

CHAPTER 7
TRAFFIC CODE

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7.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and, by reference, made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform State-wide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

7.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (1) **DUTY OF THE DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.** Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in sec. 7.01 of this chapter, require the erection of traffic control devices for enforcement, the Director of Public Works, 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 the judgment of the Director of Public Works, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.
- (2) **OFFICIAL TRAFFIC MAP.**
 - (a) Official Traffic Map Established. There is hereby established for the Village of Port Edwards an Official Traffic Map dated July 1, 2002, on which is indicated as of said date all existing stop signs; arterial intersections; yield signs; no u-turn intersections; no parking areas; no stopping, standing or parking areas; handicapped parking areas; and school zones and school crossings. All such restrictions and limitations set forth on said Official Traffic Map are hereby adopted by reference.
 - (b) Additions to Map. The Village Board may, from time to time, make additions to or deletions from the Official Traffic Map and the Director of Public Works shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after July 1, 2002, shall indicate the number of the authorizing resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing resolution.
 - (c) Map to Be Maintained. The Official Traffic Map shall be maintained and displayed in the office of the Village Administrator. The Director of Public Works shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be.
 - (d) Violations Prohibited. When official traffic control devices, giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map, are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.
- (3) **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 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 the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in sub. (4) below.
- (4) **REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES.** The Director of Public Works or his designee may remove any sign, signal, marker or other device, which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker 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 15 shall be placed upon the tax roll for collection as other special municipal taxes.

7.03 STOP AND YIELD SIGNS.

- (1) DESIGNATION OF LOCATION OF STOP SIGNS AND YIELD SIGNS. In the interest of public safety, the Village Board, by resolution, has designated the location of stop and yield signs within the Village and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic Map of the Village pursuant to sec. 7.02 of this chapter.
- (2) 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 section, shall obey the direction of such official traffic control device as required by the Wisconsin statutes incorporated by reference in sec. 7.01 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §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 §346.18(6), Wis. Stats.

7.04 HEAVY TRAFFIC ROUTES.

- (1) ROUTES DESIGNATED. Pursuant to §349.17, Wis. Stats., the following streets and parts of streets within the Village are hereby designated heavy traffic routes:
 - (a) Wisconsin River Drive, southward from its intersection with S.T.H. 54 and S.T.H 73 (Letendre Avenue) to and including its intersection with Edwards Avenue.
 - (b) All of Edwards Avenue.
 - (c) Market Avenue, westward from its intersection with Wisconsin River Drive to and including its intersection with Fourth Street.
 - (d) All of Bruener Avenue.
- (2) TRAVEL PROHIBITED. No vehicle, except a motor bus, which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding 6 tons on one axle or 10 tons tandem axle shall be operated or moved on any street or alley not a part of the heavy traffic route designated in sub. (1) above except for the purpose of obtaining orders for, moving or delivering supplies or commodities to or from a place of business or residence facing thereon, provided that in no event shall the weight of the vehicle and load on such other street exceed the limitations of §§348.15 and 348.16(3), Wis. Stats.
- (3) SIGNS. The Director of Public Works shall cause to be secured and erected appropriate signs to give notice of the heavy traffic routes.
- (4) CONSTRUCTION EQUIPMENT. The Director of Public Works 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 non-designated 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.
- (5) LIABILITY. Any operator whose heavy traffic vehicle damages any Village street or highway in violation of this section shall be liable and required to pay the Village the cost of repair or replacement of the damaged street or highway.
- (6) SPECIAL AND SEASONAL WEIGHT LIMITATIONS. The Public Works Committee shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Village to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting uniform traffic control devices giving notice thereof.

7.05 SPEED LIMITS INCREASED AND DECREASED. The Village Board hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe and imprudent and modifies such speed limits. Speed limits are increased or decreased on the following designated streets or portions thereof:

- (1) 15 MILES PER HOUR. Fourth Street, from Tyler Avenue to Polk Avenue.
- (2) 20 MILES PER HOUR. All of Nepco Lake Road.
- (3) 35 MILES PER HOUR.
 - (a) Sampson Street, from Whitrock Avenue south to its intersection with Griffith Avenue.
 - (b) Letendre Avenue, from its intersection with Fifth Street to its intersection with Seventh Street.
 - (c) All of Range Line Road. *Added 10-12-2004.*
- (4) 40 MILES PER HOUR
 - (a) Wisconsin River Drive, from its intersection with Letendre Avenue northerly to the north corporate limits of the Village.
 - (b) Wisconsin River Drive, from the north corporate limits of the Village southerly to its intersection with LaVigne Avenue.
 - (c) Seneca Road, from its intersection with Port Road easterly to its intersection with Wisconsin River Drive.
 - (d) All of Port Road.
- (5) 45 MILES PER HOUR.
 - (a) Letendre Avenue, from its intersection with Seventh Street to the west Village limits.
 - (b) State Trunk Highway 73, from S.T.H. 54 south to the Nekoosa City limits.
 - (c) All of S.T.H. 13.
 - (d) Town Line Road, from the east Village limits westward to S.T.H. 13.
 - (e) All of Range Street. *Deleted 10-12-2004.*
 - (f) All of Griffith Avenue.
- (6) 30 MILES PER HOUR. All of old HWY 73. *Added 10-12-2004.*

7.06 PARKING RESTRICTIONS.

- (1) NO PARKING AT ANY TIME. When signs are erected in any block giving notice thereof, no person shall park a vehicle upon the following streets or portions of streets:
 - (a) On the east side of Wisconsin River Drive, from Edwards Avenue north to Seneca Road.
 - (b) On the north side of Edwards Avenue, from its intersection with Wisconsin River Drive west to its intersection with Second Street.
 - (c) On the north and east side of the boulevard lying in First Street south of Jefferson Avenue by the Catholic church.
 - (d) On that part of the north side of LaVigne Avenue that lies 15 feet on each side of the center line of the sidewalk that runs from LaVigne Avenue to the south entrance of John Edwards High School.
 - (e) On the north and south sides of Letendre Avenue, from its intersection with Wisconsin River Drive westerly to its intersection with First Street.
 - (f) On the west side of Wisconsin River Drive, from its intersection with Letendre Avenue northerly to Island Avenue.
 - (g) On the south side of Edwards Avenue, from its intersection with Wisconsin River Drive westerly for a distance of 70 feet.
 - (h) On the west side of Wisconsin River Drive, from its intersection with Bruener Avenue to its intersection with Third Street.

- (i) On the west side of Third Street, from its intersection with Wisconsin River Drive south to its intersection with Harrison Avenue.
 - (j) The alley right of way, from Third Street to Fourth Street, between LaVigne Avenue and Washington Avenue.
 - (k) The west side of Wisconsin River Drive, from its intersection with Edwards Avenue to a point 60 feet north of the east entrance of the Y.M.C.A. parking lot. Busses may use the no parking area for the loading and discharging of passengers only.
 - (l) In the alley right of way between Market Avenue and Letendre Avenue, from Second Street to the east side of the Port Credit Union building.
 - (m) On the west side of Wisconsin River Drive, from its intersection with Seneca Road to the north fence line of Aubey Park, a distance of approximately 1,125 feet.
 - (n) On both sides of Third Street, from its intersection with Letendre Avenue south to the public alley.
 - (o) In the alley right of way just to the south of 361 First Street apartments, from First Street west to the rear of the Old Bank building.
- (2) LIMITED TIME PARKING. No parking shall be permitted on the following portions of the streets or highway in excess of the following time limitations:
- (a) Not longer than 30 minutes on the north side of Market Avenue, from a point beginning 18 feet east of its intersection with Second Street to a point easterly thereof 102 feet, between the hours of 7:30 A.M. and 5:00 P.M. Monday through Friday.
 - (b) On the west side of Second Street, from its intersection with LaVigne Avenue north to its intersection with Jefferson Avenue, between the hours of 7:30 A.M. and 4:30 P.M. on school days.
 - (c) On the east side of Third Street, from its intersection with LaVigne Avenue north to its intersection with Jefferson Avenue between 7:30 A.M. and 4:30 P.M. on school days.
 - (d) On the west side of Third Street, from its intersection with LaVigne Avenue northward to its intersection with Adams Avenue between the hours of 7:30 A.M. and 4:30 P.M. on school days.
- (3) WINTER OVERNIGHT PARKING. No person shall park or leave standing any motor vehicle between the hours of 2:00 A.M. and 6:00 A.M. from the first day of November to the first day of April.
- (4) SNOW EMERGENCY PARKING RESTRICTIONS.
- (a) When the Village President or his designee proclaims a snow emergency pursuant to §166.23, Wis. Stats., no person shall park or leave standing any vehicle upon the streets, alleys, roadways or highways during the hours set forth in said proclamation.
 - (b) The Village Board hereby declares that an emergency may exist in the Village whenever a snowfall reaches a depth of 3 inches or more during any 24-hour period. When declared, such emergency is considered a public hazard, impairing transportation and public health, safety and welfare. The emergency is declared over when snow removal operations have been deemed completed by the Director of Public Works.
 - (c) Whenever an emergency exists and the Village President or his designee shall have caused an announcement thereof to be made by not less than 2 radio stations whose normal operating range covers the Village, no person shall park or permit to be parked any vehicle upon the streets of the Village during said emergency. Vehicles may be parked for a period of time for the actual loading or unloading of passengers or property.
- (5) PARKING IN MUNICIPAL PARKING LOTS REGULATED. No person shall park a motor vehicle in any municipal parking lot for more than 24 hours unless a permit therefore is issued by the Director of Public Works.
- (6) RESTRICTED STREET PARKING. No person owning or having control of any truck, trailer (semi, boat, utility, etc.) truck power unit, tractor, bus or recreation vehicle (motor home, camper, etc.), with tare or empty weight in excess of 12,000 pounds gross weight or over 16 feet in length, including accessories, racks or other physical extensions, or having a height of more than 8 feet from the roadway, shall park the same upon any

