

## TITLE 8

### Motor Vehicles and Traffic

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### CHAPTER 1

#### Traffic and Parking

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#### SEC. 8-1-1 STATE TRAFFIC LAWS ADOPTED.

- (a) STATUTES ADOPTED. Excepted as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated

herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348 incorporated herein are intended to be made part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicles traffic on the highways, streets and alleys of the State of Wisconsin. Any person who shall within the Village of Iron Ridge, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section.

- (b) OTHER STATE LAWS ADOPTED. There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 through 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter:
  - 941.01 Negligent Operation of Vehicle Off Highway
  - 941.03 Highway Obstruction
  - 947.045 Drinking in Motor Vehicle on Highway
- (c) STATUTES SPECIFICALLY INCORPORATED BY REFERENCE. Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1983-84 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) GENERAL REFERENCES. General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

SEC. 8-1-2 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES;  
PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (a) DUTY OF DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this Chapter, including a State of Wisconsin traffic regulation adopted by reference in Section 8-1-1, 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 Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as in the judgment of the Director of Public Works 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 of Iron Ridge.
- (b) CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES. The Director of Public Works or his designee shall cause to be placed on each official traffic control sign, a guide board, mile post, signal or marker erected under Subsection (a) a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.
- (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 or her designee, shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark or monument unless permission is first obtained from the Director of Public Works or where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in Subsection (d).

- (d) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, 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 state 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.

State Law Reference: Sections 346.41 and 349.09, Wis. Stats.

SEC. 8-1-3 RESTRICTIONS ON PARKING; SPECIAL LIMITATIONS.

- (a) SEVENTY-TWO (72) HOUR LIMITATION. No person shall park or leave standing any vehicle on any street in the Village for a period of seventy-two (72) or more consecutive hours in the same location at any time. When any police officer shall find a vehicle standing upon a street in violation of the provisions of this 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 ordinance. The police officer may cause said 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 said vehicle before he may recover the possession thereof.
- (b) POSTED LIMITATIONS.
  - (1) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
  - (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 state law or elsewhere by this Code of Ordinances.
  - (3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346 and shall also 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.

(c) WINTER PARKING RESTRICTIONS.

No person shall park a motor vehicle, trailer, or similar vehicle for longer than thirty (30) minutes on any streets in the Village of Iron Ridge between 1:00 a.m. and 6:00 a.m., from December 1 to March 15, of each year.

- (1) For the purpose of this Subsection, parking is defined as meaning leaving a vehicle or permitting a vehicle to remain on the street, unattended, but shall not include the temporary stopping of:
  - a. A vehicle by a doctor making a house call.
  - b. Business vehicles being used for deliveries or pick-ups during these hours, whose motor is running.
  - c. Police, fire or other emergency vehicles so marked.

SEC. 8-1-4 OPERATORS TO OBEY TRAFFIC CONTROL DEVICES.

Every operator of a vehicle approaching an intersection at which an Official Traffic Control Device is erected in accordance with this Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 8-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Section 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by Section 346.18(6), Wis. Stats.

SEC. 8-1-5 PARKING OF VEHICLES OVER 10,000 POUNDS OR 16 FEET RESTRICTED.

No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle in excess of ten thousand (10,000) pounds gross weight, or over sixteen (16) feet in length, or having an enclosed area of a height of more than eight (8) feet from the roadway, shall park same upon any street, avenue or public way in the Village between the hours of 6:00 p.m. and 7:00 a.m. One (1) 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 in the Village for the actual loading or unloading of goods, wares or merchandise, providing, however, the "loading" and "unloading," as used in this Section, shall be limited to the actual time consumed in such operation. The Village Board may, however, designate specific truck parking zones.

SEC. 8-1-6 MISCELLANEOUS PARKING RESTRICTIONS.

- (a) PARKING DURING SNOW REMOVAL. No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by an agent of the Village indicating no parking due to snow removal. The Village Board hereby declares that an emergency exists during and following a snow storm until the snow from the storm has been removed; therefore, this paragraph shall be controlling over any other ordinance which might in any way conflict.
- (b) STREET MAINTENANCE. Whenever it is necessary to clear or repair a Village roadway or any part thereof, the Director of Public Works 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 (2) hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

SEC. 8-1-7 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES;  
ANGLE PARKING.

