

## CHAPTER 7

### TRAFFIC CODE

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
7.01	Provisions of State Law Adopted by Reference		
7.02	Speed Limits	2006-19	1/16/07
7.03	Through Streets and Stop Sign Intersections	2007-09-S	8/21/07
7.04	Parking, Stopping and Standing Regulated	2001-36 2005-06 2006-11 2007-10 2008-01 2008-02 2008-12	11/6/01 10/05/05 06/06/06 09/04/07 02/05/08 02/05/08 07/15/08
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**7.01 PROVISIONS OF STATE LAW ADOPTED BY REFERENCE.**

- (1) **STATE TRAFFIC FORFEITURE LAWS ADOPTED.** (Am. #089-2; #95-0; #096-10) Except as otherwise specifically provided in this chapter, all provisions of Chs. 340–348, Ch. 350 and §23.33, Wis. Stats., and Ch. Trans 305, Wis. Adm. Code, and all amendments thereto, describing and defining regulations with respect to vehicles, traffic, snowmobiles and all-terrain vehicles for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, except §346.56, Wis. Stats., are hereby adopted by reference and 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. Future amendments, revisions or modifications of the state statutes or administrative code incorporated herein are intended to be made a part of this Municipal Code.
- (2) **OTHER LAWS ADOPTED.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this chapter shall be as provided in Chs. 340–348, Wis. Stats., and the penalty for violation thereof shall be limited to a forfeiture as provided in this chapter:

86.06(1) Highways Closed to Travel

941.01(1) Negligent Operation of Vehicles Off-Highway

**7.02 SPEED LIMITS.**

- (1) **STATE SPEED LIMITS ADOPTED.** The provisions of §§346.57, 346.58 and 346.59, Wis. Stats., relating to the maximum and minimum speeds of vehicles are hereby adopted as a part of this section as if fully set forth herein, except as specified by sub. (2) of this section.
- (2) **MODIFICATIONS OF SPEED LIMITS.** The speed limits upon the following portions of streets and highways in the Village are hereby established as follows:

DURAND AVE. (Hwy. 11), 30 mph from a point 0.21 of a mile east of its intersection with 86th St. westerly to 0.20 of a mile west of its intersection with 99th St.

DURAND AVE. (Hwy. 11), 45 mph easterly from point 0.3 west of 105th St. Hwy. H extension to 0.20 of a mile east of that intersection.

DURAND AVE. (Hwy. 11), 45 mph from a point 0.20 of a mile west of its intersection with 99th St. westerly to a point 0.40 of a mile west of its junction with 99th St.

WISCONSIN ST. (Cr. #092-11), 30 mph from its intersection with Durand Avenue. (Hwy 11) north to a point 0.25 of a mile north of its intersection with the centerline of Park Ct. 35 mph from a point of 0.25 of a mile north of its intersection with the centerline of Park Ct. to its intersection with Hwy 20.

WISCONSIN ST. (Cr. #092-11), 35 mph from its intersection with Hwy 20 south to a point 0.25 of a mile north of its intersection with the centerline of Park Ct. 30 mph from a point 0.25 of a mile north of its intersection with the centerline of Park Ct. south to its intersection with Durand Ave. (Hwy 11).

**7.03 THROUGH STREETS AND STOP SIGN INTERSECTIONS.**

- (1) In the interest of public safety and pursuant to Wis. Stats sec. 349.07, the streets or portions thereof, and the intersections, designated in this section are declared to be through streets and stop intersections, and traffic signs or signals giving notice thereof shall be erected by the Department of Public Works.
- (2) The following streets and intersections shall be through streets or stop intersections, except that at intersections where traffic control signals are in operation, traffic shall operate in accordance with such traffic control signals:

(a) Through streets:

DURAND AVENUE, from the Village limits on the east to the Village limits on the west.

MICHIGAN AVENUE, from 90<sup>th</sup> Street to Wisconsin Street

WISCONSIN STREET, from Durand Avenue to the Village limits on the north.