street, avenue, alley or public way in the Village for more than 2 consecutive hours. The provisions of this subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue, alley or public way in the Village for the actual loading or unloading of goods, wares or merchandise.

- (7) **ANGLE PARKING.** The following portions of streets, roadways and highways are declared to be angle-parking areas:
 - (a) On the curved street located immediately north of the shopping center buildings and south of Market Avenue.
 - (b) On the north side of Market Avenue, from Third Street to Second Street and from a point beginning 18 feet east of its intersection with Second Street to a point easterly thereof for 102 feet.
 - (c) On the south side of Jefferson Avenue, between Park Court Lane and the alley east of Park Court Lane.
- (8) **PARKING IN DRIVEWAYS PROHIBITED.** No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to prohibit parking.
- (9) **SNOW REMOVAL AND STREET MAINTENANCE.** Whenever it is necessary to remove snow or repair a Village street or any part thereof, the Director of Public Works shall post such street or parts thereof with appropriate signs prohibiting parking. Such signs shall be erected at least 2 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.
- (10) **DESIGNATED PARKING SPACES.** The Director of Public Works shall cause lines or markings to be painted upon the curb and/or upon the street or parking lot surface for the purpose of designating a parking space. It shall be unlawful to park any vehicle across any line or marking or to park a vehicle in such position that the same shall not be entirely within the area designated by such lines or markings.
- (11) **LEAVING KEYS IN IGNITION PROHIBITED.** No person shall permit a motor vehicle in his custody to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless the starting lever, throttle, steering apparatus, gear shift or ignition of said vehicle is locked and the key removed.

7.07 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police 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 not prohibited. 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 storage garage or parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by sec. 7.20 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

7.08 ABANDONED VEHICLES.

- (1) **ABANDONMENT OF VEHICLES PROHIBITED.** No person shall abandon any vehicle unattended within the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.
- (2) **DEFINITION.** As used in this section, "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in sec. 7.01 of this chapter, whether or not such vehicle is registered under Ch. 341, Wis. Stats.
- (3) **PRESUMPTION OF ABANDONMENT.** Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.

