. Hickory Street.
  - (d) South side of Southwest Road from S. Court Street to Jay Street, except that portion bordering 340 S. Chestnut Street and 625 Southwest Road.
  - (e) S. Chestnut Street from Harrison Avenue to Southwest Road, except that portion bordering 340 S. Chestnut Street.
  - (f) North side of Harrison Avenue from S. Chestnut to east end of street.
  - (g) South side of Harrison Avenue from S. Chestnut to Straw Avenue and again from S. Court Street to east end of street.
  - (h) East side of S. Court Street from south end of street to Mitchell Avenue, except that portion bordering Sherman Park.

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- (i) West side of S. Court Street from Harrison Avenue to Mitchell Avenue.
  - (j) East side of Bradford Street from Irene Street to W. Pine Street.
  - (k) North side of Irene Street from Hickory Street to Bradford Street.
  - (l) Gridley Street from S. Court Street east to Rountree Avenue.
  - (m) Alden Avenue from Rountree east to Campbell Avenue.
  - (n) Bayley Avenue from Alden Avenue north to Mitchell Avenue and south on the east side of the street from Alden Avenue to S. Court Street.
  - (o) South side of Richard Street from S. Chestnut to Straw Avenue.
  - (p) North side of Richard Street from Straw Avenue to Staley Avenue.
  - (q) East side of Hickory Street from Division Street south to Gridley Avenue.
  - (r) South side of Irene Street from Jay Street to Hickory Street.
  - (s) West side of S. Chestnut Street from Harrison Avenue to Gridley Avenue.
  - (t) West side of Jay Street from Championship Drive to Southwest Road.
  - (u) Sunset Drive.
- (2) 2 Hour Parking from 6 AM to 6 PM Monday thru Friday or Permit Parking Only
- (a) South side of Southwest Road from Pioneer Road to 450 feet south of Longhorn Drive.
  - (b) North side of Southwest Road from Markee Avenue 1,000 feet west.
  - (c) South side of Gridley Avenue from Hickory Street to Chestnut Street.
  - (d) West side of Hickory Street from Gridley Avenue to Southwest Road.
  - (e) Gridley Avenue from S. Chestnut Street to Straw Avenue.
  - (f) Rountree Avenue from Alden Avenue to Mitchell Avenue.
  - (g) South side of Mitchell Avenue from South Court Street to Rountree Avenue.
  - (h) Gridley Avenue from Rountree Avenue east to end of street.



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- (i) Pioneer Road from Southwest Road to Vinegar Hill Road.
- (3) 15 Minute Parking from 6 AM to 6 PM Monday thru Friday or Permit Parking Only
  - (a) South side of Carlisle Street from S. Chestnut Street to S. Court Street.
  - (b) North side of Richard Street from S. Chestnut Street to Staley Avenue
  - (c) All parking areas bordering 340 S. Chestnut Street.
- (4) Parking by University of Wisconsin – Platteville (UWP) Permit Only. The following are street locations whereby parking is only permitted between the hours of 8 AM to 4 PM and 2 AM to 6 AM, Monday through Friday, by permit issued by the UWP:
  - (a) College Drive from Greenwood Avenue to Sunset Drive
  - (b) University Plaza
  - (c) Greenwood Avenue

The UWP shall produce and sell such permits, shall establish the price for such permits and shall be responsible for enforcement of such restrictions.

**39.21 PARKING PERMITS.** In order to legally park motor vehicles at the locations set forth in Section 39.20 beyond the time period specified in 39.20(2) or (3), a parking permit is required.

- (1) Number of Permits. Annual resident parking permits shall be limited to two permits for each single family, duplex, or triplex residential dwelling unit located on a street that has restricted “permit parking only” designations identified in Section 39.20.

Owner occupied dwelling units may apply for an additional parking permit annually for each licensed driver, up to a total of two additional permits.

Businesses located on commercially zoned property and in an area of restricted parking set forth in Section 39.20 are permitted to receive up to four parking permits to accommodate employees or guests of their business.

- (2) Guest/Visitor Parking. Any resident of a dwelling unit located within a restricted “permit parking only” designated area identified in Section 39.20 shall be permitted to call in the license plate number, color, and vehicle model of any visitor’s vehicle for overnight parking. Guest/Visitor parking shall be restricted to no more than three (3) consecutive nights per vehicle with a total of not more than twelve (12) times per permit year (June 1 to May 31).

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Property landlords shall be allotted one permit for property maintenance reasons.

- (3) Use of Resident Permit. A resident of a dwelling unit may allow another resident of the same dwelling unit to use the resident parking permit. No person issued a resident parking permit may sell or allow an unauthorized person to use a resident parking permit.
- (4) Validity. Each annual parking permit shall be valid for one year beginning on June 1, and expiring on May 31. Annual parking passes must be numbered sequentially in a tamperproof manner and the Police Department shall maintain a parking permit database that includes name and address of the permit owner.

Daily parking passes will be available in certain situations as set by City policy and shall be valid for one 24 hour period, signified by the date on the parking pass.

