

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.04 State Traffic Laws Adopted
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Chapter 10.04

STATE TRAFFIC LAWS ADOPTED

Sections:

- 10.04.010 State traffic laws adopted.

10.04.010 State traffic laws adopted.

Except as otherwise specifically provided in this Title 10, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, inclusive of any provisions therein relating to penalties and fines to be imposed, and exclusive of any regulations for which the statutory penalty is a term of imprisonment, are adopted and by reference made a part of this title as if fully set forth in this chapter. Any act required to be performed or prohibited by any statute incorporated by reference is required or prohibited by this title. Any future amendments, revisions or modifications of the statutes incorporated are intended to be made part of this title in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the state. (Ord. 2002-5: Prior code § 4.01)

Chapter 10.08

ADMINISTRATION AND ENFORCEMENT

Sections:

- 10.08.010 Duty of town constable to erect and install uniform traffic control devices.
- 10.08.020 Code numbers to be affixed to official traffic control devices.
- 10.08.030 Official traffic map.
- 10.08.040 Prohibited signs and markers in highways.
- 10.08.050 Removal of unofficial signs, markers, signals and traffic control devices.
- 10.08.060 Forfeiture penalty.
- 10.08.070 Other sanctions.
- 10.08.080 Forfeitures for uniform traffic offenses.
- 10.08.090 Forfeiture for parking violations.
- 10.08.100 Other violations.
- 10.08.110 Enforcement.
- 10.08.120 Applicable court procedures.

10.08.130 Citations.

10.08.140 Deposits and stipulations.

10.08.150 References to Wisconsin Statutes.

10.08.160 Participation in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation.

10.08.010 Duty of town constable to erect and install uniform traffic control devices.

Whenever traffic regulations created by this title, including a state traffic regulation adopted by reference in Section 10.04.010, require the erection of traffic control devices for enforcement, the town constable shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets, alleys and highways on which such regulations apply. Whenever state law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such manner as in the judgment of the town constable will carry out the purposes of this title and give adequate warning to the users of the streets, alleys and highways of the town. (Prior code § 4.02(1))

10.08.020 Code numbers to be affixed to official traffic control devices.

The town constable shall cause to be placed on each official traffic control sign, guide board, mile post, signal or marker erected under Section 10.08.010 a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the state. (Prior code § 4.02(2))

10.08.030 Official traffic map.

A. Official Traffic Map Established. There is established an official traffic map for the town upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings, and all other restrictions or limitations contained in this title, as from time to time amended or modified by the town board when the laws of the state require the erection or use of official traffic control devices to enforce such restrictions or limitations.

B. Violations Prohibited. When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the official traffic map are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the official traffic map shall be a violation of the provisions of this title.

C. Map to be Maintained. A copy of the official traffic map shall be maintained and displayed in the offices of the town clerk and municipal judge.

D. Additions to Map. The town board may from time to time make additions to or deletions from the official traffic map and the town clerk shall keep such official traffic map current. (Prior code § 4.02(3))

10.08.040 Prohibited signs and markers in highways.

No person, other than an officer authorized by this title to erect and maintain official traffic control devices or his or her designee, shall place within the limits of any street or highway maintained by the town any sign, signal, marker, mark or monument unless permission is first obtained from the town board and/or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this section shall be subject to removal as provided in Section 10.08.050. (Prior code § 4.02(4))

10.08.050 Removal of unofficial signs, markers, signals and traffic control devices.

The town constable may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the town constable to the town board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15th shall be placed upon the tax roll for collection as other special municipal taxes. (Prior code § 4.02(5))

10.08.060 Forfeiture penalty.

The penalty for violation of any provision of this title shall be a forfeiture as provided in this chapter, together with the costs of prosecution and the penalty assessment imposed by Wisconsin Statutes Section 165.87, where applicable. Payment of the judgment may be suspended by the sentencing judge for not more than sixty (60) days. Any person who shall fail to pay the amount of the forfeiture, costs of prosecution and penalty imposed for violation of any provision of this title may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days. (Prior code § 4.19(1))

10.08.070 Other sanctions.

Nothing in this chapter shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant or to order the defendant to submit to assessment and rehabilitation or attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment. (Prior code § 4.19(2))

