

## CHAPTER 4

## TRAFFIC CODE

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Section 4.01 DEFINITIONS. The words, phrases and terms used in this section shall be interpreted as follows:

- (1) Disassembled, Inoperable, Junked or Wrecked Motor Vehicles, Truck Bodies, Tractors, Trailers.  
Motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or being operated lawfully upon the public streets or highways.
- (2) Unlicensed Motor Vehicles, truck bodies, tractors or trailers.  
Motor vehicles, truck bodies, tractors or trailers that do not bear lawful current license plates, but are required to do so, to be operated upon public streets or highway.
- (3) Motor Vehicle. As defined in Wisconsin Statutes 340.01(35)
- (4) Junk. Worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, machinery and equipment or parts thereof, vehicles or parts thereof, tools discarded building material, or any other unsightly debris, the accumulation of which has an adverse effect upon the neighborhood or City property values, health, safety or general welfare.
- (5) In the open. Land which may be viewed from public streets or adjoining property.
- (6) 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.
- (7) Licensing Authority means the City of Chilton.
- (8) Neighborhood Electric Vehicle (NEV) means a self-propelled motor vehicle, excluding golf carts, 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 Vehicle under 49 CFR 571.3(b) and 571.500 and which is defined under Wis. Stat. §340.01 (36r) and authorized under Wis. Stat. §349.26.

Section 4.02 PROVISIONS OF STATE LAW ADOPTED BY REFERENCE. (#822 6/18/96)

All provisions of Chapters 340 thru 348 and Chapter 941.01 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. This adoption by reference shall also include any subsequent additions, modifications or other changes to Chapters 340 thru 348 and Chapter 941.01 of

the Wisconsin Statutes. Citations issued there under shall be referred to by the prefix "4." Followed by the applicable state statute chapter and section number.

#### Section 4.03 OPERATION OF MOTOR VEHICLES ON PUBLIC PREMISES.

- (1) No person shall operate a motor vehicle so as to cause the tires thereof to squeal, the horn to blow excessively or the motor to race excessively.
- (2) No person shall operate a motor vehicle in such a manner as to cause the vehicle to travel in an irregular path or the vehicle to unnecessarily sway from side to side as a result of being driven in an irregular or weaving path or in an unsafe manner.
- (3) No person while operating a motor vehicle or motorized cycle shall rapidly or suddenly accelerate in a manner that result in the wheels spinning at a rapid rate or the leaving of tire marks caused by said spinning.
- (4) Compression brakes prohibited. Except in Emergency no person shall use motor vehicle brakes within the city limits of the City of Chilton which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.

#### Section 4.04 SPEED LIMITS.

The Council hereby determines that the statutory speed limits in the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under authority granted by Section 349.11, Wis. Stats.

- (1) **SPEED LIMITS INCREASED.** Speed limits established by Section 346.57(4), (e), (f), (g), and (h) Wis. Stats., are increased as hereinafter set forth upon the following streets or portions thereof: (Ord. #759 5/19/92)
  - (a) The speed limit on E. Chestnut Street from S. Madison Street east to Calumet Street shall be 30 miles per hour. (Ord. #856 3/17/98)
  - (b) The speed limit on North Madison Street from Breed Street northerly for 0.13 miles shall be 35 miles per hour.
  - (c) The speed limit from 0.13 miles north of Breed Street on North Madison Street to the north City limits shall be 45 miles per hour.
  - (d) The speed limit on West Main Street from the intersection of Heimann Street to 1050 ft. West of Intersection of West Main and Quinney Road shall be 35 miles per hour and the speed limit on West Main Street from 1050 ft. West of the intersection of West Main Street and Quinney Road to the West City Limits shall be 55 miles per hour. (Ord. #964 7/15/03, Ord. #776 9/7/93)

