

Chapter 50

TRAFFIC AND VEHICLES*

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ARTICLE I. IN GENERAL**Sec. 50-1. State traffic laws adopted.**

(a) *Statutes.* Except as otherwise specifically provided in this chapter, the statutory provisions in Wis. Stats. chs. 340--348, describing and defining regulations with respect to vehicles and traffic, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment or exclusively state charges, are adopted and made a part of this section by reference, as if fully set forth in this section. Any act required to be performed or prohibited by any regulation incorporated in this section by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutory regulations in Wis. Stats. chs. 340--348 incorporated in this section are intended to be made part of this section 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 violate any provisions of any statute incorporated in this section by reference shall be deemed guilty of an offense under this section.

(b) *Other state laws.* There are also adopted by reference the following sections of statutes, but the prosecution of such offenses under this chapter shall be as provided in Wis. Stats. chs. 340--348, and the penalty for violation thereof shall be limited to a forfeiture as provided in this chapter:

| | |
|----------------------|---|
| Wis. Stats. § 346.63 | Operating Under the Influence |
| Wis. Stats. § 941.01 | Negligent Operation of Vehicle Off Highway |
| Wis. Stats. § 943.11 | Entry into Locked Vehicle |
| Wis. Stats. § 943.23 | Operating Motor Vehicle Without Owner's Consent |

(c) *Statutes specifically incorporated by reference.* Whenever this chapter incorporates specific sections of the statutes by reference, such references shall mean the Wisconsin Statutes as from time to time amended, repealed or modified by the state legislature.

(d) *General references.* General references in this chapter to state 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 state legislature describing or defining such procedures or authorities.

(Code 1988, § 8-1-1)

Sec. 50-2. State administrative code provisions adopted.

(a) *Administrative regulations.* The applicable administrative rules and regulations adopted by the secretary of the state department of transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are adopted by reference and made part of this section as if fully set forth in this section.

(b) *Noncompliance.* 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 Wis. Stats. § 110.075 and Wis. Stats. ch. 347, incorporated by reference in section 50-1.

(c) *Owner's liability.* Any owner of a vehicle not equipped as required by this section, who knowingly causes or permits such vehicle to be operated on a highway in violation of this section, is guilty of a violation of this section as if he had operated the vehicle. The provisions of Wis. Stats. § 347.04 relating to nonapplicability of demerit points shall apply to owners convicted of a violation of this section.

(d) *Safety checks.*

(1) *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. When operating a motor vehicle, no person shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as provided in this subsection.

(2) *Authority of law enforcement officer.* Whenever any law enforcement officer of the village shall have reason to believe that any provision of this section is being violated, he is empowered to order the operator of the vehicle to stop and submit such vehicle to an inspection with respect to the brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment of such vehicle.

(3) *Removal of vehicle from highway; repair order.* Whenever a law enforcement officer determines that a vehicle is unsafe for operation, after an inspection as provided by this section, he may order such vehicle 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 Wis. Stats. § 110.075(5), 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.

(e) *Violation; penalty.* Penalty for violation of any provision of this section, including the provisions of the Wisconsin Administrative Code incorporated in this section by reference, shall be as provided in subsection (c) of this section, together with the costs of prosecution and applicable penalty assessment. (Code 1988, § 8-1-2)

Sec. 50-3. Enforcement.

(a) *Procedures.*

(1) *How enforced.* This chapter shall be enforced in accordance with the applicable provisions of the statutes and this section.

(2) *Applicable court procedures.* Except where otherwise specifically provided by law or this Code, the traffic regulations in this chapter shall be enforced in the circuit court.

(b) *Citations.*

- (1) *Uniform citation and complaint.* The state uniform traffic citation and complaint described and defined in statute shall be used for the enforcement of all provisions of this chapter, except the provisions which describe or define nonmoving traffic violations and violations of Wis. Stats. §§ 346.71--346.73. Violations of Wis. Stats. §§ 346.71--346.73 shall be reported to the district attorney and the state uniform traffic citation shall not be used in such cases, except upon written request of the district attorney.
- (2) *Nonmoving traffic citations.* The chief of police shall recommend a citation for use in enforcing the nonmoving traffic offenses in this chapter. Such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this chapter, including violations of nonmoving traffic regulations defined and described in statute, adopted by reference in section 50-1, and all provisions regarding nonmoving traffic violations in this chapter. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with subsection (c)(2) of this section. Nonmoving traffic citations may be issued by law enforcement officers or civilian employees of the police department.
- (c) *Deposits and stipulations.*
 - (1) *Uniform traffic offenses.*
 - a. *Who may make.* Persons arrested or cited for violation of moving traffic offenses created by this chapter shall be permitted to make deposits and stipulations of no contest or be released by the arresting officer in accordance with the applicable provisions of statute. Stipulations of guilt or no contest may be made by persons arrested for violations of this chapter in accordance with Wis. Stats. § 66.0114(1)(b), whenever the provisions of Wis. Stats. § 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Wis. Stats. § 345.11 and may be accepted within five days of the date of the alleged violation. Stipulations may be accepted by the police department.
 - b. *Delivery or mailing to police department.* Any person stipulating guilt or no contest under subsection (c)(1)a of this section must make the deposit required under Wis. Stats. § 345.26 or, if the deposit is not established under such statute, such person shall deposit a forfeited penalty as provided in the schedule established by the chief of police and approved by the village board. Deposits may be brought or mailed to the police department within five days of the issuance of the citation, in lieu of a court appearance.
 - c. *Receipt required.* Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of Wis. Stats. §§ 343.28, 345.26(1)(a) and 345.27(2) and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Wis. Stats. § 345.11. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator, and within seven days, shall deliver the deposit and stipulation and a copy of the receipt to the clerk of courts.

- (2) *Nonmoving traffic offenses.*
 - a. *Direct payment of penalty.* Persons cited (summons not issued) for any nonmoving traffic violation described and defined in this chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding to the police department, within five days of the issuance of the citation, the minimum forfeiture specified for the violation. If such forfeiture is not forwarded, the penalty may be discharged by forwarding to the police department, within 15 days of the date of the citation, the amount of \$20.00. When payment is made as provided in this subsection, no court costs shall be charged.
 - b. *Court prosecution.* If the alleged violator does not deliver or mail a deposit as provided in subsection (c)(2)a of this section within 15 days of the date of the citation, the chief of police shall forward a copy of the citation to the village attorney for prosecution.
 - c. *Registration suspension.* If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation, or within 28 days after the citation is issued if no date is specified on the citation, the village may ask the state 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 Wis. Stats. § 345.28(4) and subsection (c)(3) of this section.
 - d. *Deposits returned to village administrator.* Officers receiving deposits for nonmoving traffic violations under this subsection (c)(2) shall pay over such deposits to the village administrator within seven days of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.
 - e. *Oath.* Any officer authorized to accept deposits under Wis. Stats. § 345.26 or this section shall qualify by taking the oath prescribed by Wis. Stats. § 19.01.
- (3) *Receipt; statement of notice.* Every officer accepting a forfeited penalty or money deposit under this section shall receipt therefor in triplicate as provided in Wis. Stats. § 345.26(3)(b). Every officer accepting a stipulation under the provisions of this section shall comply with the provisions of Wis. Stats. §§ 343.28, 345.26(1)(a) and 345.27(2), and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Wis. Stats. § 345.11.
- (4) *Traffic violation and registration program.*
 - a. The village shall participate in the state department of transportation traffic violation and registration program as set forth in Wis. Stats. § 345.28 and Wis. Admin. Code ch. Trans 128, and all amendments or changes thereto.
 - b. The police department is designated as a delegated authority for purposes of Wis. Stats. §§ 85.13 and 345.28, and Wis. Admin. Code ch. Trans 128. The police department is authorized to perform, on behalf of the village, all functions required of a local authority under such statutes and this chapter, including, but not limited to:

1. Preparing and completing all forms and notices notifying the state department of transportation of unpaid citations for nonmoving traffic violations;
 2. Specifying whether the registration of vehicles involved in unpaid citations for nonmoving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for nonmoving traffic violations;
 3. Determining the method by which the village will pay the state department of transportation for the administration of the state department of transportation traffic violation and registration program, and establishing the effective date for participation; and
 4. Taking such other action as is necessary to institute and continue participation in the state department of transportation traffic violation and registration program.
- c. The chief of police is authorized to assign a member of the police department to perform such acts as are necessary to effectuate this subsection (c)(4).
- d. In addition to all applicable fines and court costs, the costs of using the state department of transportation traffic violation and registration program shall be assessed as permitted by Wis. Stats. § 345.28(4)(d). The police department may refuse to notify the state department of transportation of payment on a citation until all applicable fines and costs, including costs assessed under this subsection, are paid.
- e. This subsection (c)(4) shall not be interpreted as requiring that all unpaid citations for nonmoving traffic violations be processed through the state 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.