- (4) EXCEPTIONS. This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village.
- (5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by any police officer until lawfully claimed or disposed of as provided in this section. If the Police Chief or his duly authorized representative determines that towing costs and storage charges for 10 days, as provided in sub. (6) below, would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon determination by the Police Chief that the vehicle is not wanted for evidence or any other reason; provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with sub. (8) below.
- (6) MINIMUM IMPOUNDMENT PERIOD. The minimum period of impoundment or storage of a vehicle found in violation of this section shall be 10 days.
- (7) NOTICE TO OWNER. The police officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Police Chief of the abandonment and location of the impounded vehicle, and shall, within 10 days thereafter, notify the owner and lien holders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in §342.40(3), Wis. Stats., and shall state that the failure of the owner or lien holder to exercise their right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.
- (8) SALE. Each retained vehicle not reclaimed by the owner or lien holder may be disposed of by sealed bid or auction sale as provided in §342.40(3), Wis. Stats.
- (9) SALE TO BAR CLAIMS AGAINST VEHICLE. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.
- (10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under sub. (8) above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of the actual cost of commercial storage for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten 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 again sold.
- (11) REQUEST FOR LIST. Any listing of vehicles to be sold pursuant to this section shall be made available by the Clerk-Treasurer to any interested person or organization who makes a request therefore.
- (12) NOTICE TO DEPARTMENT. Within 5 days after the sale or disposition of a vehicle under this section, the Clerk-Treasurer shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.
- (13) OWNER MAY FILE CLAIM. At any time within 2 years after the sale of a motor vehicle, as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Village Board setting forth such facts as are necessary to establish such ownership or interest, and that the failure of the claimant to reclaim the vehicle prior to the sale was not the result of the neglect or fault of claimant. If the Board is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the Village Treasury as a result of the sale of such motor vehicle nor the amount of interest of the claimant therein.
- (14) EXEMPTION. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Village together with a fee for the cost of towing and junking charges and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the contractor engaged by the Village for towing of disabled vehicles. The provisions of sub. (11) above shall apply to any vehicle removed under this subsection.

7.09 DISPLAY OF POWER PROHIBITED. No person shall make unnecessary and annoying noises with a motor vehicle by squealing tires, excessive acceleration of engine, or by emitting unnecessary and loud exhaust system noises.

7.10 SCHOOL CROSSING GUARDS.

- (1) APPOINTMENT. Pursuant to §349.215, Wis. Stats., the Village Board provides for the appointment of adult school crossing guards for the protection of persons who are crossing a highway in the vicinity of a school. The school crossing guards shall be equipped with signs to direct traffic to stop at such crossings.
- (2) OBEDIENCE TO SCHOOL CROSSING GUARDS. No operator of vehicle shall fail or refuse to stop for a crossing guard when directed to do so by use of a sign or signal.

7.11 SCHOOL BUS WARNING LIGHTS. Notwithstanding the provisions of §346.48(2)(b)2., Wis. Stats., adopted by reference in this section to the contrary, school bus operators shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

7.12 TRAFFIC REGULATIONS RELATING TO BICYCLES.

- (1) BICYCLE PATH, RESTRICTED USE. No motor vehicle except authorized Village, County or State vehicles shall be operated on the paved pedestrian and bicycle path that is located on the west portion of the Edgewater Haven property between Bruener Avenue and Harrison Avenue.
- (2) VER BUNKER AVENUE BICYCLE WAY. The north 4 feet and the south 4 feet of the traveled portions of Ver Bunker Avenue, from Fifth Street to Port Road on those portions having curb and gutter, are hereby designated as a bicycle way. Operators of motor vehicles shall yield the right of way to all bicycles traveling in said bicycle way.
- (3) BICYCLES ON SIDEWALKS. Bicycles shall be permitted to be used on all sidewalks within the Village except the sidewalk on both sides of Market Avenue, from First Street to Third Street. No bicycles shall be driven on the walkways on the west side and the east side of the Municipal Building. Bicycles may be walked and parked in these areas. Every person operating a bicycle upon a sidewalk shall yield the right of way to any pedestrian and shall exercise due care when passing said pedestrian proceeding in the same direction.
- (4) ABANDONED RAILROAD RIGHT OF WAY; RESTRICTED USE. No motorized vehicles, except for authorized Village vehicles, shall be operated nor any horseback riding permitted on or along the abandoned railroad right of way. The right of way is designated as a recreational trail and shall be limited in its use to walking, jogging, cross country skiing, roller blading and bicycle riding. The recreational trail width is 100 feet in width, as shown on Exhibit A in the Recreational Trail Agreement with Nekoosa Papers, Inc. dated July 12, 1985 which is on file in the office of the Clerk-Treasurer.