- (e) The speed limit on Court Street from the driveway at 704 Court Street to the City Limits to shall be 35 miles per hour. (Ord. #759 5/19/92)
  - (f) The speed limit on N. State Street from the intersection of Breed and N. State Street shall be 35 miles per hour extending from that point to the city limits. (Ord. #887 9/7/99)
  - (g) The speed limit on E. Breed Street from the intersection of Madison and Breed Streets shall be 35 miles per hour extending from that point East to the city limits. (Ord. #888 10/5/99)
  - (h) The speed limit on Irish Road from the intersection of U.S. 151 and Irish Road shall be 35 miles per hour extending from that point to the intersection of Irish Road and Breed Street. (Ord. #888 10/5/99)
  - (i) The speed limit on M-B Lane from the intersection of M-B Lane and South Madison Street (C.T.H. G) to the intersection of M-B Lane and East Chestnut Street (U.S.H. 57/32) shall be 35 miles per hour. (Ord. #958 4/01/03)
- (2) SPEED LIMITS DECREASED. The speed limits are decreased as hereinafter set forth upon the following streets or portions thereof:
- (a) The speed limit on all that part of Chestnut Street lying west of Francis Street shall be 15 miles per hour. (Ord. #534 6/17/80)
  - (b) The speed limit on Walnut Street shall be 15 miles per hour. (Ord. #767 1/5/93)
  - (c) The speed limit on East Calumet Street from the intersection of East Chestnut to four hundred feet (400 ft) east of Opportunity Drive shall be (40) forty miles per hour. (Ord. #1005 12/19/07)
  - (d) The speed limit on Chestnut Street from Calumet Street, south on State Trunk Hwy 57 to the south City limits shall be (40) forty miles per hour. (Ord #934 9/4/01)
  - (e) School Zone -15 mph. speed limit the hours of 7:00 a.m. to 8:00 a.m. and 2:30 p.m. to 3:30 p.m. when school is in session shall be established as follows:  
(Ord. #1047 7/21/09)
    - (1) On West Main Street (Hwy 151) – 850 feet west of the intersection of Heimann Street and West Main Street (Hwy 151) and 50 feet west of the intersection of Quinney Road and West Main Street (Hwy 151)

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(2) On Court Street – from the intersection of Heimann Street and Court Street west to 350 feet east of the intersection of Court Street and Kiesner Drive

(3) On Spring Street - from the intersection of Spring Street and East Main Street, 650 feet north

(4) On Heimann Street - from the intersection of Court and Heimann Street south to the intersection of West Main Street.

(f) The speed limit on Quinney Road from the intersection of U.S. 151 and Quinney Road shall be 35 miles per hour extending from that point to the corporate limits. (Ord. #964 7/15/03)

#### Section 4.05 REGULATIONS FOR SPECIFIC STREETS (Ord #1044 3/17/09)

(1) **GENERALLY THROUGH STREETS.** Through streets shall be those main traffic carriers with right-of-way priority, which are designated by the Common Council and shown on a through street map, which is on file in the office of the Director of Public Works. The Common Council may make additions or deletions to the through street map in order to produce adequate through traffic routes as well as good internal traffic circulation. A through street is one on which all direct crossings are controlled by a stop sign or signal.

(2) **ONE-WAY STREETS.** The Common Council may provide that traffic shall move in only one (1) direction on designated streets and alleys, on file in the office of the Director of Public Works.

(a) Westerly on School Court between Park Street and Brooklyn Street.

(3) **ONLY RIGHT TURN INTERSECTIONS.** No operator of a vehicle shall turn left on the following streets:

(a) Madison Street at Waters Edge Lane, eastbound traffic.

#### Section 4.06 PARKING RESTRICTIONS.

(1) **NO PARKING.** When signs are erected in any block giving notice thereof, no person shall park a vehicle longer than the period hereinafter specified either attended or unattended:

(a) On the south side of Grand Street from the Grand Street east bridge line for a distance of 67 feet easterly. (Ord. #622 9/18/84 & Ord. #783 4/19/94)

