

TRAFFIC CONTROL

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SUBCHAPTER I

§30.71, §30.80, §30.99, Ch. 167, Ch. 340 to Ch. 348 and §941.01(1), describing and defining regulations with respect to vehicles and traffic, inclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of

12.01 STATE TRAFFIC LAWS ADOPTED.

(1) Except as otherwise specifically provided in this section, the statutory provisions in Wis. Stats. Ch. 23, §30.50 to

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imprisonment, are hereby adopted and by reference made part of this chapter as if fully set forth herein. Any act, required to be performed, or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this section in order to

secure uniform statewide regulation of traffic on the highways, streets, roads and alleys of the State of Wisconsin. Sections of the Wisconsin statutes adopted herein shall have the same number in this code proceeded by (4.) and may be so cited.

(2) Sections of Wis. Stats. Ch. 340 through Ch. 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 vehicles, etc.
341.11(4)	Display of registration plates.
341.15	Display of registration plates.
341.16(4)	Issuance of duplicate plates.
341.41	Reciprocity permits.
341.51(5)	Dealer registration.
341.55	Misuse of dealer plates.
341.57(3)	Registration of finance companies and financial institutions.
341.61	Improper use of evidence of registration.
341.62	False evidence of registration.
341.63	When registration is to be suspended.
342.05(4)	Certificate of title required.
342.15(5)(6)(7)	Transfer of interest in vehicle.
342.23	Secured party's and owner's duties.
342.30, 342.31, 342.32, 342.34	Anti-theft and anti-fraud provisions.
343.01	Word and phrases defined.
343.05	Operators to be licensed; exceptions.
343.305	Implied consent.
343.35	Surrender of licenses upon cancellation, revocation, suspension.
343.45 - 434.46	Unlawful practices related to licenses.
343.60 - 343.72	Licensing of driver's schools and instructors.
343.73	Penalty for violation of Wis. Stats. §343.60-§343.72.
344.01	Word and phrases defined.
344.45 - 344.47	Penalties for violations of chapter.
344.51	Financial responsibility for domestic rented vehicles.
345.01	Words and phrases defined.
345.20 - 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, 346.05- 346.16	Driving, meeting, overtaking, and passing.
346.17	Penalty for violating Wis. Stats. §346.04-§346.16.

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346.18 - 346.21	Right-of-way.
346.22	Penalty for violating Wis. Stats. §346.18-§346.21.
346.23 - 346.29	Drivers and pedestrians.
346.30	Penalty for violating Wis. Stats. §346.23-§346.29.
346.31 - 346.35	Turning and stopping and required signals.
346.36	Penalty for violating Wis. Stats. §346.31-§346.35.
346.37 - 346.42	Traffic signs, signals, and markings.
346.43	Penalty for violating Wis. Stats. §346.37-§346.42.
346.44 - 346.48	Required stops.
346.49	Penalty for violating Wis. Stats. §346.44-§346.48.
346.50 - 346.55	Restrictions on stopping and parking.
345.56	Penalty for violating Wis. Stats. §346.50-§346.55.
346.57 - 346.595	Speed restrictions.
346.60	Penalty for violating Wis. Stats. §346.57-§346.595.
346.61	Applicability of sections relating to reckless and drunken driving.
346.62	Reckless driving-first offense in four (4) years.
346.63	Operating under influence of intoxicant-first offense in ten (10) years.
346.64	Employment of drunken operators-first offense in one (1) year.
346.65(1) and (2)	Penalty for violating Wis. Stats. §346.62-§346.64.
346.66	Applicability of sections relating to accident and accident reporting.
346.67	Duty upon striking person or attended or occupied vehicle.
346.68 and 346.69	Duty upon striking unattended vehicle-upon striking property on or adjacent on highway-first offense within a year.
346.70-346.73	Duty to report accident, etc.
346.74	Penalty for violating Wis. Stats. §346.67-§346.73.
346.77 - 346.81	Bicycles and play vehicles.
346.82	Penalty for violating Wis. Stats. §346.77-§346.81.
346.87 - 346.94	Miscellaneous rules.
346.95	Penalty for violating Wis. Stats. §346.87-§346.94.
347.01 - 347.05	General provisions.
347.06 - 347.29	Lighting provisions.
347.30	Penalty for violating lighting equipment requirements.
347.35 - 347.49	Other equipment.
347.50	Penalty for violating Wis. Stats. §347.35-§347.49.
348.01 - 348.02	Size, weight, load-General Provisions.
348.05 - 348.10	Size and load.
348.11	Penalty for violating size and load limitations.
348.15 - 348.20	Weight.
348.21	Penalty for violating weight limitations.
348.25 - 348.27	Permits.
348.28	Permits to be carried-penalty.