(b) Stop Intersections:

<b>Right-of-Way Traffic On</b>	<b>Stop Sign Facing Traffic On</b>
86th Street	Buckingham Drive
86th Street	Westbrook Drive
87th Street	Corliss Avenue
90th Street	Boys Drive
90th Street	Carol Ann Drive
90th Street	Charles Street
90th Street	Chickory Creek Drive
90th Street	Citadel Terrace

90th Street	Corliss Avenue
90th Street	Florence Drive
90th Street	Hulda Drive
90th Street	Lori Lane
90th Street	Majestic Hills Drive
90th Street	Michigan Avenue
<b>Right-of-Way Traffic On</b>	<b>Stop Sign Facing Traffic On</b>
90th Street	Rayne Road
91st Place	Chickory Creek Drive
92nd Street	Corliss Avenue
92nd Street	Florence Drive
92nd Street	Mt. Pleasant Avenue
93rd Street	Chandler Avenue
93rd Street	Hulda Drive
94th Street	Angelica Drive
94th Street	Corliss Avenue
95th Street	Chandler Avenue
96th Street	Corliss Avenue
97th Street	Chandler Avenue
97th Street	Grayce Drive
97th Street	Mt. Pleasant Avenue
97th Street	Valley Drive
98th Street	Chandler Avenue
98th Street	Mt. Pleasant Avenue
98th Street	Valley Drive
Angelica Drive	92nd Place
Braun Road	Citadel Terrace
Braun Road	Willow Road
Broadway Drive	93rd Street
Broadway Drive	Buckingham Road
Broadway Drive	Crown Pointe Crossing
Buckingham Road	Coventry
Carol Ann Drive	92nd Street
Chandler Avenue	91st Street
Chandler Avenue	92nd Street
Chandler Avenue	94th Street
Corliss Avenue	89th Street
Corliss Avenue	91st Street
Corliss Avenue	93rd Street
Corliss Avenue	95th Street
Corliss Avenue	97th Street
Crown Pointe Crossing	Camelot Trace
Crown Pointe Crossing	Ivanhoe Place

Crown Pointe Crossing	Kingsway Lane
Crown Pointe Crossing	Queensbury Lane
Cty Hwy H	Braun Road
Durand Avenue	86th Street
Durand Avenue	87th Street
Durand Avenue	91st Street
Durand Avenue	92nd Street
Durand Avenue	93rd Street
Durand Avenue	94th Street
Durand Avenue	95th Street
Durand Avenue	96th Street
Durand Avenue	97th Street
Durand Avenue	99th Street
<b>Right-of-Way Traffic On</b>	<b>Stop Sign Facing Traffic On</b>
Durand Avenue	Commercial Street
Durand Avenue	West Road (For Right Turn)
Durand Avenue	Wisconsin Street
Foxhaven Chase	Contessa Drive
Foxhaven Chase	Crown Pointe Crossing
Foxhaven Chase	Princeton Way
Hulda Drive	91st Street
Hulda Drive	92nd Street
Hulda Drive	95th Street
Hulda Drive	96th Street
Kennedy Drive	Westminister Drive
Kennington Square Road	Camelot Trace
Kennington Square Road	Ivanhoe Place
Kennington Square Road	Kingsway Lane
Kennington Square Road	Queensbury Lane
Loumos Court	Westbrook Drive
Majestic Hills Drive	Contessa Drive
Majestic Hills Drive	Crown Pointe Crossing
Majestic Hills Drive	Princeton Way
Michigan Avenue	91st Street
Michigan Avenue	92nd Street
Michigan Avenue	93rd Street
Michigan Avenue	94th Street
Michigan Avenue	95th Street
Michigan Avenue	96th Street
Michigan Avenue	97th Street
Mt. Pleasant Avenue	91st Street
Mt. Pleasant Avenue	94th Street
Rayne Road	92nd Street

