

CHAPTER 7

TRAFFIC CODE

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

7.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS. (1) DUTY OF THE DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.

Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in sec. 7.01 of this chapter, require the erection of traffic control devices for enforcement, the Street Committee, with the cooperation of the Director of Public Works, shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, Giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as, in the judgment of the Street Committee, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.

(2) OFFICIAL TRAFFIC MAP. (a) Official Traffic Map Established. There is hereby established for the Village of North Freedom an Official Traffic Map dated March 1, 1989, on which is indicated as of said date all existing stop signs; arterial intersections; no stopping, standing or parking areas; no parking areas, no truck parking areas; prohibited U-turns; school zones; and children's play areas. All such restrictions and limitations set forth on said Official Traffic Map are hereby adopted by reference.

(b) Additions to Map. The Village Board may, from time to time, make additions to or deletions from the Official Traffic Map and the Clerk-Treasurer shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after March 1, 1989, shall indicate the number of the authorizing resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing resolution.

Village of North Freedom

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Phone or Fax 608-522-4550

RESOLUTION #261

AMEND TRAFFIC MAP

IT IS HEREBY RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF NORTH FREEDOM, WISCONSIN.

To amend Sect. 7.02 of the Traffic Map to indicate that there will be no parking at any time on the North side of West Draper Street and no parking at any time on the East side of Franklin Street .

And, in the event of a snow emergency, there shall be no parking on either side of Franklin Street or West Draper Street for a period of 24 hours beginning at the end of each qualifying snowfall. A snow emergency is in effect when any single snowfall accumulation is of 3 inches or greater, or when a series of snowfalls occurring within a week's (7 days) time leaves accumulations of 6 inches or greater.

And to further amend Sect, 7.02 of the Traffic Map to indicate that there will no parking at any time on the south side of East Walnut from 413 East Walnut east to the Railroad tracks and there will be no parking at any time on the north side of East Walnut from 424 East Walnut east to the Railroad tracks.

This resolution was adopted and approved on a motion presented by Vonnie Leifer _____ seconded by Mike Carignan _____ .

Dated this 6th day of February, 1996.

Approved: Village President 

Attest: Clerk-Treasurer

I hereby certify that the forgoing Resolution was duly passed by the Village Board of the Village of North Freedom during its regular session on the /^^dav of February, 1996, and approved by the Village President on that date.

Nancy R. Larson-Village Clerk

TRAFFIC CODE 7.02 (2)

(c) Map to Be Maintained. The Official Traffic Map shall be maintained and displayed in the office of the Clerk-Treasurer. The Clerk-Treasurer shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be.

(d) Violations Prohibited. When official traffic control devices, giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map, are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.

(3) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person other than an officer authorized by this chapter to erect and maintain official traffic control devices, or his designee, shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark or monument unless permission is first obtained from the Director of Public Works or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in sub. (4) below.

(4) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Director of Public Works shall remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Director of Public Works to the Village Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

7.03 STOP AND YIELD SIGNS. (1) DESIGNATION OF LOCATION OF STOP SIGNS AND YIELD SIGNS. In the interest of public safety, the Village Board, by resolution, has designated the location of stop and yield signs within the Village and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic Map of the Village pursuant to Sec. 7.02 of this chapter.

(2) OPERATORS TO OBEY TRAFFIC CONTROL DEVICES. Every operator of a vehicle approaching an intersection at which an official traffic control device is erected, in accordance with this section, shall obey the direction of such official traffic control device as required by the Wisconsin statutes incorporated by reference in sec. 7.01 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as

required by 346,46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right of way to other vehicles, as required by 346.18(6), Wis. Stats.

7.04 PARKING RESTRICTIONS. (1) ALLEY PARKING PROHIBITED. Except for loading and unloading, parking in any alley is prohibited.

(2) WINTER PARKING. From November 1 of each year to April 1 of the following year, no person shall park, stop or leave standing any vehicle on any day between the hours of 2:00 A.M and 7:00 A.M., except as follows: (ordinance 207-91 dated 3/11/91 and 211-91)

(a) On even-numbered calendar dates, vehicles may be parked on the near side of the street adjacent to lots and houses which have been assigned even numbers.

(b) On odd-numbered calendar dates, vehicles may be parked on the near side of the street adjacent to lots and houses which have been assigned odd numbers, excluding the 100 and 200 blocks of East Walnut Street.

