

CHAPTER 6 TRAFFIC REGULATIONS

6.01 STATE TRAFFIC LAWS ADOPTED

(A) Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, described 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 Code as if fully set forth herein. Any act required be performed or prohibited by and statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to made part of this code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

(B) The following provisions of Wisconsin Statutes are hereby adopted by reference:

Deal to Have Display and Repair Facilities: 218-01 (3)(b)(f)

Motor Vehicle Salvage Dealers: 218.20 and 218.23

Motor Vehicle Auction Dealers to be Licensed: 218.30

(C) The following Chapters of the Wisconsin Administrative Code are hereby adopted by reference:

MVD 3: Trans 305.02 Federal C.D.L. Guidelines

MVD 4: Trans 302

MVD 5: Trans 305

MVD 6: Trans 325.02(7) - Not just explosives but all hazardous materials

MVD 8: Trans 308

MVD 17: Trans 300

(D) REGULATION OF NEIGHBORHOOD ELECTRIC VEHICLES (NEV) *(adopted 6/8/10)*

A Neighborhood Electric Vehicle (NEV) may be operated on any roadway that has a speed limit of 25 miles per hour or less within the boundaries of the Village of Stoddard.

- 1) A NEV may not be operated on a state highway but may cross at an intersection where the roadway crosses a state trunk highway.
 - a) Each person operating a NEV on a public street in the Village of Stoddard shall possess a valid driver's license.
 - b) Each person operating a NEV on a public street in the Village of Stoddard shall be granted all of the rights and be subject to all of the duties applicable to a driver of any motor vehicle in the State of Wisconsin, including maintaining insurance as required by State law, except as to the special regulations in this section and except as to those provisions which by their nature do not apply to the operation of a NEV.
 - c) Each person operating a NEV on a public street in the Village of Stoddard shall observe all traffic laws and local ordinances regarding the rules of the road.

6.02 THROUGH STREETS NAMED

The following streets or highways between the points named are hereby designated through highways, and it shall be unlawful to fail to comply with any stop sign placed at the entrances to such through streets:

- (A) MAIN STREET.
- (B) COTTAGE STREET TO HIGHWAY 162
- (C) PROKSCH COULEE ROAD – MAIN STREET TO DIVISION STREET:
- (D) DIVISION STREET FROM MAIN STREET (EASTERLY TO) OLD RIVER ROAD

6.03 ESTABLISHMENT OF STOPPING, STANDING, RESTRICTED ZONES, TURNING, DIRECTIONAL RULES, AND PARKING TIME LIMIT

A report and recommendation from the Vernon County Sheriff's Department stating that the public interest, convenience and necessity requires it, the Vernon County Sheriff's Department, shall forward said recommendations and their orders to the Village Board establishing Stop Signs, Yield Signs, Zones for No Stopping, Tow Away Zones, Turning Rules, Pedestrian Crossing Rules, One-Way Streets, Alleys, Parking Reserved for Handicapped Persons and Parking time Limits of all types. Such Orders shall become effective when approved by the Village Board. Upon approval by the Village Board of any such Order, the Village Board shall then arrange for erection of official signs, markers, and/or pavement painting. The placing of such signs, markers and/or painting of the pavement shall be evidence of the existence of the regulation established by the Village board and it shall be unlawful to fail to comply with said signs or pavement markings.