(Code 1988, § 8-1-51)

Sec. 50-4. Official traffic signs and control devices.

(a) *Duty of director of public works to erect and install.* Whenever traffic regulations created by this chapter, including a state traffic regulation adopted by reference in section 50-1, require the erection of traffic control devices for enforcement, the director of public works, with the cooperation of the police department, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the state department of transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever law grants discretion to local authorities in erecting or placement of a uniform traffic control device, such device shall be erected in such locations and in such a manner as, in the judgment of the director of public works or his designee, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the village.

(b) *Code numbers.* The director of public works or his designee shall cause to be placed on each official traffic control sign, guide board, milepost, signal or marker erected under subsection (a) of this

section, a code number assigned by the state department of transportation, and shall also place, or direct the placing of, code numbers on all existing official traffic control devices as required by the law.

(c) *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, where applicable, 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 subsection (d) of this section.

(d) *Removal of unofficial signs, markings, signals and traffic control devices.* The director of public works or his designee may remove any sign, signal, marking or other device which is placed, maintained or displayed in violation of this chapter or law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the director of public works or his designee 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.

(Code 1988, § 8-1-3)

State law reference – Authority, Wis. Stats. §§ 346.41, 349.09.

Sec. 50-5. Operators to obey traffic control devices and signs.

(a) 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 statutes incorporated by reference in section 50-1.

(b) Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Wis. Stats. § 346.46.

(c) Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Wis. Stats. § 346.18(6).

(Code 1988, § 8-1-10)

Sec. 50-6. Registration record of vehicle as evidence.

When any vehicle is found upon a street or highway in violation of any provision of this chapter regulating the stopping, standing or parking of vehicles, and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the state 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 chapter, specifically section 50-1, and shall be subject to the applicable forfeiture penalty, provided, the defenses defined and described in Wis. Stats. § 346.485(5)(b), shall be a defense for an owner charged with such violation.

(Code 1988, § 8-1-4)

Sec. 50-7. School bus warning lights.

Notwithstanding the provisions of Wis. Stats. § 346.48(2)(b)2, adopted by reference in section 50-1, 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 crosswalks or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

(Code 1988, § 8-1-5)

Sec. 50-8. Blue and red warning lights on police vehicles.

(a) Pursuant to Wis. Stats. §§ 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a), (b) and (4), a marked police vehicle under Wis. Stats. § 340.01(3)(a) 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 Wis. Stats. § 346.03. 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 to be plainly visible and understandable from a distance of 500 feet during normal sunlight and hours of darkness. No operator of a police vehicle may use the warning lights, except when:

- (1) Responding to an emergency call;
- (2) In pursuit of an actual or suspected violator of the law;
- (3) Responding to, but not upon returning from, a fire alarm; or
- (4) Necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.

(c) At least 90 days before equipping the first police vehicle with flashing, oscillating or rotating blue lights, the village shall give notice of its intent to equip such police vehicles with such lights as a class 2 notice under Wis. Stats. ch. 985.

(Code 1988, § 8-1-6)

Sec. 50-9. Official traffic map.

(a) *Established.* There is established an official traffic map for the village upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings and all other restrictions or limitations contained in this chapter, as from time to time amended or modified by the village board when the law requires the erection or use of official traffic control devices to enforce such restrictions or limitations.

(b) *Violations.* 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 such restrictions, prohibitions or limitations shown on the official traffic map shall be a violation of the provisions of this chapter.

(c) *Maintenance and display.* A copy of the official traffic map shall be maintained and displayed in

the office of the police department.

(d) *Additions.* The village board may from time to time make additions to or deletions from the official traffic map, and the chief of police shall keep such official traffic map current.
(Code 1988, § 8-1-7)

Sec. 50-10. Accident reports.

The operator of every vehicle involved in an accident shall file a copy of the report required by Wis. Stats. § 346.70, if any, with the police department within five days after such accident. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident who is capable of making such report shall have the duty to comply with this section. Such reports shall be subject to the provisions and limitations of Wis. Stats. §§ 346.70(4)(f) and 346.73, specifically that accident reports filed with this section shall be for the confidential use of the police department and shall not be open to public inspection, except as permitted by Wis. Stats. § 346.73.
(Code 1988, § 8-1-8)

Sec. 50-11. Motor vehicle disorderly conduct.

(a) *Unnecessary noise.* It shall be unlawful for any person to operate a motor vehicle in a manner which shall make, or cause to be made, any loud, disturbing or unnecessary sounds or noises that may tend to annoy or disturb another in or about any public or private area in the village, or to unnecessarily use a vehicle horn or other electronic sounding device emitted from any motor vehicle.

(b) *Unnecessary smoke.* It shall be unlawful for any person to operate a motor vehicle in a manner which shall make, or cause to be made, any smoke, gas or odor which is 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.* It shall be unlawful for any person to operate a motor vehicle in a manner which shall make, or cause to be made, any stone, gravel, soil, dirt, water, snow, slush, ice, rubber or any other debris to be thrown by the wheels of such motor vehicle upon the person or property of any person in the village, or for the driver to make any unusual move, turn or stop with a motor vehicle, or any sudden veering of a vehicle to alarm or disturb any pedestrian or other vehicular traffic.

(d) *Avoidance of traffic control device, sign or signal.* It shall be unlawful for any person to operate a motor vehicle in a manner so as to leave the roadway and travel across private property to avoid an official traffic control device, sign or signal.

(e) *Operation in restricted area.* It shall be unlawful for any person to operate a motor vehicle in a manner so 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 such property, without the consent of the owner or lessee of the property. This subsection shall specifically include, but not be limited to:

- (1) Village park properties;

- (2) School properties;
- (3) Medical facilities;
- (4) Funeral homes;
- (5) Service stations;
- (6) Grocery stores;
- (7) Restaurants;
- (8) Financial institutions; and
- (9) Other similar businesses with service driveways or drive-up or drive-through facilities.

(f) *Stopping and parking.* It shall be 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 on such property 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 subsection may be removed or towed by the property owner, at the vehicle owner's expense. (Code 1988, § 8-1-40)

Sec. 50-12. Railroad regulations.

(a) *Obstruction of crossings.* No person shall leave standing or stop, or permit or allow to stand or stop, any railroad train, engine or car upon any street, alley or highway crossing within the city so as to obstruct public travel for a period of time greater than five minutes without opening such street, alley or crossing for at least ten minutes. Any conductor, engineer, firefighter or brakeman on any train or locomotive obstructing any street, alley or railroad crossing, or any yard master, flagman, switchman or section hand who shall allow and be responsible for such obstruction, shall be subject to a penalty as provided in section 50-18. The corporation running or operating such train, engine or cars obstructing any street or railroad crossing shall be subject to a forfeiture of not more than \$200.00.