Rayne Road	96st Street
Renaissance Boulevard	Amerigo Avenue
Renaissance Boulevard	Exploration Court
Renaissance Boulevard	Science Drive
Renaissance Boulevard	Stellar Avenue
Renaissance Boulevard	Un-named Road
Renaissance Boulevard	Venice Avenue
Renaissance Boulevard	West Road
Washington Avenue	90th Street (For Right Turn)
Washington Avenue	92nd Street
Washington Avenue	96st Street
Washington Avenue	Hastings Court
Washington Avenue	West Road
West Road	Amerigo Avenue
Westminister Drive	Kennington Square Road
Willow Road	Foxhaven Chase
Willow Road	Majestic Hills Drive
Wisconsin Street	Charles Street
Wisconsin Street	Corliss Avenue
Wisconsin Street	Hallock Drive
<b>Right-of-Way Traffic On</b>	<b>Stop Sign Facing Traffic On</b>
Wisconsin Street	Michigan Avenue
Wisconsin Street	Park Court
Wisconsin Street	Rayne Road

(c) All Way Stop Intersections:

86th Street and Westminister Drive
90th Street and Braun Road
90th Street and Broadway Drive
90th Street and Mt. Pleasant Avenue
93rd Street and Carol Ann Drive
93rd Street and Mt. Pleasant Avenue
94th Street and Broadway Drive
97th Street and Broadway Drive
97th Street and Hulda Drive
Broadway Drive and Kennington Square Drive
Broadway Drive and Willow Road

Buckingham Road and Mt. Pleasant Avenue  
 Coventry and Kennedy Drive  
 Foxhaven Chase and Kennsington Square Road  
 Kennsington Square Road and Majestic Hills Drive

**7.04 PARKING, STOPPING AND STANDING REGULATED.**

(1) **PARKING PROHIBITED.** No person shall park, stop or leave standing any vehicle, except in obedience to traffic regulations, signs or signals, whether such vehicle is occupied or not, in any of the following places:

- (a) In any public alley within the Village, except for the purpose and time required to load and unload passengers or materials.
- (b) When signs are erected in any block giving notice thereof upon any of the following streets or portions of streets:

**ALL CONNECTING STREETS.** (Cr. #092-4) All connecting streets with 90th St. and Hwy 11 (Durand Ave.) a distance of 50' from its intersection with 90th St. and Hwy 11 (Durand Ave.)

**BUS STOPS.** Any time within 50' of an authorized bus stop sign which has been placed by the Village.

**DURAND AVE.** (Hwy 11), either side, from 86th St. west to West Rd.

**DURAND AVE.** (Hwy 11), right hand lane, no stopping or waiting to enter car wash located at 9524 Durand Ave.

**HALLOCK DR.,** south side, from Wisconsin St. to a point 465.63' running east on Hallock.

**HIGHWAY 11,** either side, from 97th St. west to the Milwaukee Road right-of-way.

**HULDA DR.,** north side, from 95th St. east to the South Park limits from April 1 to October 31.

MICHIGAN AVE., south side, from the alley between 96th St. and 97th St. west to 97th St.

PARK CT., north side, from Wisconsin St. to a point 395' running east on Park Ct.

VALLEY ST., south side, between 97th St. and 98th St.

WESTMINSTER DRIVE, north side, from 86<sup>th</sup> Street to a point 30' west from the corner on Westminster Drive.

WISCONSIN ST. (Hwy H), west side, from Durand Ave. (Hwy 11) to a point 150' north on Wisconsin St.

WISCONSIN ST. east side, in front of the U.S. Post Office premises at 2849 Wisconsin St. from Corliss Avenue to a point 70' north of corner and from Michigan Avenue to a point 25' south of corner and between these two points there shall be 15 minute parking only Monday through Friday 8:00 a.m. to 5:00 p.m.

WISCONSIN ST. (Hwy H), east side from Durand Ave. (Hwy 11) to a point 53' north on Wisconsin St.

90TH ST., west side, from Florence Dr. to a point 95' north on 90th St.

90TH ST., east and west side, south from its intersection with Hwy 11 (Durand Ave.) a distance of 225'. (Cr. #092-4)

92ND ST., west side from Washington Ave (Hwy 20) south to Rayne Road.

95TH ST., east side, from Mt. Pleasant St. to Hulda Dr. from April 1 through December 1.

