



Office of the City Attorney

201 Delafield Street, Suite 330
Waukesha, Wisconsin 53188-3639

Telephone (262) 524-3520
Email attorneys@waukesha-wi.gov

Brian E. Running
City Attorney
Miles W.B. Eastman
Assistant City Attorney
Michael C. Radavich
Assistant City Attorney
Matt Rademacher
Assistant City Attorney
Karen J. Krueger
Legal Assistant

October 9, 2025

Memorandum

To: Ordinance and License Committee, Common Council
From: Matt Rademacher, Assistant City Attorney
Re: Amendments to Chapter 7 Regarding Parking Rules and Forfeitures

The Police Department has requested that the code sections related to parking be updated to address gaps in the Code and update forfeiture amounts. The first three sections are entirely new provisions that address offenses that are currently not spelled out in the Code, and the fourth section increases forfeiture amounts. With a few exceptions, forfeitures are increased by \$5, most common being \$20 to \$25 for initial amount and \$39 to \$44 for late payments.

Section 1: This section prohibits parking in fire lanes and also indicates that fire lanes must be properly marked with signs or pavement markings for this prohibition to take effect.

Section 2: This section requires that vehicles parked on city streets must be registered if registration is required by Wisconsin Statute.

Section 3: This section addresses vehicles that are determined to be abandoned on public streets or property. Code section 12.07(3) provides for a process to remove abandoned vehicles, which requires a 72-hour period of abandonment before the vehicle may be towed. Those vehicles are also subject to receiving citations for underlying parking infractions during that time. However, if the owner of a vehicle cannot be determined (for example, a homemade trailer with no VIN, or a vehicle with no associated owner in accessible databases), then there would be no way to write a citation for the underlying parking violation. If the vehicle is then moved within the 72-hour window, it would receive no citations and could not be towed. This section would require the Police Department to attempt to locate the owner of an abandoned vehicle so that it may be removed from the public street or property without towing, but if the owner cannot be located, then the vehicle is subject to towing immediately, with no 72-hour waiting period.

Section 4: This section serves two purposes. It amends the forfeiture amounts for parking infractions based on requests from the Police Department, and adds forfeitures for the new code sections created by the ordinance. It also corrects some existing minor errors within the table. A redline of the table is attached.

City of Waukesha, Wisconsin
Ordinance No. 2025 – _____

**An Ordinance Amending Parking Regulations and Penalties
in Chapter 7 of the Waukesha Municipal Code**

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

Section 1. Section 7.04(15) of the Waukesha Municipal Code is hereby created as follows to prohibit parking in fire lanes:

- 15. Fire Lanes.** No person shall park, stop, or leave unattended any vehicle in a designated fire lane. Fire lanes shall be clearly marked by signage or pavement markings.

Section 2. Section 7.04(16) of the Waukesha Municipal Code is hereby created as follows to prohibit parking of unregistered vehicles on city streets:

- 16. Registration Required.** No person shall park any unregistered vehicle on any public street if that vehicle is required to be registered under Chapter 341, Wis. Stats.

Section 3. Section 7.04(17) of the Waukesha Municipal Code is hereby created as follows to prohibit abandoning vehicles on city streets:

- 17. Abandoned Vehicles.** No person shall abandon any vehicle on any public street or property.

- (a)** Pursuant to the authority contained in Wis. Stats. §342.40, vehicles left unattended under the following circumstances shall be deemed abandoned and constitute a public nuisance:
- (1)** Any vehicle found under circumstances prohibited in sections 7.04(1)-(4), (6), (7), (10), or (14)-(16) shall be deemed to be abandoned property, subject to removal in accordance with §12.07(3).
- (2)** Any vehicle whose owner cannot be determined after reasonable effort by the police department pursuant to paragraph b. below shall be deemed to be abandoned property, subject to immediate removal pursuant to Wis. Stats. §342.40(3), and notwithstanding the 72-hour grace period otherwise provided for in §12.07(3).
- (b)** Whenever abandoned vehicles are found, the police department shall attempt to locate the owner or operator and require him or her to remove such vehicle.
- (c)** In the case of abandoned vehicles, if after a reasonable attempt the police department is unable to notify the owner or operator of an abandoned vehicle,

the department shall cause the vehicle to be removed pursuant to Wis. Stats. §342.40(3) and §12.07(3) of this Code.

- (d) The city, any employee of the city, or any agent of the city engaged in the removal of any vehicle under this section shall not be held liable for any damage caused to the property in the removal or storage process.