6.04 PARKING, STOPPING OR STANDING

- (A) KEY LEFT IN VEHICLE: Every passenger motor vehicle shall be equipped with a lock suitable to lock either the starting lever, throttle, steering apparatus, gear shift lever or ignition system. No person shall permit a motor vehicle in his custody to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift lever or ignition of said vehicle is locked and the key for such lock is removed from the vehicle.
- (B) WITH MOTOR RUNNING: No motor vehicle shall be left unattended on a public highway with the motor running. No person shall permit an attended or unattended motor vehicle to park, stop or stand for more than five (5) minutes with its motor running.
- (C) SPECIAL PARKING EXEMPTIONS: Disabled veterans and other disabled persons. An automobile or motor home having special registration plates issued under 341.14 (1a), (1m), or 1q), Wisconsin Statutes or a motor vehicle upon which a special identification card issued under 343.51, Wisconsin Statutes is displayed is exempt from any provision of this Code imposing time limitations on parking on any street or highway zone and parking lot, whether Village-owned or leased, or both Village-owned and leased. Such parking privileges granted by this subsection are limited to disabled veterans and other disabled persons to whom such special registration plates or special identification cards have been issued as provided herein and to qualified motor vehicle operators acting under the express direction of such disabled veteran or such disabled person when such disabled veteran or other such disabled person is present. Except as otherwise provided in this Code, no person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a

street, highway, or parking facility reserved for handicapped persons by official traffic signs, distinct markers or parking meters indication the restriction.

- (D) **PARKING LIMITS:** When signs or parking meters are erected in any block giving notice thereof, no persons shall park a vehicle for longer than the period specified at any time between the hours of 8:00 a.m. and 5:00 p.m. except Sundays and the following holidays:

New Years Day Easter Memorial Day Fourth of July Labor Day
Thanksgiving Day Christmas Day

- (E) **WEIGHT RESTRICTIONS:** Residential Streets. No person, firm or corporation shall operate any motor driven vehicle, farm implement, truck or tractor on any residential street within the Village which has a weight in excess of eight (8) tons.

PARKING PROHIBITED: No person shall park any truck, bus, trailer, or semi-trailer, or any combination thereof, which shall be licensed for, or which shall have a gross weight of 8,000 pounds or more, on any street or alley in the Village of Stoddard at any time during the hours of 7:00 p.m. to 5:00 a.m.

- (F) **EXCEPTIONS TO PARKING REGULATIONS:**

- (1) When a vehicle becomes disabled in such a manner or to such an extent that it is impossible to avoid stopping or temporarily leaving the vehicle in the prohibited place.
- (2) When the stopping of the vehicle is necessary to avoid conflict with other traffic or to comply with traffic regulations or the direction of a traffic officer or traffic control sign or signal.
- (3) When the stopping of a public utility vehicle is necessary for the maintenance of the utility's facilities.
- (4) A vehicle for a disabled person and displaying a special registration plate issued limits on parking with ½ hour or more limitations. Said vehicles shall be subject to all other parking restrictions.

- (G) **PARKING ON PRIVATE OR POSTED PROPERTY:**

- (1) No person may leave or park any motor vehicle on private property without the consent of the owner or lessee of the property.
- (2) Owners or lessees of public or private property may permit parking by certain persons and limit, restrict or prohibit parking as to other persons if the owner or lessee POSTS sign on the property indicating for whom parking is permitted, limited, restricted or prohibited. No person may leave or park any motor vehicle on public or private property contrary to a sign posted thereon.

The penalty for any such violation of section 6.04(G) will be that set out in the current State of Wisconsin Revised Uniform State Traffic Deposit Schedule. Also refer to Ordinance 6.06 for owner liability.

- (H) **PARKING ON STREETS**

Except as set forth in this subsection, all vehicles parking on public streets in the Village shall be parked parallel to the curb line heading in the direction of traffic on the right side of the street except that on one-way streets, vehicles may be parked on the left side of the street unless otherwise prohibited.

6.05 EMERGENCY REGULATIONS

When necessary for the cleaning, clearing or repairing of, or the removal of snow or ice from any street, or for other emergency or special conditions, the Vernon County Sheriff's Department, or their designated subordinates, is hereby authorized to make temporary regulations of traffic and parking as conditions require. Notice shall be given of any such regulations by the posting, within a reasonable time before such regulations are to become effective, of reasonably conspicuous signs or by other appropriate and convenient means.