10.08.080 Forfeitures for uniform traffic offenses.

Forfeitures for violations of any traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 10.04.010 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable state statute including any variations or increases for subsequent offenses; provided, however, that this subsection shall not permit prosecution under this title of any offense for which an imprisonment penalty or fine may be imposed upon the defendant. (Prior code § 4.19(3))

10.08.090 Forfeiture for parking violations.

A. Forfeiture for Uniform Statewide Parking, Stopping, and Standing. Offenses as described in Wisconsin Statutes Section 346.512, 346.55 shall conform to the forfeiture penalty permitted to be imposed for violations of said statutory sections including any variations increases for subsequent offenses; provided, however, that this subsection shall not permit prosecution under this title of any offense for which an imprisonment penalty or fine may be imposed upon defendant.

B. Penalty for Other Parking Violations. The penalty for all other parking violations not included under subsection A of this section shall be a forfeiture of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00). (Ord. 98-8)

10.08.100 Other violations.

Any person who shall violate any provision of this title for which a penalty is not established by Sections 10.08.060, 10.08.070, 10.08.080 or 10.08.090 shall be subject to a forfeiture of not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00). (Prior code § 4.19(5))

10.08.110 Enforcement.

This title shall be enforced in accordance with applicable provisions of the Wisconsin Statutes and this chapter. (Prior code § 4.20(intro))

10.08.120 Applicable court procedures.

Except where otherwise specifically provided by the laws of the state or this title, the traffic regulations in this title shall be enforced in the municipal court of the town in accordance with the provisions of Wisconsin Statutes Chapter 800 and Section 345.20(2)(b). (Prior code § 4.20(1))

10.08.130 Citations.

A. Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this title, except those provisions which describe or define nonmoving traffic violations and violations of Wisconsin Statutes Sections 346.71 through 346.73. Violations of Wisconsin Statutes Sections 346.71 through 346.73, shall be reported to the district attorney and the

Wisconsin Uniform Traffic Citation shall not be used in such cases, except upon written request of the district attorney.

B. **Parking Citations.** The town attorney shall recommend a citation for use in enforcing the nonmoving traffic offenses in this title. When approved by the town board, such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this title, including violations of non-moving traffic violations defined and described in the Wisconsin Statutes, adopted by reference in Section 10.04.010 and all provisions of Sections 10.28.020 and 10.28.030. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Section 10.098.140B. Nonmoving traffic citations may be issued by law enforcement officers or by civilian employees of the town. (Prior code § 4.20(2))

10.08.140 Deposits and stipulations.

A. **Uniform Traffic Offenses.**

1. **Who May Make.** Persons arrested or cited for violation of moving traffic offenses created by this chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes.

2. **Delivery or Mailing of Deposit and Stipulation.** The deposit and stipulation shall be delivered personally by the person cited or mailed to the office of the municipal judge.

3. **Receipt Required.** The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation and a copy of the receipt within ten days to the Municipal Judge.

B. **Nonmoving Traffic Offenses.**

1. **Direct Payment of Penalty Permitted.** Persons cited for violation of nonmoving traffic offenses described and defined in this chapter may discharge the penalty thereof and avoid court prosecution by forwarding within ten days of the issuance of the citation to the town treasurer the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within fifteen (15) days of the date of the citation to the above-named office the amount of fifty dollars (\$50.00). When payment is made as provided in this subsection (B)(1), no court costs shall be charged.

2. **Court Prosecution.** If the alleged violator does not deliver or mail a deposit as provided in subsection (B)(1) of this section, within fifteen (15) days of the date of the citation, the town constable shall forward a copy of the citation to the town attorney for prosecution pursuant to law.

3. **Deposits Returned to Treasurer.** Officers receiving deposits for nonmoving traffic violations under this section shall pay over such deposits to the town treasurer within seven days

of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor. (Prior code § 4.20(3))

10.08.150 References to Wisconsin Statutes.

A. Statutes Specifically Incorporated by Reference. Whenever this title incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1983-84 as from time to time amended, repealed or modified by the Wisconsin Legislature.