**39.50 PENALTIES AND ENFORCEMENT.** (1) Penalties. The penalty for violation of any provision of Chapter 39 shall be a forfeiture as hereinafter provided, together with the costs of prosecution. Any person who shall fail to pay the amount of the forfeiture and the costs of prosecution may be imprisoned in the Grant County Jail until such forfeiture and costs are paid, not exceeding 90 days.

- (2) Other Sanctions. Nothing herein shall prohibit the imposition of other sanctions provided by law.
- (3) Forfeitures for Parking Violations.

- (a) Forfeiture for Overtime Parking. Forfeitures for violation of the provisions of Section 39.07 shall be:

Upon issuance of a parking citation, \$20.

Upon issuance of the first warning letter, which will be sent no later than 10 days after the parking citation was issued, \$20.

Upon issuance of a second warning letter, which will be sent no sooner than 10 days after the first warning letter is issued, \$30.

Upon notification to the State Department of Transportation of an unpaid parking citation after the first and second notices are sent, but no sooner than 28 days after issuance of the parking citation, \$30 plus the processing fees charged by the State of Wisconsin.

Maximum forfeiture, \$50.

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- (b) Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses and Other Parking Violations. Forfeitures for violation of the offenses described in Sections 346.51 to 346.55, Wisconsin Statutes, excluding violations of Section 346.53(3), adopted by reference in Section 38.01 and Chapter 39 of the City of Platteville Ordinances shall be:

Upon issuance of a parking citation, \$20.

Upon issuance of the first warning letter, which will be sent no sooner than 10 days after the parking citation was issued, \$20.

Upon issuance of the second warning letter, which will be sent no sooner than 10 days after the first warning letter is issued, \$30.

Upon notification to the Department of Transportation of an unpaid parking citation after the first and second notices are sent, but no sooner than 28 days after the issuance of the parking citation, \$30 plus the processing fees charged by the State of Wisconsin.

Maximum forfeiture, \$200.

- (c) Forfeiture for violations of the provisions of Section 39.01(2) and for "Snow Emergency for Parking" declared under 39.02(1)(d) shall be:

Upon issuance of a parking citation, \$50.

Upon issuance of the first warning letter, which shall be sent no later than 10 days after the parking citation was issued, \$50.

Upon issuance of the second warning letter, which will be sent no sooner than 10 days after the first warning letter is issued, \$75.

Upon notification to the State Department of Transportation of an unpaid parking citation after the first and second notices are sent, but no sooner than 28 days after issuance of the parking citation, \$75 plus the processing fees charged by the State of Wisconsin.

Maximum forfeiture, \$200.

- (d) Forfeiture for violations of the provisions of Section 39.01(3) shall be:

Upon issuance of a parking citation, \$50.

Upon issuance of the first warning letter, which will be sent no later than 10 days after the parking citation was issued, \$50.

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Upon issuance of the second warning letter, which will be sent no sooner than 10 days after the first warning letter is issued, \$75.

Upon notification to the State Department of Transportation of an unpaid parking citation after the first and second notices are sent, but no sooner than 28 days after issuance of the parking citation, \$75 plus the processing fees charged by the State of Wisconsin.

Maximum forfeiture, \$200.

- (e) Forfeiture for violations of the provisions of Section 39.16 shall be:

Offenses Within One Year:

1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
\$100	\$175	\$300

- (f) Forfeiture for violations of Section 39.20 and 39.21 shall be:

1 <sup>st</sup> Offense	Subsequent Offenses
\$50	\$50 + towing expenses

- (g) Forfeiture for selling or permitting the unauthorized use of a resident parking permit shall be \$150 and the confiscation of the parking permit by the City.

- (4) Enforcement. The provisions of Chapter 39 shall be enforced as follows:

- (a) Court Proceedings. Except as otherwise specifically provided by the laws of the State of Wisconsin or the provisions of this code, the traffic regulations in this code shall be enforced in the Circuit Court of Grant County in accordance with the provisions of Sections 66.0113, 345.20(2)(a) and Chapter 799, Wisconsin Statutes.

- (b) Parking Citations. Citations for parking violations shall be in such form as the Common Council shall direct and shall be used for enforcement of non-moving traffic regulations. Such citation shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with the provisions of Section 39.50 of this code. Parking citations may be issued by Platteville Police Officers, Platteville Community Service Officers, and the Director of Public Works or his/her designee(s). However, the parking citation shall not be used as a complaint in any court action. In the event of non-payment of a parking citation, the Platteville Police Department shall make a reasonable attempt to notify the owner of the vehicle that there exists an outstanding parking citation. In the event of non-payment of the penalty indicated, the provisions of Section 39.15(1) shall be followed.

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- (c) Uniform Municipal Citation. The Common Council shall establish a Uniform Municipal Citation for use in enforcing parking violations and other violations in this code.
- (d) References to Statutes. Whenever this code incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1977 and as from time to time amended, repealed or modified by the Wisconsin Legislature. General reference in this code to Wisconsin Statutes, sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authority.