

CHAPTER 7
TRAFFIC CODE

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7.01 **STATE TRAFFIC LAWS ADOPTED.** Except as otherwise specifically provided in this chapter, the statutory provision in Ch. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, and Ch. 350, Wis. Stats., with respect to snowmobiles, inclusive 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 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 statewide regulation of traffic on the highways, streets and alleys of the State.

7.02 **OFFICIAL TRAFFIC MAP & CONTROL DEVICES; PROHIBITED SIGN, SIGNALS AND MARKERS**

(1) **DUTY OF POLICE CHIEF TO ERECT & INSTALL UNIFORM TRAFFIC CONTROL DEVICES.** Whenever traffic regulations created by this code including a State of Wisconsin traffic regulation adopted by reference in 7.01, require the erection of traffic control devices for enforcement, the Police Chief 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 such 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 Police Chief will carry out the purposes of this code and give adequate warning to users of the streets and highways of the Village of Valders.

(2) **CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES.** The Police Department shall cause to be placed on each official traffic control sign, guide board, mile post signal or marker erected under 7.01 a code number assigned by the Wisconsin Department of Transportation, and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.

(3) **OFFICIAL TRAFFIC MAP ESTABLISHED.**

(a) **Official Traffic Map Established.** There is hereby established an Official Traffic Map for the Village of Valders upon which shall be indicated no parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings and all other restrictions or limitations contained in this code, as from time-to-time amended or modified by the Village Board of Valders when the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations.

(b) **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 code.

(c) **Map to be Maintained.** A Copy of the Official Traffic Map shall be maintained and displayed in the office of the Police Department and Manitowoc County Circuit Court.

(d) Additions To Map. The Village Board of Valders may from time to time make additions to or deletions from the Official Traffic Map and the Police Chief shall keep such Official Traffic Map current.

(4) PROHIBITED SIGNS & MARKERS IN HIGHWAYS. No person, other than an officer authorized by this code to erect and maintain official traffic control devices or his or her designee, shall place within the limits of any street or highway maintained by the Village of Valders any sign, signal, marker, mark or monument unless permission is first obtained from the Police Chief of the Village of Valders or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of these subsections shall be subject to removal as provided in section (5).

(5) REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES. The Police Chief may remove any, sign, signal, marking or other device which is placed, maintained or displayed in violation of this code or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marking or device shall be reported by the Police Chief, to the Village Board of Valders 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 **CERTAIN PARKING RESTRICTIONS.**

(1) CERTAIN VEHICLE TYPES.

(a) No person shall park a vehicle having a combined vehicle load weight exceeding 10,000 lbs. for more than one hour in any 24 hour period on any street in the Village, except for the purpose of obtaining orders, moving or delivering supplies or commodities to or from a place of business or residence.

(b) No person shall park on any street any type of trailers, designed to be pulled, on any street for a period of more than 48 hours, unless specific permission is obtained from the police chief and then only when such parking will be for a specified time frame not to exceed 7 days.

(2) PARKING REGULATED FROM NOVEMBER 1ST TO MARCH 31ST.

(a) There shall be no parking on any public street or municipal parking lot within the Village limits during the months of November, December, January, February and March of each year between the hours of 1 a.m. and 6 a.m.

(b) In addition to the parking restriction of par. (2) above, the Village President may, at any time during the year when snow conditions require, restrict or prohibit parking on any or all streets in the Village as necessary. The Village President shall announce the exercise of the powers granted in this paragraph over local radio stations and when time permits, in a local newspaper.

(c) Village employees are authorized and directed to place signs at or reasonably near the Village limits on all State and county trunk highways and connecting streets, informing motorists that night parking regulations and snow emergency regulations are in effect in the Village.

(3) **DUMPSTERS, CONSTRUCTION EQUIPMENT PROHIBITED.** At no time shall dumpsters or construction equipment be allowed to park on the any Village street, unless permission is granted by the Director of Public Works for a specific time period. Damage sustained to any Village streets, curb/gutter or any other Village property shall be repaired to like condition by the property owner which requested permission to park on the Village street. Failure to comply with this subsection, cost of repair shall be assessed against the property as a special tax.