99TH ST., east side, from Durand Ave. (Hwy 11) north to the end of the street.

East Exploration Court. Any where on East Exploration Court, on either side of the street.

- (2) **HEAVY VEHICLES PROHIBITED FROM PARKING.** No Person, firm or corporation shall park any truck as hereinafter defined upon any public street, highway or alley within the confines of the Village for a period of time exceeding one hour, unless the truck is actually being used for delivery or picking up goods, or is necessary in the conduct of the truck owner's work being actually carried on by

the owner upon the property abutting the street where the truck is parked and the parking thus allowed shall be limited to the time of the delivery or pickup of goods or during the period while work is actually being performed. For purposes of this section, a truck defined as being any motor vehicle, other than a passenger car, designed for and capable of carrying loads in excess of one ton. The restriction set forth in this section shall in no way apply to vehicles commonly known as pickup, panel trucks (van) or station wagons.

- (3) **TWENTY-FOUR HOUR PARKING PROHIBITED.** No person shall park, stop or leave standing any motor vehicle or non-motorized vehicle including trailers, boats or campers etc. whether capable of functioning or not, within the Village upon any public street, highway, alley or in any municipal parking lot which is open to the public or other area rented or owned by the Village in one place continuously for longer than a period of 24 hours consecutively. This provision does not apply to the Sturtevant Depot parking lot.

It is the intent and purpose of this section to prevent congestion on the streets, highway and alleys of the village due to the parking of vehicles for an unreasonable length of time. Mere transfer of position of the stated above items from one parking space to another in the vicinity shall not circumvent application to this section.

- (4) **DECLARATION OF SNOW EMERGENCY AND PARKING REGULATIONS.**

- (a) Whenever snow falls during any 24 hour period to a depth of four (4) inches or more or a situation exists resulting in freezing rain resulting in ice accumulations throughout the Village of 1/8" or more, then such storm constitutes a serious public hazard impairing public transportation, public safety, and safe operations within the Village of Sturtevant and a snow emergency declaration can be issued at any time by either the Village President, Village Administrator, Public Works Committee Chairperson or a designated representative.
- (b) A snow emergency will remain in effect until such time as snowplowing or salting operations have been declared completed by the Department of Public Works Director or his/her designated representative.
- (c) Whenever such an emergency is declared, the Police Department shall issue an announcement to not less than two (2) radio or television broadcast stations whose normal operating range includes the Village of Sturtevant.
- (d) No person shall park, stop, or leave standing any vehicle upon any public street, highway, or alley within the Village during the emergency except for vehicles loading or unloading of passengers or property and provided that no

- other parking ordinance is violated for a period not to exceed 15 minutes. The provisions of this paragraph shall not apply to physicians on emergency calls.
- (e) Any vehicle which is illegally parked on any street or alley may be moved by or under the direction of any police officer and the cost of moving and storage of such vehicle shall be added as a cost to the penalty assessed for the illegal parking of such vehicles.
- (5) **STANDING, STOPPING OR PARKING PROHIBITED DURING STATED HOURS.**
- (a) Standing, stopping or parking shall be prohibited between 7:00 AM and 3:30 PM on school days on the south side of Westminster Drive along the property between the driveways belonging to Racine Unified School District #1.
- (b) Parking shall be prohibited except for dropping off passengers between 7:00 AM and 8:00 AM on school days on the south side of Westminster Drive from the western driveway of Racine Unified School District #1 property to a point 120' west and from the eastern driveway to a point 165' east on the south side of Westminster Drive.
- (c) Parking shall be prohibited except for dropping off passengers between 7:00 AM and 8:00 AM on school days on the west side of 86<sup>th</sup> Street from Westminster Drive to a point 90' north from the corner on 86<sup>th</sup> Street.
- (6) **USE OF FLASHING RED WARNING LIGHTS BY SCHOOL BUS OPERATORS.** School bus operators shall use flashing red warning lights as provided in §346.48, Wis. Stats., in any and all residence and business districts within the Village whenever pupils or other authorized passengers are being loaded or unloaded at a location where there are no traffic signals and where any such persons must cross the street or highway before being loaded or after being unloaded. The operator of a vehicle which approaches from the front or rear of any such school bus shall stop as provided in §346.48, Wis. Stats.
- (7) **ALTERNATE SIDE PARKING.** (Cr. 697-3)
- (a) **General Prohibition.** From December 1 through March 31, no person shall park, stop or leave standing any vehicle on any public street in the Village of Sturtevant, between the hours of 12:00 a.m. and 6:00 a.m., Sunday through Saturday.
- (b) **Exceptions.** This prohibition shall not apply to the following:

1. The even-numbered side of any street on the morning of any even-numbered day.
  2. The odd-numbered side of any street on the morning of any odd-numbered day.
  3. Any street which is posted to provide for different parking restrictions.
  4. Hawthorne Circle (all addresses are odd numbered).
- (c) Notwithstanding the seasonal limitation set forth in subsection (a), those sections of Buckingham Drive and Buckingham Road between 86<sup>th</sup> Street and Mt. Pleasant Avenue shall be subject to the alternate side parking restrictions set forth at all times, with parking permitted on alternate sides of the street at 24 hour intervals beginning at 8:00 a.m. At 8:00 a.m. on an even numbered day parking will be allowed on the even side of the street until 8:00 a.m. the following day. At that time, parking will be allowed on the odd numbered side until 8:00 a.m. the next day. This will allow for alternate side parking daily, except in the event a month ends on an odd number, which will result in two odd numbered parking days in a row.

#### **7.05 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES.**

- (1) **HEAVY TRAFFIC ROUTES DESIGNATED.** The following named streets and portions of streets are hereby designed and declared to be routes for heavy traffic:

DURAND ST., from east Village limits to the west Village limits.

MICHIGAN AVE., from 90th St. to Wisconsin St.

WISCONSIN ST., from Durand Ave. to north Village limits.

86TH ST., from Durand Ave. to Westminster.

90TH ST., from Village limits on the south to Hwy 20.

96TH ST., from Michigan Ave. to Durand Ave.

- (2) **RESTRICTIONS ON USE OF OTHER STREETS BY HEAVY TRAFFIC.** No person without a permit issued under Section 17.19(6) of this Municipal Code shall operate or move a vehicle that is defined as heavy traffic in §349.17(2), Wis. Stats., excluding recreation vehicles such as motor homes and campers, on any street or

alley not a part of the heavy traffic route designated in sub. (1) of this section in the Village, except for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from a place of business or residence which has an entrance on such street or alley, provided that in no event shall the weight of the vehicle and load exceed the limitations of §348.15 or §348.16, Wis. Stats., pertaining to Class A and Class B highways.

#### **7.06 OFFICIAL SIGNS AND SIGNALS.**

The Village Board shall direct and procure the erection and maintenance of appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving notice of the provisions of this chapter. Signs shall be erected in such locations and manner as authorized by the Board as to give adequate warning to users of the street, alley or highway in question. No provision of such sections shall be enforced unless and until such signs are erected and in place and sufficiently legible to be seen by an ordinarily observant person.

#### **7.07 BICYCLES.**

- (1) **REGISTRATION REQUIRED.** No person shall operate a bicycle upon any street in the Village unless such bicycle is registered and tagged as herein provided.
- (2) **APPLICATION.** Registration shall be made by filing with the Police Department the name and address of the owner, together with a complete description of the bicycle, on forms provided by the Department and paying the registration fee, if any, as may be set by resolution of the Village Board. Registrations shall be serially numbered and kept on file in the Department as a public record. Upon such registration the Department shall cause an identification tag to be affixed to the bicycle registered, serially numbered to correspond to the registration number. Such tag shall remain affixed to the bicycle unless removed by the Department for cause or the re-tagging upon re-registration. In case of theft or loss of the tag, a duplicate tag shall be issued for such amount, if any, as may be set by resolution of the Village Board.
- (3) **TERM AND FEES.** Registration shall be valid for the life of the bicycle or as long as the registered owner continues to own the bicycle, whichever is sooner.
- (4) **REMOVAL OR SUSPENSION.** No bicycle shall be registered which is in unsafe mechanical condition. The Police Department shall have authority to suspend the registration of and remove the identification tag from any bicycle operated contrary to any State law or Village ordinance or operated while in unsafe mechanical condition or in an unsafe manner, such suspension or removal to continue for a

period not to exceed 10 days, provided that such registration shall not be reinstated or such identification tag be placed while such bicycle is in unsafe mechanical condition. Such suspension and removal shall be in addition to other penalties provided hereunder.