B. General References. General references in this title to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities. (Prior code § 4.21)

10.08.160 Participation in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation.

In order to discourage nonmoving traffic violations and to encourage the payment of forfeitures imposed for such violations, the town board does hereby elect to participate in the Nonmoving Traffic Violation and Registration Program of the Wisconsin Department of Transportation and pay the cost established by the department under Section 85.13, Wis. Stats.; such costs shall, in turn, be assessed against persons charged with nonmoving traffic violations. The town attorney shall be responsible for complying with the requirements set forth in Section 345.28(4), Wis. Stats., and the clerk of the Town of Dover Municipal Court shall be responsible for maintaining and executing the program. (Ord. 2003-2)

Chapter 10.12

SPEED LIMITS

Sections:

10.12.010 Speed limits.

10.12.010 Speed limits.

The town board determines that the statutory speed limits on the following highways or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits as designated in this section.

Speed Limits Decreased. With the approval of the Wisconsin Department of Transportation, the speed limits are decreased as designated in this section upon the following highways or the portions thereof.

A. Semi-Urban Districts.

1. Twenty-five (25) m.p.h. upon the following public highways in the town, to-wit:

a. On the town road known as Minnetonka Drive and on the line common to the north and south half of Section 21, Township 3 North, Range 20 East, from its intersection with County Trunk Highway "N" easterly to Eagle Lake;

b. On all public roads in the residential subdivisions of Lorimar Estates, Sherwood Forest, Eagle Lake Manor and Eagle Lake Terrace and Dover Deer Meadows at twenty-five (25) miles per hour.

2. Thirty-five (35) m.p.h. upon the following public highways in the town, to-wit:

a. On State Trunk Highway 75 from a point 0.25 of a mile south of C.M. St. P & P Railroad grade crossing at the unincorporated place known as Kansasville, northerly to its intersection with State Trunk Highway 11;

b. On the town road known as Church Road, from its intersection with State Trunk Highway 75 to Highway N;

c. On Sharp Road from its intersection with State Highway 20 south to the quarter section line of Section 8, which coincides with the south line of Sherwood Forest Subdivision;

d. On Schroeder Road commencing at the point of its intersection with Schoen Road to the northwest a distance of four hundred (400) feet;

e. Sheard Road from Highway 11 to Ketterhagen Road.

f. Cunningham, Vandenboom and Cox Roads, at all points in the town of Dover at thirty-five (35) miles per hour.

3. Forty (40) m.p.h. on Schoen Road from its intersection with State Trunk Highway 11 to its intersection with Schroeder Road.

4. Fifteen m.p.h. upon the following public highways in the town, to-wit:

a. On Church Road west of Highway 75 in front of Dover Center School. "SLOW SCHOOL/15 M.P.H. On days when children are present" signs shall be erected and maintained to alert east and west bound traffic.

B. Speed Limit Established by Posting.

1. In addition to the specific speed limits set forth in this chapter, the town board may elect to create speed limits in the town by resolution. If such a resolution is passed, the speed limit shall be established by the posting of appropriate signage on the roadway in question. (Ord. 04-04; Ord. 04-03; Ord. 2002-1; Ord. 2001-10; Ord. 2001-8; Ord. dated 10/9/95 § 4.03(1); Ord. 90-11 § 1; prior code § 4.03)

Chapter 10.16

THROUGH HIGHWAYS AND STOP AND YIELD INTERSECTIONS DESIGNATED

Sections:

10.16.010 Through-highways designated.

10.16.020 Designation of regulated intersections and location of stop signs.

10.16.030 Yield signs to be erected.

10.16.040 Operators to obey traffic control devices.

10.16.010 Through-highways designated.

In the interest of public safety and pursuant to authority granted by Wisconsin law, the following highways or portions thereof are declared to be through-highways and stop signs are established at all entrances thereto from intersecting highways:

A. Eagle Road in Eagle Lake Manor Subdivision from the south end of State Highway 11 north to its intersection with Lake Shore Drive;

B. Wilson Street in Eagle Lake Manor Subdivision westward from the east line of Marshall Square;

C. Lake Shore Drive in Eagle Lake Manor Subdivision from an eastward extension of the north line of Wilson Street southeasterly to the east line of Eagle Road;

D. The township road known as Church Road from Raynor Avenue west to State Trunk Highway 75. (Prior code § 4.04(1))

10.16.020 Designation of regulated intersections and location of stop signs.

In the interest of public safety, stop signs conforming to the rules of the State Highway Commission shall be installed at the following locations to control traffic on the highways over which the town has exclusive jurisdiction:

A. At the northwest and southeast corners of the intersection of Britton Road and Church Road so as to require traffic approaching Church Road from the north or from the south on Britton Road to stop;

B. On the northeast and the southwest corner of the intersection of Schoen Road, County Line Road from the east, and Schroeder Road from the northwesterly direction so as to cause traffic approaching Schoen Road from the west on Schroeder Road and from the east on County Line Road to stop;

C. At the southeast corner of the intersection of Britton Road and Bennett Road so as to require traffic approaching Bennett Road from the south on Britton Road to stop;

D. On the southwest corner of the intersection of Dover Line Road and Jacobs Road so as to require traffic approaching Jacobs Road from the west to stop;

E. At the southwest corner of Rowntree Road and Sharp Road so as to require traffic approaching Sharp Road from the west on Rowntree Road to stop;

F. At the northwest corner of the intersection of Raynor Road and Church Road so as to require traffic approaching Church Road from the north on Raynor Road to stop;

G. At the northwest corner of the intersection of Cox Road and Church Road so as to require traffic approaching Church Road from the north on Cox Road to stop;

H. At the southeast corner of the intersection of Sheard Road and Ketterhagen Road so as to require traffic approaching Ketterhagen Road from the south on Sheard Road to stop;

I. At the northwest corner of the intersection of Vandenboom Road and County Line Road so as to require traffic approaching County Line Road from the north on Vandenboom Road to stop;

J. At the northwest corner of the intersection of Cunningham Road and County Line Road so as to require traffic approaching County Line Road from the north on Cunningham Road to stop;

K. At the northwest corner of the intersection of Lake Shore Drive and Eagle Road in the Resubdivision of Eagle Lake Manor so as to require traffic approaching Lake Shore Drive from the north on Eagle Road to stop;

L. At the northwest corner of the intersection of Wilson Street and Lake Shore Drive in the Resubdivision of Eagle Lake Manor so as to require traffic approaching Wilson Street from the northwest to stop;

M. At the southeast corner of the intersection of Wilson Street and Lake Shore Drive so as to require traffic approaching Lake Shore Drive from the west to stop;

N. At all four corners of the intersection of Chippewa Drive and Minnetonka Drive in Eagle Lake Terrace requiring traffic approaching the intersection from all directions to stop;

O. At the southwest corner of the intersection of Sherwood Forest Road and Sharp Road requiring eastbound traffic on Sherwood Forest Drive to stop before turning onto Sharp Road;

P. At the southeast corner of the intersection of Mealy Road and Dover Line Road requiring northbound traffic on Mealy Road to stop before turning onto Dover Line Road;

Q. At each corner of the intersection of Minnetonka Drive and Sioux Drive requiring all traffic approaching the intersection to stop before proceeding through the intersection;

R. At the northwest corner of the intersection of South Britton Road and Spring Street so as to require traffic approaching Spring Street from the north to stop;

S. At the northeast corner of the intersection of Lincoln Avenue and Jackson Street so as to require traffic on Jackson Street to yield the right-of-way;

T. At the southwest corner of the intersection of Lincoln Avenue and Jackson Street so as to require traffic on Jackson Street to yield the right-of-way;

U. At the northeast corner of the intersection of Marshall Square and Jackson Street so as to require traffic on Jackson Street to yield the right-of-way;

V. At the southwest corner of the intersection of Marshall Square and Jackson Street so as to require traffic on Jackson Street to yield the right-of-way. (Ord. 99-1; Ord. 91-22 § 1; Ord. 90-2 § 3; prior code § 4.04(2))

10.16.030 Yield signs to be erected.

The town constable is authorized to erect yield right-of-way signs conforming to the Wisconsin Official Traffic Control Device Manual at the following intersections on highways in the exclusive jurisdiction of the town, provided, that if the intersected highway is a part of a through-highway designated under Section 10.16.010, the provisions of Wisconsin Statutes Section 349.07(7)(a), apply:

A. At the intersection of Kennedy Street with Lake Shore Drive. (Prior code § 4.04(3))

10.16.040 Operators to obey traffic control devices.

Every operator of a vehicle approaching an intersection at which an official traffic control device is erected in accordance with this chapter shall obey the direction of such official traffic control device as required by the Wisconsin Statutes incorporated by reference in Section