(c) Motor vehicles not in compliance with this subsection shall be ticketed and fixed or towed away at owners expense.

(3) PARKING IN THE DOWNTOWN BUSINESS AREA REGULATED. There shall be no parking west of 206 East Walnut and the 100 block of East Walnut between the hours of 2:00 A.M. and 6:00 A.M. Businesses will need to request permission for a temporary exemption of the ordinance rules from the Village Board if they would consider opening earlier than 6 A.M.

(4) PARKING IN DRIVEWAYS PROHIBITED. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to prohibit parking.

(5) STREET MAINTENANCE. Whenever it is necessary to repair a Village street or any part thereof, the Director of Public Works shall post such street or parts thereof with appropriate signs prohibiting parking. Such signs shall be erected at least 2 hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.

(6) TRUCK PARKING REGULATED. (a) No person shall, at any time, park or leave standing, whether attended or unattended, and truck, trailer, truck power unit, truck tractor or road tractor, bus or recreation vehicle, weighing in excess of 10,000 pounds gross weight, or being over 23 feet in length on any Village street. (ordinance 209-91)

(b) The parking restrictions imposed by this subsection shall not apply when a vehicle is temporarily parked, solely for the purpose of loading or unloading of freight to or from the abutting premises.

(7) **REGULATION OF MOTOR VEHICLES WITH MOTOR OR REFRIGERATION UNIT RUNNING.** No person shall park or leave standing, whether attended or unattended, any motor vehicle with the motor or refrigerator unit running for more than 5 minutes within 300 feet of any residence within the Village between the hours of 10:00 P.M. and 7:00 A.M.

(8) No person shall park, stop or leave standing any vehicle whether attended or unattended for a longer continuous period than 48 hours in one place upon any street, alley, boulevard or tree bank unless vehicle is moved and reparked at least 30 feet in distance from original parking space occupied by vehicle.

7.05 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any peace officer, to a position where parking, stopping or standing is not prohibited. Any peace officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by sec. 7.09 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

7.06 ABANDONED VEHICLES. (1) **ABANDONMENT OF VEHICLES PROHIBITED.** No person shall abandon any vehicle unattended within the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.

(2) **DEFINITION.** As used in this section, "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in sec. 7.01 of this chapter, whether or not such vehicle is registered under Ch. 341, Wis. Stats.

(3) **PRESUMPTION OF ABANDONMENT.** Any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.

(4) **EXCEPTIONS.** This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village.

TRAFFIC CODE 7.06 (5)

(5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by the Village until lawfully claimed or disposed of as provided in this section. If a Village peace officer determines that towing costs and storage charges for 10 days, as provided in sub. (6) below, would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon determination by the peace officer that the vehicle is not wanted for evidence or any other reason; provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with sub. (8) below.

(6) MINIMUM IMPOUNDMENT PERIOD. The minimum period of impoundment or storage of a vehicle found in violation of this section shall be 10 days.

(7) NOTICE TO OWNER. The peace officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Clerk-Treasurer of the abandonment and location of the impounded vehicle, and shall, within 10 days thereafter, notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in 342.40(3), Wis. Stats., and shall state that the failure of the owner or lienholder to exercise his right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.

(8) SALE. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in 342.40(3), Wis. Stats.

(9) SALE TO BAR CLAIMS AGAINST VEHICLE. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.

(10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under sub. (8) above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of the actual cost of commercial storage for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.

(11) REQUEST FOR LIST. Any listing of vehicles to be sold pursuant to this section shall be made available by the Clerk-Treasurer to any interested person or organization who makes a request therefore.

(12) NOTICE TO DEPARTMENT. Within 5 days after the sale or disposition of a vehicle under this section, the Clerk-Treasurer shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.

(13) OWNER MAY FILE CLAIM. At any time within 2 years after the sale of a motor vehicle, as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Village Board setting forth such facts as are necessary to establish such ownership or interest and that the failure of the claimant to reclaim the vehicle price to the sale was not the result of the neglect or fault of claimant. If the Board is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the Village Treasury as a result of the sale of such motor vehicle for the amount of interest of the claimant therein.

(14) EXEMPTION. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from an alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Clerk-Treasurer of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Village together with a fee for the cost of towing and junking charges and shall be exempt from the provision of this section. When so requested by the owner or person in charge of a vehicle, the Clerk-Treasurer shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the contractor engaged by the Village for towing of disabled vehicles. The provisions of sub. (11) above shall apply to any vehicle removed under this subsection.

