Title V - Chapter 5

Traffic

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5.01 **Provisions of State Law Adopted by Reference.**

(1) State Traffic Forfeiture Laws Adopted. Except as otherwise specifically provided in this Ordinance, all provisions of Chapters 340 to 348 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this Ordinance 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 Ordinance.

Sections of Chapters 340 to 348 adopted by reference shall include, but not be limited to, the following:

340.01	(Words and phrases defined)
341.04	(Penalty for operating unregistered or improperly registered vehicle)
341.11(4)	(Display of registration plates)
341.15	(Display of registration plates)
341.16(4)	(Issuance of duplicate plates)
341.42(4)	(Reciprocity permits)
341.55	(Penalty for misuse of plates)
341.57(3)	(Registration of finance companies and banks)
341.63	(When registration is to be suspended)
342.05(4)	(Certificate of title required)

342.15(5),(6)& (7) (Transfer of interest in title)
342.23 (Secured party's and owner's duties)
342.30, 342.31& 342.34 (Anti-Theft and Anti-Fraud Provisions)
343.01 (Words and phrases defined)
343.05(1) (Operators to be licensed -- first offense in three years)
343.05(3) (Penalty for violating § 343.05(1))
343.305 (Implied consent)
343.35 (Surrender of licenses upon cancellation, revocation or suspension)
343.44 (Driving after license revoked or suspended - first offense in five years)
343.45 to343.46 (Unlawful practices relative to licenses)
343.60 to 343.72 (Licensing of driver schools and instructors)
343.73 (Penalty)
344.01 (Words and phrases defined)
344.45 to 344.47 (Penalties for violation of Chapter)
344.51 (Financial responsibility for domestic rented vehicles)
345.01 (Words and phrases defined)
345.20 to 345.53 (General provisions in traffic forfeiture actions)
345.55 (Traffic officers not to profit from arrests)
346.01 (Words and phrases defined)
346.02 (Applicability of chapter)
346.03 (Applicability of rules of the road to authorized emergency vehicles)
346.04(1),(2)& 346.05 to 346.16 (Driving, meeting, overtaking and passing)
346.17 (Penalty for violating §§ 346.04 to 346.16)
346.18 to 346.21 (Right of way)
346.22 (Penalty for violating §§ 346.18 to 346.21)
346.23 to 346.29 (Drivers and Pedestrians)
346.30 (Penalty for violating §§ 346.23 to 346.29)
346.31 to 346.35 (Turning and stopping and required signals)
346.36 (Penalty for violating § 346.31 to 346.35)
346.37 to 346.42 (Traffic signs, signals and markings)
346.43 (Penalty for violating §§ 346.37 to 346.42)
346.44 to 346.48 (Required stops)
346.485 (Owner's liability for vehicle illegally passing school bus)
346.49 (Penalty for violating §§ 346.44 to 346.485
346.50 to 346.55 (Restrictions on stopping and parking)
346.57(2),(3) & (4)(a) to(c)(Speed restrictions)
346.60 (Penalty for violating §§ 346.57 to 346.595)
346.61 (Applicability of sections relating to reckless and drunken driving)
346.62(1) & (3) (Reckless driving - first offense in four years)
346.63(1),(3) & (4) (Operating under "influence" of intoxicant - first offense in five years)
346.63(2m) (0.0% BAC for operators under age 19)
346.64 (Employment of drunk operators - first offense in a year)
346.65(1) & (2) (Penalty for violating §§ 346.62 to 346.64)
346.66 (Applicability of sections relating to accident and accident reporting)
346.68 & 346.69 (Duty upon striking unattended vehicle -- upon striking property on or adjacent to highway - first offense within a year)

346.70(1),(2)or (3), 346.71,346.72, 346.73 (Duty to report accident, etc.)
346.70(4) (Police and traffic agencies to report)
346.70(5) (Falsifying reports - first offense within a year)
346.77 to 346.81 (Bicycles and play vehicles)
346.82 (Penalty for violating §§ 346.77 to 346.81)
346.87 to 346.94 (Miscellaneous rules)
346.95 (Penalty for violating §§ 346.87 to 346.94)
347.01 to 347.05 (General provisions)
347.06 to 347.29 (Lighting equipment)
347.30 (Penalty for violating lighting equipment requirements)
347.35 to 347.49 (Other equipment)
347.50 (Penalty for violating §§ 347.35 to 347.49)
348.01 to 348.02 (Size, Weight, Load - General Provisions)
348.05 to 348.10 (Size and load)
348.11 (Penalty for violating size and load limitations)
348.15 to 348.20 (Weight)
348.21 (Penalty for violating weight limitations)
348.25 to 348.27 (Permits)
348.28 (Permits to be carried - penalty)

(2) Other Laws Adopted. There are hereby adopted by referenced the following sections of the Wisconsin Statutes:

22.33(1),(2),(3) & (4) (All-terrain vehicles -- definitions, registration and operation)
22.33(4c) to (4p) (Intoxicated operation of an all-terrain vehicle)
22.33(5),(6) & (7) (Age restrictions, equipment and accidents)
22.33(12),(13)(a),(13)(b)1. &(13)(b)4 (Enforcement and penalties)
350.101 to 350.104(Intoxicated snowmobiling)
350.11(3)(a) (Penalties)
941.01 (Negligent operation of vehicle)

(3) Administrative Code Adopted. There is hereby adopted by reference the following sections of the Wisconsin Administrative Code:

Trans 305

5.02 **Official Traffic Sign Locations.**

(1) Through Streets Designated. In the interest of public safety and pursuant to § 349.07, Wis. Stats., the following streets or portions thereof are declared to be through streets, and official stop signs giving notice thereof shall be erected in accordance with Section 5.04 of this Ordinance.

