

**TITLE 9
TRAFFIC CODE**

Chapter 09.01

STATE TRAFFIC STATUTES AND REGULATIONS ADOPTED

Sections:

- 09.01.10** **State traffic laws adopted.**
09.01.20 **State Administrative Code provisions adopted.**
09.01.30 **Title 9 general reference.**

09.01.10 **State traffic laws adopted**

- A. Statutes Adopted. Except as otherwise specifically provided in this code, the statutory provisions in Chapters 110, 194, and 340 through 349 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment or exclusively state charges, are adopted and by reference made a part of this chapter as if fully set forth herein. The statutory sections listed shall be designated as part of this code by adding the prefix "09.01" to each statute section number. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 110, 194, 340 through 349 incorporated herein are intended to be made part of this chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicle traffic on the highways, streets and alleys of the state. Any person who shall, within the village, violate any provisions of any statute incorporated herein by reference shall be deemed guilty of an offense under this section.
- B. Other State Laws Adopted. There are also adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this chapter shall be as provided in Chapters 340 through 349 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this chapter:
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|--------|---|
| 941.01 | Negligent Operation of Vehicle Off Highway |
| 943.11 | Entry into Locked Vehicle |
| 943.23 | Operating Motor Vehicles Without Owners Consent |
- C. Statutes Specifically Incorporated by Reference. Whenever this chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 2005-06 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- D. General References. General references in this chapter 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.

09.01.20 State Administrative Code provisions adopted.

A. Administrative Regulations Adopted. The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code: Trans, exclusive of any provisions therein relating to the penalties to be imposed, are adopted by reference and made part of this chapter as if fully set forth herein.

- Wis. Admin. Code: Trans 150 Leasing of Vehicles by Private Carriers
- Wis. Admin. Code: Trans 175 Rental Companies
- Wis. Admin. Code: Trans 177 Motor Carriers
- Wis. Admin. Code: Trans 250 Oversize and Overweight Permits for Vehicles and Loads
- Wis. Admin. Code: Trans 251 Vehicle Weight Authorized by Multiple Trip Permits
- Wis. Admin. Code: Trans 252 Escort Vehicles
- Wis. Admin. Code: Trans 254 Single Trip Permits for Oversize or Overweight Vehicles or Loads
- Wis. Admin. Code: Trans 255 Multiple Trip Permits for Oversize or Overweight Vehicles or Loads
- Wis. Admin. Code: Trans 256 Single Trip Trailer-Train Permits
- Wis. Admin. Code: Trans 257 Pole and Pipe Transportation Permits
- Wis. Admin. Code: Trans 258 Seed Potato Overweight Permits
- Wis. Admin. Code: Trans 259 Raw Forest Products, Fruits or Vegetables Permits
- Wis. Admin. Code: Trans 260 Single Trip Permits for Mobile Homes and Modular Building Sections
- Wis. Admin. Code: Trans 261 Multiple Trip Permits for Mobile Homes and Modular Building Sections
- Wis. Admin. Code: Trans 269 Transportation of Garbage or Refuse Permits and Transportation of Recyclable Scrap Permit
- Wis. Admin. Code: Trans 304 Slow Moving Vehicle Emblem
- Wis. Admin. Code: Trans 305 Standards for Vehicle Equipment
- Wis. Admin. Code: Trans 307 Standards for Load Securement
- Wis. Admin. Code: Trans 308 Requirements for Trailer and Semi-trailer Brake, Hitch and Coupling, Safety Chains, Cables and Leveling Bars

B. Noncompliance Prohibited. No person shall operate or allow to be operated on any highway, street or alley within the village a vehicle that is not in conformity with the requirements of subsection A of this section or the provisions of Section 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 09.01.10 of this chapter.

C. 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 section or that the vehicle's 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 as herein provided.
- b. Authority of Officer. Any law enforcement officer of the village is empowered whenever he or she shall have reason to believe that any provision of this section is being violated to order the operator of the vehicle to stop and 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 Section 110.075(5), Wis. Stats., and shall require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the issuing officer within the time specified in the order.

D. Violation-Penalty.

- a. Penalty for violation of any provision of this chapter, including the provisions of the Wisconsin Administrative Code, incorporated herein by reference, shall be as provided in Chapter 09.12 of this title, together with the costs of prosecution and applicable penalty assessment.
- b. The Administrative Code sections adopted by reference in subsection A of this section shall be designated as part of this code by adding the prefix "09.01" to each statute or Administrative Code section number.

09.01.30 Title 9 general reference.

This Title 9 - Traffic Code in the Deerfield Village code of ordinances shall consist of chapter 09.01 to chapter 09.11. These chapters shall be collectively referred to within the title as the "title."

Chapter 09.02

ARREST AND CITATION PROCEDURE

Sections:

09.02.10 Enforcement of title.

09.02.10 Enforcement of title.

A. Enforcement Procedures.

- a. How Enforced. This title shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.
- b. Applicable Court Procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this code, the traffic regulations in this code shall be enforced in accordance with the provisions of Section 66.0114, 345.20(2) to 345.53 and Chapter 800, Wis. Stats.

B. 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 Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., 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. Village board approved citation forms shall be used in enforcing the parking (or “nonmoving traffic”) offenses in this title. Such citation forms shall be used for enforcement of parking regulations created or adopted by this title, including violations of parking regulations defined and described in the Wisconsin Statutes, adopted by reference in Section 09.01.10 of this title, and all provisions regarding parking violations in this title. The citation form for parking violations shall contain a notice that the person cited may discharge the forfeiture for violation of a parking regulation and penalty therefore by complying with subsection (C)(b) of this section. Parking citations may be issued by law enforcement officers or by civilian employees of the police department.

C. Deposits and Stipulations.

a. Uniform Traffic Offenses

- i. Who May Make. Persons arrested or cited for violation of traffic offenses created by this title shall be permitted to make deposits and be released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this title in accordance with Section 66.0114(1)(b) of the Wisconsin Statutes whenever the

provisions of Section 345.28 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Section 345.11 of the Wisconsin Statutes.

- ii. Delivery or Mailing of Deposit and Stipulation. Any person stipulating guilt or no contest under the subsection (C)(a)(i) of this section must make the deposit required under Section 345.26 of the Wisconsin Statutes or section 09.12.10, if the deposit is not established under such statute. Deposits may be brought or mailed to the police department or municipal court within five days of the issuance of the citation in lieu of court appearance.
- b. Parking Violations.
- i. Direct Payment of Penalty Permitted. Persons cited for violation of parking offenses described and defined in this title may discharge the penalty therefore and avoid court prosecution by mailing or forwarding within ten days of the issuance of the citation to the police department or municipal court the forfeiture specified for the violation in accordance with section 09.12.10(D). When payment is made as provided in this subsection, no court costs shall be charged and a discount may be awarded as set out in section 09.12.10(D).
 - ii. Court Prosecution. If the alleged violator does not deliver or mail a deposit as provided in subsection (C)(b)(i) of this section within ten (10) days of the date of the citation, the Lead County Officer shall forward a copy of the citation to the municipal court clerk for prosecution.
 - iii. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a parking violation on the date specified in the citation or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the village may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Section 345.28(4), Wis. Stats., and subsection (C)(c) of this section.
 - iv. Bond. Any official authorized to accept deposits under Section 345.26, Wis. Stats., or this section, shall qualify by taking the oath prescribed by Section 19.01, Wis. Stats.
- c. Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this section shall receipt therefore in triplicate as provided in Section 345.26(3)(b), Wis. Stats. Every officer accepting a deposit under the provisions of this section shall comply with the provisions of Sections 343.28, 345.26(1)(b) and 345.27(1), Wis. Stats.
- d. Registration Suspension Program.
- i. The village shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as

