

CHAPTER 7

TRAFFIC CODE

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7.01 STATE TRAFFIC LAWS ADOPTED. (Cr.#145) Except as otherwise specifically provided in this chapter, the statutory provisions following the prefix “7” in Chapters 340 to 348 Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulations of traffic on the highways, streets and alleys of the state.

7.02 PARKING LIMITATIONS. (Rep. & recr. #145)

- (1) **NO PARKING ZONES MAY BE ESTABLISHED.** It is prohibited, in the Village, for the owner or operator of any vehicle and every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway to park, stop or leave standing any such vehicle or device at the curb, shoulder or edge of any highway area, roadway or fire lane in the Village upon which or upon a portion of which has been erected a “No Parking” sign, designating the limits or area within which there is to be no such parking.
- (2) **MISCELLANEOUS “NO PARKING ZONES”.** No owner or operator of any vehicle and every device in, upon or by which any person or property is or may be transported or drawn upon a public highway shall park, stop or leave standing any such vehicle or device at the curb, shoulder or edge of the following streets located in the Village.
- (3) **PARKING RESTRICTIONS.**
 - (a) Fire Station and Hydrants. No operator of any vehicle shall park such vehicle within 30’ of the driveway entrance to the local fire station or within 15’ from any fire hydrant or in any space marked “No Parking”.
 - (b) All night parking. (Am. #194) From November 1 to April 1, no person, except physicians on emergency calls, shall park any vehicle for longer than 30 minutes between 2:30am and 7am on any Village street.
 - (c) Street Storage Prohibited. The parking limits for any vehicle shall be 24 hours and no person shall park his vehicle exceeding this time limit on any street or highway or Village parking lot.
 - (d) Parked Trucks, unloading of. No person shall park a truck on the Village streets for the purpose of loading or unloading such vehicle, except in alleys in the Village.
 - (e) Manner of Parking. All vehicles shall park within those lines marked by paint on the Village street whether for the purpose of angular parking or parallel parking to the curb. No person shall obstruct a driveway when parking a vehicle on a Village street.

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7.03 SPEED LIMITS. (Rep. & recr. #145)

- (1) STATE SPEED LIMITS ADOPTED. The provisions of §§346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein, except as specified by sub. (2) pursuant to §349.11 (3)(c), Wis. Stats.
- (2) PARTICULAR SPEED LIMITS DESIGNATED. No person shall operate any motor vehicle at speeds in excess of the following speed limits on Village roads:
 - (a) mph
 1. Main Street for its entire length.
 2. Wilson Avenue for its entire length.
 3. Grove Street for its entire length.
 4. Evergreen Street for its entire length.
 5. Roberts Road for its entire length/
 6. Elm Street for its entire length.
 7. Ottawa Avenue for its entire length.
 8. Park Street for its entire length.
 9. Wolf Drive for its entire length.
 10. Wolf Court for its entire length.
 11. Edwards Street for its entire length.
 12. Ludwig Avenue for its entire length.
 13. Tabot Street for its entire length.
 14. Bischel for its entire length.
 15. Gramling Court for its entire length.
 16. Franklin Court for its entire length.
 17. Williams Court for its entire length.
 18. Johnston Drive for its entire length.

19. State Street for its entire length.
20. Ridgeway Drive for its entire length.
21. Ridgeway Court for its entire length.
22. Municipal Road for its entire length.
23. All other roads within the corporate limits of the Village except those specified by par. (b) below.

(b) 40 mph. South 67 from South 18 to the Village limits.

7.04 SNOWMOBILES. (Am. #145)

(1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section. Any future amendment, revisions or modifications of the statutes incorporated herein are intended to be made part of the chapter in order to secure uniform statewide regulations of snowmobiles.