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

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

- 350.1 Definitions
- 350.2 Operation of Snowmobiles on or in the vicinity of a highway
- 350.3 Right of Way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Ordinance to be filed
- 350.5 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.6 Firearms and Bows
- 350.7 Driving Animals
- 350.8 Owner Permitting Operation
- 350.9 Head Lamps, Tail Lamps and Brakes
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.101- Operating a Snowmobile While Intoxicated
- 350.107 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

(2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to 346.04, 346.06 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1) (6), (6m), and (9), Wis. Stats.

(3) SNOWMOBILE AND OTHER OFF-HIGHWAY VEHICLE OPERATION IN VILLAGE RESTRICTED. (a) General. It shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use on private property o on the Village streets, alleys, parks, parking lots, or on an; 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 established by the Village Board.

(4) HOURS OF OPERATION RESTRICTED. No person shall operate a snowmobile anywhere within the Village between the hours of 2:00 A.M. and 6:00 A.M.

(5) PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under State law to operate such snowmobile, or who is under the influence of an intoxicant or a dangerous or narcotic drug.

(6) OPERATION WHILE UNDER INFLUENCE PROHIBITED. Section 346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.

(7) PENALTY. Any person who shall violate any of the provisions of this section shall be subject to a forfeiture as provided in sec. 25.04 of this Code.

(8) CLERK-TREASURER TO FILE SECTION. Pursuant to 350.047 Wis. Stats., the Clerk-Treasurer is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the Sauk County Sheriff's Department.

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

(1) STATE FORFEITURE STATUTES. Forfeitures for violation of 340.01 to 348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(2) STATE FINE STATUTES. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(3) LOCAL REGULATIONS. The penalty for violations of sects. 7.02 through 7.08 of this chapter shall be as provided in sec. 25.04 of this Code.

(4) PENALTY FOR PARKING VIOLATIONS. Notwithstanding and other penalty provided in this chapter, the forfeiture for parking violations other than those violations contained in the State statutes, as adopted by reference in sec. 7.01 of this chapter, shall be as hereinafter provided in addition to any costs associated with the prosecution thereof which are required or authorized by State statute or administrative regulation, as follows:

(4a) \$20.00 if paid within ten days of the issuance of the violation citation.

(4b) \$40.00 if paid after ten days of the issuance of the violation citation.

7.10 ENFORCEMENT. (1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the provisions of 345.20 to 345.53, Ch. 229 and 66.12, Wis. Stats.

(2) DUTY OF PEACE OFFICERS TO ENFORCE. Village peace officers shall enforce all the provisions of this chapter. Parking attendants are authorized to issue citations for nonmoving violations.

(3) UNIFORM CITATION. The uniform citation promulgated under 345.11, Wis. Stats., shall be used for all moving and non-moving traffic violations, except parking violations.

(4) NOTICE OF DEMERIT POINTS AND RECEIPTS. Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefore in triplicate as provided in 45.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of 3.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats.

(5) PARKING CITATIONS. Citations for all parking violations under this chapter shall conform to 345.28 WI. Stats., and shall permit direct mail payment of the applicable forfeiture to the Clerk-Treasurer within 10 days of the issuance of the citation in

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lieu of a court appearance. Overtime parking forfeitures may be deposited at the Clerk-Treasurer's office. The citation shall specify thereon the amount of the applicable forfeiture as provide in this chapter.

(6) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When a vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner, as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other state, shall be deemed to have committed the violation for the purposes of the enforcement of this section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses define and described in 346.485(5), WI. Stats., shall be a defense for an owner charged with such violation.

(7) TRAFFIC VIOLATION AND REGISTRATION PROGRAM. Pursuant to the provisions of 345.28(4), WI. Stats., the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under 85.13, WI. Stats.; such costs shall in turn be assessed against persons charged with nonmoving traffic violations. The Village Clerk shall be responsible for complying with the requirements set forth in 345.28(4), WI. Stats.

(8) DEPOSIT SCHEDULE. Every peace officer issuing a citation for any violation of this chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Village Bond Schedule, which is hereby adopted by reference.

(9) DISPOSITION OF DEPOSITS; OFFICERS TO POST BOND, QUALIFY Any peace officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Sauk County Clerk of Court within 20 days after receipt, except for parking forfeitures which shall be turned over to the Clerk-Treasurer.