- set forth in Section 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128 and all amendments or changes thereto.
- ii. The Village Administrator is designated as a delegated authority for purposes of Section 85.13 and 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128. The Village Administrator, Lead County Officer, Municipal Court Clerk and/or village attorney are authorized to perform, on behalf of the village, all functions required of a local authority under such statutes and code including, but not limited to:
 - 1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for parking violations;
 - 2. Specifying whether the registration of vehicles involved in unpaid citations for parking violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for parking violations;
 - 3. Determining the method by which the village will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
 - 4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
 - iii. The Village Administrator and Lead County Officer are authorized to assign a member of the police department or other Village Staff to perform such acts as are necessary to effectuate this subsection.
 - iv. In addition to all applicable forfeitures and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Section 345.28(4)(d), Wis. Stats. The police department may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable forfeitures and costs, including costs assessed under the preceding sentence, are paid.
 - v. This subsection shall not be interpreted as requiring that all unpaid citations for parking violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The village's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

Chapter 09.03

TRAFFIC CONTROL DEVICES

Sections:

09.03.10 Official traffic signs, control devices and markers.

09.03.10 Official traffic signs, control devices and markers.

- A. Duty of Director of Public Works 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 09.01.10, require the erection of traffic control devices for enforcement, the director of public works with the cooperation of the village board, 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 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 a manner as, in judgment of the village board and director of public works, will carry out the purposes of this title and give adequate warning to users of the streets and highways of the village. Any and all official uniform traffic control signs, devices or markings, including but not limited to stop signs, that are posted in the village as of the date of adoption of this chapter are hereby ratified.
- B. Prohibited Signs and Markers in Highways. No person other than an officer authorized by this chapter 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 village any sign, signal, marker, mark or monument unless permission is first obtained from the director of public works or, where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subjected to removal as provided in subsection D of this section.
- C. Removal of Unofficial Signs, Markers, Signals and Traffic Control Devices. The director of public works is granted the authority under Wis. Stats. Section 349.09 and may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this title or state law. Any charge imposed against a property for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the director of public works to the village 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.

Chapter 09.04

HEAVY TRAFFIC ROUTES

Sections:

09.04.10 Defined – Regulations

09.04.10 Defined – Regulations

- A. Definition. For purposes of this section, heavy traffic shall be defined as:
- a. All vehicles not operating completely on pneumatic tires; and
 - b. All vehicles or combination of vehicles, other than motor buses, designated or used for transporting property of any nature and having a gross weight of more than twelve thousand (12,000) pounds.
- B. Prohibited Routes. Heavy traffic is prohibited from using any village street or highway not designated as a heavy traffic route. This section shall not act to prohibit heavy traffic from using a village street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway, nor shall this section apply to heavy traffic necessary to obtain orders, to make deliveries, or to move supplies or equipment for agricultural purposes. Furthermore, this section will not act to prohibit heavy traffic from using any village streets over which are routed state trunk highways. When being driven to the site of any construction, repair or maintenance of electric, gas or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this section.
- C. Administration. The director of public works in cooperation with the police department shall administer this section. Administration shall include:
- a. Posting of Signs. Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established herein. Yellow sign posts may also be used to designate heavy traffic routes.
 - b. Maps. Maps of the village showing heavy traffic routes shall be prepared and shall be available upon request by heavy traffic operators and owners.
 - c. Construction Equipment.
 - i. The Lead County Officer may grant temporary permits to allow heavy construction equipment to use village streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the village harmless for any damage done to the village street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.
 - ii. Village-owned or operated equipment is specifically excluded from the provisions of this section.

- D. Liability. Any operator, corporation, owner or agent whose heavy traffic vehicle damages any village streets or highways in violating this section shall be liable and required to pay the village the cost of repair or replacement of the damaged street or highway.
- E. Streets Designated Class B Highways. All streets and highways within the village are designated Class B highways subject to the weight limitations imposed on Class B highways by the Wisconsin Statutes adopted by reference in Section 09.01.010 of this title except the highways or parts of highways designated in subsection F of this section.
- F. Heavy Traffic Routes. The village board finds that the use of village streets or highways by heavy traffic is resulting in damage to such streets or highways and is constituting a nuisance to village residents who are attempting to use public or private property for lawful purposes. For the above reasons and pursuant to the authority granted in Section 349.17, Wis. Stats., and any amendments thereto, the village board designates the following highways or parts thereof within the jurisdiction of the village as heavy traffic routes:
 - a. Main Street (State Highway 73)
 - b. Washburn Road to Plaza Street
 - c. Plaza Street
 - d. West Deerfield Street to Park Street
 - e. Park Street, north of West Deerfield Street
 - f. West Nelson Street to Grand Avenue
 - g. Grand Avenue, north of West Nelson Street
 - h. Wedvick Road
 - i. Industrial Park Drive
 - j. Interpane Lane
 - k. Enterprise Drive
 - l. Burdick Parkway
 - m. River Birch Ct
 - n. Liberty Street
- G. Special or Seasonal Weight Limitations. In addition to any other restrictions which may apply, certain streets may be temporarily designated as heavy traffic routes and/or subject to additional special or seasonal weight restrictions. Such designations shall be made by resolution of the Village Board and shall be properly posted by the Director of Public Works in accordance with Wis. Stats. Sections 349.16 and 349.17, as may be amended.
- H. No prohibition, restriction or limitation on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.

Chapter 09.05

VEHICLE NOISE

Sections:

09.05.10 **Disturbance of the peace with a motor vehicle**

09.05.10 **Disturbance of the peace with a motor vehicle**

- A. Unnecessary Noise Prohibited.
 - a. Unnecessary Noise. It is unlawful for any person to operate a motor vehicle in such a manner that makes any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the village.
 - b. Mufflers. Every motor vehicle operated upon a public way shall be equipped with a muffler in good and proper working order and be in constant operation so as to prevent excessive or unusual noise or annoying exhaust smoke.
 - c. Use of Devices. No person shall use or place upon any motor vehicle to be operated upon a public way any muffler cut-out, bypass or similar device. No device shall be used on any motor vehicle operated upon the public way to create unnecessary noise and disturbance.
- B. Unnecessary Smoke Prohibited. It is unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases, or odors which are disagreeable, foul, or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the village.
- C. Unnecessary Acceleration and Display of Power Prohibited. It is unlawful for any person to operate any vehicle, including motorcycles, all-terrain vehicles and bicycles, in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin or emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the peace.
- D. Disorderly Conduct with a Motor Vehicle.
 - a. 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, minibike or snowmobile, cause or provoke disorderly conduct with a motor vehicle, cause a disturbance or annoy one or more persons, or disturb or endanger the property or the safety of another's person or property.
 - b. Definition. "Disorderly conduct with a motor vehicle" means the engaging in violent, abusive, indecent, profane, boisterous, or unreasonably loud conduct, or disturbing or endangering the property or the safety of another's person or property with a motor vehicle, including but not limited to, unnecessary, deliberate or intentional spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing the engine to backfire or causing the vehicle, while

commencing to move or in motion, to raise one or more wheels off the ground.

