



CITY OF WAUKESHA

Administration

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Committee: Ordinance and License Committee	Date: 10/23/2017
Common Council Item Number: 17-1582	Date: 11/7/2017
Submitted By: Anne Iselin, Assistant City Attorney	City Administrator Approval: Kevin Lahner, City Administrator
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney BER
Subject: Review and act on a proposed amendment to Waukesha Municipal Ordinance 7.07(4) EMERGENCY TRAFFIC REGULATIONS.	

Details:
Waukesha Municipal Code of Ordinance Section 7.07(4) currently authorizes the Chief of Police to make and enforce temporary traffic regulations covering special conditions during times of emergency. The section, as currently drafted, does not authorize the Chief of Police to make temporary traffic regulations when there is no "emergency."
The proposed amendment is designed to authorize the Chief of Police or his designee to respond to special, temporary circumstances which are urgent and may require immediate action, although the special circumstances are not per se "emergencies," as defined by Wis.Stat.Sec. 323.11. The amendment contemplates that all regulation of a permanent duration regarding the stopping, standing or parking of vehicles on city streets shall continue to be enacted by the City Council as usual where there are no special circumstances which demand immediate action.
In addition to expanding the circumstances when the Chief of Police or his designee may make the temporary traffic regulations, the proposed ordinance would also limit the type of traffic regulations which may be made in order to comport with state law, specifically Wis.Stat.Sec. 349.13(1e)(c). As such, the proposed amendment only authorizes the Chief of Police or designee to prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles on City streets.

Options & Alternatives:
Do not amend the ordinance to allow the Chief of Police to make and enforce parking regulations in non-emergency situations but amend the ordinance to restrict the traffic regulations that may be made by the Chief to the restriction of parking matters.

Financial Remarks:
No prohibition, limitation or restriction on parking may be enforced unless official traffic signs, pavement markings or parking meters have been placed or erected indicating such prohibition, limitation or restriction. Therefore, any financial implications would be based on the prohibition, limitation or restriction ordered on a case by case basis.

Executive Recommendation:
City Attorney recommends passage.

Committee Recommendation:
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