10.04.010. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Wisconsin Statutes Section 346.47. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Wisconsin Statutes Section 346.18(6). (Prior code § 4.04(4))

Chapter 10.20

MOTOR VEHICLE EQUIPMENT

Sections:

10.20.010 Administrative regulations adopted.

10.20.020 Noncompliance prohibited.

10.20.030 Owner's liability.

10.20.040 Safety checks.

10.20.050 Violations—Penalties.

10.20.010 Administrative regulations adopted.

The Administrative Rules and Regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in Chapter MVD-5 of the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are adopted by reference and made a part of this chapter as if fully set forth herein. (Prior code § 4.08(1))

10.20.020 Noncompliance prohibited.

No person shall operate or allow to be operated on any highway, street or alley within the town a vehicle that is not in conformity with the requirements of Section 1 of the equipment provisions of Wisconsin Statutes Chapter 347, incorporated by reference in Section 10.04.010. (Ord. 97-20 § 4.08(2), 1997: prior code § 4.08(2))

10.20.030 Owner's liability.

Any owner of a vehicle not equipped as required by this chapter who knowingly causes or permits such vehicle to be operated on a highway in violation of this chapter is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Wisconsin Statutes Section 347.04, relating to the nonapplicability of demerit points, shall apply to owners convicted of violation of this chapter. (Prior code § 4.08(3))

10.20.040 Safety checks.

A. Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this chapter, or that the vehicle equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer.

B. Authority of Officer. A law enforcement officer of the town is empowered whenever he or she shall have reason to believe that any provision of this chapter is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns, and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires, and other items of equipment.

C. Vehicle to be Removed from Highway. Whenever, after inspection as provided by this section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated; except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Wisconsin Statutes Section 110.075(5), and shall require the vehicle owner or operator to obtain such repairs as are required by the law enforcement officer. (Prior code § 4.08(4)(a—c))

10.20.050 Violations—Penalties.

Penalty for violation of any provision of this chapter, including the provisions of Chapter MVD-5 of the Wisconsin Administrative Code incorporated by reference, shall be as provided in Section 10.08.080, together with the costs of prosecution and applicable penalty assessments. (Prior code § 4.08(4)(d))

Chapter 10.24

PARKING

Sections:

10.24.010 Parking prohibited.

10.24.020 No parking except for authorized vehicles.

10.24.030 Miscellaneous parking restrictions.

10.24.040 Unlawful removal of parking citations.

10.24.050 Removal of illegally parked vehicles.

10.24.060 Registration record of vehicle as evidence.

10.24.070 Parking during snowstorm emergency.

10.24.010 Parking prohibited.

A. Except temporarily for the purpose of, and while actually engaged in, loading or unloading, or in receiving or discharging passengers or property, and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall park or leave standing any vehicle upon the right-of-way, including both shoulders, of any public roadway within any subdivision in the town of Dover from November 1st through the following March 30th.

B. Such prohibition shall pertain only to the paved portion of such public roads from April 1st through October 31st. (Prior code § 4.06(1))

10.24.020 No parking except for authorized vehicles.

Except as permitted in this chapter, no person shall park, stop or leave standing any vehicle in the following places unless authorized by permit issued by the town board or by an official traffic control sign:

A. In any town park, parkway, recreation area or public cemetery;

B. On any drive through any town park, parkway, recreation area or public cemetery. (Prior code § 4.06(2))

10.24.030 Miscellaneous parking restrictions.

A. Street Maintenance. Whenever it is necessary to clear or repair a town roadway or any part thereof, the town traffic department shall post such highways or parts thereof with signs bearing the words "No Parking-Street Maintenance Work." Such signs shall be erected at least two hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

B. Parking in Driveways. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.

C. Parking Heavy Vehicles in Residential Districts. No operator of a motor truck, truck tractor, trailer or semi-trailer or any other vehicle or combination of vehicles, other than motor buses weighing more than six thousand (6,000) pounds, shall park such vehicle on any highway

other than a routed state trunk highway in any residential district except for such time as it is reasonably necessary to facilitate the loading or unloading of the vehicle.