- (a) PARKING PROHIBITED. No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
- (1) Within an intersection.
  - (2) On a crosswalk.
  - (3) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters.
  - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
  - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
  - (6) Within twenty (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 so as to obstruct, block or impede traffic.
  - (9) Within ten (10) 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 any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.
  - (13) Upon any terrace or sidewalk in the Village at any time.
- (b) ANGLE PARKING. Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Village except where vehicle parking markers indicate that the same is permissible. All vehicles shall park parallel to, and within one (1) foot of the curb except where streets and parking lots are so marked for angle parking.
- (c) PARKING IN DRIVEWAYS. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (d) PARKING VEHICLE FOR REPAIR OR TO DISPLAY FOR SALE PROHIBITED. No person shall stand or park a vehicle on any street, alley or municipal parking lot in the Village for the purpose of repairing said vehicle, or to display such vehicle for sale.
- (e) PARKING RESTRICTIONS DESIGNATED. When signs or parking meters are erected in any block giving notice thereof:
- (1) No person shall park a vehicle for longer than two (2) hours except on Sunday, between the hours of 8:00 am and 6:00 pm on Main Street from the intersection of Pleasant Street, south to the intersection of Herman Street. (10-2015)
  - (2) No person shall park a vehicle on the west side of East Avenue between the south edge of the post office building and a point fifty-one (51) feet thereof for more than 15 minutes. (9-2016)

SEC. 8-1-8 PARKING RESERVED FOR VEHICLES OF DISABLED.

When official traffic signs indicating such restriction have been erected in accordance with Section 8-1-2 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin

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Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

SEC. 8-1-9 LEAVING KEYS IN VEHICLE PROHIBITED; PARKING VEHICLES WITH MOTOR RUNNING.

- (a) LEAVING KEYS IN VEHICLE. No person shall permit any motor vehicle in his custody 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.
- (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 five (5) minutes within three hundred (300) feet of any residence within the Village between the hours of 10:00 p.m. and 7:00 a.m.

SEC. 8-1-10 UNATTENDED MOTORIZED MACHINERY.

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

SEC. 8-1-11 THROUGH STREETS DESIGNATED.

In the interest of public safety and pursuant to Section 349.07, Wis. Stats., the streets or portions thereof set forth in this Section are declared to be through highways, and traffic signs or signals giving notice thereof shall be erected by the Director of Public Works in accordance with Chapter 8-1-2:

- (a) Pleasant Street from West Village Limits to and including the east curb line of Main Street.
- (b) Main Street from the north curb line of Pleasant Street south to the south Village limits of the Village of Iron Ridge.

SEC. 8-1-12 SPEED LIMITS.

The Village Board of the Village of Iron Ridge hereby determines that the statutory speed limits on the streets or portions thereof set forth in this Section are unreasonable, unsafe or imprudent, and modifies such speed limits under authority granted by Section 348.11, Wis. Stats., as follows:

- (a) A speed of twenty-five (25) miles per hour for all vehicles from a point 0.2 of a mile south of Albert Street, northerly and westerly to the intersection of Highway 67. (8-2000)
- (b) The speed-limit on all other portions of State Trunk Highway 67 within the--corporate limits of the Village of Iron Ridge shall be fifty-five (55) miles per hour during the hours of darkness and fifty-five (55) miles per hour at other times as set forth in Section 346.57, Wis. Stats.

SEC. 8-1-13 UNLAWFUL REMOVAL OF PARKING CITATIONS.

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

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SEC. 8-1-14 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the

vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other State, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 8-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

#### SEC. 8-1-15 ACCIDENT REPORTS.

The operator of every vehicle involved in an accident shall within ten (10) days after such accident file with the Police Department a copy of the report required by Section 346.70 of the Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this Section. Such reports shall be subject to the provisions and limitations of Sections 346.70(4)(f) and 346.73 of the Wisconsin Statutes, specifically that accident reports filed under this Section shall be for the confidential use of the Department and shall not be open to public inspection except as permitted by Section 346.73, Wis. Stats. Such reports shall not be used as evidence in any trial or proceeding.

#### SEC. 8-1-16 SCHOOL BUS WARNING LIGHTS.

Notwithstanding the provisions of Section 346.48(2)(b)2., Wis. Stats., adopted by reference in Section 8-1-1 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 crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

#### SEC. 8-1-17 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS AND RAMPS.

- (a) UNLICENSED OPERATORS PROHIBITED. No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.
- (b) TRAFFIC REGULATIONS APPLICABLE. All provisions of Section 8-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use of the general public for parking or vehicular travel.

#### SEC. 8-1-18 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE.

No driver of any vehicle, including motorcycles, all-terrain vehicles and bicycles, shall cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace.

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#### SEC. 8-1-19 REMOVAL OF ILLEGALLY PARKED VEHICLES.

- (a) HAZARD TO PUBLIC SAFETY. Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this Chapter is declared to be a hazard to traffic and public safety.