(a) Hudson Street from the West curb line of U.S. Highway 51 to the West curb line of Lincoln Street.

(b) Seward Street from the West curb line of U.S. Highway 51 to the East curb line of Main Street.

(c) Washington Street from the East curb line of Cleveland Street to the East right of way line of C.M. St. P&P Railroad Co.; from the West right of way line to the East curb line of Main Street; and from the West curb line of Main Street to the East curb line of Academy Street. An arterial stop sign shall be erected on the East approach and on the West approach to the C.M. St. P&P Railroad Co. right of way.

(d) Tomlinson Street from the West curb line of U.S. Highway 51 to the West curb line of Lincoln Street.

(2) Other Official Stop Signs Designated; East-West Streets.

(a) All vehicles proceeding on North Street shall stop before entering the intersection of said street with U.S. Highway 51. (AM 1-9-95 ORD 258.A)

(b) All vehicles proceeding on Hudson, Tomlinson or Seward Streets shall stop before entering the intersections of said streets with Main Street and U.S. Highway 51.

(c) All vehicles proceeding on Washington Street shall stop before entering the intersections of said street with Main Street and Cleveland Street, and at the railroad grade crossing of the C.M. St. P&P Railroad Co.

(d) All vehicles proceeding in a westerly direction on Tomlinson Road shall stop before entering the intersection of said street with U.S. Highway 51.

(e) All vehicles proceeding on Van Buren Street shall stop before entering the intersection of said street with Lincoln Street.

(f) All vehicles proceeding in an easterly direction on Mill, Thomas, or John Streets shall stop before entering the intersections of said streets with Main Street.

(g) All vehicles proceeding in a westerly direction on Water, Mill, or John Streets shall stop before entering the intersections of said streets with Main Street.

(h) All vehicles proceeding on Grant Street shall stop before entering the intersections of said street with Main Street, Franklin Street, Lincoln Street, Cleveland Street, Wilson Street, U.S. Highway 51 and Howard Street. (AM 3 25 02 ORD 02-316)

(i) All vehicles proceeding in an easterly direction on County Trunk Highway CS shall stop before entering the intersection of said street with Main Street.

(j) All vehicles proceeding on Pauquette Drive shall stop before entering the intersection of said street with Old Settlers Trail.

(k) All vehicles proceeding in an easterly and westerly direction on Tomlinson Street shall stop before entering the intersection of said street with Franklin Street.

(l) All vehicles proceeding in an easterly direction on North Street shall stop before entering the intersection with Main Street.

(m) All vehicles proceeding on Hudson Street shall stop before entering the intersection with Howard Street.

(n) All vehicles proceeding in an easterly direction on Gravel Pit Road shall stop before entering the intersection of said street with Academy Street.

(o) All vehicles proceeding in a westerly direction on Hudson Street or Tomlinson Street shall stop before entering the intersection of said streets with Pearl Street.

(p) All vehicles proceeding on Colby Boulevard, Sunset Drive, or Valley View Drive shall stop before entering the intersections of said streets with Seward Street. (AM 5-8-95 ORD 95-261)

(q) All Vehicles proceeding in a westerly direction on Linderwell Court or Loveland Road shall stop before entering the intersection of said streets with Main Street. (AM 5-8-95 ORD 95-261)

(r) All vehicles proceeding in a westerly direction on East Grant Street shall stop before entering the intersection of said street with Sanderson Street. (ORD 97-279)

(s) All vehicles proceeding in an easterly or westerly direction on E. Hudson shall stop at the intersection of said street with N. Franklin.

(t) All vehicles proceeding in a northerly & southerly direction on W. Mill St. shall stop at the intersection of said street with Thomas St.

(u) All vehicles proceeding in a westerly direction on Valley View Drive shall stop at the intersection of said street with Park Street.

(v) All vehicles proceeding in a westerly direction on Sunset Boulevard shall stop at the intersection of said street with Park Street.

(w) All vehicles proceeding in a westerly direction on Colby Boulevard shall stop at the intersection of said street with Park Street. (ORD 98-292)

(x) All vehicles proceeding in a westerly direction on Links Drive shall stop at the intersection of said street with Columbia Drive.

(y) All vehicles proceeding in a westerly direction on Birdie Lane shall stop at the intersection of said street with Eagle Lane.

(z) All vehicles proceeding in an easterly direction on Birdie Lane shall stop at the intersection of said street with Links Drive.

(aa) All vehicles proceeding in an easterly direction on Eagle Lane shall stop at the intersection of said street with Links Drive.

(bb) All vehicles proceeding in a westerly direction on Liberty Lane shall stop at the intersection of said street with Columbia Drive.

(cc) All vehicles proceeding in an easterly or westerly direction on Tomlinson Street shall stop at the intersection of said street with Howard Street. (CR 03 25 02 ORD 02-316)

(dd) All vehicles proceeding east on Bluebird Circle shall stop before entering intersection of said street with the north-south section of Bluebird Circle.

(ee) All vehicles proceeding on E. Hudson Street shall stop at the railroad grade crossing of the C.M. St. P&P Railroad Co.

(hh) All vehicles proceeding on E. Mill Street shall stop at the railroad grade crossing of the C.M. St. P&P Railroad Co.

(3) <u>Other Official Stop Signs Designated; North-South Streets</u>.