D. Snow Emergency Parking Restrictions. Whenever the town chairperson or his or her duly authorized designee shall, by reason of heavy snowstorm or blizzard, proclaim a snow emergency pursuant to Wisconsin Statutes Section 66.325, no person shall park, stop or leave standing any vehicle upon the streets or any portions of the streets during the hours set forth in the proclamation. (Prior code § 4.06(3))

10.24.040 Unlawful removal of parking citations.

No person other than the owner/operator thereof shall remove a town parking violation ticket or notice from a motor vehicle. (Prior code § 4.06(4))

10.24.050 Removal of illegally parked vehicles.

Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this section or Chapter 10.04 is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any town constable, to a position where parking, stopping or standing is not prohibited. Any town constable, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. The constable may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking ground or any facility of the person providing the towing services. In addition to other penalties provided by Sections 10.08.060 through 10.08.100, the owner or operator of a vehicle so removed shall pay the cost of towing and storage. If towing is done by the town, the sum of fifty dollars (\$50.00) shall be paid for towing, except during snow emergencies when no towing fees shall be charged or assessed against the owner of such vehicle for removal necessitated under the emergency powers granted by Section 10.24.030(D). (Prior code § 4.06(5))

10.24.060 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 Wisconsin Department of Transportation, or a comparable authority of any other state, shall be subject to the appropriate penalty. (Prior code § 4.06(6))

10.24.070 Parking during snowstorm emergency.

A. Authorization of Erection of No-Parking Signs. Pursuant to the provisions of Wisconsin Statutes Section 66.325, the town constable is authorized to erect temporary no-parking signs

during the existence of an emergency created by a snowstorm or excessive snowfall which impairs or prevents the full use of any highway, street or roadway for transportation.

B. Snow Tow-Away Zone. The town constable is hereby authorized to cause the towing away of vehicles parked in violation of this section. No charge shall be made for such towing, but the owner of the vehicle shall be subject to prosecution and penalty, as provided in Sections 10.08.060 through 10.08.130.

C. Penalty. Notwithstanding any other provisions of this chapter, any person violating the provisions of this section shall forfeit not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), plus penalty assessment and court costs, and upon failure to pay any forfeiture, penalty, assessment and court cost imposed, may be imprisoned not exceeding six months or until such forfeiture, penalty, assessment and costs are paid pursuant to the special penalty provisions of Wisconsin Statutes Section 66.325. (Prior code § 4.12)

Chapter 10.28

MISCELLANEOUS TRAFFIC REGULATIONS

Sections:

- 10.28.010 Weight limits—Streets designated class “B” highways.
- 10.28.020 Display of power prohibited.
- 10.28.030 School bus warning lights.
- 10.28.040 Motor vehicles on pedestrian-ways and overpasses.
- 10.28.050 Operation of motor vehicles in public parking lots and ramps.
- 10.28.060 Obstruction of railroad crossings.
- 10.28.070 Crossing warning by trains.
- 10.28.080 Inoperable, wrecked or discarded vehicles.
- 10.28.090 Street storage prohibited.
- 10.28.010 Weight limits—Streets designated class “B” highways.

All town roads within the town are designated class “B” highways, subject to the weight limitation imposed on Class “B” Highways by the Wisconsin Statutes adopted by reference in Chapter 10.04. (Prior code § 4.05)

10.28.020 Display of power prohibited.

No person shall make unnecessary and annoying noises with a motor vehicle, by squealing tires, excessive acceleration of the engine, or by emitting unnecessary and loud muffler noises. (Prior code § 4.09)

10.28.030 School bus warning lights.

Notwithstanding the provisions of Wisconsin Statutes Section 346.48(2) (b)(2), adopted by reference in Section 10.04.010, to the contrary, school bus operators shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no cross walks or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded. (Prior code § 4.10)

10.28.040 Motor vehicles on pedestrian-ways and overpasses.

No person shall operate or park any motor vehicle on any pedestrian-way or pedestrian overpass within the town except municipal or county maintenance vehicles. (Prior code § 4.11)

10.28.050 Operation of motor vehicles in public parking lots and ramps.

A. Unlicensed Operators Prohibited. No person who does not hold a valid operator’s license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.