- (b) REMOVAL BY OPERATOR. Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) REMOVAL BY TRAFFIC OFFICER. Any traffic officer after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this Chapter, is authorized to remove such vehicle to a position where parking is permitted.
- (d) REMOVAL BY PRIVATE SERVICE. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (e) TOWING AND STORAGE CHARGES. In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay reasonable cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 8-1-20 INOPERABLE, WRECKED OR DISCARDED VEHICLES.

- (a) STORAGE PROHIBITED. No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than seventy-two (72) hours after notification thereof by the Police Department. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section 8-1-19.
- (b) EXEMPTIONS. This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village.

SEC. 8-1-21 UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

- (a) PURPOSE
  - (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life, and improvement to the lands; and
  - (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
  - (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
  - (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.
- (b) DEFINITIONS. For purposes of this Section the terms below shall be defined as follows:
  - (1) Unauthorized shall mean without the express prior consent of the owner, lessee,

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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.

- (2) Off-Road shall mean any location which:
  - a. Is not a paved or maintained public street or alley; or
  - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot



- or other way for motor vehicles; or
- c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creek-bed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.
- (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
- (3) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies, and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle which would otherwise be defined as a motor vehicle under this ordinance shall not be so defined while:
- a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such land or sites;
- b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties;
- c. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.
- (c) **UNAUTHORIZED OFF-ROAD OPERATION PROHIBITED.**
- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
- (2) It shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the Village streets, alleys, parks 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 consent of the owner before operation of such craft or vehicle on private lands.
- (3) **Motorized Scooters Prohibited**
- a. Except as provided in (2), no person shall operate a motorized scooter on any village sidewalk, highway, or street within the corporate limits of the Village of Iron Ridge. A motorized scooter is powered by an electric motor or internal combustion engine. Motorized scooters may be operated on private property or private roads and driveways only. State Statues 305.065 (3); 49 CFR 576.4 (g)(5), 346.94 (12), 346.78.
- b. This section shall not apply to the following when operated on a city sidewalk;
1. Electric or battery operated toy vehicles designed as children's toys, motorized wheelchairs, or similar devices designed for elderly, handicapped, or disabled persons. (11-2004)
- (d) **PROHIBITED USE OF SNOWMOBILE TRAILS.** Except as provided in Subsection (b)(4) above, no person shall operate any motor vehicle other than a snowmobile on a snowmobile trail.
- (e) **PERMITTED USE OF NEIGHBORHOOD ELECTRICAL VEHICLES (9-2007)**
- (1) **DEFINITION:** "Neighborhood Electrical Vehicle" ("NEV") means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy and that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for "low-speed vehicles" under 49 CFR 571.3(b) and 571.500. Electric golf carts are excluded from the definition of an NEV.

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- (2) **STANDARDS.** NEVs shall have 4-wheels, shall have a speed range of at least 20 miles per hour but not greater than 25 miles per hour on paved surfaces; and shall have a gross vehicle weight at rest of less than 2500 pounds. NEVs shall meet the general test conditions under 49 CFR 571.50056, and shall have all of the following items of equipment:

- a. Headlamps;
  - b. Front and rear turn signals;
  - c. Stop lamps;
  - d. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
  - e. An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
  - f. Parking brake;
  - g. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205);
  - h. A vehicle identification number (VIN) that complies with Federal law (49 CFR 565);
  - i. A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 5713209, and Federal Motor Safety Standard No. 209, for each designated seating position.
- (3) PERMITTED USES. Individuals may operate an NEV on any street within the jurisdictional limits of the Village of Iron Ridge that have posted speed limits of 35 miles per hour or less. The operation of the NEVs as permitted here shall comply in all respects with the Village Municipal Code, and in particular, all traffic code provisions.
- (4) PERMITTED OPERATORS. Any person operating an NEV within the jurisdictional limits of the Village of Iron Ridge shall hold a valid Wisconsin driver's license.
- (5) ENFORCEMENT. Enforcement of this ordinance regulating the operation and use of neighborhood electrical vehicles within the Village of Iron Ridge shall be pursuant to Section 8-1-27 of the Iron Ridge Municipal Code.

SEC. 8-1-22 HEAVY TRAFFIC ROUTES.