(a) All vehicles proceeding in a northerly direction on Howard, Franklin, Sanderson, Lincoln, Cleveland, or Wilson Streets shall stop before entering the intersections of said streets with North Street.

(b) All vehicles proceeding in a southerly direction on Main Street shall stop before entering the intersections of said street with Seward Street and South Street, except vehicles turning right at said South Street.

(c) All vehicles proceeding on the alley between U.S. Highway 51 and Howard Street shall stop before entering North Street, Grant Street and Hudson Street.

(d) All vehicles proceeding on Cross Street shall stop before entering the intersection of said street with John Street.

(e) All vehicles proceeding in a southerly direction on East Street shall stop before entering the intersection of said street with Tomlinson Road.

(f) All vehicles proceeding in a northerly direction on Main Street (WIBU Road) shall stop before entering the intersection of said street with County Trunk Highway CS. (AM 1-9-95 ORD 258.A)

(g) All vehicles proceeding in a northerly direction on East Street shall stop before entering the intersection of said street with Tomlinson Road.

(h) All vehicles proceeding in a southerly direction on East Mill or West Mill Street shall stop before entering the intersections of said streets with John Street.

(i) All vehicles proceeding in a southerly direction on Cleveland Street shall stop before entering the intersection of said street with Washington Street.

(j) All vehicles proceeding in a northerly direction on Traceway Court shall stop before entering the intersection of said street with South Street (County Trunk Highway CS).

(k) All vehicles proceeding in a southerly direction on Northern Court shall stop before entering the intersection of said street with North Street (County Trunk Highway CS).

(l) All vehicles making a left turn onto "Old" CTH "S" from Kent Road shall stop after crossing said Kent Road and before entering the merged southbound traffic lane.

(m) All vehicles proceeding in a southerly direction on "Old" CTH "S" shall stop before entering the intersection of said street with North Street.

(n) All vehicles proceeding in a southerly direction on Hillside Terrace shall stop before entering the intersection of said street with Seward Street.

(o) All vehicles proceeding in a northerly direction on Sopha Court shall stop before entering the intersection of said street with Kent Road.

(p) All vehicles proceeding in a northerly direction on Pearl Street shall stop before entering the intersection of said street with Grant Street.

(q) All vehicles proceeding on Meadow Lane shall stop before entering the intersection of said street with Seward Street and Colby Boulevard.

(r) All vehicles proceeding in a northerly direction on Seward Street shall stop before entering the intersection of said street with North Street. (AM 5-8-95 ORD 95-261)

(s) All Vehicles proceeding on Cross Street shall stop before entering the intersection of said street with John Street, Thomas Street, and Mill Street. (AM 5-8-95 ORD 95-261)

(t) All Vehicles proceeding in a northerly direction on Franklin Street shall stop before entering the intersection of said street with John Street. (AM 5-8-95 ORD 95-261)

(u) All Vehicles proceeding in a northerly direction on Valley Road shall stop before entering the intersection of said street with South Street (CTH “CS”). (AM 5-8-95 ORD 95-261)

(v) All vehicles proceeding in a northerly direction on Hillpoint Court shall stop before entering the intersection of said street with County Highway CS. (ORD 97-279)

(w) All vehicles proceeding northerly on North Howard Street shall stop before entering intersection of said street with East Hudson Street. (ORD 97-279)

(x) All vehicles proceeding southerly on North Howard Street shall stop before entering intersection of said street with East Hudson Street (ORD 97-279) and with East Seward Street (AM 3 25 02 ORD 02-316).

(y) All vehicles proceeding in a northerly or southerly direction on N. Lincoln shall stop before entering the intersection of said street with E. Tomlinson.

(z) All vehicles proceeding in a northerly or southerly direction on N. Cleveland St. shall stop before entering the intersection of said street with E. Tomlinson.

(aa) All vehicles proceeding in a southerly direction on N. Sanderson shall stop before the intersection of said street with E. Hudson.

(bb) All vehicles proceeding in a southerly direction on Lewis St. shall stop at the intersection of said street with East Mill St.

(cc) All vehicles proceeding in a northerly direction on Columbia Drive shall stop before the intersection of said street with Pauquette Pines Lane.

(dd) All vehicles proceeding in a northerly direction on Eagle Lane shall stop before entering the intersection of said street with Pauquette Pines Lane.

(ee) All vehicles proceeding in a southerly direction on Loudon Hill Drive shall stop at the intersection of said street with North Street.

(ff) All vehicles proceeding in a northerly and southerly direction on Columbia Drive shall stop at the intersection of said street with Liberty Lane. (ORD 99-298)

(gg) All vehicles proceeding south on Bluebird Circle shall stop before entering the intersections of said street with South Street (CTH CS).

(hh) All vehicles proceeding south on Academy Street shall stop before entering the intersection of said street with McMillan Road; except for those vehicles turning right onto McMillian Road may proceed.

(Amended by Ord. No. 15-523 on 8/10/2015)

(4) Yield Right of Way. Right of way shall be yielded and yield right of way signs shall be erected at the following intersections:

(a) Intersection of South Street and County Trunk Highway "Q" (vehicles proceeding southwesterly on South Street shall yield right of way to vehicles proceeding easterly on South Street before crossing onto County Trunk Highway "Q").

(b) Intersection of Wellington and Seward Streets (yield right of way to traffic on Seward Street).

(c) Intersection of Old County Trunk Road "S" and Kent Road (yield right of way to traffic on Kent Road).

(d) E. Tomlinson Street at the railroad grade crossing of the C.M. St. P&P Railroad Co.