(4) **TOWING.** In addition to other parking penalties prescribed in this chapter, vehicles parked in violation of this subsection may be ordered by the police chief to be towed away and reclaimed by the owner only after the payment of the towing cost, plus a per day storage charge. Any vehicles not claimed within 30 days may be disposed of pursuant to § 9.09 of this Municipal Code.

7.04 EXCEPTIONS FOR AUTHORIZED EMERGENCY VEHICLES

This section shall not apply to any vehicles of the Fire Department or Emergency Medical Services answering any emergency call, any vehicles of the Police Department answering any emergency call, any occasion when a police officer engaged in controlling traffic shall direct any vehicle to proceed without stopping nor shall it apply to any place where there is automatic traffic control in operation.

7.05 SNOWMOBILES. (Rev. Para (6)-(12) 3-6-07).

(1) **STATE SNOWMOBILE LAWS ADOPTED.** Except as otherwise 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.

- (a) 350.01 Definitions
- (b) 350.02 Operations of Snowmobiles on or in Vicinity of Highway
- (c) 350.03 Right-of-Way
- (d) 350.04 Snowmobile Races, Derbies and Routes
- (e) 350.045 Public Utility Exemption
- (f) 350.047 Local Ordinance to be Filed
- (g) 350.05 Operation by Youthful Operators Restricted
- (h) 350.055 Safety Certification Program Established
- (i) 350.06 Firearms and Bows
- (j) 350.07 Driving Animals
- (k) 350.08 Owner Permitting Operation
- (l) 350.09 Head Lamps, Tail Lamps and Brakes
- (m) 350.10 Miscellaneous Provisions for Snowmobile Operation
- (n) 350.12 Registration of Snowmobiles
- (o) 350.13 Uniform Trail Signs and Standards
- (p) 350.15 Accidents and Accident Reports
- (q) 350.17 Enforcement
- (r) 350.18 Local Ordinances
- (s) 350.19 Liability of Land Owners

(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 be subject to S.S. 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) 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.

(4) OPERATION WHILE UNDER INFLUENCE PROHIBITED. Sec 346.63, Wis. Stats., shall apply to the operation of a snowmobile anywhere within the Village.

(5) WRITTEN CONSENT OF OWNER REQUIRED. The consent required under S.S. 350.10(6), (11), (12), and (13), Wis. Stats., shall be written consent dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained.

(6) SPEED. No person shall operate a snowmobile upon any public highway within the Village at a speed in excess of ten (10) miles per hour.

(7) HOURS OF OPERATION. Except on a designated trail, no person shall operate a snowmobile or any other off-highway vehicle anywhere within the Village between the hours of 3:00 a.m. and 6:00 a.m.

(8) OPERATION ON SIDEWALKS PROHIBITED. No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the Village, except as to cross a street at a 90E angle and then only for the sole purpose of gaining immediate access to a designated trail.

(9) OPERATION ON PRIVATE NON-OWNED PROPERTY. It shall be unlawful to operate any snowmobile or any other motor-driven craft or vehicle principally manufactured for off-highway use on Village streets, alleys, parks, parking lots, or on any public lands or private lands non-owed or parking lots held open to the public, except on a designated route.

(10) RESTRICTIONS ON OPERATORS.

(a) No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificated issued by the Department of Natural Resources, or according to the current state regulations in place at the time.

(b) No person shall operate any snowmobile upon any street, alley or other public right-of-way in the Village, unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the snowmobile.

(11) **PERMISSIBLE ROUTES.** Village residents/or resident's guests may operate snowmobiles along the farthest right-hand side of any Village Street for the sole purpose of access to and from their respective residences, but only as a means of a direct route to a designated trail, and only when State/County/Club Trails are open for public travel. All crossing of streets are to be done at a 90E angle and the operator shall at all time yield right-of-way to vehicular traffic on streets, and also in accordance with Sec. 350.18. Wis.Stats.

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

7.06 **PUBLIC NUISANCE CONTROL.** The following acts while operating a vehicle on Village streets, public or private parking lots, shall constitute a public nuisance because such acts substantially annoy, injure or endanger the comfort, health, repose or safety of the public.