- (a) DEFINITION. For purposes of this Section heavy traffic shall be defined as:
- (1) All vehicles not operating completely on pneumatic tires, and
  - (2) All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than ten thousand (10,000) pounds.
- (b) PROHIBITED ROUTES. Heavy traffic is prohibited from using any Village street or highway not designated as a heavy traffic route. This section shall not act to prohibit heavy traffic from using a Village street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence which has an entrance on such street or highway. Furthermore, this section will not act to prohibit heavy traffic from using any Village streets over which are routed state trunk highways. When being driven to the site of any construction, repair or maintenance of electric, gas or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this section.
- (c) ADMINISTRATION. The Director of Public Works in cooperation with the Police Department shall administer this section. Administration shall include:
- (1) Posting of signs. Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established herein;
  - (2) Maps. Maps of the Village showing heavy traffic routes shall be prepared and shall be available upon request by heavy traffic operators and owners;
  - (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. These permits may be granted only when use of a nondesignated  
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route is necessary for the equipment to reach a construction site. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the Village harmless for any damage done to the Village street by the equipment and/or any personal injury or property damage caused in part or in whole by the street damage.
    - b. Village owned or operated equipment is specifically excluded from the provisions of this section.
- (d) LIABILITY. Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Village streets or highways in violating this section shall be liable and required to pay the

- Village the cost of repair or replacement of the damaged street or highway.
- (e) ROUTES DESIGNATED. The following streets in the Village are hereby designated as heavy traffic routes:
- (1) State Highway 67
  - (2) State Highway 44
  - (3) County Trunk Highway VV

State Law Reference: Section 349.17, Wis. Stats.

SEC. 8-1-23 U-TURNS PROHIBITED.

U-turns are prohibited on Main Street and on any other street where signs prohibiting such turns have been erected by the Director of Public Works.

SEC. 8-1-24 BLUE WARNING LIGHTS ON POLICE VEHICLES.

- (a) Pursuant to Sections 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a) and (b) and (4), Wis. Stats., a marked police vehicle under Section 340.01(3)(a), Wis. Stats., may be equipped with a blue light and a red light which flash, oscillate or rotate.
- (b) If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Sec. 346.03, Wis. Stats. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm or when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.
- (c) The Village shall give notice of its intent to equip its police vehicles with flashing, oscillating or rotating blue lights as a Class 2 notice under Chapter 985, Wis. Stats., at least ninety (90) days before so equipping the first police vehicle.
- (d) A police vehicle under s. 340.01 (3) (a) may be equipped so that the high beams of it headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating or flashing headlamps may be used only when the warning lamps authorized above are in use.
  - (1) The Village shall give notice of its intent to equip its police vehicles with pulsating or flashing headlamps as a Class 2 notice under Chapter 985, Wis. Stats., at least ninety days before so equipping the first police vehicle. (4-2005)

SEC. 8-1-25 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED.

- (a) ADMINISTRATIVE REGULATIONS ADOPTED. The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are hereby adopted by reference and made part of this Chapter as if fully set forth herein.

Wis. Adm. Code - MVD 3	Reciprocity - Nonresident Motor Carriers [Penalties of Wis. Stats. §341.04 apply]	Traffic and Parking
Wis. Adm. Code - MVD 4	Lettering on Vehicles, Display of Evidence of Registration and Dual Permit	
Wis. Adm. Code - MVD 5	Standards for Motor Vehicle Equipment	
Wis. Adm. Code - MVD 6	Transportation of Explosives by Motor Vehicle	
Wis. Adm. Code - MVD 17	Transportation of School Children	
Wis. Adm. Code - MVD 18	Protective Headgear Standards and Specifications	
Wis. Adm. Code - MVD 22	Standards and Specifications - Design and Mounting SMV Emblem	

- (b) NON-COMPLIANCE PROHIBITED. No person shall operate or allow to be operated on any

- highway, street or alley within the Village a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Section 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 8-1-1 of this Chapter.
- (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 the violation the same as if he or she had operated the vehicle. The provisions of Section 347.04, Wis. Stats., relating to non-applicability of demerit points, shall apply to owners convicted of 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. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
  - (2) Authority of Officer. Any law enforcement officer of the Village is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
  - (3) Vehicle to be Removed From Highway. Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated; except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Section 110.075(5), Wis. Stats., and shall require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the issuing officer within the time specified in the order.
- (e) **PENALTY.** Penalty for violation of any provision of this Section including the provisions of the Wisconsin Administration Code, incorporated herein by reference, shall be as provided in Subsection (c) of this Section, together with the costs of prosecution and applicable penalty assessment.

#### SEC. 8-1-26 PENALTIES.

- (a) **FORFEITURE PENALTY.** The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Section 165.87 and 346.655, Wis. Stats., 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 sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver

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surcharge or other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment there-for and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.

- (b) **OTHER SANCTIONS.**

- (1) By Court. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a

monetary penalty or in lieu of imprisonment.

