



CITY OF MANITOWOC

WISCONSIN, USA

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September 25, 2019

TO: Public Safety Committee

FROM: Elizabeth Majerus, Assistant City Attorney

RE: Ordinance to Prohibit Parking of Unregistered Vehicles on Streets

The purpose of this memo is to explain the basis for the ordinance presented to Public Safety Committee to prohibit unregistered vehicles from parking on City streets. Wisconsin Statutes Section 341.04 prohibits a person from operating an unregistered vehicle and prohibits an owner from allowing another person to operate the unregistered vehicle. When a person is found operating an unregistered vehicle, the person is usually issued a traffic citation with a forfeiture ranging from \$73.60 to \$187.00. Wis. Stat. § 341.65 authorizes a municipality to enact an ordinance prohibiting unregistered motor vehicles from being located upon a roadway within that jurisdiction and imposing forfeitures, immobilization, removal and disposal of same.

Recently, Community Safety Workers (CSWs) have noticed unregistered vehicles parked on City streets and being moved around, presumably to avoid violating parking restrictions for the particular parking location. CSWs are not authorized to issue traffic citations but are authorized to issue parking citations. Further complicating vehicle registration enforcement, law enforcement officers realize that although not impossible, the likelihood of conviction for violating Wis. Stat. § 341.04 is diminished when a person is not observed operating the vehicle. As such, I have drafted an ordinance prohibiting unregistered vehicles from parking on City streets. This allows CSWs to issue the owner/ titleholder of the vehicle a parking citation rather than trying to coordinate efforts with law enforcement officers to catch the driver in the act. The forfeiture for this violation is low, \$20, in accordance with other parking citations. This lower forfeiture acknowledges the lesser danger posed to the public by parking an unregistered vehicle versus operating it. Our goal in issuing these citations is to encourage owners to register their vehicles. The average cost of vehicle registration is approximately equal to the cost of three of these citations.

It is important to note that unregistered vehicles may still be parked on private property subject to other City parking and property-use regulations. I respectfully ask that this ordinance be referred to Council for adoption.

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