7.13 SNOWMOBILES.

- (1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section, as follows:

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
- 350.03 Right of Way
- 350.04 Snowmobile Races, Derbies and Routes

- 350.045 Public Utility Exemption
- 350.047 Local Ordinance to be Filed
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows and Arrows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.101 Operating a Snowmobile While Intoxicated Prohibited
- to
- 350.107
- 350.12 Registration of Snowmobiles
- 350.13 Uniform Trail Signs and Standards
- 350.15 Accidents and Accident Reports
- 350.17 Enforcement
- 350.18 Local Ordinances
- 350.19 Liability of Landowners

- (2) **APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §§346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.
- (3) **SNOWMOBILE OPERATION IN VILLAGE.**
 - (a) Restricted. Except as provided in pars. (b) and (c) below, it shall be unlawful to operate any snowmobile on private property or on any village street, alley, park or parking lot.
 - (b) Trail Access Routes. The Village Board has not established a snowmobile trail, but rather hereby designates as major access routes to the Wood County Snowmobile Trail the following:
 1. Ver Bunker Avenue.
 2. Seneca Road.
 3. The abandoned railroad right of way west of the bike trail between Letendre Avenue and Seneca Road.

Other Village streets may be used as access routes by the most direct route from the person’s residence or fueling station to one of the above-designated major routes. No person shall operate a snowmobile at a speed greater than the designated street speed limit, or 25 miles per hour on the abandoned railroad right of way.
 - (c) Operation on Private Property. Notwithstanding the provisions set forth in par. (a) above, a property owner or a person with the written consent of a property owner may operate a snowmobile on such property. However, no snowmobile may be operated within 200 feet of any residence or between the hours of 11:00 P.M. and 6:00 A.M.
- (4) **HOURS OF OPERATION RESTRICTED.** No person shall operate a snowmobile anywhere within the Village between the hours of 11:00 P.M. and 6:00 A.M.
- (5) **PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not

permitted under State law to operate such snowmobile, or who is under the influence of an intoxicant or a dangerous or narcotic drug.

- (6) OPERATION WHILE UNDER INFLUENCE PROHIBITED. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.
- (7) CLERK-TREASURER TO FILE SECTION. Pursuant to §350.047, Wis. Stats., the Clerk-Treasurer is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the County Sheriff's Department.

7.14 ALL-TERRAIN VEHICLES.

- (1) STATE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to all-terrain vehicles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made a part of this section as if fully set forth herein. Acts required to be performed or prohibited by such Statutes are required or prohibited by this section:

- §23.33(1) Definition
- §23.33(2) Registration
- §23.33(3) Rules of Operation
- §23.33(3g) Use of Headgear
- §23.33(4) Operation on or Near Highway
- §23.33(4c) Intoxicated Operation of All-Terrain Vehicle
- §23.33(4g) Preliminary Breath Screening Test
- §23.33(4j) Applicability of the Intoxicated Operation of an All-Terrain Vehicle Law
- §23.33(4l) Implied Consent
- §23.33(4p) Chemical Tests
- §23.33(4T) Report Arrest to DNR
- §23.33(4x) Officer Actions After Arrest For Operating an All-Terrain Vehicle While Under the Influence of an Intoxicant
- §23.33(5) Age Restriction; Safety Certificate Program
- §23.33(6) Equipment Requirements
- §23.33(7) Accidents
- §23.33(11) Local Ordinances
- §23.33(12) Enforcement

- (2) OPERATION IN VILLAGE.
 - (a) Restricted. Except as provided in par. (b) below, it shall be unlawful to operate any all-terrain vehicle on private property or on any Village street, alley, park or parking lot.
 - (b) Operation on Private Property. Notwithstanding the provisions of par. (a) above, a property owner or a person with the written consent of the property owner may operate an all-terrain vehicle on such property. However, no all-terrain vehicle may be operated within 200 feet of any residence or between the hours of 11:00 P.M. and 6:00 A.M.

7.15 SKATEBOARDS AND ROLLER SKATES.

- (1) REGULATED. It shall be unlawful for any person to operate or ride a skateboard or roller skates in any of the following places:
 - (a) Any Village Street.

- (b) Any sidewalk in a business district or in any area designated as a heavy traffic route.
 - (c) Any public or private parking lot.
 - (d) Private property unless permission has been received from the owner, lessee or person in charge of the property.
- (2) RIGHT OF WAY. Operators or riders of skateboards or roller skates 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.