6.06 LIABILITY OF OWNERS FOR PARKING REGULATION VIOLATIONS

When any vehicle shall have been parked in violation of any of the provisions of any ordinance prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty therefore.

6.07 ABANDONED VEHICLES

- (A) **ABANDONMENT OF VEHICLES PROHIBITED.** No person shall abandon any vehicle unattended with the Village for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.
- (B) **DEFINITION.** As used in this Section “vehicle” means a motor vehicle, trailer, semi-trailer or mobile home as defined in Section 9.01 of this Code, whether or not vehicle is registered under Chapter 341, Wisconsin Statutes.
- (C) **PRESUMPTION OF ABANDONMENT.** Any vehicle left unattended for more than 72 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.
- (D) **EXCEPTIONS.** This Section shall not apply to a vehicle in any enclosed building; a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village or a vehicle parked in a metered or paid lot or parking space where the required fee has been paid and meter activated.
- (E) **REMOVAL AND IMPONDMENT OR SALE.** Any vehicle found abandoned in violation of this ordinance shall be impounded by the Vernon County Sheriff’s Department until lawfully claimed or disposed of as provided in this section. If the Vernon County Sheriff’s Department or their duly authorized representative determines that towing cost and storage 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 that the vehicle is not wanted for any evidence or any other reason; provided that vehicles in excess of nineteen (19) model years of age shall be sold or disposed of only by auction, sale or sealed bid in accordance with subsection (H) of this section.
- (E) **MINIMUM IMPOUNDMENT PERIOD.** The minimum period of impoundment of storage of a vehicle found in violation of this Section shall be ten (10) days.
- (F) **NOTICE TO OWNER.** The officer removing or causing the removal of any vehicle found in violation of this Section shall immediately notify the Vernon County Sheriff’s Department of the abandonment and location of the impounded vehicle, and shall within ten (10) days thereafter notify the owner and lien-holders of records, by certified mail; of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in section 342.40(3), Wisconsin Statutes, and shall state that the failure of the owner or lien-holders to exercise their rights 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.

- (G) SALE. Each retained vehicle not reclaimed by the owner or lien-holder may be disposed of by sealed bid or auction as provided in Section 342.40(3), Wisconsin Statutes.
- (H) 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.
- (I) PURCHASER TO REMOVE VEHICLE. The purchase of any vehicle on sealed bid or auction sale under Subsection (G) shall have ten (10) days to remove the vehicle from the storage area upon payment of a storage fee of Ten Dollars (\$10.00) for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten (10) days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again.
- (J) NOTICE TO DEPARTMENT. Within five (5) days after a sale or disposition of a vehicle under this section, the Vernon County Sheriff's Department shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.
- (K) WINTER PARKING LIMITATIONS (November 1 through April 15). Within 48 hours after a village street has been plowed all vehicles parked on the street must be moved so that follow-up plowing may be completed. Failure to move a vehicle after the above stated 48-hour period has elapsed will result in a \$10.00 parking ticket being issued. Unless arranged otherwise, payment of the parking ticket will be due to the Village Clerk/Treasurer within 5 working days of the date the parking ticket was issued. Additional monetary penalties will assess up to a maximum of \$100.00 for non-payment of the parking ticket. If the vehicle remains parked an additional 24 hours without contacting the Vernon County Sheriff's Department, it will be towed at the owner's expense.

6.08 NOISE CAUSED BY VEHICLES.

- (A) Compression brakes are prohibited. It shall be unlawful for any vehicle equipped with compression brakes (jake brakes) to downshift and release the clutch to utilize the vehicle's engine to slow down in order to meet proper speed restrictions within the Village, except in case of extreme emergency.
- (B) No driver of any vehicle shall, by excessive and unnecessary accelerations, cause the tires of such vehicle to spin and emit loud noises or to unnecessarily throw stones or gravel.
- (C) Any person violating the provisions of the Ordinance shall have committed a traffic infraction and a penalty shall be imposed as provided in Section 6.15 of the Village of Stoddard Ordinances.