(b) *Crossing warning.* No person shall operate, or permit to be operated, a locomotive, railway train, engine or railway car over any graded street or highway crossing within the limits of the village, unless a whistle or horn shall be blown 80 rods (1,320 feet) from such crossing and a bell shall be rung continuously until the crossing shall be reached. The blowing of a whistle or horn and the ringing of a bell shall not be necessary where gates are operated automatically or a flagman is stationed at such traveled grade crossing. Any person violating this subsection shall be subject to a forfeiture as provided in section 50-18. (Code 1988, § 8-1-41)

Sec. 50-13. Pedestrian regulations.

(a) *Obedience to traffic control devices required; exception.* 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.

(c) *Crossing between adjacent intersections.* No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by official traffic control devices.

(Code 1988, § 8-1-42)

Sec. 50-14. 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.

(Code 1988, § 8-1-43)

Sec. 50-15. Unauthorized operation of motor vehicles on public or private property.

(a) *Findings.* The unauthorized off-road operation of motor vehicles has resulted in:

- (1) Serious damage to public and private lands, including damage or destruction of vegetation, animal life and improvement to the lands;
- (2) Permanent scarring of land and an increase in both erosion and air pollution;
- (3) Collisions and near collisions threatening the life and safety of the operators of such vehicles as well as other persons; and
- (4) A loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Motor vehicle means any vehicle which is self-propelled, including, but not limited to, automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-carts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies and tractors. Such term 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 defined as such while it is being operated:

- (1) 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;
- (2) By or at the direction of public employees or utility company employees as part of their employment duties;

- (3) 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.

Off-road means any location which is:

- (1) Not a paved or maintained public street or alley;
- (2) Not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
- (3) A private trail for use only by the owner or his permittees for recreational or other vehicular use.

Such term includes any creekbed, riverbed or lake; provided, however, that such definition shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.

Operation means the physical manipulation or activation of any of the controls of a motor vehicle which are necessary to put it in motion.

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.*

- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
- (2) Except for authorized maintenance vehicles and snowmobiles operating in authorized areas pursuant to article IV of this chapter, it shall be unlawful to operate any minibike, go-cart, 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 or parking lots or on any public lands or parking lots held open to the public with the exception of riding lawn mowers going to and from a snowplowing or lawn mowing job. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private or public lands.

(d) *Use of snowmobile trails.* Except as provided in subsection (b) of this section, no person shall operate any motor vehicle, other than a snowmobile, on a snowmobile trail.

(e) *Operation of snowmobiles, motorcycles, mopeds, minibikes or all-terrain vehicles on Lake George Dam.* No person shall operate a snowmobile, motorcycle, moped, minibike or all-terrain vehicle (ATV) on the Lake George Dam, except in specifically authorized areas.

(Code 1988, § 8-1-44; Ord. of 8-10-2005(9))

Sec. 50-16. School crossing guards.

Pursuant to Wis. Stats. § 349.215, the adult persons hired by the 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.

(Code 1988, § 8-1-45)

Sec. 50-17. Driving over curbing or safety zones and islands.

(a) *Curbing.* It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the village.

(b) *Safety zones and islands.* Whenever safety zones or islands are marked in accordance with the state uniform traffic control device manual, no operator of a vehicle shall drive through or over a safety zone or island at any time.

(Code 1988, § 8-1-46)

Sec. 50-18. Violations; penalties.

(a) *Forfeiture penalty.* The penalty for violation of any provision of this chapter shall be a forfeiture as provided in this section, together with court costs and fees prescribed by Wis. Stats. § 814.63(1) and (2) or 814.65(1), the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Wis. Stats. §§ 345.47 and 346.655, where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than 60 days. Any person 17 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 chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding 90 days.

(b) *Other sanctions.*

(1) *By court.* Nothing in this section shall preclude or affect the power of the sentencing court to exercise additional authorities granted by statute 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 municipality.* No person who has been convicted of a violation of any provision of this chapter 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 surcharges are paid.

(c) *Forfeitures for violation of uniform moving traffic regulations.* Forfeitures for violations of any moving traffic regulation set forth in statute adopted by reference in section 50-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not be construed to permit prosecution under this chapter for any offense described in Wis. Stats. chs. 341--348 for which an imprisonment penalty or fine may be imposed upon the defendant.

(d) *Forfeitures for parking violations.*

(1) *Uniform statewide parking, stopping and standing offenses.* The minimum and maximum forfeiture for a violation of nonmoving traffic violations adopted by reference in section 50-1 as described in Wis. Stats. chs. 341--348 shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule.

(2) *Other parking violations.* The penalty for all other parking violations not included under subsection (d)(1) of this section, subject to the exceptions listed in subsection (e) of this section, shall be \$10.00 if paid within the first five days after issuance of the violation. Failure to pay the penalty within five days after issuance of the violation causes the penalty to be increased to \$15.00. Failure to pay the increased penalty within 30 days after issuance of the violation further causes the penalty to be increased to \$25.00.

(e) *Other violations.* Any person who shall violate any provision of this chapter for which a penalty is not otherwise established by this section shall be subject to a forfeiture of not less than \$10.00, nor more than \$200.00.

(Code 1988, § 8-1-50)

Sec. 50-19.

(a) All provisions of this Village of Spring Valley Ordinance Section 50-19 shall be irrevocable in nature and shall exist and be enforced, in perpetuity.

(b) The westerly one-half of Sabin Avenue in the Village of Spring Valley, lying south of Akers Street and north of Central Street, shall not be used for public parking purposes, and appropriate signage shall be placed nothing such restrictions. Said areas as so restricted shall be allowed to be used for the purpose of a loading zone area, both now and at all times in the future, by those non-Village owned properties adjoining said restricted areas to the west of those areas herein designated as no parking areas.

(c) That portion of Central Street located within the Village of Spring Valley, Pierce County, Wisconsin lying west of Sabin Avenue and east of McKay Avenue shall, in perpetuity and irrevocably, be used and maintained by the Village of Spring Valley, Wisconsin as a public street.

(d) Those public roadway areas, including all public parking areas owned by the Village of Spring Valley, Wisconsin which lie east of McKay Avenue, south of Akers Street, west of Sabin Avenue, and both north and south of Central Street, all located within the Village of Spring Valley, Wisconsin shall, both in perpetuity and irrevocably, be designated as and used for the sole purpose of a public roadway and public parking area, subject only to the following non-public roadway and non-public parking uses:

- (1) Necessary temporary placement of said municipalities plowed snow along the westerly side of said properties.
- (2) The temporary use of said areas during the Village of Spring Valley's annually conducted three-day village celebration known as "Dam Days" for various activities conducted during said annual celebration. No such use or uses shall prevent public access to business properties adjacent to or adjoining said areas.

- (3) The occasional placement of a small concession stand or trailer not exceeding the size of 8 feet by 20 feet. Any and all such temporary placement shall first require the written consent of the Village of Spring Valley under such terms and provisions as it may deem both appropriate and necessary from time to time. The Village Administrator and Village Chief of Police, either jointly or individually, are hereby empowered to make such determinations and issue or not issue such written consent.

Secs. 50-20--50-50. Reserved.

ARTICLE II. ABANDONED AND JUNKED VEHICLES

Sec. 50-51. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Street means any public highway or alley and 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.

Unattended means unmoved from its location, with no obvious sign of continuous human use.

Vehicle means a motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under law.

(Code 1988, § 8-4-1(b))

Cross reference – Definitions generally, § 1-2.

Sec. 50-52. Abandonment of vehicles.

(a) *Prohibited.* No person shall leave any motor vehicle, trailer, semitrailer or mobile home unattended 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 for more than 72 hours 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, the vehicle shall be deemed abandoned and constitutes a public nuisance.

(b) *Presumptions.* For purposes of this section, the following irrebuttable presumptions shall apply:

- (1) A vehicle shall be presumed to be unattended if it is found in the same position 72 hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield of such vehicle during such 72 hours.
- (2) Any vehicle left unattended for more than 72 hours on any public street or ground, or 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 to be abandoned under this subsection if it is left unattended on private property outside of public view and is enclosed within a building,

or if such vehicle is designated by the chief of police as not abandoned.