- (a) 350.01 Definitions.
- (b) 350.02 Operation of Snowmobiles on or in Vicinity of Highway
- (c) 350.03 Right of way
- (d) 350.04 Snowmobile Races, Derbies and Routes
- (e) 350.045 Public Utility Exemption
- (f) 350.047 Local Ordinance to be Filed
- (g) 350.05 Operation by Youthful Operators Restricted
- (h) 350.055 Safety Certification Program Established
- (i) 350.06 Firearms and Bows
- (j) 350.07 Driving Animals

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- (k) 350.08 Owner Permitting Operation
 - (l) 350.09 Head Lamps, Tail Lamps and Brakes
 - (m) 350.10 Miscellaneous Provisions for Snowmobile Operation
 - (n) 350.12 Registration of Snowmobiles
 - (o) 350.13 Uniform Trail Signs and Standards
 - (p) 350.15 Accident and Accident Reports
 - (q) 350.17 Enforcement
 - (r) 350.18 Local Ordinances
 - (s) 350.19 Liability of Land Owners
- (2) **APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, be subject to §346.04, 346.06, 346.11, 346.14, 346.18, 346.19, 346.20, 346.21, 346.46, 346.47, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1) (b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), (6), (6m), and (9) Wis. Stats.
- (3) **PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under State law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous or narcotic drug.
- (4) **OPERATION WHILE UNDER THE INFLUENCE.** Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.
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- (5) **WRITTEN CONSENT OF OWNER REQUIRED.** The consent required under §350.10(6), (11), (12), and (13), Wis. Stats., shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each must be obtained.

7.05 BICYCLE REGULATIONS. (Rep. & recr. Ord. dated 8/16/78)

- (1) **EQUIPMENT.** No person shall propel, ride or operate a bicycle upon the streets or public highways of the Village unless such bicycle shall comply with the requirements of §346.81, Wis. Stats., adopted and made a part hereof by reference insofar as it relates to the equipment of bicycles.

TRAFFIC CODE 7.05 (2)

- (2) RULES FOR OPERATION. No person shall propel, operate or ride a bicycle on any street or public highway in the Village except in compliance with the following regulations:
- (a) Every bicycle having wheels in excess of 16" in diameter shall be ridden only on the streets.
 - (b) Every bicycle shall be kept as close to the right-hand edge of the traveled way as possible.
 - (c) When the operator of a bicycle intends to make a left turn at an intersection or into a private driveway, he shall make such turn from the right hand curb after ascertaining that such turn can be safely made without interfering with other vehicles and indicating his intention by raising his left hand, or otherwise, prior to and while making such turn.
 - (d) Bicycles shall be operated in single file only. At no time shall bicycles be operated 2 or more abreast.
 - (e) No person riding upon a bicycle shall cling or attach himself or his bicycle to any other vehicle moving.
 - (f) No coaster, sled, person on roller skates, toy vehicle, or other similar vehicle shall be attached to or towed or drawn by any bicycle.
 - (g) No rider of a bicycle, while in motion, shall remove both hands from the handlebars nor his feet from the pedals nor practice any acrobatic or fancy riding.
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- (h) No person operating a bicycle upon a public highway shall participate in any race or speed or endurance contest with any other vehicle.
 - (i) Every person operating a bicycle shall stop for all arterial highway signs and all traffic signs.
 - (j) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
 - (k) No bicycle shall be used to carry more persons at one time than the number for which the bicycle is designed and equipped.
- (3) REGISTRATION. (Am. #152) No person shall operate or use any bicycle upon any of the streets or public highways of the Village without first obtaining a license therefore unless the bicycle is properly registered and tagged as follows:
- (a) Application for registration shall be made to the Chief of Police upon blanks provided by him, which shall be signed in duplicate and contain the name, date of birth and address of owner, a complete description of the bicycle and such other information as the Chief of Police may require.