- E. Avoidance of Traffic Control Device Prohibited. It is unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.
- F. Operation in Restricted Area Prohibited. It is unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop, or travel upon or across any public or private property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on the property without the consent of the owner or lessee of the property. This section shall specifically include, but not be limited to:
 - a. Public park property;
 - b. Cemetery properties;
 - c. School district property;
 - d. Medical facilities;
 - e. Funeral homes;
 - f. Service stations;
 - g. Grocery stores;
 - h. Restaurants;
 - i. Financial institutions; and
 - j. Other similar-type businesses with service driveways or drive-up or drive-through facilities.

Chapter 09.06

STOPPING, STANDING AND PARKING

Sections:

- 09.06.10** **Restrictions on parking – Posted limitations.**
 - 09.06.20** **Parking restrictions during temporary snow removal or street maintenance.**
 - 09.06.30** **Stopping or parking prohibited in certain specified places.**
 - 09.06.40** **Parking reserved for vehicles of disabled.**
 - 09.06.50** **Leaving keys in vehicle prohibited – Parking vehicles with motor running.**
 - 09.06.60** **Unattended motorized machinery.**
 - 09.06.70** **Angle parking.**
 - 09.06.80** **Winter parking.**
 - 09.06.90** **Parking of vehicles over twelve thousand pounds or twenty feet restricted.**
 - 09.06.100** **Unlawful removal of parking citations.**
 - 09.06.110** **Operation of motor vehicles in public parking lots.**
 - 09.06.120** **Removal of illegally parked vehicles.**
 - 09.06.130** **Parking on designated municipal holidays.**
- 09.06.10** **Restrictions on parking – Posted limitations.**
- A. Twenty-Four (24) Hour Limitation. No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public streets or public parking lots in the village for a period of twenty-four (24) or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established, the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot in violation of the provisions of this section, he or she is authorized to ticket the vehicle, move such a vehicle, or to require the operator in charge thereof to move such vehicle to a position permitted under this chapter. Consistent with Wis. Stat. Section 342.40, the law enforcement officer may cause the vehicle to be removed to a proper impoundment and storage area within the village where storage space is available and in such case the owner shall pay the costs of removing the vehicle and the storage fees on the vehicle before he or she may recover the possession thereof.
 - B. Posted Limitations.
 - a. The village board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply; said designation may be by resolution or motion of the village board.. The village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Section 349.13, Wis. Stats.

- b. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no parking, no stopping or no standing zone when parking, stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state laws or elsewhere by this code.
 - c. No prohibition, restriction or limitation on parking is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation. Any and all official parking signs posted in the village which limits or restrict parking as of the date of adoption of this chapter are hereby ratified.
 - d. After the parking limitations at any given parking location or parking stall have expired, the vehicle parked at the location or stall must be moved to a new location or stall, and may not immediately return to the same location or stall. Such immediate return to the same stall or location shall be and constitutes a violation of this chapter.
- C. Stopping and Parking Prohibited. It is unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted thereon which may permit parking by certain persons and limits, restricts, or prohibits parking as to other persons without the consent of the owner or lessee of the property. Any vehicle parked in violation of this section may be removed or towed by the property owner at the vehicle owner's expense.

09.06.20 Parking restrictions during temporary snow removal or street maintenance.

- A. Street Maintenance. Whenever it is necessary to clear or repair a village roadway or any part thereof, the public works department and/or police department shall post such highways or parts thereof with appropriate signs. 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. Temporary Parking Restrictions for Special Events. Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Lead County Officer is authorized to direct that temporary "No Parking" signs be erected by the director of public works during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on village roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.
- C. Parking During Snow Emergencies. No person shall park, place or leave standing any unattended vehicle on any street when a snow emergency has been declared by the director of public works or village board, until such time as the snow is either removed or plowed back to the curb line or unless permission is granted by the Lead County Officer for such vehicle to remain parked on the street during the emergency. A snow emergency shall be declared by the director of public works or village board and shall be announced by radio stations WFAW and WSJY, by local cable television and

other news media. Thereafter, cars remaining parked on the street without permission from the Lead County Officer will be ticketed.

09.06.30 Stopping or parking prohibited in certain specified places.

- A. Parking Prohibited at All Times. No person shall at any time park or leave standing any vehicle:
- a. Within an intersection;
 - b. On a sidewalk;
 - c. On a terrace area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters. "Terrace area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk ten (10) feet beyond the curb line;
 - d. Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway;
 - e. On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers;
 - f. Within a fire lane consisting of either the driveway between the front doors of a fire station and the public street or in such places properly designated and marked as fire lanes ordered by the fire chief;
 - g. Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing;
 - h. In any place or manner so as to obstruct, block or impede traffic;
 - i. Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign;
 - j. Upon any bridge;
 - k. Upon any street or highway within the village limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which the vehicle is stopped or standing;
 - l. In a loading zone, 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;
 - m. In any municipal park when the park is closed to the public.
- 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 on which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- C. Vehicles Not to Block Private Drive, Alley or Fire Lane. No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. The access shall be deemed to be unreasonably restricted if any vehicle is parked within four feet of either side of the access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the Lead County Officer may order the vehicle towed from such position at the risk and expense of the owner of the vehicle.

- D. **Parking Vehicle for Repair or to Display for Sale Prohibited.**
- a. No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the village for the purpose of repairing the vehicle or to display such vehicle for sale. No person shall park on any street or avenue any vehicles for the primary purpose of advertising.
 - b. No person other than an owner and/or operator of a business located on business-zoned property engaged in the regular business of selling vehicles may display a vehicle for sale upon private premises unless the following conditions are met:
 - i. Consent to display the vehicle has been given by the owner or lessee of the premises;
 - ii. The owner of the vehicle is on the premises or resides there;
 - iii. The vehicle displayed for sale is parked entirely on the premises;
 - iv. The premises contains only one vehicle displayed for sale; and
 - v. The advertisement or sign for sale of the vehicle is not larger than two square feet.
- E. **Vending From Parked Vehicles Restricted.** There shall be no parking on any street or portion thereof by any vehicle from which the operator or owner is engaged in vending goods, wares or merchandise, unless licensed to do so by the village.
- F. All night parking of any vehicle for a period of longer than 30 minutes between the hours of 2:00 A.M. and 6:00 A.M. of any day from November 15th to April 15th except physicians on emergency calls, on any of the following street:
- Any part of Main Street (STH 73).

09.06.40 Parking reserved for vehicles of disabled.

When official traffic signs indicating such restriction have been erected in accordance with Section 09.03.10 of this title, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

09.06.50 Leaving keys in vehicle prohibited – Parking vehicles with motor running.

- A. **Leaving keys in Vehicle.** No person shall permit any motor vehicle to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle. Whenever any police officer shall find any vehicle standing with the key in the ignition in violation of this section, such officer is authorized to remove such key from the vehicle and deliver the key to the police department for safe custody.
- B. **Parking Vehicles With Motor Running.** No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than

thirty (30) minutes within three hundred (300) feet of any residence within the village between the hours of ten p.m. and seven a.m.