(e) E. John Street at the railroad grade crossing of the C.M. St. P&P Railroad Co.

(f) Intersection of Academy Street and McMillan Road (vehicles proceeding north on Academy Road shall yield to vehicles proceeding easterly on McMillan Road).

(Amended by Ord. No. 15-523 on 8/10/2015)

(5) Marked Crosswalks Established. Marked crosswalks are hereby established at the following intersections:

(a) E. Seward and Hwy. 51
(b) E. Seward and N. Cleveland
(c) E. Seward and N. Lincoln
(d) E. Seward and N. Franklin
(e) E. Seward and N. Main
(f) E. Washington and N. Main
(g) E. Washington and N. Franklin
(h) E. Washington and Railroad Street
(i) E. Washington and N. Lincoln
(j) E. Washington and N. Cleveland (AM 1-9-95 ORD 258.A)

5.03 **Parking.**

(1) No Parking Zone. No person shall stop or leave standing any vehicle at any time, except as provided by § 346.50 of the Wisconsin Statutes.

(a) On the East Side of Main Street from its intersection with Water Street to a point which is 50 feet North of the North edge of the Rowan Creek Bridge.

(b) On the West Side of Main Street from a line which is hereby established by extending the South line of the fire station driveway across Main Street to the Westerly margin thereof to a point, which is 50 feet North of the North edge of the Rowan Creek Bridge.

(c) On the South side of John Street between South Franklin Street and the West right of way line of the C.M. St. P&P Railroad.

(d) On the West Side of Wilson Street between the property lines of the parcel known as 513 Wilson Street.

(e) On both sides of U.S. Highway 51 between Rowan Creek and Columbia Drive.

(f) On the East and West sides of the South end of the 100 block of North Main Street, in the first legal parking space.

(g) On the west side of S. Lincoln St., between its intersection with Van Buren St. on the North and its dead end on the South.

(h) The entire left side of the street in one-way portions of Bluebird Circle

(i) The right Side of Bluebird Circle through the curve at the west end (adjacent to Lots 8 through 10) of Bluebird Circle

(j) Both sides of Bluebird Circle from its origination at South Street (CTH CS) northward to the north end of the curbed portion of Bluebird Circle

(k) The west side of Bluebird Circle between the north end of the curbed portion of Bluebird Circle and its first intersection with Bluebird Circle.

(2) Limitation on Parking Near Schools.

(a) No person shall stop or leave standing any vehicle excepting school busses upon the following street between the hours of 7:30 AM and 4:30 PM on school days: 170 feet of the East side of N. Cleveland St. between Seward and Washington Streets as measured North from the yellow curb markings on the South end of the block and the entire block on the West side of N. Cleveland St. between Seward and Washington Streets.

(b) No person shall stop or leave standing any vehicle upon the following streets between the hours of 7:30 AM and 4:30 PM on schools days, for longer than 15 minutes: the North and South side of East Seward between North Cleveland and Highway 51; 110 feet on the East side of N. Cleveland St. between Seward and Washington Streets, measured south from the yellow curb markings on the north end of the block.

(3) Parking for Physically Disabled.

(a) The first parking space in the 100 block of East Washington Street (north side only), the first parking space in the 100 block of South Wellington Street (east side only), and the parking space that commences 170 ft, from, and ends 200 ft. east of, North

Cleveland Street on the southside of East Seward, are reserved for use by a motor vehicle with special registration plates issued under § 341.14(1), (1a), (1m), or (1q), Wis. Stats., or a special identification card issued under § 343.51 or a motor vehicle registered in another state and displaying a registration plate, card or emblem issued by the other state which designates the vehicle as a vehicle used by a physically disabled person.

(b) An official traffic sign, indicating that said parking spaces are reserved for physically disabled persons, shall be erected at said parking space.

(c) Except as provided in § 346.50(c), Wis. Stats., no person may park, stop, or leave standing any vehicle, whether attended or unattended, and whether temporarily or otherwise, upon any portion of a street, highway or parking facility reserved by official traffic signs or distinct markers indicating the restriction for vehicles displaying special registration plates issued under § 341.14(1), (1a), (1m), or (1q), Wis. Stats., or a special identification card issued under § 343.51 or vehicles registered in another state and displaying a registration plate, card, or emblem issued by the other state which designates the vehicle as a vehicle used by a physically disabled person.

(4) <u>All-Night Parking Regulated</u>. When signs have been erected at or reasonably near the corporate limits of the Village as provided in § 349.13, Wis. Stats., no person shall park any vehicle upon the following streets or portions of streets between the hours of 2:00 AM and 6:00 AM.

(a) Both sides of Main Street between Washington Street and Seward Street.

(b) Both sides of Seward Street between Main Street and Franklin Street.

(c) Both sides of Washington Street between the West Business Alley and the East Business Alley.

(5) <u>Emergency Parking Restrictions</u>. When necessary for the cleaning, clearing, or repairing of any street, or for the removal of snow or ice therefrom, or for other emergency or special conditions, the Village Administrator or the Chief of Police, or the designated subordinate of either, is hereby authorized to make temporary regulations of traffic and parking upon such street as conditions require. Notice shall be given of any such regulations by the posting, within a reasonable time before such regulations are to become effective, of reasonably conspicuous signs.

(6) <u>Parking On Alternate Days</u>. In addition to other parking restrictions, the following restrictions shall apply:

Between November 15 and April 1, no person shall park, stop, or leave standing any vehicle between the hours of 2:00 AM and 6:00 AM on the even numbered side of the street on the odd numbered calendar days and on the odd numbered side of the street on the even numbered calendar days, except as posted otherwise.

