



Legislation Details (With Text)

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On agenda: **Final action:** 3/1/2017

Effective date:

Title: A substitute ordinance relating to the appeal of parking citations.

Sponsors: ALD. WITKOWSKI

Indexes: FINES AND PENALTIES, PARKING

Attachments: 1. Outstanding Debt Work Group Recommendations - FINAL REPORT 12D AMENDED.pdf, 2. Jackie Carter email, 3. Notice Published on 3-17-17

Date	Ver.	Action By	Action	Result	Tally
10/11/2016	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2016	1	CITY CLERK	DRAFT SUBMITTED		
11/10/2016	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/22/2016	1	COMMON COUNCIL	NOT APPROVED BY CITY ATTORNEY		
12/1/2016	1	PUBLIC SAFETY COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
2/13/2017	1	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
2/16/2017	1	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
2/16/2017	0	PUBLIC SAFETY COMMITTEE	SUBSTITUTED	Pass	4:0
3/1/2017	2	COMMON COUNCIL	PASSED	Pass	15:0
3/10/2017	2	MAYOR	SIGNED		
3/17/2017	2	CITY CLERK	PUBLISHED		

160840
SUBSTITUTE 2

ALD. WITKOWSKI

A substitute ordinance relating to the appeal of parking citations.

101.34-0 am
101-34-1 rc
101.34-6 am

This ordinance sets a limit of 65 days on the period for contesting a parking citation. Currently, there is no limit.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 101-34-0 of the code is amended to read:

101-34. Stipulation >>or Contestation<< Procedure; Nonmoving Traffic Violations.

Part 2. Section 101-34-1 of the code is repealed and recreated to read:

1. PROCEDURE. a. Any person to whom a citation has been issued for a nonmoving traffic violation in this section shall do either of the following within 65 days of the issuance of the citation:
- a-1. Enter into a stipulation with the city of Milwaukee providing for a forfeiture of money which may be paid at the city's violation bureau's payment centers.
 - a-2. Schedule an appearance in municipal court to answer the charges as set forth in the citation.
- b. Any person to whom a citation has been issued for a nonmoving traffic violation in this section who fails to either stipulate to the forfeiture or schedule an appearance in municipal court to answer the charges within 65 days of the issuance of the citation shall have a default judgment entered against that person for the forfeiture, plus appropriate fees, costs and surcharges as allowed under this section.
- c. A citation for a nonmoving traffic violation shall include the date on which the municipal court may enter a default judgment against the person to whom the citation has been issued.

Part 3. Section 101-34-6 of the code is amended to read:

6. FAILURE TO PAY FORFEITURE. If the alleged violator fails to pay the amount of the forfeiture as provided herein or to ~~appear~~ >>schedule an appearance<< in court within ~~28~~ >>65<< days after the issuance of a nonmoving traffic citation, the city may take any or all of the actions authorized under s. 345.28, Wis. Stats.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB #166681-2
Aaron Cadle
February 10, 2017