- (2) By 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 Clerk, except dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **FORFEITURES FOR VIOLATION OF MOVING TRAFFIC REGULATIONS.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 8-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 348, Wis. Stats. for which an imprisonment penalty or fine may be imposed upon the defendant.
- (d) **FORFEITURES FOR PARKING VIOLATIONS.**
  - (1) Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses. Minimum and maximum forfeitures for violation of non-moving traffic violations adopted by reference in Section 8-1-1 as described in Chapters 341 to 348, Wis. Stats., shall be as provided for the comparable state non-moving traffic violation.
  - (2) Penalty for Other Parking Violations. The penalty for all other parking violations not included under Subsection (1) above shall be a forfeiture of not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars for the first offense and not less than Five (\$5.00) Dollars nor more than Two Hundred (\$200.00) Dollars for the second offense within two (2) years.
- (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 Five (\$5.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

#### SEC. 8-1-27 ENFORCEMENT.

- (a) **ENFORCEMENT PROCEDURES.** How enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.
- (b) **CITATIONS.**
  - (1) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Chapter except those provisions which describe or define non-moving traffic violations and violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
  - (2) Parking Citations. The Chief of Police shall recommend a citation for use in enforcing the non-moving traffic offenses in this Chapter. When approved by the Village Board, such citation shall be used for enforcement of non-moving traffic regulations created or adopted by this Chapter, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in Section 8-1-1, and all provisions regarding non-moving traffic violations in this Chapter. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

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- (3) NONMOVING VIOLATION AND REGISTRATION PROGRAM. Pursuant to the provisions of Section 345.28(4) of the Wisconsin Statutes, the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the cost established by the Department under Wis. Stat. Sec. 85.13; such costs shall, in turn, be assessed against persons charged with nonmoving traffic violations. The Village shall charge an additional \$30 to cover the costs of this process. The Village Attorney shall be responsible for complying with the requirements set forth in Wis. Stat. 345.28(4).

(c) DEPOSITS AND STIPULATIONS.

(1) Moving 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 released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Section 66.12(1)(b) of the Wisconsin Statutes whenever the provisions of Section 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11 of the Wisconsin Statutes and may be accepted within five (5) days of the date of the alleged violation. Stipulations may be accepted by the Clerk of Circuit Court and by the Police Department.
- b. **Delivery or Mailing of Deposit and Stipulation.** Any person stipulating guilt or no contest under the preceding Subsection must make the deposit required under Section 345.26 of the Wisconsin Statutes or, if the deposit is not established under such Statute, 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 within five (5) days of the issuance of the citation in lieu of court appearance to the office of the Police Department or Clerk of Circuit Court as directed by the arresting officer.
- c. **Receipt Required.** Every officer accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Sections 343.27, 343.28, 345.26(1)(a) and 345.27(2) of the Wisconsin Statutes 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 Section 345.11 of the Wisconsin Statutes. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within seven (7) days to the Clerk of Circuit Court.

(2) Non-moving Traffic Offenses.

- a. **Direct Payment of Penalty Permitted.** Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within five (5) days of the issuance of the citation to the Police Department the minimum penalty specified for the violation. If not so forwarded, the penalty may be discharged by forwarding within fifteen (15) days of the date of the citation to the above named office the amount of Fifteen Dollars (\$15.00). When payment is made as provided in this paragraph, no court costs shall be charged.
- b. **Court Prosecution.** If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the Chief of Police shall forward a copy of the citation to the Village Attorney.

## CHAPTER 2

### Bicycles

- |            |                                |
|------------|--------------------------------|
| Sec. 8-2-1 | Manner of Operation Restricted |
| Sec. 8-2-2 | Lighting Equipment             |
| Sec. 8-2-3 | Warning Signal Required        |
| Sec. 8-2-4 | Parking a Bicycle              |

- Sec. 8-2-5 Riding Abreast Prohibited
- Sec. 8-2-6 Rules of the Road
- Sec. 8-2-7 Inspection and Registration of Bicycles

SEC. 8-2-1 MANNER OF OPERATION RESTRICTED.

- (a) No bicycle shall be allowed to proceed in any street in the Village of Iron Ridge by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in 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.
- (b) The use of skateboards on Main and Pleasant Streets or adjacent alleys is prohibited. All other use of skateboards shall follow section 8-2-6 rules of the road provisions of Ch 346 Of the WI Stats, shall be applicable to the operation of skateboards where appropriate.

SEC. 8-2-2 LIGHTING EQUIPMENT.

