**ORDINANCE NO. \_\_\_\_ - 2015**

**AMENDING SAUK CO. CODE CH. 6 TO CONFORM TO AMENDMENTS TO STATE STATUTES AND TO PROVIDE FOR TOWING OF ILLEGALLY PARKED VEHICLES**

 **WHEREAS,** Wis. Stat. § 346.56(1m) has been amended to provide for a minimum forfeiture of $20.00 and Sauk Co. Code § 6.06(1)(a) currently provides for only a $10.00 forfeiture and therefore is not in compliance with state law; and,

 **WHEREAS,** the Sauk County Code of Ordinances currently does not provide for towing of illegally parked vehicles, and Wis. Stat. § 349.13 requires a county to have an ordinance in order to tow illegally parked vehicles; and,

 **WHEREAS,** your undersigned committee has had this matter under advisement, and does believe that increasing the fine is required and having the option of towing vehicles will create a strong deterrent and is currently necessary due to an increase in the number of illegally parked vehicles.

 **NOW, THEREFORE, BE IT ORDAINED**, by the Sauk County Board of Supervisors, met in regular session, that the amendments to Sauk Co. Code chs. 6 and 20 are hereby adopted to be effective upon passage.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

**LAW ENFORCEMENT AND JUDICIARY COMMITTEE**

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William Wenzel, Chair Gerald Lehman

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Michelle Dent John Deitrich

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David Moore

**FISCAL NOTE:** There will be an increase in revenue from the increased parking forfeiture, but no increased cost or revenue associated with the possible towing of vehicles.

**MIS NOTE:** No MIS impact.

**APPENDIX – AMENDMENTS TO SAUK CO. CODE CH. 6**

**6.06 Penalties. (1)** Except as otherwise provided herein, the penalty for violation of any provision of this ordinance shall be a forfeiture as specified in the Wisconsin Statutes or a deposit as specified in the deposit schedule established by the judicial conference pursuant to Wis. Stat. §345.26 (2)(a) and any amendments thereto.

(a) The forfeiture for violation of Sauk Co. Code § 6.05(1) shall be $~~10.00~~ $20.00, together with the cost of prosecution and such other costs as are provided for in Wis. Stat. ch. 345.

(b) The forfeiture for violations of Sauk Co. Code §6.05 (2) shall be $150.00, together with the cost of prosecution and such other costs as are provided for in Wis. Stat. ch. 345.

(c) If the forfeiture is not paid within 10 days of its issuance, the forfeiture amount expressed above shall double.

(d) If an operator of a vehicle violates any of those sections of this ordinance in strict conformity with Wis. Stat. §§ 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1), 346.57 (2), (3), (4) (d) to (h) or (5) or 346.62 (2) where persons are engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, the forfeiture or fine for the violation shall be doubled.

(e) Any vehicle parked or left standing upon a highway, street or alley, or other public grounds in violation of any of the provisions of this section is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of the sheriff or deputy sheriff, to a position where parking, stopping or standing is not prohibited. Any deputy sheriff, 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. The officer 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 in any storage garage, or rental parking grounds, or any facility of the person providing the towing and services. In addition to other penalties provided by this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

**AMENDMENTS TO SAUK CO. CODE § 20.07(2)(b)**

20.07(2) CHAPTER SIX: TRAFFIC AND SNOWMOBILE RULES AND REGULATIONS; pursuant to Section 6.02 (2) which authorizes penalties of not less than $10.00 nor more than $200.00.

 FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

(b) ~~$10.00~~  $20.00 parking and nonmoving violations adopted; s. 6.05(1)\*

Deletions indicated by ~~strikethrough.~~  New language indicated by shading.