(c) Wis. Adm. Code Provisions Adopted.
 Hereby adopted by reference are the

following Standards for Motor Vehicle
 Equipment. Any future amendments,

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revisions, or modifications of the provisions incorporated herein are intended to be made part of this code in order to secure uniform

state-wide regulation of traffic on the highways, streets, and alleys of the State of Wisconsin.

Subchapter I	General Provisions
Trans 305.01	Purpose and scope.
Trans 305.02	Applicability.
Trans 305.04	Penalty.
Trans 305.03	Enforcement.
Trans 305.05	Definitions.
Trans 305.06	Identification of vehicles.
Trans 305.065	Homemade, replica, street modified, reconstructed, and off-road vehicles.
Subchapter II	Automobiles, Motor Homes, and Light Trucks
Trans 305.07	Definitions.
Trans 305.075	Auxiliary lamps.
Trans 305.08	Back-up lamps.
Trans 305.09	Directional signal lamps.
Trans 305.10	Hazard warning lamps.
Trans 305.11	Head Lamps.
Trans 305.12	Parking lamps.
Trans 305.13	Registration plate lamps.
Trans 305.14	Side marker lamps, clearance lamps, and reflectors.
Trans 305.15	Stop lamps.
Trans 305.16	Tail lamps.
Trans 305.17	Brakes.
Trans 305.18	Bumpers.
Trans 305.19	Doors, hoods, locks, and latches.
Trans 305.20	Exhaust and air pollution control systems.
Trans 305.21	Floor pan and firewall.
Trans 305.22	Fenders and projecting parts.
Trans 305.23	Frames.
Trans 305.24	Fuel systems.
Trans 305.25	Horn.
Trans 305.26	Mirrors.
Trans 305.27	Restraining devices and seats.
Trans 305.28	Speed indicator and odometer.
Trans 305.29	Steering and suspension.
Trans 305.30	Tires and rims.
Trans 305.31	Modifications affecting height of a vehicle.
Trans 305.32	Vent, side, and rear windows.
Trans 305.33	Windshield defroster-defogger.
Trans 305.34	Windshields.
Trans 305.35	Windshield wipers.
Subchapter III	Motorcycles

Trans 305.37	Applicability of Subchapter III.
Trans 305.38	Brakes.
Trans 305.39	Exhaust system.
Trans 305.40	Fenders and bumpers.
Trans 305.41	Fuel system.
Trans 305.42	Horn.
Trans 305.43	Lighting.
Trans 305.44	Mirrors.
Trans 305.45	Sidecars.
Trans 305.46	Suspension system.
Trans 305.47	Tires, wheels, and rims.
Subchapter IV	Heavy Trucks, Trailers, and Semi-trailers
Trans 305.48	Definitions.
Trans 305.485	Applicability of Subchapter IV.
Trans 305.49	Axle control valves.
Trans 305.50	Bed and body on trailers and semi-trailers.
Trans 305.51	Brakes on heavy trucks, trailers, and semi-trailers.
Trans 305.52	Coupling devices.
Trans 305.53	Fenders and mud guards.
Trans 305.54	Frames on heavy trucks, trailers, and semi-trailers.
Trans 305.55	Lighting devices.
Trans 305.56	Rear end protection.
Trans 305.57	Suspension system on heavy trucks, trailers, and semi-trailers.
Trans 305.58	Wiring.

12.02 OFFICIAL TRAFFIC SIGNS AND SIGNALS.

(1) The Director of Public Works is authorized to procure and erect signs and signals. The Director of Public Works is hereby authorized and directed to procure, erect, or cause to be erected and maintain appropriate standard traffic signs, signals, and markings conforming to the rules of this chapter as required by state law. Signs shall be erected in such locations and manner as the Board shall determine will best affect the purposes of this chapter and give adequate warning to users of the street or highway.

(2) **Removal of Unofficial Traffic Signs and Signals.** The Director of Public Works and Police Department shall have the authority granted by Wis. Stats. §349.09 and are hereby directed to order the removal of a

sign, signal, marking or device placed, maintained, or displayed in violation of this section or Wis. Stats. §346.41. Any signs which impose any immediate safety risk to pedestrians, vehicular traffic, or the public at large may be removed by the Police Department without prior approval after ascertaining, if possible, that permission has not been granted by Village officials for posting of said signs. Any charge imposed on a premise for removal of an illegal sign, signal, or device shall be reported to the Board at its next regular meeting for review and certification.

12.03 ILLEGAL SIGNS.

(1) **Erection of Signs.** Except as otherwise specifically provided in this chapter, the statutory provisions in Wis.

Stats. §86.191(1)(2)(3)(4) are hereby adopted and by reference made part of this chapter as if fully set forth herein. Any future amendments, revisions, or modifications of this statute incorporated herein are intended to be made part of this chapter.