09.06.60 Unattended motorized machinery.

It is unlawful for any person, firm or corporation to permit any construction, compaction, earth-grading or farm machinery which is self-propelled and moves upon the surface of the earth and which is owned or controlled by him or her to stand for any period of time unattended without locking the ignition system or otherwise rendering the machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting the machinery.

09.06.70 Angle Parking

- A. Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the village except as provided herein. All vehicles shall park parallel to, and within one foot of, the curb except where streets and parking lots are so marked for angle parking.
- B. No person shall at any time park any vehicle:
 - a. In any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings;
 - b. Backwards into angle parking spaces so designated and provided by appropriate markings;
 - c. With a trailer attached or any vehicle longer than twenty (20) feet on any street where angle parking is so provided and allowed.

09.06.80 Winter Parking

- A. When signs have been erected at the corporate limits of the village as provided in Section 349.13, Wis. Stats., no person shall park or leave standing on any village street any vehicle between one a.m. and seven a.m. on any day from November 15th to April 15th except physicians on emergency calls, except as follows: on days having even numbers, parking shall be permitted on that side of the street having even numbers and on days having odd numbers, parking shall be permitted on the side of the street having odd numbers.
- B. Village police officers or the director of public works shall have the authority to tow to a designated place, or a place where parking is permitted any vehicle parked or left standing in violation of subsection A of this section when such vehicle interferes with the removal of snow. Actual charges of such towing and removal may be assessed against the driver or party responsible for the violation in addition to any other penalty which may be provided for the violation of this section.

09.06.90 Parking of vehicles over twelve thousand pounds or twenty feet restricted.

- A. Street Parking. No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle or combination of vehicles

weighing in excess of twelve thousand (12,000) pounds gross weight, or over twenty (20) feet in length (including accessories, racks, or other physical extensions), or having a height of more than eight feet from the roadway, shall park the same upon any street, avenue, or public way in the village in areas zoned residential or primarily residential in nature. The provisions of this section shall not be deemed to prohibit the lawful temporary parking of such equipment upon any street, avenue or public way in the village for the actual loading or unloading of goods, ware or merchandise, providing, however, the “loading” and “unloading” as used in this section, shall be limited to the actual time consumed in such operation. In addition, operators of such regulated trucks may stop and park in such residential areas for a period not to exceed one hour. The village board may, however, designate specific truck parking zones.

- B. Removal. Any vehicle unlawfully parked under subsection A of this section, may be removed from the street by order of a law enforcement officer, pursuant to Section 09.06.120 of this chapter, and the expense of so moving and storing such vehicle shall be paid by the operator or owner of the vehicle as a forfeiture in addition to the penalties hereafter prescribed.

09.06.100 Unlawful removal of parking citations

No person other than the owner or operator thereof shall remove a village parking ticket from a motor vehicle.

09.06.110 Operation of motor vehicles in public parking lots.

- 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 09.04.010 of this title and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use for the general public for parking or vehicular traffic.

09.06.120 Removal of illegally parked vehicles.

- A. Hazard to Public Safety. Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety.
- B. Removal by Operator. Such vehicle shall be removed by the operator in charge, upon request of any law enforcement officer, to a position where parking is permitted or to a private or public parking or storage premises.
- C. Removal by Traffic Officer. Pursuant to Wis. Stat. Section 343.13(3) and (4), any law enforcement officer 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 permitted.
- D. Removal by Private Service. The officer 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 public storage garage or

rental parking grounds or any facility of the person providing the towing services.

- E. Towing and Storage Charges. In addition to other penalties provided in this chapter, the owner or operator of a vehicle so removed shall pay the actual cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment a receipt shall be issued to the owner of the vehicle for the towing or storage charge.
- F. This section 09.06.120 and the remedies, cost and forfeitures herein, is supplementary and in addition to the procedures, remedies, costs and forfeitures in Chapter 09.10 – Abandoned Vehicles.

09.06.130 Parking on designated municipal holidays.

For purposes of parking enforcement of this chapter 09.06, the designated municipal holidays are the same as those allowed and listed in the Deerfield Village Employee Manual, which are: New Years Day; One-half day Good Friday from noon forward; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; Day After Thanksgiving; Day Before Christmas; and Christmas Day.

Chapter 09.07

ALL-TERRAIN AND OFF-ROAD VEHICLES

Sections:

- 09.07.10 State all-terrain vehicle laws adopted**
09.07.20 Unauthorized operation of motor vehicles on public or private property.

09.07.10 State all-terrain vehicle laws adopted.

The provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated subsections of Section 23.33, Wis. Stats., and any future amendments or revisions, are adopted by reference and made part of this section as if fully set forth herein. The statutory sections adopted by reference herein shall be designated as part of this code by adding the prefix "09.07" to each statute section number. Any acts required to be performed by the following statutory subsections or which are prohibited by such statutory subsections are required to be performed by this section or are prohibited by this section:

- 23.33(2) Registration
- 23.33(3) Rules of operation (including Subsections (a) through (i))
- 23.33(3g) Operating without headgear
- 23.33(4) Operation on or near highway (including Subsections (a) through (e))
- 23.33(4c)-(4p) Operating ATV while intoxicated and ATV alcohol violations
- 23.33(5)(a) and (c) Age restrictions
- 23.33(6) Equipment requirements (including Subsections (a) through (e))
- 23.33(7) Accidents (including Subsections (a) and (b))
- 23.33(8) Sign Infractions
- 23.33(12) Failure to stop for law enforcement officer
- 23.33(1) Definitions (including Subsections (a) through (n))

09.07.20 Unauthorized operation of motor vehicles on public or private property.

A. Purpose.

- a. The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life and improvement to the lands;

- b. The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution;
 - c. The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
 - d. The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.
- B. Definitions. For purposes of this sections, the terms below shall be defined as follows:
- a. “Motor vehicle” means, for purposes of this section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. “Motor vehicles” shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this section shall not be so defined while:
 - i. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such lands or sites;
 - ii. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties;
 - iii. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder’s employees or agents.
 - b. “Off-road” means any location which:
 - i. Is not a paved or maintained public street or alley.
 - ii. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - iii. Is a private trail for use only by the owner or his or her permittees for recreational or other vehicular use. “Off-road” shall not include any creekbed, riverbed or lake; provided, however, that this subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creek bed, riverbed or lake.
 - c. “Operation” means the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
 - d. “Unauthorized” means without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
- C. Unauthorized Off-Road Operation Prohibited.
- a. The unauthorized off-road operation of a motor vehicle is prohibited.

- b. Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the village board, it is unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the village streets, alleys, parks, sidewalks, bikeways, parking lots or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the written consent of the owner before operation of such craft or vehicle on private lands.

Chapter 09.08

SNOWMOBILES

Sections:

09.08.10	State snowmobile and all-terrain vehicles laws adopted.
09.08.20	Applicability of traffic regulations to snowmobiles.
09.08.30	Unattended vehicles.
09.08.40	Operation regulated.
09.08.50	Speed – Unattended snowmobiles.
09.08.60	Restrictions on operators.
09.08.70	Accidents and accident reports.
09.08.80	Snowmobile routes and trails designated.
09.08.90	Violation – Penalty.
09.08.100	Enforcement

09.08.10 State snowmobile and all-terrain vehicles laws adopted.

Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are adopted by reference and made part of this chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this code.