No person shall operate a bicycle upon a highway during the hours of darkness unless equipped as required in sec. 346.81, Wis. Stats.

SEC. 8-2-3 WARNING SIGNAL REQUIRED.

No bicycle shall be operated on the streets of the Village unless equipped with either a warning bell or horn.

SEC. 8-2-4 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 to anyone else.

SEC. 8-2-5 RIDING ABREAST PROHIBITED.

Persons riding or using bicycles or other similar vehicles along or upon any public street, avenue, lane, alley, or other public road, ground or way within the Village shall not ride more than two abreast excepting in a general parade or public demonstration.

SEC. 8-2-6 RULES OF THE ROAD.

The provisions of Ch. 346, Wis. Stats., shall be applicable to the operation of bicycles where appropriate.

SEC. 8-2-7 INSPECTION AND REGISTRATION OF BICYCLES.

- (a) **REGISTRATION REQUIRED.** No person shall operate a bicycle upon any street or public highway within the Village of Iron Ridge unless said bicycle shall first have been properly registered and tagged as hereinafter provided.
- (b) **FORM OF REGISTRATION.** Every owner or operator of a bicycle within the Village shall, prior to operation, file with the Police Department a complete description of such bicycle upon a blank form to be provided for the purpose, which such filing of description shall constitute a registration of such bicycle for the purpose of this section. Such registration shall be serially numbered and kept on file by the Police Department in his office as a public record.
- (c) **IDENTIFICATION TAG.** Immediately upon the registration of the bicycle in his office, the Police Department shall cause to be affixed to such bicycle a license tag or sticker, serially numbered to correspond with the registration of each bicycle. Each tag shall thereafter remain affixed to such bicycle unless removed by the Police Department for cause or for replacement with another tag upon re-registration. A fee of Two (\$2.00) Dollars per registration shall be made for the inspection and tagging of any bicycle under the provisions of this Section. Each bicycle license, when issued, shall be effective until the licensee shall sell or transfer interest to said bicycle, whichever event first occurs after the license is issued. All newly acquired bicycles shall be registered within thirty (30) days of the date of the date of purchase or acquisition or shall be subject to a One (\$1.00) Dollar penalty in addition to the normal registration fee.
- (d) **INSPECTION.** The Police Department may cause to be inspected each bicycle presented for the registration and they shall have the authority to refuse to register and such bicycle found by them to be in unsafe mechanical condition or not equipped as herein required.
- (e) **CANCELLATION OF REGISTRATION.** The Police Department shall have the authority to suspend the registration and remove the license tag from any bicycle operated contrary to any State Statutes or Village Ordinance, or operated in an unsafe mechanical condition.. Such suspension and removal of tags shall continue for a period not to exceed ten (10) days, provided that such registration shall not be reinstated or license tag replaced while such bicycle is in an unsafe condition. No parent or guardian of any child shall authorize or knowingly permit such child to violate any provision of this Section.
- (f) **CHANGE OF OWNERSHIP.** Within ten (10) days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation such information shall be reported to the Police Department by the person in whose name the bicycle has been registered.



## CHAPTER 3

### Snowmobiles

- Sec. 8-3-1 State Snowmobile Laws Adopted
- Sec. 8-3-2 Applicability of Traffic Regulations to Snowmobiles
- Sec. 8-3-3 Unattended Vehicles
- Sec. 8-3-4 Snowmobile Operation Restricted
- Sec. 8-3-5 Use of Trails
- Sec. 8-3-6 Hours of Operation
- Sec. 8-3-7 Speed Limit
- Sec. 8-3-8 Permitting Operation by Improper Persons Prohibited
- Sec. 8-3-9 Penalty
- Sec. 8-3-10 Clerk to File Section
- Sec. 8-3-11 Enforcement

#### SEC. 8-3-1 STATE SNOWMOBILE LAWS ADOPTED.

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

- 350.01 Definitions.
- 350.02 Operation of Snowmobiles on or in the Vicinity of Highways.
- 350.03 Right-of-Way.
- 350.035 Meeting of Snowmobiles
- 350.04 Snowmobile Races, Derbies and Routes.
- 350.045 Public Utility Exemption.
- 350.047 Local Ordinance to be Filed.
- 350.05 Operation by Youthful Operators Restricted.
- 350.055 Safety Certification Program Established.
- 350.07 Driving Animals.
- 350.08 Owner Permitting Operation.
- 350.09 Head Lamps, Tail Lamps and Brakes, Etc.
- 350.095 Noise Level Requirements
- 350.10 Miscellaneous Provisions for Snowmobile Operation.
- 350.101 to 350.107 Operating a Snowmobile While Intoxicated Prohibited.
- 350.12 Registration of Snowmobiles.
- 350.13 Uniform Trail Signs and Standards.
- 350.15 Accidents and Accident Reports.
- 350.17 Enforcement
- 350.18 Local Ordinances.
- 350.19 Liability of Landowners.
- 350.99 Parties to a Violation.