(2) No person shall post or fasten on any telegraph, telephone, traffic post, or electric pole within the Village or upon any tree within any street or public ground in the Village any bill, sign, notice, or advertising device.

(a) Permission to any person to erect and maintain poles shall not be construed to grant the right to use or rent such poles for advertising purposes.

(b) Section 12.03 (1) and (2) applies to illegal signs placed in applicable highway right-of-ways in view of pedestrians and vehicular traffic.

12.04 DISORDERLY CONDUCT WITH A MOTOR VEHICLE.

(1) **Conduct Prohibited.** No person shall, within the Village, by or through the use of any motor vehicle, including, but not limited to, an automobile, truck, motorcycle, mini-bike, go-carts, snowmobile, or other means of conveyance operated by motor, cause or provoke disorderly conduct with a motor vehicle.

(2) **Definition.**

(a) *Disorderly conduct with a motor vehicle.* While operating or in control of a motor vehicle, to engage in conduct or activities which are violent, unreasonably loud, dangerous to persons or property, or otherwise against the public peace, welfare, and safety, including but not limited to unnecessary, deliberate, or intentional spinning of the wheels, squealing of the tires, revving or racing of the engine, blowing of the horn, causing the engine to backfire, or causing the vehicle, while

commencing to move or while in motion, to raise one (1) or more wheels off the ground.

1. This subsection also applies to the intentional pushing, unlawful towing or any other intentional contact of a motor vehicle by another motor vehicle on any highway within the Village.

2. Specifically excluded from this definition are legitimate, scheduled racing events. Police officials, highway maintenance units or authorized wrecker services in the performance of their respective duties are exempt from this section.

12.05 NEGLIGENT OPERATION OF VEHICLE.

Except as otherwise specifically provided in this section, the statutory provisions describing and defining regulations with respect to negligent operation of vehicle in Wis. Stats.

§941.01(1) are hereby adopted by reference and made part of this section as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

12.06 COMPRESSION BRAKES PROHIBITED.

No person shall use motor vehicle brakes within the Village, which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof. It shall be an affirmative defense to the prosecution under this section that such compression brakes were applied in an emergency situation and were necessary for the protection of persons and/or property.

12.07 ENFORCEMENT PROCEDURE.

(1) This chapter shall be enforced according to Wis. Stats. Ch. 799 and §23.33, §66.12, §345.11-§345.61, and §350.17.

(2) Deposit.

(a) Any person arrested for a violation of this section may make a deposit of money as directed by the arresting officer at the Clerk of Court's office or by mailing the deposit to such place.

(b) The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered a plea of guilty and submitted to a forfeiture and penalty assessment if required by Wis. Stats. 757.05(1), a jail assessment if required by Wis. Stats. 302.46, plus any applicable fees prescribed in Wis. Stats. Ch. 814, not to exceed the amount of the deposit that the court may accept as provided in Wis. Stats. §345.37.

2. If the person fails to make a deposit for a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his or her arrest.

(c) The amount of the deposit shall be determined in accordance with the Wisconsin Revised Uniform Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under Wis. Stats. 757.05(1), a jail assessment if required by Wis. Stats. 302.46, and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Board, which shall include the penalty assessment. Deposits for non-moving violations shall not include the penalty assessment. The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by Wis. Stats. §345.26(3)(b).

(3) Petition to Reopen Judgment.

Whenever a person has been convicted in Wisconsin on the basis of a forfeiture of deposit or plea of guilty or no contest and he or she was not informed under Wis. Stats. §345.27(1) and (2), he or she may, within sixty (60) days after being notified of the revocation or suspension of his or her operating privilege, petition the court to reopen the judgment and grant him or her an opportunity to defend on merits.

If the court finds that the petitioner was not informed as required under Wis. Stats. §345.27(1) and (2), it shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.

12.08 HEAVY TRUCK ROUTES.

(1) The following streets in the Village are hereby designated as heavy truck routes under the provisions of Wis. Stats. §349.17:

Birch Road from two hundred feet (200') south of Woodsdale Avenue north to Riverside Drive.

Bowling Green Lane in its entirety.

Bridge Road from five hundred feet (500') south of the Suamico River to St. Pat's Drive.

Brown Road from Veterans Avenue to Velp Avenue.

Deerfield Avenue East in its entirety.

Deerfield Avenue West from Harbor Lights Road to CTH B (Sunset Beach Road).

Deerfield Court, East in its entirety.

Flowing Wells Court in its entirety.

Golden Arrow Road in its entirety.

Harbor Lights Road from Deerfield Avenue East, west to Deerfield Avenue West.

Lost Trail east of Velp Avenue.

Norfield Road from Veterans Avenue to Velp Avenue.