Section 4. The table within Section 7.08(3) of the Waukesha Municipal Code is hereby amended to include the following parking offenses and their associated penalties:

Violation	Code and/or Statute Section	Initial	After 15 days
Limited Parking Zones (Including Overtime Violations)	7.04(1) Mun. Code	\$25.00	\$44.00
Double Parking	7.04(8) Mun. Code	\$25.00	\$44.00
Parked in Wrong Direction	7.04(13) Mun. Code adopting 346.54(1)(a) Wis. Stats.	\$25.00	\$44.00
Restricted Parking in Municipal and Library Parking Lots and Parking Over Lines	7.04(7) Mun. Code	\$25.00	\$44.00
Parked Too Far From Curb	7.04(13) Mun. Code adopting 346.54(1)(d) Wis. Stats.	\$40.00	\$44.00
Prohibited Parking during Snow Emergencies	7.06(4) Mun. Code	\$25.00	\$44.00
Parked in No Parking Zones	7.04(3) Mun. Code	\$25.00	\$44.00
Parking Too Close to Corner	7.04(13) Mun. Code adopting 346.53(5) Wis. Stats.	\$25.00	\$44.00
Night Parking Violations (Including No Permit, Odd-Even Restriction Violation)	7.04(6) Mun. Code	\$25.00	\$44.00
Blocking Driveway/Safety Zone/Sidewalk	7.04(13) Mun. Code adopting 346.53(4), 346.52(1)(c), 346.52(1)(d) Wis. Stats.	\$25.00	\$44.00
Parking Too Close to Crosswalk	7.04(13) Mun. Code adopting 346.53(5) Wis. Stats.	\$25.00	\$44.00
Prohibited Parking at Schools	7.04(12) Mun. Code	\$25.00	\$44.00
Parked Too Close to Fire Hydrant	7.04(13) Mun. Code adopting 346.53(3) Wis. Stats.	\$40.00	\$65.00
Parked on Private Property	7.04(13) Mun. Code adopting 346.55(3), (4) Wis. Stats.	\$40.00	\$65.00
Parked in Bus, Taxi or Truck Loading Zone	7.04(2), 31.06, 31.07 Mun. Code	\$40.00	\$65.00
Parked on Terrace	7.04(4) Mun. Code	\$25.00	\$44.00

Handicap Parking Violation	7.04(13) Mun. Code adopting 346.505 Wis. Stats.	\$150.00	\$175.00
Other Parking Violations Not Otherwise Listed	7.04(13) Mun. Code adopting 346.50 through 346.55 Wis. Stats.	\$25.00	\$44.00
Parking in Fire Lane	7.04(15) Mun. Code	\$25.00	\$44.00
Parking Unregistered Vehicle	7.04(16) Mun. Code	\$25.00	\$44.00

Section 5. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 6. This Ordinance shall be effective the day after its publication.

Passed the _____ day of _____, 2025.

Shawn N. Reilly, Mayor

Attest: Katie Panella, City Clerk

Publication date: _____

Limited Parking Zones (Including Overtime Violations)	7.04(1) Mun. Code	\$20 25.00	\$39 44.00
Double Parking	7.04(8) Mun. Code	\$20 25.00	\$39 44.00
Parked in Wrong Direction	7.04(13) Mun. Code adopting 346.54(1)(a) Wis. Stats.	\$20 25.00	\$39 44.00
Restricted Parking in Municipal &and Library Parking Lots &and Parking Over Lines	7.04(7) Mun. Code	\$20 25.00	\$39 44.00
Parked Too Far From Curb	7.04(13) Mun. Code adopting 346.54(1)(d) Wis. Stats.	\$20 40.00	\$39 44.00
Prohibited Parking At Night During during Snow Emergencies	7.04(6)(a) 06(4) Mun. Code	\$20 25.00	\$39 44.00
Parked in No Parking Zones	7.04(3) Mun. Code	\$20 25.00	\$39 44.00
Parking Too Close To o Corner	7.04(13) Mun. Code adopting 346.53(5) Wis. Stats.	\$20 25.00	\$39 44.00
Night Parking Violations (Including No Permit, Odd-Even Restriction Violation)	7.04(6) (a-g) Mun. Code	\$20 25.00	\$39 44.00
Blocking Driveway/Safety Zone/Sidewalk	7.04(13) Mun. Code adopting 346.53(4), 346.52(1)(c), 346.52(1)(d) Wis. Stats.	\$20 25.00	\$39 44.00
Parking Too Close To o Crosswalk	7.04(13) Mun. Code adopting 346.53(5) Wis. Stats.	\$20 25.00	\$39 44.00
Prohibited Parking At Schools	7.04(12) Mun. Code	\$20 25.00	\$39 44.00
Parked Too Close To o Fire Hydrant	7.04(13) Mun. Code adopting 346.53(3) Wis. Stats.	\$35 40.00	\$40 65.00
Parked On Private Property	7.04(13) Mun. Code adopting 346.55(3), (4) <u>Wis. Stats.</u>	\$35 40.00	\$40 65.00
Parked in Bus, Taxi or Truck Loading Zone	7.04(2), 31.06, 31.07 Mun. Code	\$35 40.00	\$65.00
Parked On Terrace	7.04(4) Mun. Code	\$20 25.00	\$39 44.00
<u>Handicap Parking Violation</u>	<u>7.04(13) Mun. Code adopting 346.505 Wis. Stats.</u>	<u>\$150.00</u>	<u>\$175.00</u>
<u>Other Parking Violations Not Otherwise Listed</u>	<u>7.04(13) Mun. Code adopting 346.50 through 346.55 Wis. Stats.</u>	<u>\$25.00</u>	<u>\$44.00</u>
<u>Parking in Fire Lane</u>	<u>7.04(15) Mun. Code</u>	<u>\$25.00</u>	<u>\$44.00</u>
<u>Parking Unregistered Vehicle</u>	<u>7.04(16) Mun. Code</u>	<u>\$25.00</u>	<u>\$44.00</u>