- (c) *Exceptions.* This section shall not apply to a vehicle:
- (1) In an enclosed building;
 - (2) Stored on a premises licensed for the storage of junk or junked vehicles and fully in compliance with the village zoning regulations (chapter 58 of this Code); or
 - (3) Parked in a paid parking lot or space where the required fee has been paid.
- (Code 1988, § 8-4-1(a), (c), (d))

Sec. 50-53. Removal and impoundment of vehicles.

Any vehicle in violation of this article shall be removed and impounded until such vehicle is lawfully claimed or disposed of under the provisions of section 50-54.
(Code 1988, § 8-4-2)

Sec. 50-54. Removal, storage, notice or 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 50-51.
- (b) *Removal.*
- (1) Any police officer who discovers any abandoned motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the village shall cause the vehicle to be removed to a suitable place of impoundment.
 - (2) Upon removal of the abandoned vehicle, the police officer shall notify the chief of police or his designee of the abandonment and of the location of the impounded vehicle.
- (c) *Storage and reclaimer.* Any abandoned vehicle which is determined by the chief of police or his designee to be abandoned shall be retained in storage for a period of 14 days after certified mail notice as provided in subsection (d) of this section has been sent to the state titled owner and/or secured party of record with the state motor vehicle division, except that if the chief of police or his designee determines an abandoned vehicle to have a value of less than \$100.00, or that the 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 provided in subsection (d) of this section has been sent to the state titled owner or secured party of record with the state 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 19 model years of age shall be deemed as having a value in excess of \$100.00. 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 chief of police or his designee to prove an ownership or secured party interest in such vehicle.

(d) *Notice to owner or secured party.* Certified mail notice, as referred to in this section, shall notify the state titled owner of the abandoned vehicle, if any, and/or the secured party of record with the state motor vehicle division, if any, of the following:

- (1) The vehicle has been deemed abandoned and impounded by the village;
- (2) The determined value of the abandoned vehicle;
- (3) If the towing and storage costs will exceed the determined value of the vehicle;
- (4) 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 14 days of the date of notice, unless the vehicle has been determined to have a value of less than \$100.00, or that the 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 such charges; and
- (5) The owner or secured party may, upon request, be granted a hearing relating to the determinations made with respect to such vehicle within the period that such vehicle may be reclaimed.
(Code 1988, § 8-4-3)

Sec. 50-55. Disposal of abandoned vehicles by public auction or sale.

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 article may be sold by public auction or sale calling for the receipt of sealed bids. A class 1 notice, including the description of the vehicle, the name and address of the state titled owner and secured party of record, if known, and the time of sale, shall be published before the sale.
(Code 1988, § 8-4-4)

Sec. 50-56. Report of sale or disposal; list of vehicles to be sold.

Within five days after the direct sale or disposal of a vehicle as provided for in this article, the chief of police or his designee shall advise the state of department of transportation, division of motor vehicles, of such sale or disposal on a form supplied by such 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 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 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 to the police department for such list. The police department may charge a reasonable fee for the list.
(Code 1988, § 8-4-5)

Sec. 50-57. Responsibility 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 a law enforcement investigation.

(Code 1988, § 8-4-6)

Sec. 50-58. Conflict with other Code provisions.

In the event of any conflict between this article and any other provisions of this Code, this article shall control.

(Code 1988, § 8-4-7)

Sec. 50-59. Junked vehicles and appliances on private property.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Disassembled, inoperable, junked or wrecked motor vehicle, truck body, tractor or trailer means a motor vehicle, recreational vehicle, truck body, tractor, farm machinery or trailer in such a state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways, or which is otherwise not in a safe or legal condition for operation on the public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

Inoperable appliance means any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.

Motor vehicle has the meaning as defined in Wis. Stats. § 340.01(35).

Unlicensed motor vehicle, truck body, tractor or trailer means a motor vehicle, truck body, tractor, recreational vehicle or trailer which does not bear a lawful current license plate.

(b) *Storage restricted.* No disassembled, inoperable, unlicensed, junked or wrecked motor vehicle, truck body, tractor, trailer, farm machinery or appliance shall be stored unenclosed outside a building upon private property within the village for a period exceeding ten days, unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in a manner so as not to constitute a public nuisance.

(c) *Exceptions.* This section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles, such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with ordinance. Also excepted from this section are motor vehicles registered pursuant to Wis. Stats. §§ 341.265 and 341.266. In other situations where exceptional facts and circumstances

warrant, the village board may issue temporary permits permitting an extension of not to exceed an additional 30 days' time to comply with this section.

(d) *Enforcement.*

- (1) Whenever the police department shall find any vehicle or appliance, as described in this section, placed or stored in the open upon private property within the village, it shall notify the owner of such property on which the vehicle or appliance is stored of the violation of this section. If such vehicle or appliance is not removed within five days, the police department shall cause a citation to be issued to the property owner or tenant of the property upon which the vehicle or appliance is stored.
- (2) If such vehicle or appliance is not removed within 20 days after issuance of a citation, the chief of police shall cause the vehicle or appliance to be removed and impounded, and it shall be disposed of by the chief of police or his duly authorized representative as prescribed in sections 50-54--50-57. Any costs incurred in the removal and sale of such vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.

(e) *Interference with enforcement; penalty.* Any person who shall interfere with the enforcement of any of the provisions of this section and shall be found guilty thereof shall be subject to a penalty as provided in section 1-27, and each motor vehicle or appliance involved in such offense shall constitute a separate offense.

(Code 1988, § 8-4-8)

State law reference – Abandoned vehicles generally, Wis. Stats. § 342.40.

Secs. 50-60--50-90. Reserved.

ARTICLE III. BICYCLES AND SKATEBOARDS

Sec. 50-91. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than 14 inches in diameter.

Bicycle lane means the portion of a roadway set aside for the exclusive use of bicycles and designated by the village as such by appropriate signs and markings.

Bicycle way means any path or sidewalk, or portion thereof, designated by the village for the use of bicycles.

Bike route means any bicycle lane, bicycle way or highway which has been duly designated by the

village and identified by appropriate signs and markings.

Carrier means any device designed for carrying articles and attached to a bicycle.

Identification tag means a metal plate or sticker indicating that a bicycle is registered.

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.

(Code 1988, § 8-2-1)

Cross reference – Definitions generally, § 1-2.

Sec. 50-92. Manner of bicycle operation.

(a) No bicycle shall be allowed to proceed in any street within the village by inertia or momentum with the feet of the rider removed from the bicycle pedals.

(b) No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street within the village, nor shall any bicycle rider carry or ride any other person so that two persons are on the bicycle at one time, unless a seat is provided for a second person.

(Code 1988, § 8-2-2)

Sec. 50-93. Bicycle lighting and other equipment.

No person shall operate a bicycle upon a highway unless the bicycle is equipped as required in Wis. Stats. § 347.484.

(Code 1988, § 8-2-3)

Sec. 50-94. Parking a bicycle.

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 any other person. Bicycles shall be parked either upon the roadway against the curb, in bicycle racks or, if on the sidewalk, in such a manner so as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb.

(Code 1988, § 8-2-4)

Sec. 50-95. Rules of the road.

The provisions of Wis. Stats. chs. 346 and 347 and applicable ordinances shall govern the operation of bicycles, where appropriate.

(Code 1988, § 8-3-5)

Sec. 50-96. Bicycle regulations.