Northwood Road from six hundred feet (600') northwest of Hidden Pond Road to CTH M (Flintville Road).

Oakdale Road in its entirety.

Parkfield Court in its entirety.

Pride Terrace in its entirety.

Riverside Drive from Deerfield West Avenue to Birch Road. From St. Pat's Drive to CTH B (School Lane).

Summerfield Court in its entirety.

St. Pat's Road from Bridge Road east to Riverside Drive.

Velp Avenue in its entirety.

Veterans Avenue in its entirety.

Woodfield Court in its entirety.

All county roads as governed by the Brown County Highway Commissioner.

CTH B (portions of Sunset Beach Road and School Lane).

CTH IR (Reforestation Road).

CTH J (Lakeview Drive, portion of Riverside Drive, and N. Lakeview Drive.)

CTH M (portions of Lineville Road, Northwood Road, Fairview Road, Pinecrest Road, White Pine Road, and Flintville Road).

(2) Trucks Prohibited on Other than Designated Heavy Truck Routes. It shall be unlawful for any person or company to operate any motor vehicle having a gross weight of more than eight thousand (8,000) pounds except motor buses on any street other than on a federal or state trunk highway or on streets designated in Section 12.08 (1) hereof, except when necessary for the purpose of obtaining orders and delivering and moving supplies or other necessary commodities to or from any place of business or residence fronting on any such streets, and except when necessary for the purpose of leaving or returning to the terminal or place of garaging of any such vehicle. When it is necessary for the operator of such a vehicle to travel upon a street not designated for heavy truck traffic as provided in Section 12.08 (1) hereof, such

operator shall leave and re-enter such heavy truck routes at the point closest to his or her immediate destination.

(3) Truck Route Signage. The Public Works Director shall erect or cause to be erected appropriate signs to give notice of the designation of the streets listed in Section 12.08 (1) as heavy truck routes.

(4) Commercial Motor Vehicles Prohibited from Using Certain Streets. No person shall operate any motor truck, road tractor, or truck tractor upon any street that is not designated as a heavy truck route, except for the purpose of obtaining orders for and delivering or moving supplies or other necessary commodities to or from any place of business or residence fronting on such streets.

12.09 PARKING.

(1) Parking Prohibited.

(a) Parking is prohibited on all Village streets from November 1 to April 15, between the hours of 2 a.m. and 6 a.m.

(b) Parking of vehicles with a gross vehicle weight rating in excess of ten-thousand (10,000) pounds is prohibited on all Village streets. Temporary parking of such vehicles in front of a residence or business is permitted for the purpose of delivering goods or services to that residence or business; however, in no case shall overnight parking be permitted.

(c) Parking of boats, recreational vehicles, motor homes, and all types of trailers is prohibited on all Village streets.

(d) *Snow Emergency.* The President, Administrator, or Public Works Director may prohibit traffic and/or parking on streets in certain areas to facilitate snow removal at any time and to tow away or otherwise cause removal of any vehicles parked in the prohibited area during the snow emergency period.

1. A declaration of snow emergency shall include the days and times during

which traffic or parking is prohibited, and the names of streets and/or areas affected.

2. Notice of a snow emergency will be given either by publication in a local newspaper, by announcement over a local commercial television or radio station, by placement of signs in the areas designated, or by other appropriate or convenient means notifying the public that traffic and/or parking of vehicles in the designated area is prohibited during the snow emergency.

(e) Upon any highway, area, or street where and when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.

(f) *Designated Spaces.* Where individual parking spaces are marked on the curbing or pavement, every vehicle shall be parked entirely within the limits of the space so designated.

(2) Nonmoving Violation and Registration Program. Pursuant to the provisions of Wis. Stats. §345.28(4) the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under Wis. Stats. §85.13; such costs shall, in turn, be assessed against persons charged with non-moving traffic violations. The Village Attorney shall be responsible for complying with the requirements set forth in Wis. Stats. §345.28(4).

(3) Parking Prohibited at All Times. Except temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers 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 at any time park or leave standing any vehicle or other equipment on any of the following streets:

(a) *Birch Road.*

1. West side from Popplewood Court to Harbor Lights Road.

2. East side from ninety-five feet (95') north of Harbor Lights Road to Harbor Lights Road.

(b) *Bowling Green Lane.*

1. Both sides from Velp Avenue in its entirety.

(c) *Cardinal Lane.* Both sides from one hundred ten feet (110') north of Pirates Cove to Lineville Road (CTH M).

(d) *Carolina Cherry Drive.* Both sides from Lineville Road (CTH M) in its entirety.

(e) *Cottage Row.* West side, southbound from Resort Road, in its entirety.

(f) *Cotton Drive.* North side from Lakeview Drive (CTH J) to three hundred feet (300') west of Idlewild Road.