(7) Parking of Truck Tractors and Semi-trailers. (AM 04/25/05 ORD 05-354)

(a) Definitions:

(1) ”Truck Tractor" means a motor vehicle designed and used primarily for drawing semi-trailers.

(2) "Semi-trailer" means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home.

(b) Except as described herein, no person shall stop or leave standing any truck tractor or semi-trailer, except while loading or unloading goods, wares or merchandise, or while making routine stops for food or fuel. The words "loading" and "unloading" as used herein shall be limited to the actual time consumed in such operation.

(c) M-1 Industrial District –

(1) Overnight parking is not allowed in rights-of-way of streets where either side of the street lies in a zoning district other than the M-1 industrial district.

(2) Trailers may not be parked separate from tractors in public rights-of-way.

(d) B-2 Highway Commercial District

(1) Parking of Truck Tractors and semi-trailers is permitted on private property only.

(2) Truck tractors and semi-trailers shall not be parked in public rights-of-way except while loading or unloading.

(3) Engines of Truck Tractors shall not let be left to idle when vehicles are unattended.

(4) Refrigerator trailer (Reefer) compressors shall not be operated except while loading, unloading or temporarily stopped for meals or fuel.

(e) All Residential Districts (R-1, R-2, R-3, R-3 (1&2), RD)

(1) Parking of Truck Tractors shall be permitted on private property only for periods not to exceed 72 hours.

(2) Truck tractors shall not be parked in or extending into public rights of way.

(3) Engines of Truck Tractors shall not let be left to idle when vehicles are unattended.

(4) Semi-trailers are not permitted in residential areas except while loading or unloading.

(8) Parking in Front of Mailboxes.

(a) No vehicle shall be parked so as to prevent the delivery of mail to United States postal boxes.

(b) If an officer observes a vehicle parked in such a way that prohibits the delivery of mail to a mail box, the officer may issue a traffic citation.

(9) Other Restrictions on Parking.

(a) Between the hours of 8:00 AM and 6:00 PM no person shall park, stop, or leave standing any vehicle in the first two parking spaces on the north end of the 100 block of South Main Street (west side only), or in the first parking space on the east end of the 100 block of West Washington Street (north side only), for more than 15 minutes and except for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers.

(b) No person shall park, stop, or leave standing any van, truck, or bus on the east or west side of the south end of the 100 block of North Main Street, in the second legal parking space.

(c) No person shall park, stop, or leave standing any van, truck, or bus on the east or west side of the north end of the 100 block of North Main Street, in the first legal parking space.

(10) 48-Hour Parking. Excepting those streets and parking places to which a more restrictive provision of § 5.03 applies, no person shall park or leave standing any vehicle, Recreation Vehicle, Boat, Camper, Trailer, any self-propelled vehicle or any apparatus pulled with a vehicle on any street for more than 48 hours.

5.04 **Erection of Official Traffic Signs.** The Village Administrator or the Chief of Police or the designated subordinate of either, is hereby authorized and directed to procure, erect, and maintain appropriate standard traffic signs and markings conforming to the rules of the state highway division giving such notice of the provisions of Sections 5.01 through 5.03, inclusive, of this Ordinance as required by state law.

5.05 **School Bus Warning Lights.** The operator of a school bus equipped with flashing red warning lights as specified in § 347.25(2), Wis. Stats., shall actuate such lights at least 100 feet before stopping to load or unload pupils or other authorized passengers at a location at which there are no crosswalks or traffic signals and such persons must cross the street before being loaded or after being unloaded, and such operator shall not extinguish such lights until loading or unloading is completed and persons who must cross the street are safely across.

5.06 **Horses Restricted from Streets During Certain Hours.** No person shall ride a horse upon any street during hours of darkness unless such horse is equipped with lamps or lanterns and an identification emblem meeting the requirements of §§ 347.24(1)(a) and 347.245(1), Wis. Stats.

5.07 **Village may Establish Snowmobile Routes.**

(1) The Village Board may establish one or more snowmobile routes in the Village of Poynette upon application of any bona fide snowmobile club and after a hearing as hereinafter provided. Applications shall be required on a yearly basis and be submitted by the first week of October and processed as stated in sub (3).

(2) Each application shall be filed with the Village Clerk. The application shall state the name and address of the snowmobile club, the names and addresses of all officers of the club, and the names of the streets and alley comprising the proposed snowmobile route. Each application shall be accompanied by a scale map designating the proposed snowmobile route, the intersecting streets and alleys, the location of all building within 150 feet of the proposed route, and the names and addresses of the owners of said buildings.

(3)

(a) Each New Application shall be referred to the Village Parks Commission for recommendation and report to the Village Board. The Parks Commission shall conduct a public hearing on each application after publication of a Class 1 notice under Ch. 985, Wis. Stats. The notice shall contain the name and address of the applicant club, the date, time, place and purpose of the hearing, and a general description of the location of the proposed snowmobile route.

(b) Applications for continued routes that were previously approved, contain no alterations and have not been the subject of complaints registered with the Village, shall not require the Public Hearing and recommendation by the Parks Commission. Continued route applications shall be sent directly to the Village Board for continuation approval.

(4) Upon receiving the recommendation and report of the Plan Commission, the Village Board may, by resolution, designate any snowmobile route and regulate the hours during which said route may be used.

