



Legislation Details (With Text)

**File #:** 170568      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/11/2017      **In control:** PUBLIC SAFETY AND HEALTH COMMITTEE

**On agenda:**      **Final action:** 7/31/2017

**Effective date:**

**Title:** A substitute ordinance relating to owner liability for default judgments in non-moving traffic violations.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** FINES AND PENALTIES, TRAFFIC CONTROL REGULATIONS

**Attachments:** 1. Notice Published on 8-16-17

Date	Ver.	Action By	Action	Result	Tally
7/11/2017	0	COMMON COUNCIL	ASSIGNED TO		
7/19/2017	1	PUBLIC SAFETY AND HEALTH COMMITTEE	HEARING NOTICES SENT		
7/19/2017	1	CITY CLERK	DRAFT SUBMITTED		
7/20/2017	1	PUBLIC SAFETY AND HEALTH COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/31/2017	1	COMMON COUNCIL	PASSED	Pass	15:0
8/9/2017	1	MAYOR	SIGNED		
8/16/2017	1	CITY CLERK	PUBLISHED		

170568  
SUBSTITUTE 1

ALD WITKOWSKI

A substitute ordinance relating to owner liability for default judgments in non-moving traffic violations.

101-34-1-b      am  
101-34-1-d      cr

This ordinance allows the city to hold the owner of a vehicle involved in a nonmoving traffic violation liable for the violation. This change corresponds with a 2016 change in s. 349.13(1), Wis. Stats. which allows for the same.

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

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

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

**1. PROCEDURE.**

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]]~~ >>may<< have a default judgment entered against that person for the forfeiture, plus appropriate fees, costs and surcharges as allowed

under this section.

Part 2. Section 101-34-1-d of the code is created to read:

d. The owner of a vehicle involved in a nonmoving traffic violation shall be jointly liable for the violation.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

LRB169389-1

AFW

07/17/2017