- (b) On the south side of Washington Street from the City Hall driveway to the west property line of 51 West Washington Street.
- (c) On the east and west side of East Main Street from the north line of Commerce Street north for one hundred forty feet.
- (d) On both sides of East Chestnut Street from Madison Street to Calumet Street. (Ord. #803 7/5/95)
- (e) On the east side of East Grand Street from its intersection with East Main Street and running northwesterly a distance of 125 feet. (Ord. #627 11/20/84)
- (f) On the south side of East Main Street from Spring Street to Park Street and on the north side of the E. Main Street Bridge. (Ord. #712 11/21/89)
- (g) On any bridge within City Limits
- (h) On the north side of Brooklyn Street east and west of School Court a distance of 30 feet and on the east and west side of School Court a distance of 30 feet from Brooklyn Street.
- (i) On the north side of East Main Street a distance of 45 feet east and west of Spring Street. (Ord. #538 8/19/80)
- (j) On Spring Street a distance of 30 feet from East Main Street northerly on the east side, and from East Main Street to Lincoln Street on the west side. (Ord. #538 8/19/80)
- (k) On the west side of South State Street from the State Street bridge north 40 feet.
- (l) On the South side of Manhattan Street commencing 380 feet to 470 feet west of the curb line of Diane Street. (Ord. # 1059 1/9/2010, Ord. #854 1/6/98)
- (m) On the north side of West Main Street a distance of 79 feet East from the East curb line of North State Street. (Ord. #636 10/1/85)
- (n) On the north side of West Main Street a distance of 79 feet West from the West line of North State Street. (Ord. #771 5/18/93)
- (o) On the south side of East Main Street a distance of 30 feet West from the West line of Adams Street.
- (p) On the north side of Washington Street a distance of 37 feet west from the west line of Madison Street, and on the south side of Washington Street a distance of 61 feet west from the West line of Madison Street. (Ord. #538 8/19/80)

- (q) On the east side of Frances Street from Chestnut Street extending southerly a distance of 175 feet. (Ord. #597 8/2/83)
- (r) On the south side of East Main Street commencing from the West property line of 457 East Main Street west a distance of 567 feet east. (Ord. #670 9/15/87)
- (s) On the south side of Court Street commencing from the corner of Heimann Street, west to the west property line of 528 Court Street. (Ord. #1054 10/20/09)
- (t) On the north side of Columbia Street from the corner of Adams Street westerly for 105 feet. (Ord. #729 11/6/90)
- (u) On the north side of E. Main Street from the corner of Grand Street easterly for 40 feet. (Ord. #767 1/5/93)
- (v) On both sides of Court Street commencing at the East Exit of the Calumet County Courthouse (206 Court Street) to the West Entrance of the Calumet County Courthouse. (Ord. #1082 11/1/2011)
- (w) On the north side of Court Street commencing from the East property line of 414 Court Street, west to the west property line of 528 Court Street. (Ord. # 1054 10/20/09)
- (x) On the South side of Court Street from a point 185 feet west of the Centerline of State Street. (Ord. #842 8/19/97)
- (y) On Both sides of & except Sundays and public holidays and except for thirty (30) minutes allowed parking on the west side of Vogt Lane from the north property line to the south property line of 521 Vogt Lane. (Ord. #868 10/20/98 & Ord. 1013 4/3/07)
- (z) South side of West Calumet Street for a distance of 40 feet west from the inner radius of the intersection of Chestnut and Calumet Streets. (Ord. # 870 11/3/98)
- (aa) East Side of Adams Street for a distance of 80 feet south from the centerline of Main Street. (Ord. #875 3/2/99)
- (bb) That portion of E. Main Street on the south side commencing 200 feet from the centerline of Spring Street extending westerly and for a distance of 290 feet. (Ord. #961 7/1/03)
- (cc) Both sides of Irish Road from the intersection of E. Calumet Street (Hwy. 151/Irish Road) north to the intersection of Breed Street (County Trunk Y) and Irish Road. (Ord. #971 4/20/04)