TRAFFIC CODE 7.05 (3)(b)

(b) Upon filing such application and the payment of a license fee of \$2 to the Village Treasurer, the Chief of Police shall attach to the bicycle a numbered tag and shall issue to the applicant a registration certificate covering such bicycle, which shall be effective permanently and shall entitle the applicant to operate such bicycle upon the streets and public highways of the Village so long as he is the owner thereof, or has permission of the owner thereof, provided the applicant shall produce such registration card when requested to do so by the police officer. The bicycle shall have affixed to the rear of the frame of the bicycle in a conspicuous place the tag affixed by the Chief of Police and numbered as specified in the registration certificate. In case of theft or loss of tag, a duplicate tag shall be issued upon payment of a fee covering the actual cost of the tag.

(4) CHANGE IN OWNERSHIP OR TAKING OUT OF OPERATION.

Within 7 days after any bicycle registered hereunder shall change ownership or be dismantled and taken out of operation, the person in whose name the bicycle has been registered shall report such information to the Village Clerk who shall immediately forward such information to the Police Department.

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(5) MUTILATION OF LICENSE MATERIAL PROHIBITED.

No person shall remove, destroy, mutilate or alter any license tag, seal or registration card during the time in which such license tag, seal or registration card shall operate.

(6) SUSPENSION AND REMOVAL. The Chief of Police may suspend the registration of an remove the license tag from any bicycle operated contrary to any State law or Village ordinance, such suspension and removal to continue for not to exceed 10 days. Such suspension and removal shall be in addition to other penalties provided hereunder.

(7) INSPECTION OF BICYCLES. Every bicycle in the Village shall be inspected and examined by the Police Department for a serial number. If such bicycle has no serial number, a serial number shall be stamped on the frame of such bicycle by a qualified mechanic of the Department of Public Works.

(8) IMPOUNDMENT OF BICYCLE. The Police Department may seize and impound a bicycle of any person who shall violate any of the provisions of this section and require that violator to acquaint himself with the rules of the road or of this section pertaining to the violation for which the bicycle was impounded before the same is released.

8/8/83

7.06 STOP SIGNS. (Rep. & recr. #145)

- (1) **VEHICLES MUST STOP.** It is prohibited in the Village for the operator of any vehicle, and every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, to fail to come to a full and complete stop within 30' of the limits of the intersection, at which has been erected an "official stop sign" or traffic signal, designating an artery for through traffic.
- (2) **ARTERIAL STOPS DESIGNATED.** The following street intersections are hereby ordained as arterial stops within the Village:
 - (a) Intersection of Main Street and Ottawa Avenue; stopping traffic in all directions
 - (b) Intersection of Municipal Road at Wilson Drive; stopping traffic in all directions
 - (c) Intersection of Johnston Drive at Wilson Avenue; stopping traffic in all directions
 - (d) Intersection of Wilson Avenue at N. Main Street; stopping traffic on Wilson Avenue.
 - (e) Intersection of N. Main Street at STH 18; stopping traffic on N. Main Street
 - (f) Intersection of STH 18 and STH 67; stopping traffic in all directions.
 - (g) Intersection of Wolf Drive at Ottawa Avenue ; stopping traffic on Wolf Drive.
 - (h) Intersection of Park Street at Ottawa Avenue; stopping traffic on Park Street.
 - (i) Intersection of Edwards Street at Ottawa Avenue stopping traffic on Edwards Street.
 - (j) Intersection of Tabot Street at Ottawa Avenue; stopping traffic on Tabot Street.
 - (k) Intersection of Ridgeway Drive at State Street; stopping traffic on Ridgeway Drive.
 - (l) Intersection of State Street at Johnston Drive; stopping traffic on State Street.
 - (m) Intersection of Elm Street at Main Street, stopping traffic on Elm Street.
 - (n) Intersection of Grove Street at Main Street; stopping traffic on Grove Street.
 - (o) Intersection of Grove Street and Evergreen Street; stopping traffic in all directions.
 - (p) Intersection of Henry Street at Main Street; stopping traffic on Henry Street.

- (q) Intersection of Ludwig Avenue at Main Street; stopping traffic on Ludwig Avenue.