(a) *Turning.*

- (1) The operator of a bicycle intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the righthand edge or curb of the street and, in turning, shall keep as closely as practicable to the righthand edge or curb of the highway.
 - (2) The operator of a bicycle intending to turn to the left at an intersection or into a private driveway shall make such turn from the traffic lane immediately to the right or next to the center of the street and pass immediately to the left of the center of the intersection, passing as closely as practicable to the left of the center of the intersection immediately to the right of the center of the intersection of the street.
 - (3) At any intersection where traffic is controlled by a traffic control signal or a traffic officer, it shall be unlawful for any operator of a bicycle upon such street to disobey the instructions of any official traffic sign or signal placed in accordance with law and ordinances.
 - (4) Crosswalks shall be used when walking a bicycle through an intersection.
- (b) *Trick riding.* No person shall operate a bicycle upon the streets of the village without having manual control of the handlebars, or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.
- (c) *Tandem riding.* No person shall ride or propel a bicycle on a street in the village with another person upon such bicycle unless such bicycle is constructed to be a tandem bicycle.
- (d) *Emerging from alley, driveway or building.* The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.
- (e) *Pulling by moving vehicles.* No person riding upon a bicycle shall cling or attach himself or his 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 rollerskates, 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.* No person shall operate or make use of a bicycle on sidewalks in the village running along McKay Avenue between Akers Street North to Third Street, nor shall such operation or use be permitted on sidewalks running one block east and one block west of McKay Avenue from Akers Street to Second Street. While riding on all other sidewalks, the operators of bicycles shall immediately yield the right-of-way to all pedestrians.
- (h) *Parking.* No bicycle shall be parked upon any street or public way, except in an upright position in bicycle stalls which are provided for such parking. Until such time as sufficient stalls are provided to meet the demand, as shall be determined by the police department, bicycles may be parked in an upright position, parallel to the curb line, in any metered parking stall upon payment of the required coin.
- (Code 1988, § 8-2-6)

Sec. 50-97. Bicycle inspection and registration.

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

(b) *Form of registration.*

(1) *Identification.* Every owner of a bicycle shall list and register his bicycle with the police department on a form as provided by the police department.

(2) *Period of validity.* The registration shall be valid as long as the registrant owns the bicycle.

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

(4) *License fee.* Each application for a bicycle license shall be accompanied by a fee as set by the village board from time to time and on file in the village offices for the entire license period.

(5) *License plate or tag.* Upon receipt of payment of the registration fee as provided in subsection (b)(4) of this section, the police department shall provide a suitable identifying license decal tag or plate, serially numbered to correspond with the registration number. The owner shall affix such license decal or plate to a location as specified by the police department on the frame of the bicycle for which the license decal or plate is issued.

(c) *Records and transmittal of fees.*

(1) The police department shall keep at its office a suitable book and duplicate record of applications and registrations.

(2) A complete report shall be made to the village administrator by the chief of police of funds received for bicycle registration fees, and all such fees shall be paid to the village administrator for deposit as village revenues.

(d) *Keeping in safe mechanical condition.* No bicycle shall be registered which is in an unsafe mechanical condition. The chief of police shall have the authority to suspend the registration of, and remove the identification tag from, any bicycle or to impound any bicycle operated contrary to any law or ordinance, or which is being operated in an unsafe mechanical condition. Such suspension and removal or impounding shall continue for a period not to exceed ten days, but the registration shall not be reinstated or such identification tag replaced while such bicycle is in an unsafe condition. Such suspension and removal shall be in addition to other penalties provided for in this article.

(e) *Change of ownership.* Bicycle licenses shall not be transferable. If a licensed bicycle is sold, transferred or given away, the holder of the existing bicycle license must notify the chief of police in writing of such sale or other transfer within seven days of the sale or other transfer. Upon the sale or other transfer of a licensed bicycle, the new owner of the bicycle shall obtain a new bicycle license within 30 days from the date of such sale or transfer, provided that the new owner is a resident of the

village.

(f) *Display of registration.* The identification tag issued under this section shall be affixed to the registered bicycle so as to be plainly seen and read, and shall remain so affixed until ordered to be removed by the police department for cause, or until expiration of the registration. In the case of theft or loss, a replacement tag shall be issued upon payment of a fee as set by the village board from time to time and on file in the village offices.

(g) *Exemption.* Any nonresident may operate a bicycle which is duly registered in any municipality without obtaining local registration if a valid identification tag is attached to such bicycle.

(h) *Removal, and alteration and counterfeit of identification tags.*

(1) *Removal prohibited.* No person shall remove an identification tag from a bicycle during the period for which such tag is issued, except upon a transfer of ownership or when the bicycle is dismantled and no longer operated upon any highway within the village.

(2) *Alteration and counterfeit prohibited.* No person shall alter or counterfeit any identification tag.
(Code 1988, § 8-2-7)

Sec. 50-98. Skateboards.

(a) No person shall operate a skateboard upon the sidewalk in a business district. For the purposes of this section, the term "business district" means any area primarily containing commercially zoned uses which generate heavy, pedestrian traffic during business hours, and such business district shall have a minimum street frontage of 100 feet.

(b) Skateboarding on sidewalks is permitted, except as prohibited in this section and as otherwise regulated.

(Code 1988, § 8-2-8)

Sec. 50-99. Violations; penalties.

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

(b) Any person 14 through 15 years of age who shall violate any provision of this article may be issued a citation and be subject to the penalties provided by the uniform state traffic deposit schedule and, upon conviction, may be required to forfeit not more than \$25.00, together with the cost of the prosecution and, in default of such payment, the court may suspend the child's operating privileges, as defined in Wis. Stats. § 340.01, for not less than 30 days, nor more than 90 days.

(c) Any person under 14 years of age who shall violate any provision of this article may be issued a special bicycle violation warning notice along with the following additional actions:

(1) First offense in one year, a warning letter sent to the parent or guardian requiring their signature and return of the warning notice to the police department.

- (2) Second offense in the same year, a warning letter mailed to the parent or guardian.
 - (3) Third offense in the same year, a mandatory parent-child-police conference.
 - (4) Fourth and subsequent offense in the same year, mandatory referral to the 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 article may be subject to the provisions of Wis. Stats. §§ 346.77 and 346.82(1).
(Code 1988, § 8-2-9)

Secs. 50-100--50-130. Reserved.

ARTICLE IV. SNOWMOBILES

Sec. 50-131. State laws adopted.

Except as otherwise specifically provided in this article, 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 article as if fully set forth in this section. Acts required to be performed or prohibited by such statutes are required or prohibited by this article. Any future amendments, revisions or modifications of the statutes incorporated in this section by reference are intended to be made part of this section.

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| Wis. Stats. § 350.01 | Definitions. |
| Wis. Stats. § 350.02 | Operation of Snowmobiles on or in the Vicinity of Highways. |
| Wis. Stats. § 350.03 | Right-of-Way. |
| Wis. Stats. § 350.04 | Snowmobile Races, Derbies and Routes. |
| Wis. Stats. § 350.045 | Public Utility Exemption. |
| Wis. Stats. § 350.047 | Local Ordinance to be Filed. |
| Wis. Stats. § 350.05 | Operation by Youthful Operators Restricted. |
| Wis. Stats. § 350.055 | Safety Certification Program Established. |
| Wis. Stats. § 350.07 | Driving Animals. |
| Wis. Stats. § 350.08 | Owner Permitting Operation. |
| Wis. Stats. § 350.09 | Head Lamps, Tail Lamps and Brakes, Etc. |
| Wis. Stats. § 350.10 | Miscellaneous Provisions for Snowmobile Operation. |
| Wis. Stats. § 350.12 | Registration of Snowmobiles. |
| Wis. Stats. § 350.125 | Completion of Application for Registration by Snowmobile Dealers. |
| Wis. Stats. § 350.13 | Uniform Trail Signs and Standards. |
| Wis. Stats. § 350.15 | Accidents and Accident Reports. |
| Wis. Stats. § 350.17 | Enforcement. |
| Wis. Stats. § 350.18 | Local Ordinances. |
| Wis. Stats. § 350.19 | Liability of Landowners. |
| Wis. Stats. § 350.99 | Parties to a Violation. |
| Wis. Stats. § 350.101 | Intoxicated Snowmobiling. |
| Wis. Stats. § 350.102 | Preliminary Breath Screening Test. |

Wis. Stats. § 350.1025 Application of Intoxicated Snowmobiling Law.
 Wis. Stats. § 350.103 Implied Consent.
 Wis. Stats. § 350.104 Chemical Tests.
 Wis. Stats. § 350.106 Report Arrest to Department.
 Wis. Stats. § 350.107 Officer's Action After Arrest For Operating a Snowmobile While Under Influence of Intoxicant.