- (dd) Both sides of MB Lane from the intersection of S. Park Street and MB Lane east 600 feet, except Sundays and Public holidays. (Ord. #974 6/15/04)
  - (ee) East side of South Park Street from the intersection of S. Park Street and MB Lane south 600 feet, except Sundays and Public holidays. (Ord. #974 6/15/04)
  - (ff) On both sides of Madison Street from Chestnut Street north to the City limit. (Ord. #978 11/16/04)
  - (gg) Both sides of Waters Edge Lane from the intersection of South Madison Street east to the intersection of South State Street. (Ord #1044 3/17/08)
- (2) **TWO HOUR PARKING.** No person shall park any vehicle for more than 2 hours between 7:00 a.m. and 6:00 p.m., except on Sundays and public holidays and from 7:00 a.m. to 10:00 p.m. on Friday except if a public holiday falls on a Friday, on the following streets where parking is permitted: (Ord. #733 12/18/90)
- (a) On Main Street from the West property line of 203 West Main Street east to the east Center Street.
  - (b) On the East Side of North State Street from West Main Street north of the 108 North State Street.
  - (c) On both sides of School Street from North Madison Street west to North State Street. (Ord. #1080, 8/2/11)
  - (d) On Main Street both sides 35 E. Main Street from State Street easterly to the east property line of the on East Main Street.
  - (e) On the West side of State Street from West Main Street to School Street.
- (3) **PARKING RESTRICTIONS.**
- (a) No person shall park any vehicle or leave standing any vehicle or equipment between 2:30 A.M. and 6 A.M. in the City owned Parking Lots located off Main Street and School Street. (Ord. No. 1098 12/4/2012)
  - (b) No person shall permit any motor vehicle, trailer, semi-trailer or mobile home in his custody to park or remain unattended on any street, alley, municipal parking lot, park or any other public place in the City in excess of 48 hours. Any such vehicle parked or left standing on any street, alley, municipal parking lot, park or public place in the City in violation of this section may be removed by or under the direction of the Chief of Police and the expense of the removal charged to the owner of the motor vehicle, trailer, semi-trailer or mobile home. (Ord. # 1108 10/7/2014, Ord. #543 11/5/82)

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(4) E. BROOKLYN STREET PARKING. No person shall park any vehicle for more than 2 hours any day between 7:00 a.m. and 6:00 p.m. on the north side of E. Brooklyn Street from the corner of Memorial Drive easterly to the end of the street. (Ord. #778 12/7/93)

(5) WINTER PARKING RESTRICTIONS. (Ord. #1048 7/21/09)  
The following restrictions are placed on any vehicle between November 1 and extending to April 15:

- (a) No person shall park or leave standing any vehicle or equipment upon any of the streets or alleyways of the City between 1:00 a.m. and 6:00 a.m.
- (b) Alternate parking is required for vehicles in residential areas only. Alternate parking means on even numbered calendar days a vehicle must be legally parked on the side of the street with even house numbers; on odd numbered calendar days a vehicle must be legally parked on the side of the street with odd house numbers.

(6) POST OFFICE PARKING. (Ord. #962 7/1/03)  
No person shall park any vehicle for more than 10 minutes on that portion of E. Main Street on the south side of Main Street commencing 135 feet west from the centerline of Spring Street extending westerly 200 ft., except for Sundays and Holidays.

(7) MOVING ILLEGALLY PARKED VEHICLES. Whenever any police officer finds a vehicle standing upon a street in violation of a prohibition, limitation or restriction on stopping, standing or parking, he shall move such vehicle or require the operator in charge thereof to move such vehicle to a position where parking is permitted, and the cost of moving such vehicle shall be paid by the owner of such vehicle. Sec. 349.13(3), Wis. Stats., is by reference made a part of this chapter.

(8) HANDICAP PARKING ZONES. (Ord. #564 12/15/81 & Ord. #682 6/7/88)  
State Statutes Adopted. The Statutory provisions of 346.505 describing and defining regulations with respect to stopping, standing or parking prohibited in parking spaces reserved for vehicles displaying special registration plates or special identification cards are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

Section 4.07 WEIGHT LIMITATIONS. (Ord. #694 10/18/88)

All City Streets and alleys are designated Class "A" highway and are subject to weight limitations established in Section 348.15, Wis. Stats.

Section 4.08 BICYCLE REGISTRATION AND SAFETY.

(1) REGISTRATION AND LICENSING.

(a) Applicability. No person, who resides within the City of Chilton, shall ride or propel a bicycle on any street unless such bicycle has been registered and a current registration sticker is attached thereto as provided herein. This section shall not apply to the use of a newly purchased bicycle during the 10-day period immediately following the purchase of the bicycle. This section shall apply to all residents of the City of Chilton and to such nonresidents who operate bicycles upon the streets of the City of Chilton habitually or frequently. It shall not apply to casual travelers or tourists passing through the City of Chilton.