(5) Any street or alley designated as a snowmobile route for snowmobile operation shall be marked in accordance with § 350.13, Wis. Stats. If any restrictions are placed on the hours of use, such restrictions shall also be clearly designated. Whenever any street or alley has been designated as a snowmobile route, the Village Clerk shall immediately send a copy of the resolution to the Department of Natural Resources, the Poynette Police Department, and the applicant snowmobile club. The snowmobile club shall have a duty to provide each of its members with a copy of said resolution.

(6) The Village Board may, by resolution, vacate any snowmobile route previously established by it. Notice of such vacation shall be given by publication of a Class 1 notice under Ch.

985, Wis. Stats., and by mailing a copy of the resolution to the applicant snowmobile club, the Department of Natural Resources, and the Poynette Police Department. All route markings shall thereupon be removed.

(7) The operator of any snowmobile operating on a designated snowmobile route shall comply with the following limitations:

(a) snowmobiles shall be operated only on streets and alleys officially designated and marked by the Village Board as a snowmobile route;

(b) snowmobiles shall be operated on a snowmobile route only during the hours authorized by the Village Board;

(c) snowmobiles shall be operated on the extreme right side of the roadway or alley of a snowmobile route;

(d) left turns shall be made as safely as possible from any position depending on snow cover and other prevailing conditions;

(e) the operator shall yield right-of-way to other vehicular traffic and pedestrians; and

(f) the operator shall comply with all other requirements of Ch. 350, Wis. Stats., and with the statutes enumerated in § 346.02(1), Wis. Stats., which are hereby adopted by reference.

(8) Snowmobile Access to Trails

(a) Intent of section. The intent of this section is to provide a means for Village residents/property owners to travel on a snowmobile from a residence within the limits of the Village to a designated snowmobile trail, when those routes or trails are open, using the shortest distance necessary.

(b) Statutory Authority. This section is adopted as authorized under Wis. Stats. 350.18.

(c) Conditions. This section designates the roadways and/or shoulders of specific highways for snowmobile travel by persons residing or staying at a lodging establishment within the limits of the Village to travel for the shortest distance that is necessary to reach the snowmobile trail or route that is closest to that residence or lodging establishment subject to the following conditions:

1. Snowmobiles shall be operated on the extreme right side of the roadway and travel with the flow of traffic.

2. Snowmobiles shall be operated in single file.

3. Snowmobiles shall have their headlights on at all times.

4. Snowmobile operators shall yield the right-of-way to other vehicular traffic and pedestrians.
5. Operators must have a valid driver's license.

(d) Speed. A snowmobile operating on a portion of the roadway or shoulder of a street/highway pursuant to this section shall observe 15 mile per hour speed limits except that between the hours of 10:30 p.m. and 7:00 a.m. snowmobiles may not exceed 10 mph when operated within 150 feet of a dwelling.

(e) Enforcement. This section shall be enforced by any law enforcement officer of the Village.

(f) Penalties. State snowmobile penalties as found in Wis. Stats 350.11(1)(a) are adopted by reference except for those exceeding Village authority.

5.08 **Speed Restrictions.**

(1) The fixed limit speed restrictions imposed by § 346.57(4), Wis. Stats., are modified as follows on the following streets:

(a) 35 miles per hour on Kent Road between U.S. Highway 51 and the intersection of Kent Road with the westerly right-of-way line of "Old" CTH "S";

(b) 35 miles per hour on "Old" CTH "S" between Kent Road and North Street;

(c) 35 miles per hour on McMillan Road beginning 911 feet from its intersection with Academy Street heading to the west to the corporate limits;

(Amended by Ord. No. 258.A on 1/9/1995; Ord. No. 15-523 on 8/10/2015)

(d) 35 miles per hour on CTH "Q" between CTH "CS" (South Street) and the corporate limits; and

(e) 30 miles per hour on CTH "CS" (South Street) between Main Street and the corporate limits.
(f) 25 miles per hour on McMillan Road beginning at its intersection with Academy Street to a point 911 feet west of said intersection.

(Amended by Ord. No. 15-523 on 8/10/2015)

5.09 **Weight Limitations on Certain Roads.**

(1) Pursuant to the authority conferred by § 349.15, Wis. Stats., the following highways are hereby designated to be Class "B" highways for the purpose of putting into effect the weight limitations set forth in § 348.16, Wis. Stats.:

(a) "Old" CTH "S" between Kent Road and North Street.

5.10 **Neighborhood Electric Vehicles Permitted.**

(1) Definitions:

(a) "Neighborhood Electric Vehicles" (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for "low-speed vehicles" under 49 CFR 571.3(b) and 571.500

(b) NEVs shall be 4-wheeled and have a speed range of at least 20 miles per hour, and not more than 35 miles per hour on a paved surface and have a gross vehicle weight at rest of less than 2,500 pounds. NEV does not include an electric golf cart and shall have:

1. Headlamps
2. Front and rear turn signals
3. Top lamps
4. Reflex reflectors: one red on each side, as far to the rear as practicable, and one red on the rear
5. An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror
6. Parking brake
7. Windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (CFR571.205)
8. A Vehicle Identification Number (VIN) that complies with federal law (49 CFR 565)
9. A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209, and Federal Motor Safety Standard No. 209, for each designated seating position
10. Meets the general test conditions under 49CFR 571

(2) Permitted Users of Neighborhood Electric Vehicles: To use an NEV on the streets of the Village of Poynette the operator must possess a valid Wisconsin driver's license.