(Code 1988, § 8-3-1)

Sec. 50-132. Operation in violation of traffic regulations.

No person shall operate a snowmobile upon any street, highway or alley within the village in violation of the traffic regulation provisions of Wis. Stats. §§ 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).

(Code 1988, § 8-3-2)

Sec. 50-133. Restriction of speed, hours of operation and equipment.

(a) *Speed.* No person shall operate a snowmobile within the village or on any trail designated in section 50-136 at a speed in excess of 20 miles per hour.

(b) *Hours of operation.* Except on a designated trail, no person shall operate a snowmobile or other off-highway vehicle anywhere within the village between the hours of 10:00 p.m. and 7:00 a.m., except when returning home via the most direct route.

(c) *Equipment.* No snowmobile or other vehicle operating on a snowmobile route shall be allowed if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer. Each snowmobile must display a lighted headlight and taillight at all times, and such lights must conform to the requirements of Wis. Stats. § 350.09.

(Code 1988, § 8-3-3)

Sec. 50-134. Leaving unattended with motor running or starting key in ignition.

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

(Code 1988, § 8-3-4)

Sec. 50-135. Operation upon sidewalks.

No person shall operate a snowmobile upon any sidewalk, pedestrian way or the area between the sidewalk and the curblin of any street within the village, except as specifically authorized by section 50-136 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

(Code 1988, § 8-3-5)

Sec. 50-136. Operation restricted

(a) *Private property.* Except as permitted by this article, it shall be unlawful to operate any snowmobile, or other motor-driven craft or vehicle principally manufactured for off-highway use, upon the village streets, alleys, parks, 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 express consent of the owner before operation of such craft or vehicle on private property not owned or controlled by him.

(b) *Persons not permitted or persons under the influence of intoxicants or narcotic drugs.* 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 law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.

(c) *Statute applicability.* Wis. Stats. § 350.101 shall apply to the operation of a snowmobile any place within the village.

(d) *Parks.* No person shall drive a snowmobile in any park within the village, except upon snowmobile trails as shall be designated by the village board.

(e) *Written consent of owner required.* The consent required under Wis. Stats. § 350.10(f, h, j--m) and subsection (a) of this section shall be a written consent, dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each person must be obtained.

(Code 1988, § 8-3-6)

Sec. 50-137. Operator restrictions.

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Accompany means to be on the same snowmobile as the operator.

(b) *Persons under 12 years of age.* No person under the age of 12 years may operate a snowmobile, unless the person is accompanied by a parent, guardian or person over 18 years of age.

(c) *Persons 12 years of age and older.* No person who is at least 12 years of age, and who was born on or after January 1, 1985, may operate a snowmobile, unless he holds a valid snowmobile safety certificate.

(d) *Safety certificate and program.* Any person who is required to hold a snowmobile safety certificate while operating a snowmobile shall carry the certificate on the snowmobile and shall display the certificate to a law enforcement officer upon request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

(e) *Exceptions.* This section does not apply to the operation of snowmobiles upon lands owned or leased by the operator's parent or guardian. As used in this subsection, the term "lands leased" does not include lands leased by an organization of which such operator, or the operator's parent or guardian, is a member.

(Code 1988, § 8-3-7)

State law reference – Similar provisions, Wis. Stats. § 350.05.

Sec. 50-138. Accidents and accident reports.

(a) *Duty to render aid.* Insofar as the operator is capable of doing, the operator of a snowmobile involved in a snowmobile accident shall render to other persons affected thereby such assistance as is practicable and necessary to save such persons from, or minimize any danger caused by, the accident, and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.

(b) *Duty to report.*

(1) If a snowmobile accident results in the death of any person or an injury that requires the treatment of a person by a physician, the operator of each snowmobile involved in the accident shall give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and, within ten days after the accident, shall file a written report of the accident with the department on the form prescribed by it.

(2) If the operator of a snowmobile is physically incapable of making the report required by subsection (b)(1) of this section and there was another occupant on the snowmobile at the time of the accident who was capable of making the report, that other occupant shall make such report.

(c) *Reports not used as evidence.* No report required by this section to be filed with the department shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department shall furnish, upon demand of any person who has or claims to have made such a report, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or failure to comply with the requirement that such a report be made.

(Code 1988, § 8-3-8)

State law reference – Similar provisions, Wis. Stats. § 350.15.

Sec. 50-139. Routes and trails.

(a) *Routes designated.* Except as provided in Wis. Stats. §§ 350.02 and 350.045, or for snowmobile events authorized in accordance with Wis. Stats. § 350.04, no person shall operate a snowmobile upon any public right-of-way, in any public park or upon any other public municipal property within the village, except upon snowmobile routes and trails designated by the village board. The designated routes to be used within the village limits shall be adopted by resolution by the village board, a copy of which shall be on file with the village administrator.

(b) *Route and trail signs, markers and limits.* The director of public works is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the state department of natural resources under Wis. Stats. § 350.13. The chief of police shall have the power to declare such snowmobile routes and trails to be either open or closed.

(c) *Failure to obey route, trail and limit signs and markers.* No person shall fail to obey any route or

trail sign, marker or limit erected in accordance with this section.
(Code 1988, § 8-3-9)

Sec. 50-140. Enforcement.

(a) *Uniform traffic citation for highway violations.* The uniform traffic citation promulgated under Wis. Stats. § 345.11 shall be used for violations of this article relating to highway use, except as provided in this section.

(b) *Parking violations.* The special traffic citation described and defined in article I of this chapter shall be used for enforcement of violations of the rules of the road relating to parking of vehicles adopted by reference in section 50-131.

(c) *Other violations.* All violations of this article not described in subsections (a) or (b) of this section shall be enforced in accordance with Wis. Stats. §§ 66.0111 and 66.0114. Stipulations of guilt or no contest may be made as provided in Wis. Stats. § 66.0114(1)(b), in substantially the form provided in the uniform traffic citation, within five days of the date of the citation for such violation. Bail deposits may also be made under Wis. Stats. § 66.0114(1)(b). Such deposits shall include a clerk's fee as set by the village board from time to time and on file in the village offices and costs of prosecution.

(d) *Police department to receive stipulations, penalties and deposits.* Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this article may be accepted at the police department offices by the chief of police or an officer designated by him. The officer authorized to accept penalties and deposits shall be bonded, and such bond shall be filed with the village administrator.

(e) *Establishment of penalties, deposits or bail.* Except as otherwise provided in Wis. Stats. § 345.26, and the deposit schedule adopted by the state board of circuit court judges under such statute, required penalties and deposits or bail, not including costs or fees for violations of this article, shall be as established by the schedule adopted by the village board.
(Code 1988, § 8-3-11)

Sec. 50-141. Violations; penalties.

Any person who shall violate any provision of this article shall, upon conviction, forfeit not more than \$500.00, together with the costs of prosecution, and, in default of such payment, may be imprisoned in the county jail for not more than ten days, provided, no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in statute for the same offense, and further provided, that the penalty and forfeiture for parking violations on highways shall be the amount applicable to such violations by owners or operators of motor vehicles under article I of this chapter.
(Code 1988, § 8-3-10)

Sec. 50-142. All-Terrain Vehicles.

(a) *Purpose.* The purpose of this ordinance is to establish an all-terrain vehicle route and provide safe and enjoyable all-terrain vehicle recreation consistent with public rights and interests.

(b) *Definitions.*

All-terrain vehicle, also referred to herein as “ATV,” means an engine-driven device that has a net weight of 900 pounds or less, which is equipped with a seat designed to be straddled by the operator and is designed to travel on three or more low-pressure tires. A low-pressure tire is a tire that has a minimum width of six inches, which is designated to be mounted on a rim with a maximum diameter of 12 inches and is designed to be inflated with an operating pressure not to exceed 20 pounds per square inch as recommended by the manufacturer.