(g) *Deerfield East.* East side from one thousand feet (1,000') south of Harbor Lights Road to Harbor Lights Road.

(h) *Elvira Way.* North side from sixty-five feet (65') east of Woodland Reserve to sixty-five feet (65') west of Woodland Reserve.

(i) *Flintville Road (CTH M).* Both sides from Anston Road to two hundred fifty-five feet (255') south of Westpoint Road.

(j) *Harbor Lights Road.* Both sides from Deerfield East to Lakeview Drive (CTH J).

(k) *Hook Road.* North and east side from Bayside Road in its entirety.

(l) *Lakeview Drive (CTH J).* Both sides from Riverside Drive (CTH J) to Harbor Lights Road.

(m) *Lakeview Drive, North (CTH J).* Both sides from Sunset Beach Road (CTH B) to Riverside Drive (CTH J).

(n) *Longtail Beach Lane.* Both sides from Longtail Beach Road to two hundred feet (200') south of Longtail Beach Road.

(o) *Longtail Beach Road.* Both sides from Longtail Beach Lane to six hundred six feet (606') west of Longtail Beach Lane.

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(p) *Pirates Cove*. North side from Cardinal Lane in its entirety.

(q) *Pride Terrace*. South side seven hundred sixty feet (760') from Velp Avenue (CTH HS) to a point one thousand fifteen feet (1,015') from Velp Avenue (CTH HS).

(r) *Quietwoods Trail*. Both sides from Reforestation Road (CTH IR) in its entirety.

(s) *Reforestation Road (CTH IR)*. Both sides from Quietwoods Trail to Westview Road.

(t) *Resort Road*. North side from Bayside Road to Cottage Row.

(u) *Riverside Drive*.

1. North side from two hundred ninety feet (290') west of Longview Lane to four hundred twenty feet (420') west of Longview Lane.

2. Both sides from Lakeview Drive (CTH J) to Lakeview Drive, North (CTH J).

(v) *Rockwell Road*. West side southbound to Lineville Road (CTH M) in its entirety.

(w) *School Lane (CTH B)*.

1. South side from seventy-five feet (75') east and west of the driveways to 3171 School Lane.

2. North side from Stream Road to Pine Lane.

(x) *Side Street*. West side from School Lane (CTH B) to Riverside Drive.

(y) *Sunrise Road*.

1. South side east from Forest Ridge Drive for a distance of one thousand eight hundred feet (1,800').

2. North side from Reforestation Road to Forest Ridge Drive.

3. South side from Reforestation Road for a distance of two hundred feet (200').

(z) *Sunset Beach Road*. Both sides from Lakeview Drive (CTH J) to Sunset Beach Lane.

(a2) *Timber Trail, South*. Both sides from Sunset Beach Road (CTH B) to four hundred eighty feet (480') north of Snowshoe Trail.

(b2) *Westpoint Road*. Both sides from Flintville Road (CTH M) to one hundred feet (100') west of Flintville Road (CTH M).

(4) Parking Prohibited on Odd Side of Street. Except temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers 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 at any time park or leave standing any vehicle or other equipment on the odd numbered side on any of the following streets:

(a) *Bracton Road*

(b) *Bridle Path*

(c) *Fenmore Lane*

(d) *Fescue Court*

(e) *Fescue Way*

(f) *Firethorn Court*

(g) *Flowering Peach Drive*

(h) *Golden Bell Drive*

(i) *Grey Wolf Court*

(j) *Harbor Cove Lane*

(k) *Honey Clover Court*

(l) *Lucille Court*

(m) *Luxury Drive*

(n) *Moose Creek Trail*

(o) *Nandina Way*

(p) *North Gate Road*

(q) *Pink Dogwood Way*

(r) *Roberta Court*

(s) *Summer Breeze Court*

(t) *Tarragon Trail* (east of Hawk Ridge Trail to its termination)

(u) *Tea Olive Court*

(v) *Van Hoof Road*

(w) *Wallenfang Lane*

(x) *Wisteria Circle*

(y) *Weston Way*

(z) *Yellow Jasmine Way*

(5) Authority. Subsections (3) and (4) do not limit the authority of the Director of Public Works to procure and erect signs and signals under 12.02(1) of the Suamico Code of Ordinances.

12.10 LOW-SPEED VEHICLE (LSV).

(1) Definition.

(a) A low-speed vehicle (LSV) is defined in Wis. Stats. 340.01(27)(h). LSVs are four (4) wheeled, motorized vehicles that comply with the federal safety standards stated in 40CFR 571.3(b) and 571.500 and which is authorized under Wis. Stats. 349.26.

(2) Use Allowed.