(1) **EXCESSIVE NOISE.** The turning (1) or the starting of a vehicle with squealing of tires and the roaring of motor thus endangering public safety and repose.

(2) **U-TURNS.** The turning of a vehicle so as to proceed in the opposite direction upon any street in the Village at a rate of speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing.

(3) **UNNECESSARY ACCELERATION.** Leaving tire marks on the pavement when starting or turning a vehicle or unnecessary acceleration of vehicles disturbing the public peace.

7.07 **BICYCLES, ROLLER BLADES, SKATEBOARDS & NON-MOTORIZED SCOOTERS ON SIDEWALKS, STREETS & OTHER AREAS REGULATED.** (Amended 9-6-05)

(a) **On Sidewalks.** Bicycles, roller blades, skateboards, and non-motorized scooters shall be allowed on sidewalks, provided they are operated in a manner not to endanger public and/or pedestrian safety.

(b) **On Streets.** Bicycles and roller blades shall be allowed on the farthest right side on any Village street, provided they are operated in a manner not to endanger public safety. Skateboards and Scooters of any kind are not allowed on any Village street.

(c) **Other Areas.** Except as otherwise stated in 7.07(a) & (b), no bicycles, skateboards, roller blades or non-motorized scooters will be allowed on village park tennis courts.

7.08 **TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.** Pursuant to the provisions of SS. 118.105, Wis. Stats., the following regulations shall apply to the grounds of the school district located within the Village:

(1) **SCHOOL DISTRICT PARKING AND SPEED REGULATED.** All parking on the grounds of the Valders Area School District shall be restricted to paved areas designated for parking by the School Board. There shall be no parking on such grounds between 11 p.m. and 6 a.m., except when school functions extend past 11 p.m. On such nights there shall be no parking one hour after the event has concluded.

(2) RUNNING TRACK AND GROUNDS ADJACENT.

(a) Except as provided in par. (b), no person shall at any time operate any motor vehicle on the athletic fields, any unpaved grounds adjacent to the running track or the running track itself.

(b) Paragraph (a) does not apply to equipment and vehicle specifically authorized by the School Board or the Village to operate on such premises. This includes but is not limited to; vehicles and equipment used for maintenance and those authorized in conjunction with school or community related functions.

(3) SPEED LIMITS. No person shall at any time operate a motor vehicle upon the Valders Areas School District grounds at a speed in excess of 10 mph.

(4) VEHICLES PROHIBITED AT SPECIFIED TIMES. No person shall at any time operate a motor vehicle, other than the following vehicles: School bus, school or village maintenance, delivery or emergency vehicles, in or upon any drive designated for buses only by sign between 7:00 a.m. and 4:00 p.m. on any weekday during the months school is in session.

(5) FLASHING WARNING LIGHTS BY SCHOOL BUSES. (Cr 12/4/00)

Activation of Flashing Red Warning Lights Required. The operator of a school bus equipped with flashing red warning lights as specified in Section 347.25(2), Wis. Stat., shall actuate such lights as least 100' before stopping to load or unload pupils or other authorized passengers in a residential or business district within the boundary limits of the Village of Valders when pupils or other authorized passengers are to be loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or unloaded. The operator of a school bus so equipped shall not extinguish such lights until the loading or unloading is completed and persons who must cross the street or highway are safely across. The operator may also acute such lights, only if curbside drop off would not be accessible, because of vehicles parked along curb or construction in front of pupils or authorized passengers routine drop off locations.

7.09 **TRAFFIC & PARKING REGULATIONS IN MOBILE HOME PARKS.**

Pursuant to this ordinance, the following regulations shall apply to the grounds of mobile home parks located within the Village limits. The Valders Police Department shall have full enforcement authority over these regulations.

(1) SPEED. All vehicles are restricted to a maximum speed of 10 mph and at no time shall exceed this limit. Speed limit signs must be duly posted and shall be erected and maintained at all times by the mobile home park owner.

(2) PARKING. Parking on access drives is prohibited and regulated and shall follow regulations as defined in §7.03(1) thru (4) of this chapter. It shall be the mobile home park owner's responsibility to notify all mobile home park residents of all parking regulations.