(3) ARTERIAL HIGHWAY. CTH Z from ease limits of the Village to the west limits of the Village is designated an arterial highway and all vehicles shall stop before entering this highway.

7.07 OFFICIAL TRAFFIC SIGNS AND SIGNALS. (Am. #145)

The Director of Public Works shall obtain, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving such notice of §7.01, 7.02, 7.03, 7.06 and 7.08 of this chapter as required by State law.

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7.08 NO THRU TRUCKING. (Cr. #145)

- (1) RESTRICTED. No person shall operate any truck, van or other motorized vehicle weighing in excess of 10,000lbs. on any street within the Village, unless such vehicle is making a delivery or pickup on such street or otherwise has a valid reason for using such street where no other street is available. There shall be no thru trucking on any Village street properly posted with signs at each entrance to such street.
- (2) SIGNS TO BE ERECTED. The Street Department is directed to order and install signs designating those streets in the Village that are to be "No Thru Trucking".
- (3) TRUCKS ON EVERGREEN STREET.
 - (a) Restricted. No trucks with a gross vehicle weight exceeding 10,000lbs. shall be permitted in Evergreen Street. Any vehicle carrying a truck registration shall be deemed a "truck" under the terms of this section.
 - (b) Residential Deliveries Excepted. Any truck otherwise prohibited from using Evergreen Street shall be permitted access to the street if it is making a delivery or pickup at a residence along the street or the vehicle is operated by a resident of the street who is using the vehicle for access to his residence. The exclusion permitted under this section shall apply only if the vehicle is going directly to or from the residence involved.
 - (c) To be Posted. A sign containing the words "No Trucking Over 10,000lbs.," shall be posted at both ends of the street.

7.09 UNSAFE DRIVING PROHIBITED. (Cr. #145)

(1) No driver of any vehicle shall cause tires of such vehicle to spin and emit loud noises or to unnecessarily throw stones or gravel. No driver of any vehicle shall cause a loud noise to be made which would be a disturbance to the public peace.

8/8/83

7.10 PENALTY. (Rep. & recr. #145)

(1) STATE TRAFFIC LAWS AND ALL OTHER VIOLATIONS AS SET FORTH IN SECTIONS 7.01, 7.03, 7.04, AND 7.06 OF THIS CHAPTER. Any forfeiture for violations of the State Statutes adopted by reference on §7. 01, 7.03, 7.04, AND 7.06 of this chapter shall conform to the forfeiture and deposits permitted to be imposed for violation of such statutes or general violations as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference, including any variations or increases for the subsequent offenses, which schedule is adopted by reference unless otherwise specified as heretofore to follow.

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(2) LOCAL TRAFFIC LAWS AS SET FORTH IN SECTIONS 7.02, 7.05, 7.08, AND 7.09.

(a) The penalty for violation of §7.02, 7.05, 7.08, AND 7.09 of this chapter shall be as provided in §25.04 of this Municipal Code.

(b) If a deposit schedule has not been established for a specific violation, see below, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted hereunder.

§7.01, 7.03, 7.04 & 7.06 Applicable Sections of Uniform Deposit and Misdemeanor Bail Schedule.

§7.02 & 7.05 \$10 Plus Court Costs and Penalty Assessment

(3) STATE TRAFFIC LAWS SPECIFICALLY ENUMERATED.

3.46.51(1)	Improper Parking On/Off Roadway	\$3	\$40
346.52(1)	Stopping/Standing In prohibited Areas	\$3	\$40
	Second Conviction Within One Year	\$6	\$100
346.52(2)	Stopping/Standing On Highway By Grade School	\$3	\$40
	Second Conviction Within One Year	\$3	\$100
346.53	Parking/Standing Where Prohibited	\$3	\$40
	Second Conviction Within One Year	\$6	\$100
346.54	Improper Parking/Standing Of Vehicle	\$3	\$40
	Second Conviction Within One Year	\$6	\$100
346.55(1)	Parking n Left Side Of Highway	\$3	\$200.00
346.55(2)	Parking Vehicle For Sale On Highway	\$3	\$200

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346.55(3)	Parking On Posted Private Property	\$3	\$40
	Second Conviction Within One Year	\$6	\$100

Plus Court Costs and Penalty Assessment If Applicable.