Utility terrain vehicle, also referred to herein as “UTV,” means a motor-driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini truck or tracked vehicle, that is designed to be used primarily off of a highway and that has, and was originally manufactured with, all the following: net weight less than 2,000 pounds, four or more low-pressure tires, a manufacturer installed cargo box, a steering wheel, a tail light, brake light, two headlights, a width not more than 65 inches, seats with seat belts for at least two occupants which seating is designed not to be straddled, a system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device. (Wis. Stats. § 23.33).

(c) *Operations*. No person shall operate an ATV or UTV within the village except on designated routes. The routes will only be considered open when signed in accordance with NR64.12 and NR64.12(7)c. The village reserves the right to close any portion of the route either temporarily or permanently, for any reason (repair damage, maintenance, safety).

(d) *Signs*. All routes designated for use by all-terrain and utility terrain vehicles shall be signed as required in accordance with Wis. Admin. Code Section NR64.12 and NR64.12(7)c. The Pierce County ATV Association shall be responsible for costs of the signs, erecting the signs, and maintenance of the signs. Placement of the signs must be approved by the Chief of Police or the Director of Public Works.

(e) *Time of operation*. No ATVs or UTVs shall be permitted on the route from 8:00 p.m. to 6:00 a.m.

(f) *Speed limits*. No person shall operate any all-terrain vehicle or utility terrain vehicle within the Village of Spring Valley in excess of 10 mph speed limits.

(g) *Conditions*. As conditions for use of this route, the following conditions shall apply to all operators and passengers where applicable:

- (1) All ATVs and UTVs shall ride single file.
- (2) All ATVs and UTVs shall yield to pedestrians and all other vehicular traffic.
- (3) If traveling on a roadway as part of a designated route, ATVs and UTVs shall be operated on the extreme right of the roadway and travel with the flow of traffic.
- (4) Headlights and taillights shall be on at all times.
- (5) All ATV and UTVs operators born on or after January 1, 1988 may not operate an ATV or UTV on a roadway (where allowed) or route without a safety certification.

- (6) All persons under 18 must wear a helmet.
- (h) *Trail prohibitions.* No person shall:
 - (1) Cause damage to natural features of the trail and surrounding property (village owned or otherwise).
 - (2) Leave the trail except at designated access and egress points.
 - (3) Remove or damage trail signs.
 - (4) Erect signs without the permission of the village administrator, village board or Chief of Police.
 - (5) Construct trails, alter, reroute, or in any manner change existing trails without the express written permission of the village board.
 - (6) Dispose of trash or debris on any portion of the route or surrounding area other than by depositing it in a container provided by the village for that purpose.
 - (7) Engage in any activity that prohibits someone from engaging in the purpose for which the route was intended.
 - (8) Ride trails that are closed.
 - (9) Operate a vehicle other than an ATV or UTV on the designated route within the village.
- (i) *Areas Designated as routes.* All streets within the Village limits are designated ATV and UTV routes.
 - (1) Residents of the Village of Spring Valley intending to make use of the designated all terrain vehicle routes established with the Village must, without deviation there from, travel the shortest distance from their homes to the route using Village streets and alleys.
- (j) *Provisions.* The provisions of this Ordinance shall apply to those streets and areas within the jurisdiction of the Village of Spring Valley, Pierce and St. Croix County, Wisconsin. The provisions of this Ordinance shall be enforced by the Village of Spring Valley Police Department and/or the Pierce and St. Croix County Sheriff's Department or any other law enforcement agency having jurisdiction of the designated areas.
- (k) *Passage.* Upon passage, the village administrator shall immediately send a copy of this Ordinance to the Department of Natural Resources, Pierce and St. Croix County Sheriff's Departments.
- (l) *Effective.* This Ordinance is effective when all terrain vehicle route signs are posted by the Pierce County ATV club and can be discontinued at any time by the decision of the Village of Spring Valley board.

Secs. 50-143--50-170. Reserved.

ARTICLE V. TRAFFIC SCHEDULES**Sec. 50-171. Heavy traffic routes.**

(a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Heavy traffic means:

- (1) All vehicles not operating completely on pneumatic tires; and
- (2) All vehicles, or combination thereof, other than motor buses, designed or used for transporting property of any nature, and having a gross weight of more than 15,000 pounds.

(b) *Prohibited routes; exemption.* 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. This section will not act to prohibit heavy traffic from using any village streets over which state trunk highways are routed. 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.* In cooperation with the police department, the director of public works shall administer this section. Such administration shall include:

- (1) *Posting of sign.* Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established in this section. Yellow sign posts may also be used to designate heavy traffic routes.
- (2) *Official traffic map.* Heavy traffic routes shall be shown on the official traffic map.
- (3) *Construction equipment.*
 - a. 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. Such permits may be granted only when use of a nondesignated route is necessary for 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.
 - b. Village-owned or village-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 street or highway in violation this section shall be liable and required to pay the cost of repair or replacement of the damaged street or highway to the village.

(e) *Special and seasonal weight limitations.* The director of public works 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 in accordance with section 50-4.

(f) *Routes designated.* All streets and alleys within the village are designated as class B highways, subject to the weight limitations of Wis. Stats. § 348.16, except the following highways, or parts thereof, within the jurisdiction of the village are designated as heavy traffic routes and are excepted from the class B weight limitations:

- (1) State Highway 29.
- (2) State Highway 128.
- (3) County Trunk Highway B.
(Code 1988, § 8-1-12)

Sec. 50-172. Parking restrictions; posted limitations.

Twenty-four-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 street or public parking lot 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 the section, he is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this chapter. The law enforcement officer may cause such 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 said vehicle and the storage fees on such vehicle before he may recover the possession of such vehicle.

(a) It is unlawful to park any trailer or towed unit on the streets of the village unless they are attached to a towing unit from 6:00 p.m. to 6:00 a.m.

(b) *Posted limitations.*

- (1) The village board may designate certain streets, or portions thereof, 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 such restrictions apply. The village shall mark, by appropriate signs, each designated zone in accordance with the provisions of Wis. Stats. § 349.13.
- (2) 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 stopping or standing zone when 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 law or elsewhere by this Code.

- (3) Within the reasonable exercise of police power, the chief of police is granted the authority to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Wis. Stats. ch. 346. The director of public works shall have the authority to restrict the turning or movement of heavy traffic, and to impose special weight limitations on any highway, or portions thereof, which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
 - (4) No prohibition, restriction or limitation on parking or restriction 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.
 - (5) After the parking limitations on any given street have expired, any change of location of not more than one stall following expiration of the parking period allowed shall be and constitute a violation of this chapter.
- (Code 1988, § 8-1-20; Ord. of 8-10-2005(10))

Sec. 50-173. Parking restrictions during street maintenance, special events and snow removal.

(a) *Street maintenance.* Whenever it is necessary to clear or repair a village roadway, or any part thereof, the director of public works and/or police department shall post such highways, or parts thereof, with signs bearing the words "No Parking--Street Maintenance Work." Such signs shall be erected at least two hours prior to the time that street maintenance work is to commence, and no person shall park a motor vehicle in violation of such signs.

(b) *Special events.* Pursuant to the provisions of Wis. Stats. § 349.13, the chief of police 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 regulation of vehicle stopping, standing or parking on village roadways. Such temporary regulation shall be limited to the time the event exists, or is likely to exist.

(c) *Snow removal.* No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one hour from the time such area has been designated and marked with signs or barriers by the police department and/or the director of public works of the village indicating no parking due to snow removal.

(Code 1988, § 8-1-21)

Sec. 50-174. Stopping or parking in certain specified places.