(a) Subject to the requirements set forth herein, low speed vehicles may be ordered on Village roadways under the Village’s maintenance jurisdiction within the Village which have a maximum speed limit of thirty-five (35) miles per hour or less and designated county roadways or portions thereof with speeds of thirty-five (35) miles per hour or less.

1. Requests for designated roadways shall be made to the Village Health & Safety Committee. The Committee shall take into account traffic load and other safety considerations when deciding whether to designate a roadway or portion thereof as safe for LSVs.

2. The decision of the Health & Safety Committee shall be forwarded to the Village Board for final approval.

(b) All operators of LSVs shall conform to all regulations contained in this chapter, including the provisions of state motor vehicle laws incorporated herein, except those provisions which by their express terms have no application to a LSV.

(c) All operators of LSV shall have a current and valid driver’s license issued by the state of their domicile.

(d) No LSV may be operated on roadways within the Village which have a posted speed over thirty-five (35) miles per hour.

(3) Appeal Procedure. Any person may appeal or contest a citation for an

alleged violation to the Village Municipal Court.

(4) Penalties. Any person who violates any provision of this chapter shall be punished by forfeiture not to exceed one thousand dollars (\$1,000) per occurrence.

SUBCHAPTER II – SNOWMOBILES

12.20 STATE SNOWMOBILE LAWS

ADOPTED. Except as otherwise specifically provided in this section, the statutory provisions describing and defining regulations with respect to snowmobiles in Wis. Stats. §350.02 to §350.05, §350.07 to §350.107, §350.11, §350.12, §350.13, §350.135, §350.15 to §350.17, §350.19 and §350.99 are hereby adopted by reference and made part of this section as if fully set forth herein. Any future amendments, revisions, or modifications of the Wisconsin statutes incorporated herein are intended to be made part of this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this section.

12.21 APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.

The operator of a snowmobile upon a roadway shall, in addition to the provisions of Wis. Stats. Ch. 350, be subject to, §346.04, §346.06, §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, §345.55, §346.87, §346.88, §346.89, §346.90, §346.91, §346.92(1), and 346.94(1) and (9).

12.22 OPERATION OF SNOWMOBILES IN VILLAGE

RESTRICTED. It shall be unlawful to operate any snowmobile on Village streets, alleys, parks, parking lots, or on any public

lands or private lands or parking lots held open to the public, except on snowmobile routes established by the Board. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.

12.23 SNOWMOBILE ROUTES AND REGULATIONS.

(1) Snowmobile Routes. Snowmobile routes are hereby designated by the Board as follows:

(a) *West Deerfield Avenue* from the CTH B/Sunset Beach Road to Lineville Road.

(b) *Brown Road* in its entirety.

(c) *Veterans Avenue* in its entirety.

(d) *Shady Lane* in its entirety.

(2) Regulations. Snowmobile routes shall be subject to the following:

(a) *Direction of Travel.* Except as otherwise specifically provided in this chapter, the statutory provisions in Wis. Stats. §350.04(2)(a) are hereby adopted and by reference made part of this chapter as if fully set forth herein. Any future amendments, revisions, or modifications of this statute incorporated herein are intended to be made part of this chapter.

(b) Travel shall conform to the direction of traffic in the nearest lane.

(c) *Persons under 12.* Except as otherwise specifically provided in this chapter, the statutory provisions in Wis. Stats. §350.05(1) are hereby adopted and by reference made part of this chapter as if fully set forth herein. Any future amendments, revisions, or modifications of this statute incorporated herein are intended to be made part of this chapter.

(d) *Persons aged 12 and over.* Except as otherwise specifically provided in this chapter, the statutory provisions in Wis. Stats. §350.05(2) are hereby adopted and by reference made part of this chapter as if fully set forth herein. Any future amendments,

revisions, or modifications of this statute incorporated herein are intended to be made part of this chapter.

(e) Operators of all snowmobiles shall observe all posted speed limits. No operator shall disobey the instructions of any official traffic sign or signal unless otherwise directed by a traffic officer.

12.24 SNOWMOBILES/WRITTEN CONSENT OF OWNER REQUIRED.

The consent required under Wis. Stats. §350.10(1)(f), (k), (l), and (m), and in Section 12.23 above shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each must be obtained.

12.25 SNOWMOBILE CURFEW. No person under the age of seventeen (17) years shall operate a snowmobile in the Village between the hours of 10 p.m. and 6 a.m. the following day unless accompanied on the vehicle by a parent, guardian, adult relative, or other adult person having actual care, custody, and control of such child.

SUBCHAPTER III - ABANDONED, UNLICENSED, AND JUNK VEHICLES

12.30 DEFINITIONS. The following terms shall have the meanings indicated:

(1) Administrative Rule. The specific requirements that may be created to regulate the storage of unlicensed motor vehicles:

(a) Number of vehicles.