- (5) **REMOVAL, ETC. PROHIBITED.** No person shall willfully remove, deface or destroy any such identification tag.
- (6) **TRANSFER OR CANCELLATION.** Within 10 days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of service or operation, the person in whose name the bicycle has been registered shall report such information to the Police Department. In case of change of ownership the registration shall thereupon be changed to show the name of the new owner. In case of dismantling and taking out of service or operation, the registration shall be cancelled and identification tag returned to the Police Department.
- (7) **BICYCLE REGULATIONS.**
  - (a) **Definitions.** For the purpose of this section, "bicycle" shall mean those bicycles having larger than a 20" wheel and a 12" frame.
  - (b) **Speed Limit.** No person shall ride a bicycle on the streets of the Village at a speed greater than that which is reasonable and prudent under the conditions then and there existing.
  - (c) **Riding on Sidewalk Prohibited.** No person shall ride a bicycle in, upon or over the sidewalks or through the parks of the Village.

#### **7.08 SNOWMOBILE REGULATIONS.**

- (1) **USE PERMITTED.** Snowmobiles shall only be operated within the Village along the snowmobile routes hereafter designated for purposes of obtaining ingress and egress to and from locations within the Village and to and from the boundaries of the Village; provided, however, that snowmobiles may be operated on snowmobile trails established under Ch. 350, Wis. Stats.
- (2) **SNOWMOBILE ROUTES.** (Am. #87-5) All Village streets, except Highway 11, Wisconsin St., 90th St. and that portion of Mt. Pleasant St. west of 97th St., are snowmobile routes. A snowmobile may cross Highway 11, Wisconsin St. and 90th St. on a marked snowmobile trail only. Snowmobiles may only travel with the flow of vehicle traffic on Village streets.

- (3) **SPEED LIMITS.** No person shall operate a snowmobile at a speed greater than 5 mph within the Village.
- (4) **RESTRICTIONS ON OPERATORS.** No person under the age of 16 years shall operate, nor shall any owner knowingly authorize such person to operate, a snowmobile on the streets within the Village unless such person has a valid snowmobile safety certificate issued by the Department of Natural Resources or is accompanied by a person over 18 years of age or by a person over 14 years of age having a snowmobile safety certificate.
- (5) **TRAFFIC RULES.** Unless inconsistent with this section or the Wisconsin laws applicable to snowmobiles, all traffic rules and regulations set forth in this chapter shall apply while operating a snowmobile on the streets within the Village.
- (6) **CURFEW.** (Am. #87-5) No person shall operate a snowmobile on any street or in any park in the Village between 11 p.m. and 6 a.m. Monday through Thursday and between 1:30 a.m. and 6 a.m. Friday through Sunday.
- (7) **PASSING.** No operator of a snowmobile shall pass moving vehicles, and all snowmobiles shall travel in a single file on streets in the Village. All snowmobile traffic shall be restricted to the curbline, except when it is necessary to go around an obstruction, and shall conform to the flow of traffic.
- (8) **ACCIDENTS AND ACCIDENT REPORTS.**
  - (a) Insofar as he is capable of doing, the operator of a snowmobile involved in an accident within the Village shall stop his vehicle and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.
  - (b) If the snowmobile accident results in death or injury to any person or total property damage in excess of \$25, every operator of a snowmobile involved in such accident shall, within 24 hours, notify the Village Police Department of the accident and shall, within 10 days after the accident, file a written report thereof with the Police Department on forms prescribed by the Department.
  - (c) If the operator of a snowmobile is physically incapable of making the report required by this subsection and there was another person on the snowmobile at the time of the accident capable of making the report, he shall make such report.