350.01	Definitions
350.02	Operation of Snowmobiles on or in the Vicinity of Highways
350.03	Right-of-Way
350.04	Snowmobile Races, Derbies and Routes
350.045	Public Utility Exemption
350.05	Operation by Youthful Operators Restricted
350.07	Driving Animals
350.08	Owner Permitting Operation
350.09	Head Lamps, Tail Lamps and Brakes, Etc.
350.095	Noise Level Violations
350.10	Miscellaneous Provisions for Snowmobile Operation
350.101 to	
350.107	Intoxicated Snowmobile Prohibitions
350.12	Registration of Snowmobiles
350.13	Uniform Trail Signs and Standards
350.135	Sign Interference
350.15	Accidents and Accident Reports
350.17	Enforcement
350.19	Liability of Landowners
350.99	Parties to a Violation

09.08.20 Applicability of traffic regulations to snowmobiles.

No person shall operate a snowmobile upon any street, highway or alley within the village in violation of the traffic regulation provisions of Sections 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, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1) and (9), Wis. Stats.

09.08.30 Unattended vehicles.

No person shall leave or allow a snowmobile owned or operated by him or her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

09.08.40 Operation regulated.

- A. Except as provided in Section 09.08.80 of this chapter, no person shall operate a snowmobile upon any streets or sidewalks within the village other than to drive directly across a street or sidewalk and then only after stopping and yielding the right-of-way to all pedestrians and vehicles approaching on the street or sidewalk.
- B. No person shall drive or operate a snowmobile on private property or village property within the village without consent or permission of the property owner.
- C. No person shall operate a snowmobile within the village during the hours from one a.m. to six a.m.

09.08.50 Speed – Unattended snowmobiles.

- A. Speed. No person shall operate a snowmobile upon any public highway within the village at a speed in excess of fifteen (15) miles per hour. No person shall operate a snowmobile on any trail designated in Section 09.08.80 of this chapter or in any public park or recreation area at a speed in excess of the posted limit.
- B. Unattended Snowmobiles. No person shall leave or allow a snowmobile to remain unattended on any public highway or public property while the motor is running or with the starting key in the ignition

09.08.60 Restrictions on operators.

- A. No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he or she holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- B. No person shall operate any snowmobile upon any street, alley or other public right-of-way in the village unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.

09.08.70 Accidents and accident reports.

- A. If the operator can do so without serious danger to his or her own snowmobile or to persons on board, the operator of a snowmobile involved in a snowmobile accident within the village shall stop his or her snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his or her name and address and identification of his or her snowmobile to any person injured and to the owner of any property damaged in the accident.
- B. If the snowmobile accident results in death or injury to any person or total property damage in the apparent excess of two hundred dollars (\$200.00), every operator of a snowmobile involved in such accident shall, as soon as possible, notify the police department of the accident and shall, within ten (10) days after the accident, file a written report thereof with the department on forms prescribed by it.
- C. If the operator of a snowmobile is physically incapable of making the report required by this section and there was another occupant on the snowmobile at the time of the accident capable of making the report, he or she shall make such report.
- D. "Snowmobile accident" means a collision, accident or other casualty involving a snowmobile.

09.08.80 Snowmobile routes and trails designated.

- A. Routes Designated. Except as provided in Sections 350.02 and 350.03, Wis. Stats., no person shall operate a snowmobile on any public right-of-way or public grounds, except upon snowmobile routes designated by village board resolution.
- B. Trail Markers.
 - a. Area snowmobile clubs shall be responsible for procuring, erecting and maintaining all necessary signs on all approved routes by the village board.
 - b. The Lead County Officer shall have the power to declare the stated snowmobile routes and trails either open or closed.
- C. Markers to Be Obeyed. No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this section.

09.08.90 Violation – Penalty.

Except as otherwise set forth in Wis. Stats. Section 350.11, any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not less than twenty dollars (\$20.00) and not more than five hundred dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense. Further provided that the penalty, forfeiture and bond deposit for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under Chapter 09.01 of this title.

09.08.100 Enforcement.

- A. Uniform Citation for Highway Violations. The uniform traffic citation promulgated under Section 345.11, Wis. Stats., shall be used for violations of this chapter relating to highway use except as herein provided.
- B. Parking Violations. The special traffic citation described and defined in Chapter 09.02 of this title shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 09.08.20 of this chapter.
- C. Other Violations. All violations of this chapter not described in subsections A or B of this section shall be enforced in accordance with Sections 66.0114 and 66.0111 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Section 66.0114(1)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five days of the date of the citation for such violation.
- D. Police Department to Receive Deposits. Deposits for obtaining release from arrest authorized under this chapter may be accepted at the police department offices.
- E. Forfeited Penalties and Deposits. Except as otherwise provided in Section 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of Circuit Court Judges thereunder, required penalties and deposits or bail not including costs or fees for violation of this chapter shall as set forth in 09.12.10.

Chapter 09.09

BICYCLES AND PLAY VEHICLES

Sections:

09.09.10	Definitions.
09.09.20	Lighting and other equipment.
09.09.30	Rules of the road.
09.09.40	Regulation of skateboards, roller skates and roller skis.
09.09.50	General bicycle regulations.
09.09.60	Bicycle penalties.
09.09.70	Play vehicle penalties.
09.09.80	Licensing of bicycles.

09.09.10 Definitions.

As used in this chapter:

- A. "Bicycle" means every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than twenty (20) inches in diameter.
- B. "Bicycle lane" means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- C. "Bicycle way" means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- D. "Bike route" means any bicycle lane, bicycle way or highway, which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- E. "Carrier" means any device attached to a bicycle designed for carrying articles.
- F. "Play vehicle" means any coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- G. "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

09.09.20 Lighting and other equipment.

No person shall operate a bicycle upon a highway unless equipped as required in Section 347.489, Wis. Stats.

09.09.30 Rules of the road.

The provisions of Chapters 346 and 347, Wis. Stats., and applicable village ordinances shall govern the operation of bicycles where appropriate. Every person driving a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of the state declaring rules of the road applicable to vehicles or by the traffic ordinances

of the village applicable to the driver of the vehicle, except as to those provisions of laws and ordinances which by their nature can have no application.