7.10 **USE OF ALL-TERRAIN VEHICLES & UTILITY-TERRAIN VEHICLES.**

(1) INTENT. The village board, following due consideration of the value to the public to provide recreational opportunities and in particular to provide for connecting all-terrain vehicle trails which may surround the municipal boundary limits, and considering the benefits offset by the potential liabilities including terrain involved, traffic density, and the history of automobile traffic, hereby intends to create all-terrain vehicle routes for the operation of all-terrain vehicles and regulate the operation of all-terrain vehicles and the use of those routes as provided herein.

(2) **AUTHORITY.** This chapter and the routes created herein are adopted pursuant to the police powers of the village, together with the authority under sections 23.33(8)(b) and (11), Wisconsin statutes. The terms of section 23.33, Wisconsin statutes, are incorporated herein by reference. In the event any provision of this chapter is inconsistent with or in conflict with any portion of section 23.33, Wisconsin statutes, then section 23.33, Wisconsin statutes, shall control and be applicable.

(3) **DEFINITIONS.** As used in this chapter, the following terms will have the following meanings:

(a) All-Terrain Vehicle (herein "ATV") means a commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on 3 or more low-pressure tires or non-pneumatic tires, per Sec. 23.33(1)(b) and Sec.340.01 (2g), Wis. Stats.

(b) Utility Terrain Vehicle (herein "UTV") means any of the following:

1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

- A weight, without fluids, of 2,000 pounds or less.
- Four or more low-pressure tires or non-pneumatic tires.
- A steering wheel.
- A tail light.
- A brake light.
- Two headlights.
- A width of not more than 65 inches.
- A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.
- A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

2. A commercially designed and manufactured motor driven device to which all the following applies:

- It has a weight, without fluids, of more than 900 pounds but not more than 2000 pounds.
- It has a width of 50 inches or less.
- It is equipped with a seat designed to be straddled by the operator.
- It travels on 3 or more low-pressure tires or non-pneumatic tires.
Per Sec. 23.33(1)(ng) Wis. Stat.

(c) ATV Route means a highway, roadway or street designated for use by all-terrain vehicle operators by the village board having jurisdiction as authorized under Sec. 23.33, Wis. Stat.

(d) ATV Trail means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the village board having jurisdiction, but excluding roadways of highways except those roadways that are seasonally not maintained for motor vehicle traffic. (There are no ATV/UTV trails within the municipal boundary limits.)

(e) Village means the Village of Valders, Wisconsin.

(f) Village Board means the board of trustees of the Village of Valders, Wisconsin.

(4) RULES OF OPERATION, CONDITIONS, AND RESTRICTIONS. The following rules of operation, conditions, and restrictions apply to the operation of ATV's and UTV's in the Village of Valders on ATV/UTV routes:

(a) Speed: No person shall operate an ATV or UTV within the village boundary limits on any street or route designated herein at a speed in excess of the posted speed limit or on any roadway or highway with posted speed limit in excess of over 35 mph.

(b) Right Side Operation: ATV's and UTV's shall be operated on the extreme right side of the roadway and travel with the flow of traffic and shall be operated in single file, except that left turns may be made from any part of the roadway that is safe, given prevailing conditions.

(c) Yield: ATV and UTV operators shall yield the right-of-way to all other vehicular traffic and pedestrians.

(d) Equipment and Noise: No ATV or UTV shall be operated on any ATV/UTV route within the village unless it conforms to all noise, registration, and other equipment requirements as required by Sec. 23.33(6), (6m) and (6r), Wis. Stats. and all other applicable Wisconsin statutes, administrative code, or this code.

(e) Lights: An ATV or UTV operating within the village shall display a lighted headlight and taillight at all times conforming to the standards in sec. 23.33(6), Wis. Stat. Any trailer being towed shall comply with taillight lighting requirements. Said lights shall conform to the requirements of Wisconsin statutes and this code.

(f) Slow Moving Vehicle: Any ATV/UTV which travels at a speed of twenty-five (25) miles per hour or less shall display a slow moving vehicle (SMV) emblem visible on the rear of such vehicle according to Wisconsin statutes and administrative code governing SMV emblems, at all times while in operation on any ATV/UTV Route.