Wisconsin Administrative Code. Chapter NR 50, Wis. Adm. Code, is hereby adopted.

SEC. 8-3-2 APPLICABILITY OF TRAFFIC REGULATIONS TO SNOWMOBILES.

Snowmobiles. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats. be subject to Sections 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, and 346.94(1), and (9), Wis. Stats.

SEC. 8-3-3 UNATTENDED VEHICLES.

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.

SEC. 8-3-4 SNOWMOBILE OPERATION RESTRICTED.

- (a) General. It shall be unlawful to operate any snowmobile on private property without the consent of the property owner or on the Village streets, alleys, parks, or parking lots or on any public lands or private lands or parking lots held open to the public.
- (b) Exceptions. Snowmobiles may be operated on designated and marked snowmobile trails designated by the Board on a map on file in the Village Clerk's office.

SEC. 8-3-5 USE OF TRAILS.

Use of trails. Routes or trails are to be used only for ingress to and egress from the Village, it being the intention to provide said trails or routes only to get through the Village. Any use other than for ingress or egress is prohibited.

SEC. 8-3-6 HOURS OF OPERATION.

Hours of operation restricted. No person shall operate a snowmobile anywhere within Village limits between the hours of 2:00 a.m. and 6:00 a.m., with the allowance of one trip in or one trip out during the specified times.

SEC. 8-3-7 SPEED LIMIT.

Speed limit. No person shall operate a snowmobile in the Village at a speed in excess of 25 miles per hour.

SEC. 8-3-8 PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED.

Permitting operation by improper persons prohibited. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.

SEC. 8-3-9 PENALTY.

Any person who shall violate any provision of this Chapter shall upon conviction thereof forfeit not more than Five Hundred (\$500.00) Dollars together with the costs of prosecution and in default of payment thereof may be imprisoned in the county jail for not exceeding ninety (90) days; provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense 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 Title 8, Chapter I of this Code of Ordinances.

SEC. 8-3-10 CLERK TO FILE SECTION.

Village Clerk to file section. Pursuant to Section 350.047, Wis. Stats., the Village Clerk is hereby directed to send a copy of this section to the Department of Natural Resources, the Police Department and the County Sheriff's Department.

SEC. 8-3-11 ENFORCEMENT.

- (a) UNIFORM CITATION FOR HIGHWAY VIOLATIONS. The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) PARKING VIOLATIONS. The special traffic citation described and defined in Title 8, Chapter 1 of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 8-3-1 of this Chapter.
- (c) OTHER VIOLATIONS. All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(l)(b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats. Such deposits shall include a Two (\$2.00) Dollars Clerk's fee and costs of prosecution.
- (d) POLICE DEPARTMENT TO RECEIVE STIPULATIONS AND PENALTIES. Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Department offices by the Chief or officer designated by him.
- (e) FORFEITED PENALTIES AND DEPOSITS. Except as otherwise provided in Sec. 345.26, Wis. Stats., and the deposit schedule adopted by the State Board of Circuit Court Judges thereunder, required forfeited penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Village Board.

## CHAPTER 4

### Abandoned and Junked Vehicles

- Sec. 8-4-1 Abandoned Vehicles; Definitions
- Sec. 8-4-2 Removal and Impoundment of Vehicles
- Sec. 8-4-3 Removal, Storage, Notice or Reclaimer of Abandoned Vehicles
- Sec. 8-4-4 Disposal of Abandoned Vehicles
- Sec. 8-4-5 Report of Sale or Disposal
- Sec. 8-4-6 Owner Responsible for Impoundment and Disposal Costs
- Sec. 8-4-7 Conflict with Other Code Provisions
- Sec. 8-4-8 Junked Vehicles and Appliances on Private Property