(b) Size of enclosures (height, width, etc.).

(c) Color.

(d) Type of material.

(e) Location.

(f) Restrictions to certain zones only.

(g) Other conditions as specified by the Board.

(2) **Application.** A written form upon which a request is made for a permit.

(3) **Enclosure.** The type of construction required to hide and harbor vehicles from public view.

(4) **Junked Vehicle.** Any abandoned, disassembled, dismantled, inoperable, or wrecked instrument by which someone travels or something is conveyed, either by wheels, runners, or tracks.

(5) **Licensed.** Any license that is required to be carried by any motor driven vehicle when driven, used or propelled upon the public highway.

(6) **Owner.** Considered to be the person or persons who occupy the premises and who may or may not be the responsible person or persons to harbor such unlicensed motor vehicle.

(7) **Permit.** The written authority given by the Board to allow storage of unlicensed motor vehicles.

(8) **Salvage Dealers.** Dealers regulated by Wis. Stats. §175.25.

(9) **Storage.** The placement of a vehicle upon real property described in Village assessment and tax role.

(10) **Unlicensed Motor Vehicle.** A vehicle required to be licensed by the State Department of Transportation when driven or propelled upon a public road, but is not so licensed.

(11) **Zoned-Zoning.** Any land use control ordinance, county or Village, that may be in force.

12.31 UNLICENSED MOTOR VEHICLES. No unlicensed motor vehicle shall be permitted to be stored, harbored, or held upon any parcel of property in the Village without a proper permit issued by the Board for that purpose.

The Board is authorized to issue permits to store unlicensed motor vehicles upon a parcel of property when certain enclosure requirements have been met. (Enclosure

requirements shall be established by an administrative rule or zoning ordinance adopted by the Board.) The type of enclosure to keep stored material from the general view of a passing public shall be predetermined by the Board and may be attached to this section as an amendment or administrative rule.

12.32 ABANDONED MOTOR VEHICLES.

(1) No person or entity shall leave unattended any motor vehicle, trailer, semi-trailer, boat, mobile home, or other similar type of property on any public street or highway or public or private property for such time and under such circumstances as to cause the vehicle or property to reasonably appear to have been abandoned. When any such vehicle or property has been left unattended as aforesaid without permission of the Village or property owner for more than twenty-four (24) hours, the vehicle or property is deemed abandoned and constitutes a public nuisance.

(2) Any police officer having jurisdiction, who discovers any vehicle or property on any public or private property which has been abandoned, shall cause the vehicle or property to be removed to a suitable place of impoundment.

(3) Any vehicle or property left unattended in violation of this section shall be impounded until lawfully claimed or disposed of under Section 12.35.

12.33 JUNKED VEHICLES. No junked vehicle, or parts thereof, may be stored outside any building on any property located in the Village without a proper permit issued by the Board for that purpose. No person shall leave any junked vehicle on any street, highway or other public property within the Village. No person in charge or control of any private property within the Village, whether as owner, tenant, occupant or

otherwise, shall allow junked vehicles to remain on such property for more than one (1) day. The Board is authorized to issue permits to store junked vehicles upon a parcel of such property when certain requirements have been met. These requirements shall be established by administrative rule or zoning ordinance adopted by the Board. Such administrative rules shall govern the enclosure of junked vehicles for the purposes of storing junked vehicles from the general view of the passing public.

12.34 PERMITS REQUIRED.

(1) A written permit to store an unlicensed or junked vehicle shall be issued upon proper application having been made and only after the applicant has met all the requirements of any administrative rule or zoning ordinance in force at the time the application is made as to the type of enclosure deemed necessary to be constructed, erected, and maintained by the owner or occupant of the property.

(2) A written permit form shall be furnished when a permit has been authorized to be issued by the Board.

(3) Written application forms shall be furnished to any person upon request.

(4) Applications for an unlicensed vehicle storage permit or junked vehicle storage permit shall be filed with the Clerk at least ten (10) days prior to the next regularly scheduled meeting of the Board.

(5) Any application for an unlicensed motor vehicle storage permit or junked motor vehicle storage permit shall be acted upon within sixty (60) days after it was filed with the Clerk.

(6) If the permit is issued, it shall be issued for a period of six (6) months.

(7) If the permit is denied, the Board shall notify the applicant of such denial.

(8) An annual permit fee as set from time to time by resolution of the Board shall

be paid into the Treasury before the permit is actually issued.

(9) An application for an unlicensed motor vehicle storage permit or junked motor vehicle storage permit may be required annually.

(10) An application for an unlicensed motor vehicle storage permit or junked motor vehicle storage permit shall bear the signature of either the owner or occupant of the property for which the permit is being sought.

12.35 ENFORCEMENT PROCEDURE.

(1) Inspection of an enclosure facility may be executed each year before the next year's annual permit is acted on by the Board.