- (9) **OPERATION ON PRIVATE PREMISES RESTRICTED.** (Am. #87-5) No person shall operate a snowmobile on any private property not owned or controlled by him within the Village without the express consent or permission of the owner of the property. No person shall operate a snowmobile in any Village park, alleys or Village property.
- (10) **OPERATION ON SIDEWALKS AND MALLS PROHIBITED.** No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the Village.

### **7.09 MOTOR DRIVEN CYCLES.**

- (1) **PUBLIC POLICY.** The Village Board finds that the operation of motor driven cycles near residences within the Village is detrimental to peace, quiet and wellbeing of the Village and its residents in that such vehicles create a high degree of noise, disturbing the persons who live in the vicinity, including workers and children who are attempting to obtain needed sleep. The Village Board further finds that such activities are mostly engaged in for recreational purposes by younger persons who are not licensed to travel upon the public highways.
- (2) **DEFINITIONS.** For the purpose of this section, the following definitions shall apply:

Motor Driven Cycle. (Am. #089-3) A motor vehicle designed to travel on not more than 3 wheels in contact with the ground and having a seat for the use of the rider, including motorcycles, minibikes, power driven cycles and motor bicycles, but excluding tractors and all-terrain vehicles.

Muffler. A device consisting of a series of chambers of baffle plates or other mechanical design for receiving exhaust gases from an internal combustion engine and which is effective in reducing noise.

Residence. Any building within or without the Village which is occupied by one or more persons as a living quarters.

- (3) **OPERATIONS REGULATED.** No person shall operate a motor driven cycle in the Village within 300' of a residence, except for the following:
- (a) Operation on a public highway or public right-of-way.
  - (b) Operation within 300' of a residence for the limited purpose of entering or leaving private land upon which the operator has a right to be, as for example, entering and leaving one's own driveway.

- (c) Operation within 300' of a residence, if the operator is test driving on the premises of one engaged in the business of buying or selling motor driven cycles, but only if the operator is a prospective buyer or seller of the motor driven cycle being operated.
- (4) **MUFFLER REQUIRED.** No person shall operate a motor driven cycle in the Village unless it is equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise or annoying smoke.
- (5) **PENALTY.** Any person who shall violate any of the provisions of this section shall upon conviction forfeit not more than \$1,000 nor less than \$25 and the costs of prosecution, or in default of payment of such forfeiture and costs shall be imprisoned in the county jail for a period not to exceed 60 days for each and every offense.

#### **7.10 DISORDERLY CONDUCT WITH A MOTOR VEHICLE.**

- (1) No vehicle shall be operated in such manner as to produce loud and unnecessary squealing of tires.
- (2) No vehicle shall sound its horn, bell or other signaling device except as a danger or cautionary warning. Such warning shall only be sounded for a reasonable and necessary period of time.
- (3) No person shall race the engine of a vehicle in such a manner as to produce unreasonably loud and unnecessary engine noises.
- (4) In addition to the above, all sections within this chapter will be applied to motor vehicles where applicable.

#### **7.11 OBSTRUCTION OF STREETS AND HIGHWAYS BY TRAINS.**

- (1) No person shall stop or leave any railroad train, locomotive or car upon or across any highway or street crossing in the Village for longer than 10 minutes.
- (2) No person shall operate or permit to be operated any railroad train, locomotive or car upon or across any highway or street crossing in the Village to the obstruction of public traffic thereon for a longer period of time than 10 minutes.

- (3) No person shall obstruct any highway or street crossing in the Village for a continuous period of time of more than 10 minutes by the operation of more than one train or locomotive over the same crossing.
- (4) Any conductor, engineer or brakeman so stopping, standing or operating any engine or train on any highway or street crossing in violation of this section shall be subject to a forfeiture for each violation of not less than \$25 nor more than \$1,000, and the person or corporation owning or operating any such railroad train, engine or car shall be subject to a forfeiture for each violation of not less than \$100 nor more than \$1,000.