6.09 THROUGH TRAFFIC ON ALLEYS AND DRIVEWAYS PROHIBITED.

No operator of a motor vehicle shall use as a thoroughfare an alley, driveway, service drive, parking lot or any private drive or any other area not designated as a public highway.

6.10 UNUSED

6.11 UNUSED

6.12 UNUSED

6.13 STATE SNOWMOBILE LAWS ADOPTED.

- (A) Except as otherwise specifically provided in this Section, 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 hereof as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this ordinance.

- 350.01 (Definitions)
- 350.02 (Operation of Snowmobiles on or in the Vicinity of a Highway)
- 350.03 (Right of Way)
- 350.04 (Snowmobile Races, Derbies and Routes)
- 350.045 (Public Utility Exemptions)
- 350.05 (Operation of Youthful Operators Restricted)
- 350.055 (Safety Certification Program Established)
- 350.06 (Firearms and Bows)
- 350.07 (Driving Animals)
- 350.08 (Owner Permitting Operation)
- 350.09 (Head Lamps, Tail Lamps and Brakes)
- 350.10 (Miscellaneous Provisions for Snowmobile Operation)
- 350.12 (Registration of Snowmobiles)
- 350.13 (Uniform Trail Signs and Standards)
- 350.15 (Accidents and Accident Reports)
- 350.17 (Enforcement)
- 350.19 (Liability of Landowners)
- 346.02(10) (Applicability of Rules of Road to Snowmobiles)

The adoption of Section 346.02(10) of the Wisconsin Statutes by reference intended to include the rules of the road therein enumerated which are as follows:

346.04, 346.06, 346.11, 346.14(1), 346.18 to 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46 to 346.48, 346.50(1) (b), 346.51 to 346.55, 346.87 to 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9).

- (B) No person shall operate or park a snowmobile upon any public Village right of way to include any highway, street or alley, in any public park, or on any municipal property in the Village of Stoddard, except, a person may operate a snowmobile on a public street or alley solely for the purpose of loading and unloading a snowmobile on to a carrying trailer, truck or other means of transportation of the snowmobile.
- (C) No person shall operate any snowmobile in the Village limits from 11:00 p.m. to 7:00 a.m. Provided, however if an operator commences to return with the snowmobile from the place of operation prior to 11:00 p.m., such operator shall not be in violation of this ordinance in returning directly to his home with said vehicle after 11:00 p.m.
- (D) Snowmobiles will be equipped with a muffler and if equipped with a “cutoff”, the muffler shall be used within the Village of Stoddard limits.
- (E) No person shall operate a snowmobile within the Village in any public or private place in such a manner as to make or cause to be made any loud, disturbing or unnecessary noise or noises such as may tend to annoy or disturb another in or about any public street, alley, park or private residence within the Village.
- (F) Routes. The following streets or portions thereof are designated snowmobile routes:
 - a. Broadway Street – beginning at Oak Street and ending at State Hwy 35
 - b. Cottage Street – beginning at Broadway Street and ending at Center Street
 - c. Center Street – beginning at Cottage Street and ending at State Hwy 35

6.14 UNUSED

6.15 PENALTIES

- (A) Any person violating any provision of this Chapter, except as provided in Subsection(B) hereunder, including those provisions of the Wisconsin Statutes or other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than \$50.00 nor more than \$500.00 and the costs of prosecution, and in default of payment of such forfeiture and the costs of prosecution shall be imprisoned in the County Jail until payment of such forfeiture and the costs of prosecution, but not exceeding ninety (90) days for each violation, provided, however, that in no case shall the forfeiture imposed for a violation of any provision of this Section exceed the maximum fine for the same offense under the laws of the State of Wisconsin.

- (B) The Vernon County Sheriff's Department uses current bond schedule, State of Wisconsin Revised Uniform State Traffic Deposit Schedule.