

CHAPTER 17
SECTION 1

- 1701.001. **PURPOSE AND INTENT.** The City of Winsted is authorized to provide for the issuance of administrative citations for Municipal Code violations, violations of City ordinances, violations of City resolutions, and specific traffic offenses designated in Minnesota Statute § 169.999, subdivision 1 (b)(1), (2) and (3), in the amount designated in Minnesota Statute § 169.999, subdivision 5, and as it may be amended from time to time. The authority to issue administrative citations hereunder is authorized by this Municipal Code and is reserved by law exclusively, to licensed peace officers. Winsted City Peace Officers may not issue administrative citations in violation of Minnesota Statute § 169.999. The City of Winsted is required to notify a recipient of an administrative citation of his or her right to contest the citation and to appoint a neutral third party to hear and rule on challenges to administrative citations authorized by this municipal code. Minnesota Statute § 169.999 contains numerous requirements related to the issuance of administrative traffic citations including, but not limited to, prescribing a uniform traffic citation form, use and sharing of fine revenues, and other administrative measures.
- 1701.002. **DESIGNATED TRAFFIC OFFENSES.** The City of Winsted authorizes the issuance of administrative citations for traffic offenses designated in Minnesota Statute § 169.999, subdivision 1(b)(1), (2) and (3), and as it may be amended from time to time.
- 1701.003. **FINES.** The City of Winsted hereby sets the fine for committing an administrative traffic violation designated by Minnesota Statute § 169.999 and this City Code in the amount designated by Minnesota Statute § 169.999, subdivision 5, and as it may be amended from time to time. Any non-traffic violations for which an administrative citation is issued shall have a fine established by resolution of the Winsted City Council.
- 1701.004. The City of Winsted hereby directs that only licensed City peace officers (or licensed peace officers acting within the geographical limits of the City of Winsted) may issue administrative citations authorized by this section of the Municipal Code of the City of Winsted.
- 1701.005. **NO OTHER TRAFFIC CITATIONS.** No licensed peace officer may issue an administrative traffic citation except for those violations stated in Minnesota Statutes § 169.999. Minnesota Statute § 169.999 does not prohibit the City from issuing administrative citations for regulating the standing or parking of vehicles within its city limits. Therefore, law enforcements officers are allowed to issue administrative citations for any violations of standing or parking regulations within the City of Winsted.
- 1701.006. The City Council does hereby direct that no administrative traffic citation authorized by this section of the City of Winsted Municipal Code may be issued to a holder of a

commercial driver's license or the driver of a commercial vehicle in which the administrative violation was committed.

- 1701.007. NEUTRAL PARTY. The City of Winsted hereby directs the appointment of a neutral third party to hear and rule on challenges to administrative citations authorized by this section of the Municipal Code. Such appointment may be renewed annually at the first meeting of the year as all other council appointments, or more immediately as the council directs, and in its sole, reasonable direction.
- 1701.008. CITATION FORM. The City of Winsted hereby adopts the uniform administrative traffic citation form prescribed by the Commissioner of Public Safety. Said citation form shall be used for non-traffic violations.
- 1701.009. The City of Winsted hereby authorizes city staff to create materials as necessary to supplement the uniform administrative citation to provide recipient of an administrative citation with information related, but not limited to, the recipient's right to challenge the citation; the city's process for handling challenges to administrative citation; the location, dates, and times designated to hear citation challenges; the processes for paying a citation; and the effect of an administrative citation on a recipient's driving record.
- 1701.010. NOTICE TO COMMISSIONER OF PUBLIC SAFETY. The Winsted City Clerk is hereby directed to inform the Commissioner of Public Safety of the passage of this section of the Municipal Code of the City of Winsted.
- 1701.011. City staff is hereby directed to separately account for administrative traffic citations authorized by this Municipal Code section in city financial reports, summaries, and audits in keeping with common accounting practices and standards.
- 1701.012. City staff is hereby directed to designate a special fund for the portion of administrative traffic fines that must be spend on law enforcement purposes, in keeping with common accounting practice and standards, and to report annually, or as otherwise directed by the City Council, to the City Council on said fund.

(Ord. 09-07, 8/04/09; Ord. O-16-07, 10/4/16)