09.09.40 Regulation of skateboards, roller skates and roller skis.

- A. Regulations. It is unlawful for any person in the village to operate or ride a skateboard, roller skates or roller skis (“play vehicles”) in any of the following places:
 - a. On the sidewalk in a business district;
 - b. In any public parking ramp or parking lot;
 - c. On private property, unless permission has been received from the owner, lessee or person in charge of that property;
 - d. On a public street.
- B. Where Allowed. Skateboarding on sidewalks is permitted, except as prohibited in this section and otherwise regulated. The operators of skateboards must yield to all pedestrians.
- C. Yield to Pedestrians. Operators or riders of skateboards, roller skates, roller skis, or other play vehicles shall yield the right-of-way to other pedestrians using village sidewalks, and shall not otherwise endanger or interfere with normal pedestrian traffic on those sidewalks.
- D. Play Vehicles Not to be Pulled by Moving Vehicles. No person riding upon any coaster, roller skates, skateboard, roller skis, sled, toboggan or play vehicle shall attach the same or himself or herself to any vehicle upon a roadway.
- E. Violation – Penalty. The following penalties shall be applicable for violations of this section:
 - a. Any person sixteen (16) years of age or older who shall violate any provisions of this section may be issued a uniform traffic citation and be subject to the penalties provided by the Uniform State Traffic Deposit schedule, or if no such penalties are so provided, then as set forth in 09.12.10(F)..
 - b. Any person fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this section may be issued a citation and be subject to the penalties provided by the deposit schedule and upon conviction thereof, may be required to forfeit not more than twenty-five dollars (\$25.00) together with the cost of prosecution.
 - c. Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this section may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

09.09.50 General bicycle regulations.

- A. Parental Responsibility. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of Sections 09.09.30, 09.09.40 and this section.
- B. Street Operation.
 - a. Unless preparing to make a left turn, every person operating a bicycle upon a roadway carrying two-way traffic shall ride as near as possible to the right edge of the unobstructed traveled roadway. On one-way

roadways, the operator of the bicycle shall ride as near as possible to the right edge or left edge of the unobstructed traveled roadway. Every person operating a bicycle upon a roadway shall exercise due care when passing a standing vehicle or one proceeding in the same direction, allowing a minimum of three feet between his or her bicycle and the vehicle.

- b. Every person when operating a bicycle upon a roadway shall ride such bicycle in single file.
 - c. It is unlawful for any person riding upon a bicycle to cling to or attach himself or herself or the bicycle to any other moving vehicle upon a street or highway.
 - d. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Infant seats are permitted if securely attached to the frame at the top mount and to the axle and frame at the rear bottom mount and if provided with hand holds, foot rests, foot guards and safety belt. The use of a back pack for carrying an infant is permitted. Persons are not permitted to be located on a bicycle in front of the operator of the bicycle.
 - e. No person operating a bicycle shall carry any package, bundle or article which prevents the safe operation of the bicycle with at least one hand on the handlebars at all times.
 - f. No rider of a bicycle shall remove both hands from the handlebars or feet from the pedals, or practice any acrobatic or hazardous riding on any street.
 - g. Except as provided in subsection (H) below, whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
 - h. No person may operate a bicycle or moped upon a roadway where a sign is erected indicating that bicycle riding is prohibited.
- C. Bicycle Parking. No bicycle shall be parked in front of or adjacent to any commercial establishment or parked against a building, unless the bicycle is parked on the sidewalk parallel to the street and as close as possible to the curb or unless the bicycle is parked in an appropriate bike rack or in a designated bike parking area. No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else.
- D. Required Equipment. Every bicycle, when operated upon a highway, shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.
- E. Bicycles Not to be Pulled by Moving Vehicles. No person riding upon a bicycle shall cling or attach himself or herself or his or her bicycle to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such highway.
- F. Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.

- G. Operation on Sidewalks.
 - a. No person over the age of ten (10) shall ride or propel any bicycle upon any public sidewalk or thoroughfare of the village set apart for pedestrians, except bicycles having wheels sized twenty (20) inches or under. This exception shall not apply to twenty (20) inch or under bicycles designed or modified to BMX specifications.
 - b. No person shall ride or propel any bicycle upon any public street, alley, boulevard or sidewalk of the village in such manner as to interfere with the rights of other persons using such street, alley, boulevard, or sidewalk.
- H. Bicycle Operation While Hearing Obstructed. No person may operate a bicycle upon a highway while such operator is using any audio device attached directly to ear or ears of such operator that materially impairs the ability of such operator to hear traffic signals or warnings.
- I. Mopeds Prohibited on Bicycle Ways. No person may ride a moped or motor bicycle with the power unit in operation upon a bicycle way.
- J. Riding Bicycle on Bicycle Lane.
 - a. Unless two-way traffic is authorized by the village board on any portion of a roadway which it has set aside as a bicycle lane and appropriate traffic signs are installed, every person operating a bicycle upon a bicycle lane shall ride in the same direction in which vehicular traffic on the lane of the roadway nearest the bicycle lane is traveling.
 - b. Unless otherwise provided under subsection (K)(b)(i) of this section, a person operating a bicycle may enter or leave a bicycle lane only at intersections or at driveways adjoining the bicycle lane.
 - i. A person may leave a bicycle at any point by dismounting from the bicycle and walking it out of the lane. A person may enter a bicycle lane at any point by walking his or her bicycle into the lane and then mounting it.
 - c. Every person operating a bicycle upon a bicycle lane shall exercise due care and given an audible signal when passing a bicycle rider proceeding in the same direction.
 - d. Every operator of a bicycle entering a bicycle lane shall yield the right-of-way to all bicycles in the bicycle lane. Upon leaving a bicycle lane, the operator of a bicycle shall yield the right-of-way to all vehicles and pedestrians.
- K. Riding Bicycle on Bicycle Way.
 - a. Every person operating a bicycle upon a bicycle way shall:
 - i. Exercise due care and give an audible signal when passing a bicycle rider or a pedestrian proceeding in the same direction.
 - ii. Obey each traffic signal or sign facing a roadway which runs parallel and adjacent to a bicycle way.
 - b. Every person operating a bicycle upon a bicycle way open to two-way traffic shall ride on the right side of the bicycle way.
 - c. Every operator of a bicycle entering a bicycle way shall yield the right-of-way to all bicycles and pedestrians in the bicycle way.

09.09.60 Bicycle penalties.

- A. Any person sixteen (16) years of age or older who shall violate any provision

of this chapter may be issued a uniform traffic citation and be subject to the penalties provided by the Uniform State Traffic Deposit Schedule, or if no such penalties are so provided, then as set forth in 09.12.10(F).

- B. Any person fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this chapter may be issued a citation and be subject to the penalties provided by the deposit schedule and, upon conviction thereof, may be required to forfeit not more than twenty-five dollars (\$25.00), together with the cost of the prosecution.
- C. Any person under fourteen (14) years of age who shall violate any provision of this chapter may be issued a special bicycle violation warning notice along with the following additional actions:
 - a. First offense in one year: a warning letter sent to the parent or guardian.
 - b. Second offense in the same year: for a period of not longer than fifteen (15) days as the officer may deem necessary. The owner of the vehicle shall neither use this vehicle nor any other vehicle during the suspension.
 - c. Third offense in the same year: for a period of not less than fifteen (15) days nor more than thirty (30) days as the officer may deem necessary. The owner of the vehicle shall neither use this vehicle nor any other vehicle during the suspension.
 - d. Fourth and subsequent offense in the same year: mandatory referral to Dane County juvenile court.
- D. All violations shall be determined based on the preceding twelve (12) month period to establish which violation has occurred.
- E. Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this chapter may be subject to the provisions of Section 346.77 and 346.82(1), Wis. Stats.