(b) Applications. (Ord. #781 3/1/94) Application for a bicycle registration sticker shall be made upon a form provided by the licensing authority. The registration fee shall be \$5.00 and be a permanent license for the bicycle. All bicycles must be registered, except that newly purchased bicycles and bicycles brought into the City shall be registered within 10 days of arrival or purchases.

(c) Issuance. (Ord. #781 3/1/94)

(1) The licensing authority upon receiving proper application and registration fee therefore is authorized to issue a bicycle registration.

(2) The licensing authority shall not issue a registration for any bicycle when it is believed that the applicant is not the owner of or entitled to the possession of such bicycle.

(3) The licensing authority shall keep a record of the number of each registration, the date issued, the name and address of the person to whom issued, the serial number of the frame of the bicycle for which issued, and a record of all bicycle registration fees collected. Registration forms and registration stickers shall be serially numbered to coincide with each other.

(4) If a bicycle does not have a serial number, and if ownership can be proven, the licensing authority shall assign one to said bicycle.

(d) Registration Sticker. (Ord. #781 3/1/94)

(1) The licensing authority, upon issuing a bicycle registration, shall also issue a registration sticker bearing the registration number assigned to the bicycle and the name of the City.

(2) At the time of the issuance of any registration sticker, the applicant shall immediately upon issuance attach such sticker to the bicycle, as hereinafter provided.

(3) Each registration sticker shall be placed on the side of and at the top of the seat tube just below the opening provided for the seat post in such a manner so as to be visible from the left hand side of the bicycle.

(4) No person shall remove a registration sticker from a bicycle, except in the event the bicycle is dismantled and no longer operated upon any street in the City of Chilton, in which event the registration is canceled. (Ord. #781 3/1/94)

(5) No bicycle shall be considered registered until a registration sticker shall be affixed to the frame of such bicycle, as herein before specified, which shall remain so affixed unless removed by the licensing authority for cause. (Ord. #781 3/1/94)

(6) In the event that an owner shall lose his registration sticker, or the same is destroyed, stolen or defaced, the owner shall immediately report the same to the licensing authority, which shall then issue to such owner a new registration sticker according to the provisions herein.

(7) It shall be unlawful for any person to alter or counterfeit any registration sticker issued under this ordinance.

(e) Transfer of Ownership. Within 10 days after any registered bicycle has changed ownership, the new owner shall report such transfer to the licensing authority, together with such information as such authority requires to complete the change of registration.

(f) Inspection. The licensing authority or any person assigned such responsibility, shall inspect each bicycle before registering the same and shall refuse registration for any bicycle determined to be in an unsafe condition.

(g) Abandoned Bicycles. Any abandoned, unclaimed or unidentified bicycle remaining in the possession of the licensing authority for 30 days may be sold by such authority at public auction.

## (2) TRAFFIC REGULATIONS.

(a) General. Every person operating a bicycle upon a roadway shall be subject to all duties applicable to the driver of a vehicle under the laws of the State of Wisconsin and the traffic code for the City of Chilton, except as to those provisions which by their nature have no application.

(b) Special Rules. Every person operating a bicycle on the streets, sidewalks or other public ways in the City shall comply with the special regulations under this section and the special rules applicable to bicycles under state law. (ss. 346.79-81, Wisconsin Statutes)

(c) Sidewalks. Bicyclists exercising due care may operate a bicycle upon a sidewalk, except for the following sidewalks:

(1) Madison St. – between School Street and Main Street

(2) Main St. – between State Street and Spring Street and Main Street between Mill Street and Adams Street

(d) Passengers. No bicycle except a tandem shall be used to carry any person except the operator, unless equipped with a child's seat, in which case the following conditions and regulations must be met:

(1) The operator shall be sixteen (16) years of age or older.

(2) The passenger shall not exceed 50 lb. in weight and shall be seated on the child's seat.

(3) The child's seat shall be fastened securely to the bicycle and shall be located behind the operator's seat, shall be so designed and manufactured for this specific purpose and be equipped with safety belt, arm rest, back rest, foot and spoke protection, have a firm seat and back, and shall be attached to the frame at 3 points with bolts or nuts, 2 of which are at either side of the wheel axle or the frame adjacent to the rear axle.

(4) Only one (1) child's seat shall be attached to a bicycle.

(e) Careless Riding.

