

City of Waukesha, Wisconsin

Ordinance No. 2026 – _____

**An Ordinance Creating Subsection (7) of Section 7.12 of the Waukesha Municipal Code,
Regarding the Impounding of Vehicles Used in Reckless Driving Offenses**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Subsection (7) of Section 7.12 of the Municipal Code is created, to read in its entirety as follows:

- (7) **Impounding Vehicles Used in Reckless Driving Offenses.** Pursuant to the authority of Wis. Stat. §349.115, law enforcement officers may, at their discretion, impound any vehicle used in the commission of reckless driving, as defined under Wis. Stat. §346.62 or a local ordinance in strict conformity therewith, at the time of issuing a citation or making an arrest for the offense.
- (a) **Recovery of Impounded Vehicle.** The owner of the vehicle may recover an impounded vehicle after payment of reasonable costs of impounding the vehicle, including towing and storage costs, and payment of any outstanding fines or forfeitures, unless the vehicle has been identified as stolen under subsection (b). Upon such payment, the City shall return the vehicle to its owner.
- (b) **Identifying Stolen Vehicles.** Upon impounding a vehicle under this subsection, a law enforcement officer shall make a reasonable effort to determine if the vehicle has been reported stolen. If the officer determines that the vehicle has been reported stolen, the officer or Police Department shall make a reasonable attempt to contact the owner. The City shall return to its owner a vehicle reported stolen and impounded under this subsection without payment of a fee or charge. If a vehicle reported stolen remains unclaimed for more than 60 days after impoundment, the City may dispose of the vehicle following the same procedure provided for disposing of abandoned vehicles under Wis. Stat. §342.40.
- (c) **Disposing of Vehicles.** If a vehicle impounded under this subsection remains unclaimed for more than 90 days after the disposition of the charge for which the vehicle was impounded, the City may dispose of the vehicle following the same procedure provided for disposing of abandoned vehicles under Wis. Stat. §342.40.

Section 2. All ordinances or portions of ordinances inconsistent with this Ordinance are hereby repealed.

Section 3. This Ordinance shall be effective the day after its publication.

Passed the _____ day of _____, 2026.

Shawn N. Reilly, Mayor

Attest: Katie Panella, City Clerk

Publication date: _____