B. Traffic Regulations Applicable. All provisions of Section 10.04.010 and of the Wisconsin Statutes and laws incorporated by reference shall be applicable on any public parking lot or ramp and on any private parking lot or ramp held out for use of the general public for parking or vehicular travel. (Prior code § 4.13)

10.28.060 Obstruction of railroad crossings.

No person shall leave standing or stop or permit or allow to stand or stop any railroad train, engine or car upon any street, alley or highway crossing within the town so as to obstruct public travel for a greater period of time than ten minutes without opening the street, alley or crossing for at least ten minutes. Any conductor, engineer, fireman or brakeman on any train or locomotive so obstructing any street, alley or railroad crossing or any yard master, flagger, switchman or section hand who shall allow and be responsible for such obstruction shall be subject to a penalty as provided in Section 10.08.080. The corporation running or operating such train, engine or cars so obstructing any street or railroad crossing shall be subject to a forfeiture

of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00). (Prior code § 4.14)

10.28.070 Crossing warning by trains.

No person shall operate or permit to be operated a locomotive, railway train, engine or railway car over any graded street or highway crossing within the limits of the town unless a whistle or horn shall be blown three hundred thirty (330) feet from the crossing and a bell rung continuously until the crossing shall be reached. The blowing of a whistle or horn and the ringing of a bell shall not be necessary where gates are operated automatically or a flagger is stationed at such traveled grade crossing. Any person violating this section shall be subject to a penalty as provided in Section 10.08.080. (Ord. 97-21 § 4.15: prior code § 4.15)

10.28.080 Inoperable, wrecked or discarded vehicles.

A. Storage Prohibited. No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than seventy-two (72) hours after notification thereof by the town constable. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed and disposed of as provided in Chapter 8.28.

B. Exemptions. This section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the town. (Prior code § 4.17)

10.28.090 Street storage prohibited.

No vehicle shall be left parked or standing on any street or parkway for more than twenty-four (24) continuous hours, unless a permit to do so has first been obtained from the town board. "Parkway" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto. (Prior code § 4.18)

Chapter 10.32

BICYCLES

Sections:

10.32.010 Operation of bicycles regulated.

10.32.020 Additional regulations.

10.32.030 Responsibility of parent or guardian.

10.32.040 Violations—Penalties.

10.32.010 Operation of bicycles regulated.

A. Wisconsin Statutes Adopted. The statutory provisions describing and defining regulations with respect to bicycles and play vehicles as set forth in Wisconsin Statutes Sections 346.78, 346.79, 346.80, 346.802, 346.803, and 346.804 are adopted pursuant to Wisconsin Statutes Section 349.06, and by reference made a part of this chapter as if fully set forth herein and any person propelling or riding a bicycle or play vehicle upon a public highway shall be subject to the ordinances and state laws applicable to the operator of any vehicle under the Traffic Code of the town except the provisions which by their nature have no application.

B. References to Statutes. The term “Wisconsin Statutes” whenever used in this chapter shall mean the Wisconsin Statutes of 1983-84. (Prior code § 6.07(1) and (5))

10.32.020 Additional regulations.

A. Sidewalks and Alleys. Every person who may legally operate a bicycle upon a sidewalk or in an alley must ride such bicycle in single file and at low rates of speed and the lighting and signalling provisions of Wisconsin Statutes Section 347.489(1), shall be observed.

B. Speed. It is unlawful for any person operating a bicycle or play vehicle to propel it at a speed which is not reasonable and prudent under conditions existing at the time or to engage in any race or speed contest with another person or vehicle upon the public highways, alleys and sidewalks in the town.

C. Trick Riding. It is unlawful for any person operating a bicycle or play vehicle upon the public roads, highways and sidewalks in the town to engage in acrobatic or trick riding or any other form of skylarking on a moving bicycle or play vehicle.

D. Entry Into Public Roadway. Every person operating a bicycle or play vehicle shall stop and yield the right-of-way to any traffic when emerging from an alley or driveway onto a public road or highway.

E. Traffic Signals. Any person operating a bicycle or play vehicle upon the roads or highways of the town shall observe and obey all traffic signals and arterial signs. (Ord. 97-22 § 6.07(2)(a); prior code § 6.07(2))

10.32.030 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 chapter. (Ord. 97-23 § 6.07(3); prior code § 6.07(3))

10.32.040 Violations—Penalties.

A. The provisions of Wisconsin Statutes Section 346.82 are adopted and by reference incorporated herein as though fully set forth with respect to violations of those statutory provisions incorporated in Section 10.32.010.