(1) No person shall operate a bicycle upon a street or walk in the city carelessly or heedlessly in disregard of the rights or safety of others, or in a manner so as to endanger, or be likely to endanger, the property or person of others, or in such a manner so as to interfere with the free passage of the public.

(2) No person operating a bicycle upon a public street or sidewalk shall participate in any race, speed or endurance contest, unless such race or endurance contest has the written permission of the Chief of Police and is conducted under the supervision of the police department.

(3) No person riding or operating a bicycle shall perform, or attempt to perform, any acrobatic, fancy, or stunt riding upon any public streets or sidewalks.

(f) Stopping, Turning, and Signaling. In the event any other traffic may be affected by such movement, no bicycle operator shall stop, slow down, or turn without giving an arm signal required by state law for the operation of motor vehicles.

(1) **Stopping:** No person may stop or suddenly decrease his speed without first giving an appropriate signal in the manner provided in s. 346.35, Wis. Stats., to the operator of any vehicle immediately to the rear, when there is opportunity to give such signal. This subsection does not apply to the operator of a bicycle approaching an official stop sign or traffic control sign.

(2) **Turning:** Every person riding or operating a bicycle intending to run to the right at an intersection, alleyway or driveway shall approach the turning point in the line of traffic nearest the right hand curb of the street. Any bicycle driver, in turning left at an intersection, shall pass to the left of the center of the intersection before turning, unless otherwise directed by markers or signs. At intersections where traffic is moving in opposite directions, if it is not safe for bicycles to make turns as mentioned above, the bicycle driver shall stay in the right lane and ride to the opposite corner, then dismount and walk the bicycle to the left hand corner and proceed. Crosswalks shall be used when walking a bicycle through an intersection.

- (g) **Right-of-Way.** The operator of a bicycle shall, in all cases, yield the right-of-way to all pedestrians while riding across a sidewalk, and to all motor vehicles while riding across a private drive or alleyway.
- (h) **Age Requirement.** No person under 8 years of age shall operate a bicycle on City streets, except persons 6 and 7 years of age may operate a bicycle on City streets during daylight hours if accompanied by an adult.
- (i) **Towing Prohibited.** The operator of a bicycle shall not tow, drag or cause to be drawn behind his bicycle any coaster, sled, toy vehicle, person on roller skates or any other type of conveyance.
- (j) **Parking.**
- (1) No person shall park any bicycle on a sidewalk the width of which is less than 5-1/2 feet.
- (2) On sidewalks with a width of 5-1/2 feet or more, bicycles shall not be parked:
- (a). On the main traveled portion of the sidewalk;
  - (b). Against or adjacent to windows
  - (c) . Or in such a manner as to constitute a hazard to pedestrians, traffic or property.

- (3) Bicycle racks are to be used for parking where provided. Bicycles are not to be parked on the sidewalk if a bicycle rack is available within 300 feet and accessible without crossing the street.

#### Section 4.9 STORAGE OF MOTOR VEHICLES, TRUCK BODIES, TRACTORS AND TRAILERS.

- (1) No person shall accumulate, store or allow any disassembled, junked, inoperable or wrecked motor vehicles, truck bodies, tractors, trailers in the open upon any public or private property in the City for a period exceeding 10 days.
- (2) No person shall accumulate, store or allow any unlicensed motor vehicle, truck body or trailer in the open upon any public or private property in the City for a period exceeding 10 days.
- (3) EXCEPTIONS. Section 2 shall not apply to the following:
  - (a) Any business engaged in the sale, repair or storage of such unlicensed vehicles in a properly zoned district.
  - (b) Garden tractors and mowers may be stored in the rear yard not less than 10 feet from any property line.
- (4) REMOVAL. Whenever the Chief of Police shall find any such vehicle as set forth in sub. (1), he may such vehicle to be removed and stored on municipal property for 30 days, at the end of which time the City may dispose of such vehicle unless previously claimed by the owner. Before removing any such vehicle from private property in the City, the Chief of Police shall notify the owner of the property upon which such vehicle is located of the intent of the City to remove such vehicle. If such vehicle is not removed within 7 days after notice, the Chief of Police shall enter such property and cause such vehicle to be disposed of. The cost of administering this subsection shall be charged against the property owner upon which such vehicle is located and if not paid shall be entered as a special charge against the property in the tax roll.

