

CHAPTER 29
MUNICIPAL COURT - CITY OF SOUTH MILWAUKEE

Chapter 29 created April 6, 1994, Ord. No. 1562

- 29.01 State Statutes
- 29.02 Traffic Citations
- 29.03 Non-Traffic Citations
- 29.04 Municipal Judge
- 29.05 Municipal Court Location and Hours
- 29.06 Contempt Procedure

29.01 STATE STATUTES.

(1) Where the Wisconsin State Statutes do not provide or dictate a form or procedure the rules and regulations of this Chapter 29 shall apply. In any case where there is a conflict between these rules and the dictates of the State Statutes, the State Statutes shall govern and be followed.

29.02 TRAFFIC CITATIONS.

(a) Traffic Code. Chapter 28 of the Municipal Code shall be enforced in accordance with the provisions of Section 345.20 through 345.53, Chapters 299 and 800, and Section 66.12 of the Wisconsin Statutes.

(b) Uniform Traffic Citation. The Uniform Traffic Citation promulgated under Section 345.11 of the Wisconsin Statutes shall be used in all cases where dictated by Wisconsin Statutes.

(c) Parking Citations. Citations for all non-moving traffic violations under Chapter 28 shall conform to Section 345.28 of the Wisconsin Statutes and shall permit direct mail payment of the applicable minimum forfeiture to the Police Department within ten (10) days of the issuance of the citation in lieu of Court appearance. The issuing Officer shall specify on the citation the amount of the applicable forfeiture as provided by either the State of Wisconsin Uniform Deposit Schedule or the City of South Milwaukee Municipal Court Deposit Schedule whichever may be applicable and the court date if the defendant wishes to appear to contest the citation.

(d) Notice of Demerit Points and Receipt. Every Officer, or other authorized persons, accepting a forfeited penalty or money deposit pursuant to this Ordinance shall give a receipt thereof as provided in Section 345.29(3)(b), of the Wisconsin Statutes. Every Officer accepting a stipulation under the provisions of this Ordinance shall comply with the provisions of Sections 345.27, 343.28, 345.26(1)(a) and 345.27(2), of the Wisconsin Statutes, and shall require the alleged violator to sign a statement of notice in substantially conformity to that required under Section 345.11 of the Wisconsin Statutes.

(e) Forfeitures and Bail. All forfeitures and bail deposits received by any Officer, or other authorized persons, shall be paid to the Municipal Treasurer within seven (7) days of receipt as required by Section 800.10(2), Wis. Stats.

29.03 NON-TRAFFIC CITATIONS. In all non-traffic cases, the Wisconsin Uniform Municipal Court Citation shall be used.

29.04 MUNICIPAL JUDGE. The Municipal Judge of the City of South Milwaukee is hereby authorized to establish a deposit schedule for violations of several sections and subsections of the Municipal Code of Ordinances not included in the uniform deposit schedule published by the State of Wisconsin and for which there exist penalties enforceable by the Municipal Court. The deposit schedule established by the Municipal Judge must be first approved by the Common Council before publication and use. All law enforcement officers of the City of South Milwaukee are hereby authorized to accept the amount of the deposit established by the Municipal Judge. In cases where the Municipal Judge has indicated that the violation is such that a Court appearance is mandatory, the Municipal Judge shall establish a bail schedule and all law enforcement officers are authorized to accept bail in the amount established pursuant to that schedule.

29.05 MUNICIPAL COURT LOCATION AND HOURS. Municipal Court shall be open at such location and at such times as determined by the Municipal Judge.

29.06 CONTEMPT PROCEDURE.

(1) The Municipal Judge may impose a sanction authorized under Section 800.12(2) for contempt of court, as defined in Section 785.01(1), Wis. Stats., in accordance with the procedures under Section 785.03, Wis. Stats.

(2) The Municipal Judge may impose a forfeiture for contempt under Section 800.12(1), Wis. Stats., in an amount not to exceed \$50.00 or, upon non-payment of the forfeiture and the penalty assessment under Section 165.87, Wis. Stats., a jail sentence not to exceed seven (7) days.

\\\\\\\\\\