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7.11 ENFORCEMENT. (Rep. & recr. #145; Am. MSC '90)

(1) **PROCEDURE.** The statutory provisions of §66.115, 66.119, 33.15, 345.11, to 345.61, and Ch. 799, Wis. Stats., are fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulations and enforcements of traffic and municipal ordinance violations. Further, the Village specifically elects to use the citation method of enforcement.

(2) **DEPOSITS.**

(a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer in person at the police station or the office of the Clerk of Courts or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing that:

1. If the person makes a deposit for a violation of a traffic regulations, the person needs not appear in court at the time fixed in the citation and the person will be deemed to have tendered plea of no contest and submitted to a forfeiture and penalty assessment if required by §165.87, Wis. Stats. Plus any applicable fees prescribed in Ch. 814, Wis. Stats., not to exceed the amount of the deposit that the court may accept as provided in §345.37, Wis. Stats.
2. If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his arrest.

(b) The amount of the deposit shall be as set forth in §7.10 of this chapter and shall include the penalty assessment established under §165.87, Wis. Stats., and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this chapter.

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TRAFFIC CODE 7.11 (2)(C)

- (c) The arresting officer or the Person receiving the deposit shall issue the arrested person a receipt therefore as required by §345.26(3)(b), Wis. Stats.
- (3) **PETITION TO REOPEN JUDGEMENT.** Whenever a person has been convicted in this State on the basis of a forfeiture of deposit or a plea of not guilty or no contest and the person was not informed as required under §345.27(1) and (2), Wis. Stats., the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. IF the court finds that the petitioner was not informed as required by §345.27(1) and (2), Wis. Stats., the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.
- (4) **ISSUANCE OF CITATIONS.** All sections of this chapter shall be enforced by the Police Department or the Village Board's duly appointed representatives.
- (5) **NONEXCLUSIVITY.**
- (a) Other Ordinances. Adoption of this chapter does not preclude the Village Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
- (b) Other Remedies. The issuance of a citation hereunder shall not preclude the Village Board or any authorized office from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulations or order.
- (6) **TRAFFIC VIOLATION AND REGISTRATION PROGRAM.**
- (a) General. The Department of transportation will be asked to suspend registration on the vehicle involved, or suspension of registration on any vehicle owned by any person who fails to respond to a nonmoving traffic violation either by paying the fine or appearing in Court within 28 days after the issuance of a citation for such violation. Any such suspension will remain in effect until such citation plus applicable costs is satisfied.
- (b) Collection of Forfeitures for Nonmoving Traffic Violations: State Procedures Adopted.
1. Definition. A nonmoving traffic violation is any parking of a vehicle in violation of a statute or an ordinance.
 2. Statutes Adopted. The procedures provided for in §345.28 and 345.34 to 345.47, Wis. Stats., inclusive, are hereby specifically adopted and shall be followed in actions to recover forfeitures for nonmoving traffic violations, as defined in subpar. 1. above.

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TRAFFIC CODE 7.11 (6)(b)3.

3. **Costs Assessed.** The Police Department shall have the authority to determine the administrative costs of enforcement in collection of forfeitures for nonmoving traffic violations under this section, from time to time as may be necessary to adjust the same, and shall keep the Municipal Court informed of the same, which court shall assess the same against violators and cause such to be collected along with stipulations; but in no event shall such costs be less than the amount previously noted herein.
- (c) Registration Record of Vehicle as Evidence. When any vehicle is found upon a street or highway in violation of any provision of this chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Department of Transportation or a comparable authority of any other state, shall be deemed to have committed the violation for purposes of enforcement of this chapter and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in §346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violations.

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