09.09.70 Play vehicle penalties.

- A. Any person fourteen (14) years of age and over who shall violate any part of section 09.09.04 may be issued a citation and be subject to a forfeiture of not more than twenty-five dollars (\$25.00), together with the cost of prosecution.
- B. Any person under fourteen (14) years of age who shall violate any provisions of this chapter may receive an officer's report warning notice along with the following additional actions:
 - a. First offense in one year: a warning letter sent to the parent or guardian.
 - b. Second or third offense in the same year: the play vehicle may be impounded by law enforcement authorities.
 - c. Fourth and subsequent offense in the same year: mandatory referral to Dane County juvenile court.
 - d. Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

Chapter 09.10

ABANDONED VEHICLES

Sections:

09.10.10	Definitions.
09.10.20	Prohibited –Presumptions- Exceptions.
09.10.30	Removal and impoundment of vehicles.
09.10.40	Removal, storage, notice and reclaimer of abandoned vehicles.
09.10.50	Inoperable, wrecked or discarded vehicles.
09.10.60	Disposal of abandoned vehicles.
09.10.70	Report of sale or disposal.
09.10.80	Owner responsible for impoundment and disposal costs.
09.10.90	Conflict with other code provisions.

09.10.10 Definitions.

- A. For purposes of this chapter, the following definitions shall be applicable:
- a. “Street” means any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
 - b. “Unattended” means unmoved from its location with no obvious sign of continuous human use.
 - c. “Vehicle” means a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin law.

09.10.20 Prohibited –Presumptions –Exceptions.

- A. Abandonment of Vehicles Prohibited. No person shall leave unattended any motor vehicle, trailer, semi trailer or mobile home on any public street or highway or private or public property in the village for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the village or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than forty-eight (48) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.
- B. Presumptions. For purposes of this section, the following irrebuttable presumptions shall apply:
- a. A vehicle shall be presumed unattended if it is found in the same position forty-eight (48) hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during the forty-eight (48) hours.
 - b. Any vehicle left unattended for more than forty-eight (48) hours on any public street or public ground or left unattended for more than forty-eight (48) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this subsection if left unattended on private property with consent of the

property owner outside of public view and is enclosed within a building, or if designated as not abandoned by the Lead County Officer.

- C. Exceptions. This section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with village zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

09.10.30 Removal and impoundment of vehicles.

Any vehicle in violation of this chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 09.10.40 of this chapter.

09.10.40 Removal, storage, notice and reclaimer of abandoned vehicles.

- A. Applicability. The provisions of this section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles as defined in Section 09.10.10 of this chapter.
- B. Removal.
 - a. Any police officer who discovers any motor vehicle, trailer, semi trailer or mobile home on any public street or highway or private or public property in the village which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
 - b. Upon removal of the vehicle, the police officer shall notify the Lead County Officer or his or her designee of the abandonment and of the location of the impounded vehicle.
- C. Storage and Reclaimer. Any abandoned vehicle which is determined by the Lead County Officer or his or her designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Lead County Officer or his or her designee determines an abandoned vehicle to have a value of less than one hundred dollars (\$100), or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as having value in excess of one hundred dollars (\$100). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Lead County Officer or his or her designee to prove an ownership or secured party interest in the vehicle.
- D. Notice to Owner or Secured Party. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any,

and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:

- a. That the vehicle has been deemed abandoned and impounded by the village;
- b. The “determined value” of the abandoned vehicle;
- c. If the cost of towing and storage costs will exceed the determined value of the vehicle;
- d. That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than one hundred dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven days upon the payment of the aforesaid charges; and
- e. That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to the vehicle within the period that such vehicles may be reclaimed.

09.10.50 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 street or highway, parking lot or ramp longer than forty-eight (48) hours after notification thereof by the police department. 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 forty-eight (48) hours after notice is declared to be a public nuisance and may be removed as provided in Section 09.24.120 of this title.
- 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 village.

09.10.60 Disposal of abandoned vehicles.

Any abandoned vehicle impounded by the village which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this chapter may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class I notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale shall be published before the sale.

09.10.70 Report of sale or disposal.

Within five days after the direct sale or disposal of a vehicle as provided for herein, the Lead County Officer or his or her designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by the Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular

certificate of title for the vehicle. The purchaser shall have ten (10) days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the village for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the village shall be made available to any interested person or organization which makes a written request for such list to the police department. The police department may charge a reasonable fee for the list.

09.10.80 Owner responsible for impoundment and disposal costs.

- A. 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. Costs not covered from the sale of the vehicle may be recovered in a civil action by the village against the owner.
- B. Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

09.10.90 Conflict with other code provisions.

In the event of any conflict between this chapter and any other provisions of this code, this chapter shall control.

Chapter 09.11

MISCELLANEOUS TRAFFIC REGULATIONS

Sections:

- 09.11.10** **Operators to obey traffic control devices.**
- 09.11.20** **Speed limits.**
- 09.11.30** **Arterial highways.**
- 09.11.40** **One-way streets.**
- 09.11.50** **Pedestrian regulations.**
- 09.11.60** **Motor vehicles on pedestrian ways and overpasses.**
- 09.11.70** **Driving over curbing or safety islands prohibited.**
- 09.11.80** **Use of dynamic braking devices prohibited.**
- 09.11.90** **Registration record of vehicle as evidence.**
- 09.11.100** **Accident reports.**
- 09.11.110** **Blue warning lights on police vehicles.**
- 09.11.120** **School bus warning lights.**
- 09.11.130** **Traffic and parking regulations on school district grounds.**
- 09.11.140** **School crossing guards.**

09.11.10 **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 09.01.10 of this title. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Section 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Section 346.18(6), Wis. Stats.

09.11.20 **Speed limits.**

- A. The provisions of Sections 346.57, 346.58, and 346.59, Wis. Stats., relating to the maximum and minimum speed of vehicles, are adopted as part of this chapter as if fully set forth herein. The maximum permissible speed on all streets in the village shall be twenty-five (25) miles per hour, except as follows:
- a. Alleys, Roads, Driveways, Parking Areas. The maximum permissible speed in any alley or on any road or driveway or in any parking area serving any public or parochial school, religious institution, public park grounds or buildings shall be fifteen (15) miles per hour.
 - b. Standard Speed Traffic Signs. Standard speed traffic signs shall be posted.

09.11.30 Arterial highways.

- A. The following streets in the village are designated and declared to be through streets:
 - a. Main Street (State Highway No. 73) from the North Village limits to the South Village limits;
 - b. West Nelson Street from the West curb line of Western Avenue to the West curb line of Main Street;
 - c. Liberty Street from the West village limits to the West curb line of Main Street;

09.11.40 One-way streets.

Pursuant to Section 349.10, Wis. Stats., certain village streets and parts thereof shall be one-way streets and no person shall operate any vehicle thereon except in the indicated direction when such streets are marked as required under Section 09.03.10 of this title.

09.11.50 Pedestrian regulations.

- A. Pedestrian Obedience to Traffic Control Devices and Regulations.
 - a. Obedience to Traffic Control Devices. No person shall fail to obey the instructions of any uniform traffic control device when traveling as a pedestrian on any highway within the village unless otherwise directed by a law enforcement officer.
 - b. Crossing at Crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed or closed to public travel.
- B. Prohibited Pedestrian Crossings. No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by official traffic control devices.

09.11.60 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 village except municipal or county maintenance vehicles.

09.11.70 Driving over curbing or safety islands prohibited.

- A. Driving Over Curbing Prohibited. It is unlawful for any motor vehicle to be driven or backed over any curbing in the village.
- B. Driving Over Safety Zones or Islands Prohibited. Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

09.11.80 Use of dynamic braking devices prohibited.

- A. Definition. A “dynamic braking device” (commonly referred to as jake brakes, Jacobs brake, engine brake or compression brake) means a device primarily on trucks for the conversion of the engine from an internal combustion engine

to an air compressor for the purpose of braking without the use of wheel brakes.