### **7.12 LEAVING KEYS IN PARKED MOTOR VEHICLES PROHIBITED.**

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 or ignition of such vehicle is locked and the key for such lock is removed from the vehicle. The foregoing provisions shall not apply to motor vehicles operated by common carriers of passengers under Ch. 194, Wis. Stats.

### **7.15 PENALTY.** (Am. MSC '91)

The penalty for violation of any provisions of this chapter shall be a forfeiture and penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §302.46(1), Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats.

- (1) **UNIFORM OFFENSES.** (Am. #095-9) Forfeitures for violation of any provisions of Chs. 341–348, Ch. 350, or §23.33, Wis. Stats., or Ch. Trans. 305, Wis. Adm. Code, adopted by reference in Section 7.01, except for violations of §§346.50–346.55, Wis. Stats., shall conform to forfeitures for violation of the comparable state offenses, including any variations or increases for second offenses.
- (2) **SPECIAL LOCAL REGULATIONS.** The forfeiture for violation of provisions of this chapter for which a penalty is not provided shall be not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the second or subsequent conviction within a year.
- (3) **MISCELLANEOUS.** The forfeiture for violation of any provision of Section 7.01(2) shall not be less than \$50 nor more than \$500.
- (4) **PARKING.** The forfeiture for violation of parking regulations in Section 7.04 and for violations of Sec. 346.50-346.55 Wis. Stats., adopted by reference in Section 7.01(1) of this chapter, shall be not more than \$150.

- (5) **BICYCLE REGULATIONS.** The forfeiture for violation of any provision of Section 7.07 shall be not less than \$1 nor more than \$25. Juvenile violators may be referred to Racine County Juvenile Court.
- (6) **SNOWMOBILE REGULATIONS.** The forfeiture for violation of any provision of Section 7.08 shall not be less than \$10 nor more than \$1,000.
- (7) **COMPULSORY SAFETY SCHOOL ATTENDANCE.** The provisions of §345.60, Wis. Stats., shall apply to adjudications of violations of any provision of this chapter.

**7.16 ENFORCEMENT.** (Am. MSC '91; #095-9)

This chapter shall be enforced in accordance with the provisions of §§345.20–345.53, Ch. 800, and §66.12, Wis. Stats., and Ch. Trans. 305, Wis. Adm. Code.

- (1) **CITATIONS.** The uniform traffic citation promulgated under §345.11, Wis. Stats., shall be used for all moving traffic violations under this chapter. Citations for all nonmoving traffic violations shall conform to §345.28, Wis. Stats., and shall permit direct mail payment of the applicable deposit to the Village Police Department within 10 days of the issuance of the citation in lieu of court appearance.
- (2) **PETITION TO REOPEN JUDGMENT.** Whenever a person has been convicted in this State on the basis of a forfeiture of deposit or a plea of guilty or no contest and the person was not informed as required under §345.27(1) and (2), Wis. Stats., the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. If the court finds that the petitioner was not informed as required under §345.27(1) and (2), the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.
- (3) **DEPOSITS.**
  - (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the Village Police Department or the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
    - 1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the

person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and penalty assessment if required by §165.87, Wis. Stats., a jail assessment if required by §302.46(1), Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats., not to exceed the amount of the deposit that the court may accept as provided in §345.37, Wis. Stats.

2. If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his arrest.
  - (b) The amount of the deposit shall be determined in accordance with the State of Wisconsin Revised Uniform State Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under §165.87, Wis. Stats., a jail assessment if required by §302.46(1), Wis. Stats., and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Chief of Police, which shall include the penalty assessment established under §165.87, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.
- (4) NOTICE OF DEMERIT POINTS AND RECEIPT. Every person accepting a forfeited penalty or money deposit under this chapter shall receipt therefor as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §§343.28 and 345.26(1)(a), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the traffic citation promulgated under §345.11, Wis. Stats.
- (5) FORFEITURES IN TREASURY. Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Village Clerk/Treasurer within 7 days after receipt.