#### SEC. 8-4-1 ABANDONED VEHICLES: DEFINITIONS.

- (a) **ABANDONMENT OF VEHICLES PROHIBITED.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the Village of Iron Ridge, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the Village of Iron Ridge or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.
- (b) **DEFINITIONS.** For purposes of this Chapter, the following definitions shall be applicable:
  - (1) Vehicle shall mean a motor vehicle, trailer, semitrailer, or mobile home, whether or not such vehicle is registered under Wisconsin Law.
  - (2) Unattended shall mean unmoved from its location with no obvious sign of continuous human use.
  - (3) Street shall mean any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular travel.
- (c) **PRESUMPTIONS.** For purposes of this Section, the following irrebutable presumptions shall apply:
  - (1) A vehicle shall be presumed unattended if it is found in the same position seventy-two (72) hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during said seventy-two (72) hours.
  - (2) Any vehicle left unattended for more than seventy-two (72) hours on any public street or public ground or left unattended for more than seventy-two (72) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this subsection if left unattended on private property outside of public view or if designated as not abandoned by the Chief of Police.
- (d) **EXCEPTIONS.** This Section shall not apply to a vehicle in an enclosed building, or a vehicle stored on a premises licensed for storage of junk or junked vehicles, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

SEC. 8-4-2 REMOVAL AND IMPOUNDMENT OF VEHICLES.

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 8-4-3.

SEC. 8-4-3 REMOVAL, STORAGE, NOTICE, OR RECLAIMER OF ABANDONED VEHICLES.

The provisions of this Section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles.

(a) REMOVAL.

- (1) Any police officer who discovers any motor vehicles, trailer, semitrailer or mobile home on any public street or highway or private or public property in the Village of Iron Ridge which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
- (2) Upon removal of the vehicle the police officer shall notify the Police Chief or his designee of the abandonment and of the location of the impounded vehicle.

(b) STORAGE AND RECLAIMER. Any abandoned vehicle which is determined by the Police Chief or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Police Chief or his designee determines an abandoned vehicle to have a value of less than One Hundred (\$100) Dollars, or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter priced, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. 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 Police Chief or his designee to prove an ownership or secured party interest in said vehicle.

(c) NOTICE TO OWNER OR SECURED PARTY. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, that the vehicle has been deemed abandoned and impounded by the Village of Iron Ridge; the "determined value" of the abandoned vehicle or if the cost of towing and storage charges will exceed the determined value of the vehicle; that if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred (\$100.00) Dollars or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and that the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

SEC. 8-4-4 DISPOSAL OF ABANDONED VEHICLES.

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

SEC. 8-4-5 REPORT OF SALE OR DISPOSAL.

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle.

SEC. 8-4-6 OWNER RESPONSIBLE FOR IMPOUNDMENT AND DISPOSAL COSTS.

- (a) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the Village against the owner.
- (b) Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

SEC. 8-4-7 CONFLICT WITH OTHER CODE PROVISIONS.

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

SEC. 8-4-8 JUNKED VEHICLES AND APPLIANCES ON PRIVATE PROPERTY

- (a) STORAGE OF AUTOMOBILES RESTRICTED.
  - (1) No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery or appliances shall be stored or allowed to remain in the open upon private property within the Village for a period exceeding ten (10) days unless it is in connection with a properly licensed automotive or appliance sales, repair or storage business enterprise located in a properly zoned area.
  - (2) Any business engaged in automotive sales or repair may retain such vehicles in the open, on private property, for a period not to exceed three (3) months, after which such vehicles must be enclosed by a screening or live planting to be approved by the Village Board, after an advisory recommendation from the Plan Commission.
- (b) DEFINITIONS.
  - (1) The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this section is defined as follows: motor vehicles, truck bodies, tractors, farm machinery or trailers in such 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 safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates, or other defects.
- (2) The term "unlicensed - motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates.
  - (3) The term "motor vehicle" is defined in Section 340.01(35), Wis. Stats.
  - (4) The term "inoperable appliance" is defined as any stove, washer or refrigerator which is no longer operable in the sense for which it was manufactured.
- (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 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 rear yard areas. Such business enterprises shall include auto junk yards, auto repair and body shops but shall not include automobile service stations or tire, battery and accessory sales stores, except those service stations which operate a duly licensed wrecker service. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations the Chief of Police may issue permits permitting an extension of not to exceed an additional thirty (30) days time to comply with this section where exceptional facts and circumstances warrant such extension.
- (d) ENFORCEMENT.
- (1) Whenever the Police Department shall find any vehicles or appliances, as described herein, placed or stored in the open upon private property within the Village, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this Section. If said vehicle or appliance is not removed within five (5) days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.
  - (2) If such vehicle or appliance is not removed within twenty (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 thereafter be disposed of as pre-scribed in Sections 8-4-3 through 8-4-6 by the Chief of Police or his duly authorized representative. Any cost incurred in the removal and sale of said 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) 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 1-1-6. Each motor vehicle or appliance involved shall constitute a separate offense.

State Law Reference: Section 342.40, Wis. Stats.