(g) Unattended Vehicles: No person shall leave or allow any ATV or UTV owned or operated or under his/her control to remain unattended on any public highway, roadway or street or public property within the village while the motor of the ATV/UTV is running or with the starting key left in the ignition.

(5) OPERATOR RESTRICTIONS. The following restrictions apply to all operators or passengers of ATV's or UTV's within the village:

(a) No person who is at least twelve (12) years of age and who is born after on or after January 1, 1988, may operate an ATV/UTV unless such person holds a valid safety certificate issued pursuant to section 23.33(5)(b), Wisconsin statutes, and carries proof of holding such valid safety certificate.

(b) No person under twelve (12) years of age may operate an ATV/UTV unless either:

1. The person is operating for an agricultural purpose and is under the supervision of a person over eighteen (18) years of age. Supervision does not require being subject to continuous direction or control; or

(c) No person under sixteen (16) years of age may operate an ATV/UTV on roadways designated as ATV routes.

(d) Sec. 23.33(5), Wis. Stat., pertaining to Age Restrictions and Safety Certification Program is incorporated herein by reference.

(e) All persons under eighteen (18) years of age who operate or are a passenger on an ATV or UTV shall wear protective headgear per Sec. 347.485(1)(a), Wis. Stat., with the chin strap properly fastened excepting: 1) the person is traveling for the purposes of hunting or fishing and is at least twelve (12) years of age; or 2) the ATV or UTV is being operated for an agricultural purpose; or 3) the ATV or UTV is being operated by a person on land under the management and control of the person's immediate family.

6) DESIGNATED ATV/UTV ROUTES.

(a) All-Terrain Vehicle Routes: The following are designated ATV Routes within the village:

1. All public streets within the municipal boundary limits, unless prohibited by a posted sign.

All such ATV Routes may be used by operators of Utility Terrain Vehicles (UTV's) per Sec.23.33(1m)(b), Wis. Stat.

(b) Other Areas Prohibited: Except as provided in Wisconsin statutes or in this chapter, no person shall operate any ATV/UTV upon any public right of way, sidewalk, nature trail, or in any public park, cemetery or school grounds or on any other public or private property in the village except upon designated ATV/UTV Routes.

1. Exceptions: ATV's/UTV's shall be allowed for the Valders Community Picnic by authorized event personnel only on Valders Memorial Park grounds or other public properties which may be utilized for the event; or by Municipal Officials or Municipal Employees for authorized Municipal purposes only.

(c) ATV/UTV Routes, Signs, and Markers:

1. Markers: The village board or its designee and village law enforcement are authorized and directed to procure, erect, and maintain appropriate ATV/UTV Route markers, and speed limit signs as approved by the State Department of Natural Resources under Wisconsin statutes to comply with the terms of this chapter.
2. Route Status: The village board or its designee and village law enforcement shall have the authority to declare the stated ATV/UTV Routes either opened or closed.
3. Signs and Markers: No person shall fail to obey any route sign, marker, or speed limit or other control device erected in accordance with this chapter or under the authority of Wisconsin statutes.

(7) ENFORCEMENT:

(a) Enforcement: This chapter subsection shall be enforced by any law enforcement officer of the Village of Valders or such other local, county, or state law enforcement officers, and as provided in Sec. 23.33(12), Wis. Stat.

(b) Citation: The uniform traffic citation under Wisconsin statutes shall be used for violations of this chapter subsection.

(c) Penalty: All provisions of section 23.33 of Wisconsin statutes describing and defining regulations with respect to all-terrain vehicles for which the penalty for a violation thereof is a forfeiture only, are incorporated herein by reference. The penalty for violation of any provision of this chapter subsection shall be a forfeiture as provided in section 23.33(13), Wis. Stat., of not more than two hundred fifty dollars (\$250) together with the costs of prosecution or as defined in additional subsections of 23.33(13).