(2) **Revocation of Permit.** A permit to store unlicensed or junked vehicles may be revoked at any time that it is determined that the permit holder is not in compliance with the terms of this section and administrative rules, and/or zoning ordinance, for maintaining property storage enclosures.

(3) **Removal and Impoundment.** After notice to the owner, any vehicle in violation of this subsection may be impounded until lawfully claimed or disposed of under Section 12.35 (4) (c) below; except if the Board or its designee determines that the costs of towing and storage charges of impoundment would exceed the value of the vehicle, the vehicle may be junked by the Village prior to expiration of the impoundment period upon determination by the Board or its designee that the vehicle is not wanted for evidence or any other reason.

(4) **Disposal.**

(a) *Vehicles or Parts Thereof Exceeding One Hundred Dollars (\$100) in Value.*

1. If the Board or its designee determines that the value of any abandoned vehicle exceeds one hundred dollars (\$100), the owner and lien holders of record shall be

notified by certified mail that the vehicle has been deemed abandoned and impounded by the Village and may be reclaimed within fifteen (15) days upon payment of accrued towing, storage and notice charges and if not reclaimed, shall be sold.

2. If an abandoned vehicle exceeding one hundred dollars (\$100) in value is not reclaimed within the period and under the conditions provided in Section 12.35 (4) above, it may be sold by sealed bid or at auction. If no satisfactory bid is received, the vehicle may be sold at private sale.

3. After deducting the expenses of impoundment and sale, the balance of the proceeds, if any, shall be paid to the Village treasury.

(b) Vehicles or Parts Thereof Less than One Hundred Dollars (\$100) in Value. Any abandoned vehicle which is determined by the Board or its authorized representative to have the value of less than one hundred dollars (\$100) may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(5) Owner Responsible for Impoundment and Sale Costs. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle, provided no costs shall be imposed without notice thereof to the owner and an opportunity for the owner to be heard. Costs not recovered by the sale of the vehicle may be recovered in a civil action by the Village against the owner.

(6) Notice of Sale or Disposal. Within five (5) days after the sale or disposal of a vehicle as provided in Section 12.35 (4), the Board or its designee shall advise the State Department of Transportation, Division of Motor Vehicles, of the sale or disposal on a form supplied by the division. A copy of the form shall be

given to the purchaser of the vehicle and a copy shall be retained on file in the Village.

(7) Public Nuisance. Nothing in this section shall be construed as prohibiting the abatement of a public nuisance by the Village or its officials in accordance with the laws of Wisconsin.

SUB CHAPTER IV - SPEED LIMITS

12.40 SPEED LIMITS. A traffic and engineering investigation having been made on the following described roadways in the Village, the maximum permissible speed at which vehicles may be operated on the roadways, which speed is herewith established as reasonable and safe pursuant to Wis. Stats. §349.11 shall be as set forth herein, and upon the erection of standard signs giving notice thereof. Speed limits are adopted by resolution, as approved by the Board. Adopted speed limits are listed in the attached Appendix B Speed Limits of this said Code of Ordinances.

12.99 PENALTY, SEVERABILITY, AND ENFORCEMENT.

(1) Penalty. Any person who violates, or knowingly allows or permits any violation of, any provision of this ordinance, shall be subject to a forfeiture of not less than twenty-five dollars (\$25) and not more than two thousand five hundred dollars (\$2,500) per violation. Failure or refusal to pay forfeiture may result in imprisonment for a period of not more than ninety (90) days for each offense. A separate offense and violation shall be deemed committed on each day on which a violation occurs or continues.

(2) Severability. If a court of competent jurisdiction deems any provision of this ordinance invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of the same. The several sections of this ordinance are

declared to be severable. If any section or portion thereof shall be declared by a decision of a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the court's decision, portions remaining in the ordinance shall retain the full force and effect thereof.

(3) Enforcement. Enforcement of this chapter shall be the responsibility of the Board or its designee, and/or Police Department.

Village of Suamico

Chapter 12

Ordinance 2008-07 Creating Section 12.10 Neighborhood Electrical Vehicles

Adopted 5-5-08

Ordinance 2008-08 Amending Section 12.23 Eliminating Harbor Lights Road from the Snowmobile Route

Adopted 5-5-08

Ordinance 2009-09 Restoring Designated Spaces Provisions

Adopted 5-4-09

Ordinance 2009-12 Amending Section 12.08 (1)

Adopted 5-18-09

Ordinance 2010-02 Chapter 12 Parking

Adopted 1-4-10

Ordinance 2010-13 Amending Section 12.08

Adopted 4-19-10

Ordinance 2011-09 Amending Section 12.10 Relating to Low Speed Vehicles

Adopted 10-3-11