- B. Use Prohibited. It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged, except for the aversion of imminent danger within the village limits.

09.11.90 Registration record of vehicle as evidence.

When any vehicle is found upon a street or highway in violation of any provision of this title 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 deemed to have committed the violation for purposes of enforcement of this title and specifically Section 09.01.10 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

09.11.100 Accident reports.

The operator of every vehicle involved in an accident shall, immediately after such accident, file with the police department a copy of the report required by Section 346.70 of the Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this section.

09.11.110 Blue warning lights on police vehicles.

- A. Pursuant to Sections 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a) and (b) and (4), Wis. Stats., a marked police vehicle under Section 340.01(3)(a), Wis. Stats., may be equipped with a blue light and a red light which flash, oscillate or rotate.
- B. If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Section 346.03, Wis. Stats. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness.

09.11.120 School bus warning lights.

- A. School Bus Warning Lights.
 - a. Notwithstanding the provisions of Section 346.48(2)(b)2, Wis. Stats., adopted by reference in Section 09.01.10 of this title to the contrary and except as provided in subsection B of this section, 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 crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.
 - b. The operator of a school bus equipped with flashing red warning lights shall actuate such lights at least one hundred (100) feet before stopping

- to load or unload pupils or other authorized passengers and shall not extinguish such lights until loading or unloading is completed and persons who must cross the street or highway are safely across.
- c. The operator of a school bus shall use the flashing red warning lights when loading or unloading passengers from either side where the curb and sidewalk are laid on one side of the road only.
 - d. The operator of a school bus shall use the flashing red warning lights when loading or unloading passengers in a residential or business district when the passengers are to be loaded or unloaded at a location at which there are:
 - i. No traffic signals;
 - ii. Sidewalk and curb are laid on both sides of the street or highway; and
 - iii. Such persons must cross the street or highway before being loaded or after being unloaded.
 - e. The operator of a motor vehicle which approaches from the front or rear of any school bus which has stopped on a street or highway when the bus is displaying flashing red warning lights shall stop the vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguished the flashing red warning lights. The operator of a school bus, which approaches the front or rear of another school bus that has stopped and is displaying red warning lights, shall stop not less than twenty (20) feet from the other bus, display its red warning lights and remain stopped with red warning lights actuated until the other bus resumes motion or the other operator extinguishes the flashing red warning lights.
- B. Pursuant to Section 349.21(2), Wis. Stats., the use of flashing red warning lights by school bus operators is prohibited when pupils or other authorized passengers are loaded or unloaded directly from or onto the school grounds or that portion of a right-of-way between the roadway and the school grounds designated by school warning signs as provided in Section 118.08(1), Wis. Stats.

09.11.130 Traffic and parking regulations on school district grounds.

- A. Pursuant to the provisions of Section 118.105, Wis. Stats., the following regulations shall apply to the grounds of the public school district located within the village:
 - a. Parking. No person shall park any vehicle in any vehicular traveling area or parking area of the school district, except in conformity with posted parking regulations set forth for such vehicular travel and parking areas.
 - b. Speed Limits. No person shall, at any time, operate a motor vehicle upon any school district grounds at a speed in excess of fifteen (15) miles per hour.
 - c. Vehicles Prohibited at Specified Times. No person shall, at any time, operate a motor vehicle other than a school bus or emergency vehicle, in or upon any drive designated for buses only during the hours of seven a.m. to nine a.m. and during the hours of three p.m. to four-thirty p.m. on any weekday during the months school is in session.

d. State Traffic Forfeiture Laws Adopted. All provisions of Chapters 340 to 349 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 procedures for prosecution, are adopted and by reference made a part of this section as if fully set forth herein. Such statutory sections shall be designated as part of this code by adding the prefix "09.11" to each state statute section number. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this section.

E. Miscellaneous Rules.

- i. No person shall operate a motor vehicle on such school premises at a rapid or sudden acceleration with the intent of squealing tires or leaving tire marks.
- ii. No person shall operate a motor vehicle on such premises across parking lot islands or parking lot dividers.

09.11.140 School crossing guards.

Pursuant to Section 349.215, Wis. Stats., those adult persons hired by the school district or police department to act as school crossing guards shall have the authority to stop vehicular traffic and to keep it stopped as long as necessary at their respective school crossings for the purpose of permitting school children to cross the street.

Chapter 09.12

PENALTIES

Sections:

09.12.10 Violation of title- Penalty.

09.12.10 Violation of title - Penalty.

A. Forfeiture Penalty. The penalty for violation of any provision of this ~~title~~ chapter shall be a forfeiture *and penalty assessment if required by Wis. Stat. §757.05, a jail assessment if required by Wis. Stat. §302.46 (1), plus any applicable fees prescribed in Wis. Stat. ch. 814, or otherwise required by law.* Any forfeiture for violation of a statute adopted by Village Ordinances shall conform to the forfeiture permitted to be imposed for violation of the statute adopted by reference, including variations or increases for subsequent offenses. ~~as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., plus the penalty assessment for moving traffic violations plus the driver improvement surcharge imposed by Sections 165.87 and 346.655, Wis. Stats., where applicable. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or other penalty imposed for violation of any provision of this title may, upon order of the court entering judgment therefore and having jurisdiction of the case, be imprisoned as allowed by law.~~

B. Other Sanctions.

1. By Court. Nothing herein 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, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.
2. By Village. No person who has been convicted of a violation of any provision of this title shall be issued a license or permit by the village, except a dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.

C. Forfeitures for Violation of Uniform Moving Traffic Regulations.

Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 09.01.10 of this ~~title~~ Chapter shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this section shall not be construed to permit prosecution under this title for any offense described in ~~Chapters~~ *Wis. Stats. ch. 341 to 349, Wis. Stats.*, for which an imprisonment penalty or fine may be imposed upon the defendant.

D. Forfeitures for Parking Violations.

- a. 1. Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses. Minimum and maximum forfeiture for violation of parking

regulations adopted by reference in Section 09.01.10 of this ~~title~~ Chapter as described in ~~Chapter~~ Wis. Stat.ch.341 to 349, ~~Wis. Stats.~~, shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.

b. 2. Penalty for Other Parking Violations. The forfeiture for violation of parking regulations in Chapter 09.06 and 09.11 of this title, other than those referenced in subsection (D)~~(a)~~ (1) above, shall be ~~\$25.00~~ \$35.00; provided, a \$15.00 reduction shall be granted for payment within ten days, including the day the citation was issued.

E. Municipal Court Costs. *Municipal court costs shall be imposed at the highest level permitted by law, as set forth in Wis. Stat. §814.65(1). Wis. Stat. §814.65, which sets forth Fees of the Municipal Court, is incorporated herein by reference, as it may be amended from time to time.*

F. Forfeitures for Other Violations. Any person who shall violate any provision of ~~this title~~ *the Village Ordinance* for which a penalty is not otherwise established by this chapter or state statutory counterpart or the Revised uniform state Traffic Deposit Schedule, whichever is applicable, shall be subject to a forfeiture of not less than twenty dollars (\$20.00) nor more than five hundred dollars (\$500.00), with a bond deposit to be set at \$50.00 plus court costs and fees.