(a) *Parking prohibited at all times.* Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the

vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall, at any time, park or leave standing any vehicle:

- (1) Within an intersection.
 - (2) Upon a crosswalk.
 - (3) Upon a sidewalk or terrace area, except when parking in such area is clearly indicated by official traffic signs or markers or parking meters. For the purpose of this subsection, the term "sidewalk or terrace area" means the area between the sidewalk and the nearest curblin running parallel, or generally parallel, thereto, or, in the absence of a sidewalk, ten feet beyond the curblin.
 - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or pedestrian traffic would be required to travel in the roadway.
 - (5) Upon the roadway side of any parked vehicle, unless double parking is clearly indicated by official traffic signs or markers.
 - (6) Within 20 feet of the driveway entrance to a fire station.
 - (7) 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.
 - (8) In any place or manner to obstruct, block or impede traffic.
 - (9) Within ten feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
 - (10) Upon any portion of a highway where, and at the time when, parking is prohibited, limited or restricted by official traffic signs.
 - (11) Upon any bridge.
 - (12) Upon any street or highway within the village limits when such vehicle faces a different direction from the direction of normal traffic flow for the lane of traffic in which such vehicle is stopped or standing.
 - (13) Upon any terrace or sidewalk within the village, at any time.
 - (14) In a loading zone.
 - (15) Within four feet of the entrance to an alley, private road or driveway.
 - (16) In any municipal park when such park is closed to the public.
- (b) *Private 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) *Blocking access to any private drive, alley or fire lane.* No vehicle shall, at any time, be parked to unreasonably restrict the normal access to any private drive, alley or fire lane. Such access shall be deemed to be unreasonably restricted if any vehicle is parked within four feet of either side of such access. Upon discovery by a police officer, or upon complaint by the owner of any such blocked drive, alley or fire lane, the chief of police may order such vehicle towed from such position at the risk and expense of the owner of such vehicle.

(d) *Parking vehicle for repair or to display for sale.* No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot within the village for the purpose of repairing such vehicle or to display such vehicle for sale.

(Code 1988, § 8-1-22)

Sec. 50-175. Parking reserved for vehicles of disabled persons.

When official traffic signs indicating such restriction have been erected in accordance with section 50-4, no unauthorized 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 state department of transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as a vehicle used by a physically disabled person.

(Code 1988, § 8-1-23)

Sec. 50-176. Leaving keys in vehicle; 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 subsection, 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 30 minutes within 300 feet of any residence within the village between the hours of 10:00 p.m. and 7:00 a.m.

(Code 1988, § 8-1-24)

Sec. 50-177. School district grounds.

Pursuant to the provisions of Wis. Stats. § 118.105, the following regulations shall apply to the grounds of the Spring Valley School District located within the village:

(1) *Parking.* All parking on any grounds of the Spring Valley School District from 7:00 a.m. to 4:30 p.m. shall be restricted to areas designated for parking by the school board. When signs are erected by the school board giving notice of such restrictions, all persons shall park only in areas designated and signed for visitor parking. All parking on grounds of the Spring Valley School District from 7:00 a.m. to 4:30 p.m. shall be by permit only, and shall be restricted to areas designated for parking by the district board. When signs are erected by the school board giving

notice of such restrictions, no person shall park a motor vehicle in an area other than one for which he shall have been issued a permit, nor without displaying a valid permit. There shall be no parking on such grounds between 11:00 p.m. and 6:00 a.m., except when school functions extend past 11:00 p.m., and on such nights there shall be no parking one hour after the function has concluded.

- (2) *Speed limit.* No person shall operate a motor vehicle at any time upon any Spring Valley School District grounds at a speed in excess of 15 miles per hour.
 - (3) *Areas designated for bus use only.* Other than a school bus or emergency vehicle, no person shall operate a motor vehicle at any time in or upon any drive designated by a sign as for use by buses only during the hours of 7:00 a.m.--9:00 a.m. and 3:00 p.m.--4:30 p.m. on any weekday during the months that school is in session.
- (Code 1988, § 8-1-29)

Sec. 50-178. Unattended motorized machinery.

It shall be unlawful for any person 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 to stand unattended for any period of time without locking the ignition system or otherwise rendering such machinery inoperable to prevent any person unauthorized by the owner, or individual in control thereof, from starting such machinery.

(Code 1988, § 8-1-25)

Sec. 50-179. Angle and diagonal parking.

(a) Angle parking or parking diagonally is prohibited on all of the streets, alleys and highways of the village, except in places where vehicle parking markers indicate that such parking is permissible. All vehicles shall park parallel to, and within one foot of, the curb, except where streets and parking lots are marked for angle parking.

- (b) No person shall at any time park any vehicle:
 - (1) In any direction other than the designated parking angle, where angle parking spaces are designated and provided by appropriate markings.
 - (2) Backwards into angle parking spaces designated and provided by appropriate markings.
 - (3) With a trailer attached or any vehicle longer than 20 feet on any street where angle parking is provided and allowed.

(Code 1988, § 8-1-26)

Sec. 50-180. Parking prohibited during certain hours; parking permits.

There shall be no parking on all village streets from 2:00 a.m. to 7:00 a.m. from November 1 to March 1. The village board has the right to issue parking permits to residents that cannot obtain off-street parking.

(Code 1988, § 8-1-27; Ord. of 8-10-2005(3))

Sec. 50-181. Parking restricted for vehicles over 10,000 pounds or 16 feet.

(a) No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle in excess of 10,000 pounds gross weight, or over 16 feet in length, or having an enclosed area of a height of more than eight feet from the roadway, shall park such vehicle upon any street, avenue or public way within the village zoned residential, between the hours of 6:00 p.m. and 7:00 a.m.; however, one-hour parking will be allowed between 7:00 a.m. and 6:00 p.m. The provisions of this subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way within the village for the actual loading or unloading of goods, wares or merchandise; provided, however, such loading and unloading shall be limited to the actual time consumed in such operation. The village board may, however, designate specific truck parking zones.

(b) Any vehicle unlawfully parked under subsection (a) of this section may be removed from the street by order of the chief of police, and the expense of moving and storing such vehicle shall be paid by the operator or owner of such vehicle as a forfeiture, in addition to the penalties prescribed in this article.

(Code 1988, § 8-1-28)

Sec. 50-182. Unlawful removal of parking citations.

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

(Code 1988, § 8-1-30)

Sec. 50-183. Operation of motor vehicles in public parking lots and ramps.

(a) *Unlicensed operators.* 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 50-1 and the statutes and laws incorporated in this chapter by reference shall be applicable on any public parking lot or ramp and any private parking lot, road or ramp held out for use for the general public for parking or vehicular traffic.

(Code 1988, § 8-1-31)

Sec. 50-184. Illegally parked, stopped or standing 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.* Upon request of any traffic officer, such vehicle shall be removed by the operator in charge to a position where parking is permitted or to a private or public parking or storage premises.

(c) *Removal by traffic officer.* After issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, any traffic officer is authorized to remove such vehicle to a position where parking is permitted.

(d) *Removal by private service.* A traffic 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 an illegally parked, stopped or standing 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 removed vehicle shall pay the actual costs 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, the 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.

(Code 1988, § 8-1-32)

Sec. 50-185. Inoperable, wrecked or discarded vehicles.

(a) *Storage.* No person owning or having custody of any partially dismantled, inoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than 24 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 briefly setting forth the applicable provisions of this section, and the date of the notice. Any vehicle so tagged, which is not removed within 24 hours after notice, is declared to be a public nuisance and may be removed as provided in section 50-184.

(b) *Exemption.* 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.

(Code 1988, § 8-1-33)

Sec. 50-186. Through streets and snow emergency routes designated.

In the interest of public safety and pursuant to Wis. Stats. § 349.07, the following streets, or portions thereof, are declared to be through highways and snow emergency routes, and traffic signs or signals giving notice thereof shall be erected by the director of public works in accordance with section 50-4:

(1) State Highway 29.

(2) State Highway 128.

(3) County Trunk Highway B.

(Code 1988, § 8-1-11)

Chapters 51—53

RESERVED