7.11 OPERATION OF ATV'S/UTV'S ON ROADWAY FOR PURPOSE OF SNOW REMOVAL.

(1) Definition. A person may operate an ATV/UTV with snow removal device attached, for snow removal purposes and under the following situations:

- On Public sidewalks, speed may not exceed 5 mph
- On or adjacent to a roadway which is not a freeway, speed may not exceed 15mph, however, ATV/UTV's operating within 150 feet of a dwelling devoted to human occupancy may not operate at a speed greater than 10 mph
- Only on the far right hand side of the road
- On roads that are posted ATV/UTV Routes and currently open to use of ATV/UTV's
- The Operator must be 16 years or older and if born after December 31, 1987, a valid ATV/UTV Safety Certificate is also required
- Only between October 1 and April 30 for the purpose of snow removal
- For a distance not to exceed 2 miles from your original starting or unloading point
- Displaying one or more illuminated, yellow lights that are flashing or rotating and visible for 360 degrees
- Head lights are to be operational at all times while on the roadway and be able to illuminate an object 200 feet away

- Taillights are to be operational at all times on the roadway and must be visible from at least 500 feet away during hours of darkness and operators must be certain that snow removal equipment does not interfere with these lighting requirements
- ATV/UTV's must have current Public Use Registration while operating on public roadways, public road right-of-a ways or on public sidewalks
- Children under age of 18 are required to wear helmets while operating ATV/UTV's off private property that is owned by their parents or legal guardians

(2) Violations of this ordinance will be subject to fines in accordance to State Statues and shall follow the State of Wisconsin Uniform Traffic Deposit Schedule as per Section 7.17(2) (a) of this Code.

7.12-7.15 **RESERVED.**

7.16 **PENALTY.** The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by S.S. 165.87, Wis. Stats., a jail assessment if required by S.S. 53.46(1), Wis. Stats., plus applicable fees prescribed in Ch. 814, Wis. Stats. Only those violations of ordinances adopted under the sections of the Wisconsin Statutes listed below are exempt from the penalty assessment:

- 346.50 Exceptions to Stopping & Parking Restrictions
- 346.51 Stopping, Standing or Parking Outside of Business or Residence Districts.
- 346.52 Stopping Prohibited in Certain Specified Places
- 346.53 Parking Prohibited in Certain Specified Places
- 346.54 How to Park and Stop on Streets
- 346.55 Other Restrictions on Parking and Stopping
- 349.13 Authority to Regulate the Stopping, Standing or Parking of Vehicles
- 349.14 Authority to Use Parking Meters

(1) STATE FORFEITURE STATUTES. Any forfeiture for violation of the State Statutes adopted by reference in § 7.01 of this chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the State of Wisconsin Revised Uniform State Traffic Deposit Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

(2) LOCAL REGULATIONS. Except as otherwise provided in this chapter, the penalty for violation of § 7.02 through § 7.08 of this chapter shall be as provided in § 25.04 of this Municipal Code.

(3) PARKING VIOLATIONS. This penalty for violation of parking provisions of this chapter shall be as follows:

		Forfeiture	
		<u>Minimum</u>	<u>Maximum</u>
346.51(1)	Improper parking on/off roadway	\$30	\$300
346.52(1)	Stopping/standing in prohibited areas	20	40
	Second conviction within one year	50	100

		Forfeiture	
		Minimum	Maximum
346.52(2)	Stopping/standing on highway by grade school	20	40
	Second conviction within one year	50	100
346.53	Parking/standing where prohibited	20	40
	Second conviction within one year	50	100
346.54	Improper parking/standing of vehicle	20	40
	Second conviction within one year	50	100
346.55(1)	Parking on left side of highway	30	300
346.55(2)	Parking vehicle for sale on highway	30	300
346.55(3)	Parking on posted private property	20	40
	Second conviction within one year	50	100

7.17 **ENFORCEMENT.**

(1) ENFORCEMENT PROCEDURE. This chapter shall be enforced according to §23.33, 66.12, 345.11 to 345.61, 350.17 and Ch. 799, Wis. Stats.

(2) DEPOSIT.

(a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at 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 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 §53.46(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., court costs and jail assessment. 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.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by §345.26(3)(b), Wis. Stats.

(3) 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) & (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) & (2), Wis. Stats. The court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.

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