(3) Permitted Use of Neighborhood Electric Vehicles on Village Streets: A licensed individual may operate an NEV on the streets of the Village of Poynette having a posted speed limit of 35 miles per hour or less, and headlamps must be on during operation of the vehicle on public ways. NEVs are not permitted on Village sidewalks or in Village Parks except for vehicle parking areas.

(4) Operation of Neighborhood Electric Vehicles. The operation of NEVs as permitted herein shall in all respects be in compliance with Chapter 6 of the Village of Poynette, WI Code of Ordinances.

(5) License.

(a) Neighborhood Electric Vehicles shall be licensed by the Village and the license shall be issued to the owner of the vehicle. The license fee shall be $30.00, and licenses shall be issued by the Poynette Police Department for 2-year periods.

(b) Application for a neighborhood electric vehicle license shall be made in writing to the Village Police Department, stating the full name of the applicant, proof of insurance, his or her address, and the make, model and serial number of the vehicle he or she proposes to operate as a neighborhood electric vehicle. The applicant shall also provide certification issued by the manufacturer of the neighborhood electric vehicle or by a state or federal agency authorized to certify neighborhood electric vehicles demonstrating that the neighborhood electric vehicle satisfies the definition set forth in this Ordinance and the requirements stated therein.

(c) The Village shall discontinue the licensing of NEVs at such time that the State of Wisconsin initiates registration of NEVs and the issue of licenses by WIS DMV.

(d) The license shall be displayed on the rear of the NEV.

(6) Enforcement. Enforcement of this ordinance regulating the use of NEV within the Village of Poynette, WI, shall be pursuant to Title V, Chapter 5 of the Village of Poynette Code of Ordinance. If not otherwise provided, the penalty for violation of any provision of this Section shall be as identified for this section in Section 26.04, Deposit Schedule, of Village Ordinances.

5.11 **(RESERVED)**

5.12 **Crossing Guards.**

(1) In cooperation with the local public school district, the Village may provide for the appointment of adult school crossing guards for the protection of persons who are crossing a highway in the vicinity of a school. The school crossing guards shall wear insignia or uniforms which designate them as school crossing guards and shall be equipped with signals or signs to direct traffic to stop at school crossings.

(2) In order to avoid liability for contributions to the Wisconsin Retirement System, no crossing guard shall be appointed for more than 590 hours of actual performance of duty in any calendar year. The Village Administrator shall determine the hours of employment for each crossing guard after consulting with school district administrative personnel and reviewing the school calendar.

5.13 **Bicycles and Skateboards.**
(Repealed/Replaced by Ord. No. 15-521 on 8/10/2015)

(1) Rules for turning.

(a) Signal required. The operator of a bicycle on a roadway, when making a right turn, shall follow the right-hand edge of the roadway and the operator of a bicycle on a roadway, when making a left turn, shall approach the point of turning in the traffic lane nearest the center of the roadway. No operator shall slow down, stop or attempt to turn without first indicating such turning movements as provided by law.

(2) Rules of Operation. No person operating a bicycle upon any street, sidewalk, highway, bicycle path, or bicycle way within the Village shall fail to observe all applicable traffic regulations of the municipality, Wis. Stats 346.02(4), 346.77 to 346.804 and 347.489 as amended from time to time or to comply with the following regulations:

(a) Trick riding. No person shall operate a bicycle upon the streets of said Village without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

(b) Carrying extra passengers. Bicycle or skateboard operators shall not use a bicycle or skateboard, except a tandem, to carry another person. A bicycle operator may carry a child securely attached to his person in a back pack or sling and may carry a child on a bicycle in a child's seat securely attached to and properly designed for use on a bicycle.

(c) Emerging from alley or driveway. The operator of a bicycle or skateboard emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

(d) Bicycles or skateboards not to be pulled by moving vehicles. No person riding upon a bicycle or skateboard shall cling or attach himself or his bicycle or skateboard to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle or skateboard tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such highway.

(e) Speed. No person shall operate a bicycle or skateboard at a speed in excess of any posted speed limit.

(f) Sidewalk operation.

(i) The operation of bicycles or skateboard on public sidewalks is prohibited on both sides of the 100 block of North Main Street, both sides of the 100 block of South Main Street to the police

department parking lot, the 100 block of East Seward Street south side between Main Street and Franklin Street and any other places signs have been posted restricting bicycle or skateboard use.

(ii) The operation of bicycles or skateboards on the public sidewalks other than those in subsection (e)(i) of this section is permitted provided that every person operating a bicycle on a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

(g) Bicycle or Skateboard parking. No person shall park any bicycle against windows or in the main traveled portion of any sidewalk or highway nor in such manner as to constitute a hazard to pedestrians, traffic or property. Bicycles shall be parked either in bicycle racks or on the sidewalk in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. No person shall chain a bicycle or skateboard to any post, pole, tree or other structure located upon the right-of-way, except to a rack expressly provided therefore.

(3) Inspection and registration of bicycles.

(a) Registration required. No person shall operate a bicycle upon any street, sidewalk, public property, bicycle pathway or public highway in the village unless said bicycle shall first have been properly registered and an identification tag attached as hereinafter provided.

(b) Form of registration.

(i) How made. Registration shall be made by filing with the Police Department on a form provided by the Village.

(ii) Registration fee. The fee for registration of a bicycle shall be free.

(iii) Identification tag. The registering employee or officer shall issue to the registrant an identification tag. The identification tag shall be immediately affixed to the registered bicycle, be serially numbered to correspond with the registration number and shall be firmly attached to the bicycle for which issued. The identification tag shall be kept visible and clean at all times.

(iv) Record of registration. A registration card shall numerically correspond with the identification tag.