B. Any person violating any of the provisions of Section 10.32.020 or Section 10.32.030 may be required to forfeit not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100.00) together with the costs of prosecution and in the event of default in payment thereafter shall be imprisoned in the county jail until such forfeiture and costs are paid, but not to exceed ninety (90) days. (Prior code § 6.07(4))

Chapter 10.36

SNOWMOBILES

Sections:

10.36.010 Applicability of traffic regulations to snowmobiles.

10.36.010 Applicability of traffic regulations to snowmobiles.

A. No person shall operate a snowmobile upon any street, highway or alley within the town in violation of the provisions of Wisconsin Statutes Chapter 350 or Sections 346.04, 346.05, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 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) and 346.94(1) and (9).

B. The following streets or portions thereof within the town are designated as snowmobile routes for purposes of ingress or egress to snowmobile trails:

1. Eagle Road from Carlisle Avenue to Eagle Lake;
2. Wilson Street;
3. Marshall Square from Kennedy Avenue through the dead end;
4. Lakeshore Drive from Wilson Street to Madison Street;

5. Minnetonka Drive from Sioux Drive to Eagle Lake; and
6. Minnehaha Drive to Eagle Lake.

C. It is the intent of this chapter to also allow for ingress and egress from town residences to these designated routes.

D. No person shall operate a snowmobile on any of the aforementioned routes when within one hundred fifty (150) feet of a dwelling at a rate of speed exceeding ten miles per hour. (Ord. 97-24 § 4.16; Ord. 93-1 § 1: prior code § 4.16)

Chapter 10.40

ALL-TERRAIN VEHICLES (ATV'S) REGULATIONS

Sections:

- 10.40.010 Purpose of provisions.
- 10.40.020 Wisconsin Statutes adopted by reference.
- 10.40.030 ATV routes designated.
- 10.40.040 Violations—Penalties.
- 10.40.010 Purpose of provisions.

It is the intent of this chapter to allow for the orderly operation of all-terrain vehicles designated on town roads for the purpose of gaining access to the frozen waters of Eagle Lake. (Ord. dated 12/16/96 § 1: prior code § 4.161(1))

- 10.40.020 Wisconsin Statutes adopted by reference.

The following Wisconsin Statutes are adopted by reference:

- A. 23.33(1) Definitions; including the definition of an ATV reference in Wisconsin Statutes Section 34001 (2g).
- B. 23.33(2) Registration requirement.
- C. 23.33(3) Rules of operation; including (g) ten mph when within one hundred fifty (150) feet of a dwelling.

- D. 23.33(3g) Headgear requirement for operators under eighteen (18) years of age.
- E. 23.33(4) Operation on or near highways.
- F. 23.33(5) Age restrictions and safety training program.
- G. 23.44(6) Equipment requirement; including headlamps, tail lamps, brakes and mufflers.
- H. 23.33(8) Routes and trails.
- I. 23.33(11) Local ordinances.
- J. 46.02(11) Applicability of rules of the road to ATV's; including stop signs, speed limits, etc. (Ord. dated 12/16/96 § 2: prior code § 4.161(2))

10.40.030 ATV routes designated.

The following town roads are designated as ATV routes during the months of December, January, and February only and shall be posted as such with uniform department approved signs:

- A. Eagle Road from Carlisle Avenue to Eagle Lake;
- B. Wilson Street;
- C. Marshall Square from Kennedy Avenue through the dead end;
- D. Lakeshore Drive from Wilson Street to Madison Street;
- E. Minnetonka Drive from Sioux Drive to Eagle Lake;
- F. Minnehaha Drive to Eagle Lake. (Ord. dated 12/16/96 § 3: prior code § 4.161(3))

10.40.040 Violations—Penalties.

Any person convicted of violating the provisions of this chapter shall forfeit no more than fifty dollars (\$50.00) for the first offence and shall forfeit not more than one hundred dollars (\$100.00) upon conviction for the same offence a second or subsequent time within one year. (Ord. dated 12/16/96 § 4: prior code § 4.161(4))