7.16 IN-LINE SKATES REGULATED.

- (1) STATE LAWS APPLICABLE. Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions, which, by their nature, would have no application.
- (2) PUBLIC SIDEWALKS OR WALKWAYS. Every person using in-line skates upon a sidewalk or walkway shall yield the right of way to any pedestrian and shall exercise due care when passing any other person.
- (3) PUBLIC OR PRIVATE PARKING LOTS AND PRIVATE PROPERTY. It shall be unlawful for any person to use in-line skates in any public or private parking lot. It shall be further unlawful for any person to use in-line skates on private property unless permission has been received from the owner, lessee or person in charge of the property.
- (4) RIDING ON ROADWAY.
 - (a) Every person using in-line skates on any public street or alley shall keep as close to the right hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one way public street or alley shall proceed in the direction of the one-way traffic.
 - (b) Every person using in-line skates upon a roadway shall ride single file on all public roadways.
 - (c) Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (5) IN-LINE SKATING PROHIBITED AFTER DAYLIGHT HOURS. It shall be unlawful to use in-line skates on any Village roadway or sidewalk after daylight hours.
- (6) CLINGING TO MOVING VEHICLES PROHIBITED. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (7) PLAYING GAMES IN ROADWAY PROHIBITED. It shall be unlawful to play hockey or any other game on in-line skates on any village roadway.
- (8) OBSERVANCE OF TRAFFIC REGULATIONS. Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.
- (9) YIELDING TO TRAFFIC. The operator of a vehicle shall yield the right of way to a user of in-line skates in the same manner as for bicyclists and pedestrians under §§346.23, 346.24, 346.36 and 346.38, Wis. Stats. When using in-line skates, every person shall, upon entering a public roadway, yield the right of way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under §§346.23, 346.24, 346.37 and 346.38, Wis. Stats.

7.17 COMPRESSION BRAKES.

- (1) PROHIBITED. Except as provided in sub. (2) below, no person shall use motor vehicle brakes (jake brakes) within the Village, which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.
- (2) EXCEPTION. It shall be an affirmative defense to prosecution under this section that compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

7.18 to 7.19 (Reserved)

7.20 PENALTY. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable.

- (1) STATE FORFEITURE STATUTES. Forfeitures for violation of §§340.01 to 348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) STATE FINE STATUTES. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.
- (3) LOCAL REGULATIONS. The forfeitures for violations of secs. 7.02, 7.04, 7.06, 7.07, 7.08, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15 and 7.16 of this chapter are included in the Village Bond Schedule.

7.21 ENFORCEMENT.

- (1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the pr of §§345.20 to 345.53, Ch. 229 and §66.0114, Wis. Stats.
- (2) DUTY OF POLICE OFFICERS TO ENFORCE. Police officers shall enforce all the provisions of this chapter.
- (3) UNIFORM CITATION. The uniform citation promulgated under §345.11, Wis. Stats., shall be used for all moving and non-moving traffic violations, except parking violations.
- (4) NOTICE OF DEMERIT POINTS AND RECEIPTS. Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefore in triplicate as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §§343.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats.
- (5) PARKING CITATIONS. Citations for all parking violations under this chapter shall conform to §345.28, Wis. Stats., and shall permit direct mail payment of the applicable forfeiture to the Clerk-Treasurer within 48 hours of the issuance of the citation in lieu of a court appearance. The citation shall specify thereon the amount of the applicable forfeiture as provided in this chapter.
- (6) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When any vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code 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 the enforcement of this section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses defined and described in §346.485(5), Wis. Stats., shall be a defense for an owner charged with such violation.
- (7) TRAFFIC VIOLATION AND REGISTRATION PROGRAM. Pursuant to the provisions of §345.28(4), Wis. Stats., the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under §85.13, Wis. Stats.; such costs shall in turn be assessed against persons charged with nonmoving traffic violations. The Village Attorney shall be responsible for complying with the requirements set forth in §345.28(4), Wis. Stats.
- (8) DEPOSIT SCHEDULE. Every police officer issuing a citation for any violation of this chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Wisconsin Judicial Council Bond Schedule or the Village Bond Schedule, which are hereby adopted by reference.
- (9) DISPOSITION OF DEPOSITS; OFFICERS TO POST BOND, QUALIFY. Any police officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Clerk of Courts within 20 days after receipt, except for parking forfeitures, which shall be turned over to the Clerk-Treasurer. Any police officer authorized to accept deposits under §345.26, Wis. Stats., or this chapter shall qualify by taking the oath and filing an official bond in the sum of \$100 as provided by §19.01, Wis. Stats.