(v) Duration of registration. The identification tag is non-expiring for the period upon which the bicycle is owned by the registrant. The registration will expire if ownership of the bicycle is changed or the bicycle is disposed of.

(c) Owner to register. The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

(d) Exemption. Any non-resident may operate a bicycle which is duly registered in any municipality without obtaining local registration if a valid registration tag is attached.

(4) Lights and Other Equipment.
Every bicycle operated upon the sidewalks, streets, alleys or public highways of the Village during any time between one-half hour before sunset and one-half hour before sunrise and at all other times when to render clearly visible any person, vehicle, or other substantial object a distance of 50 feet shall have their lights on and the lights shall conform to the requirements as hereto stated. Lanterns and makeshift lights on bicycles are strictly forbidden.

(5) Responsibility of parent or guardian. No parent or guardian of any child shall authorize, or knowingly permit, such child to violate any of the provisions of this ordinance or state law applicable to the registration or operation of bicycles/skateboards.

(6) Unclaimed or unidentified bicycles/skateboards. All abandoned or unidentified bicycles/skateboards shall be delivered to the police department for storage, and all such bicycles/skateboards remaining in the hands of the police department at the end of 30 days may be disposed of as set forth in the applicable provisions.

(7) Penalties
(a) Any person 16 years of age or older who shall violation any provision of this article may be issued a uniform traffic citation and be subject to the penalties provided by the uniform state traffic deposit schedule.

(b) Any person 12 years of age through 15 years of age who shall violate any provisions of this article may be issued a village ordinance and be subject to the penalties provided by the deposit schedule, upon conviction

5.14 **Penalties.** The penalty for violation of any provision of this Ordinance shall be a forfeiture as hereinafter provided together with the costs of prosecution imposed as provided in §§ 345.20 to 345.53, Wis. Stats.

(1) Uniform Offenses. Forfeitures, except as provided in Subsection (3) for nonmoving traffic offenses, for violation of any provision of Chapters 341 to 348 adopted by reference in Section 5.01(a) of this Ordinance shall conform to forfeitures for violation of the comparable state offense, including any variations of increases for second offenses.

(2) Special Local Regulations. The forfeiture for violation of Section 5.01(2) adopting by reference § 941.01, Wis. Stats., shall not be less than $50.00 or more than $200.00. The

forfeiture for violation of any provision of Sections 5.05 and 5.06 of this Ordinance shall not be less than $25.00 or more than $50.00.

(3) Parking (Nonmoving Traffic Offenses). The minimum forfeiture for violation of any provision of §§ 346.50 to 346.55, Wis. Stats., adopted by referenced in Section 5.01 of this Ordinance, and for violation of any provision of Section 5.03 of this Ordinance, shall be $10.00. The maximum forfeiture shall conform to forfeitures for violation of the comparable state offenses, including any variations or increases for second offenses.

(4) In addition to the forfeiture set forth in other provisions of this Section, any vehicle in violation of Section 5.03(5) or (6) may be towed away and stored, and the owner thereof shall pay the actual cost of towing and storage before said vehicle is released.

(5) Snowmobile Regulations. The forfeiture for violation of any provision of Subsection 5.07(7) of this Ordinance shall conform to the forfeiture for violation of the comparable state offense, including any variations or increases for second offenses. Wherever no such forfeiture is provided, the provisions of Section 25.05 of this Code shall apply.

(6) Administrative Code Offenses. The forfeiture for violation of any provision of Chapter MVD 5, Wis. Admin. Code, adopted by reference in Section 5.01(3) of this Ordinance, shall be as prescribed in § 110.075(7), Wis. Stats.

5.15 **Enforcement.** This Ordinance shall be enforced in accordance with the provisions of §§ 345.20 to 345.53, Chapter 299, and § 66.0114, Wis. Stats.

(1) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by persons arrested for moving traffic violations under this Ordinance in accordance with § 66.0114(1)(b), Wis. Stats., whenever the provisions of § 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under § 345.11, Wis. Stats., and may be accepted within five days of the date of the alleged violation. Stipulations may be accepted by the Village Police Department.

(2) Deposits. Any person stipulating guilt or no contest under Subsection (1) of this Section must make the deposit required under § 345.26, Wis. Stats., or if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Village Board. Deposits may be brought or mailed to the office of the police department as directed by the arresting officer.

(3) Parking Citations. Citations for all nonmoving traffic violation under this Ordinance shall conform to § 345.28, Wis. Stats., and shall permit direct mail payment of the minimum forfeiture to the Village Police Department within five days of the issuance of the citation in lieu of court appearance. The issuing officer shall specify on the citation the minimum

forfeiture as provided in this Ordinance. Once each week the Chief of Police shall deliver to the Village Treasurer all such forfeitures received by the Village Police Department.

(4) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this Ordinance shall receipt therefore in triplicate as provided in § 345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of §§ 343.27, 343.28, 345.26(1)(a), and 345.27(2), Wis. Stats., shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under § 345.11, Wis. Stats.

(5) Officer to Post Bond, Qualify. Any officer authorized to accept deposits under § 345.26, Wis. Stats., or by this Ordinance, shall qualify by taking the oath prescribed by § 19.01, Wis. Stats., and filing an official bond in the sum of $1,000.00, as described by § 19.01.

5.16 **References to Statutes.** Reference to specific statutory sections wherever used in this Ordinance shall mean the Wisconsin Statutes of 2009-10 as from time to time amended, modified, repealed, or otherwise altered by the State Legislature.

5.17 **Severability.** The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.