#### Section 4.10 ABANDONED VEHICLES.

- (1) ABANDONMENT PROHIBITED. No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any City street or highway or on any public or private property within the City without the permission of the owner for more than 72 hours, the vehicle is deemed abandoned and constitutes a public nuisance.
- (2) REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES. Any vehicle in violation of this section shall be impounded until lawfully claimed or disposed of

under sub. (3), except if the police chief or his duly authorized representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the City prior to expiration of the impoundment period upon determination by the police chief or his duly authorized representative that the vehicle is not wanted for evidence or other reason.

(3) DISPOSAL OF ABANDONED VEHICLES.

- (a) 1. If the police chief or his duly authorized representative determines that the value of the abandoned vehicle exceeds \$100, he shall notify the owner and lien holders of record by certified mail that the vehicle has been deemed abandoned and impounded by the City and may be reclaimed within 15 days upon payment of accrued towing, storage and notice charges, and if not so reclaimed shall be sold.
2. If an abandoned vehicle exceeds \$100 in value and is not reclaimed within the period and under the conditions as provided above, it may be sold at public sale.
3. After deducting the expense of impoundment and sale, the balance of the proceeds, if any, shall be paid into the City treasury.
- (b) Any abandoned vehicle, which is determined by the police chief or his duly authorized representative to have a value of less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(4) OWNER RESPONSIBLE FOR IMPOUNDMENT AND SALE COSTS.

The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered for the sale of the vehicle may be recovered in a civil action by the City against the owner.

- (5) NOTICE OF SALE OR DISPOSITION. Within 5 days after the sale or disposal of a vehicle as provided in sub. (3), the police chief or his duly authorized representative shall advise the Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposition on a form supplied by the Division. A copy of such form shall also be given to the purchaser of the vehicle. A copy shall also be retained on file in the City.

Section 4.11 TRAFFIC CONTROL DEVICES.

- (1) The Public Works Director shall procure, place and maintain traffic control devices according to 349.065 Wisconsin Statutes.

- (2) REMOVAL OF UNOFFICIAL SIGNS AND SIGNALS. The Public Director shall have the authority granted by Section 349.09.

Section 4.12 NEIGHBORHOOD ELECTRIC VEHICLES (NEV) (Ord. 1034 10/7/08, Ord. 1130 8/2/2016)

- (1) Except as herein provided, a NEV may be operated in any city street with a speed limit of 25 miles per hour or less. Such operation shall not be allowed on the following city streets:
- Madison Street/Highway 57 (from Chestnut Street north to the city limits)
  - Highway 151
  - Irish Road
  - E. Breed Street
- Highways 57 and 151 may be crossed in a perpendicular fashion only at the following intersections:
- Highway 57: Grand St., Maple St., Park Street, Washington Street
  - Highway 151: State Street, Diane Street, Maple Street, Park Street
- (2) All operators of neighborhood electric vehicles shall conform to all regulations contained in this chapter, including the provisions of the state motor vehicles laws incorporated herein, except those provisions, which by their express terms have no application to a neighborhood electric vehicle.
- (3) All operators of neighborhood electric vehicles shall have valid Wisconsin drivers license.

Section 4.13 PENALTIES. (Ord. 1034 10/7/08 Ord. 1023 11/6/07)

- (1) Except for Section 4.06 (6), All Night Parking, the penalty for violating Section 4.06 Parking Restriction, shall be \$10.00. Failure to pay such forfeiture within five (5) days of such violation by traffic citation or otherwise shall double the forfeiture. Failure to pay within thirty (30) days after written notice will result in court action with a penalty of up to \$75.00 plus costs.
- (2) The penalty for violating Section 4.06(6) All Night Parking shall be \$25.00 for each violation. Failure to pay such forfeiture within five (5) days of such violation shall double the forfeiture. Failure to pay within thirty (30) days after written notice will result in court action with a penalty of up to \$120.00 plus costs and towing fees.
- (3) The penalty for violating section 4.02 shall be those penalties established in TRANS 305, WI Administrative Code, which are incorporated by reference.
- (4) The penalty for violating any other provision of this chapter shall be as provided in Section 20.04 of this Municipal Code.

Revised 8/2/16