

CHAPTER 7

TRAFFIC CODE

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- 7.01 STATE TRAFFIC LAWS ADOPTED. (Amd. Ord. #1135; Amd Ord. #1188) Except as otherwise specifically provided in this subchapter, the statutory provisions of Chs. 23.33, 340 to 348 and Chs. 328 and 350, WI. Stats. And Sec. 110.075(1-6) WI Stats. describing and defining regulations with respect to vehicles and traffic, ATV's and snowmobiles, exclusive of any provisions, regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.
- 7.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS. (1) DUTY OF THE DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this chapter, including a State of Wisconsin traffic regulation adopted by reference in sec. 7.01, require the erection of traffic control devices for enforcement, the Director of Public Works shall procure, erect and maintain uniform traffic control devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever state law grants discretion to local authorities in erecting or placement of a uniform traffic control device, devices shall be erected in such locations and in such a manner as in the judgment of the Chief of Police will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the City.
- (2) OFFICIAL TRAFFIC MAP. (a) Official Traffic Map Established. There is hereby established for the City of New London an Official Traffic Map dated August 1, 1982 upon which is indicated as of said date all existing stop signs, arterial intersections, yield signs, and all other restrictions or limitations contained in this chapter and which the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations. All such restrictions and limitations set forth on said Official Traffic Map are hereby ratified and affirmed.
- (b) Additions to Map. The Council may from time to time make additions to or deletions from the Official Traffic Map and the Chief of Police shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after August 1, 1982 shall indicate the number of the authorizing ordinance or resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing ordinance or resolution.

- (c) Map to Be Maintained, The Official Traffic Map shall be maintained and displayed in the office of the Police Department. The Chief of Police shall make appropriate authorized changes on said Map within three working days after the appropriate official traffic control device is erected or removed, as the case may be.
 - (d) Violations Prohibited. When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.
- (3) PROHIBITED SIGNS AND MARKERS IN HIGHWAYS. No person, other than an officer authorized by this chapter to erect and maintain official traffic control devices or his designee, shall place within the limits of any street or highway maintained by the City any sign, signal, marker, mark or monument unless permission is first obtained from the Chief of Police or the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in sub. (4).
- (4) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Chief of Police may remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or state law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Chief of Police to the Council 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 THROUGH HIGHWAYS. (1) THROUGH HIGHWAYS DESIGNATED.

In the interest of public safety and pursuant to the authority granted by Wisconsin law, the following streets are designated arteries for through traffic:

- (a) Highway 45. Beginning on Mill Street, at the south boundary of the City, thence running north on Mill Street to East Beacon Avenue, thence running west on East Beacon Avenue to South Pearl Street, thence north on South Pearl Street and North Pearl Street to North Water Street, thence running west on North Water Street to North Shawano Street, thence running north on North Shawano Street to the north City limits.
- (b) St. John's Place. From the south limits of Waupaca Street running south to the north limits of North Water Street.

- (c) South Shawano Street. From the south limits of West Beacon Avenue running north to West Wolf River Avenue except when proceeding west on West Beacon Avenue and turning right onto South Shawano Street.
- (d) West Beacon Avenue. 1. From the west limits of South Shawano Street running east to the west limits of Wyman Street, except that a stop sign shall be erected so that traffic proceeding on South Shawano Street from a northerly direction must stop.
2. From the east limits of Wyman Street running east to South Pearl Street.
- (e) South Pearl Street. From the south limits of Beacon Avenue running south to the south City limits, except for the intersection with Warren Street.
- (f) Division Street. 1. From the south limits of East Beacon Avenue running south to the south City limits.
2. From the south limits of East Wolf River Avenue running south to the north limits of East Beacon Avenue.
- (g) Wyman Street. From the south limits of West Wolf River Avenue running south to Beacon Avenue, thence westerly on Pershing Road to the City limits.
- (h) West Wolf River Avenue. 1. West Wolf River Avenue from the west City limits running east to the west limits of South Shawano Street.
2. From the east limits of South Shawano Street running east to the west limits of South Pearl Street.
- (i) East Wolf River Avenue. From the east limits of South Pearl Street running east to Mill Street, thence south on Mill Street to the north limits of East Beacon Avenue.
- (j) Waupaca Street. From the west limits of North Pearl Street running west to the east limits of North Shawano Street.
- (k) Warren Street. 1. From the east limits of Oshkosh Street to the west limits of Wyman Street.
2. From the east limits of Wyman Street to the west limits of Division Street.
- (l) Jennings Street. From the west City limits to the west limits of Oshkosh Street.

(m) Oshkosh Street. From West Wolf River Avenue to Pershing Road, except for its intersection with Washington Street and Jennings Street.

(n) Pershing Road. From Wyman Street to the west City limits.

(2) DESIGNATION OF LOCATION OF STOP SIGNS AND YIELD SIGNS.

In the interest of public safety, the Council, by resolution, has designated the location of stop and yield signs within the City and has ordered the installation of such signs.

(3) OPERATORS TO OBEY TRAFFIC CONTROL DEVICES. Every operator of a vehicle approaching an intersection at which an official traffic control device is erected, in accordance with this section, shall obey the direction of such official traffic control device as required by the Wisconsin statutes incorporated by reference in sec. 7.01 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right of way to other vehicles, as required by §346.18(6), Wis. Stats.

7.04 ONE-WAY STREETS AND ALLEYS. (Ord. #1112; Am. Ord. #1171; Amd. Ord. #1187; Amd. Ord. #1296; Amd. Ord. #1319) The following streets and alleys are designated one-way streets and alleys and no vehicles shall travel in any direction thereon except as indicated:

(1) The alley from North Pearl Street west to St. John's Place and thence north to North Water Street.

(2) North on Lincoln Court from North Water Street to the Wolf River Plaza entrance

(3) One Way Alley going West to East from St. John's Place to Lincoln Court located behind the 200 block of West North Water Street.

7.05 HEAVY TRAFFIC ROUTES. (1) ROUTES DESIGNATED. The following streets and parts of streets within the City are hereby designated heavy traffic routes:

(a) House Road from County Trunk Highway "S" to Fairview Drive.

(b) Mill Street from the south City limits to Wolf River Avenue.

- (c) Division Street from the south City limits to Wolf River Avenue.
 - (d) Pearl Street from Beacon Avenue to Waupaca Street.
 - (e) Pershing Road from the south City limits to Wyman Street.
 - (f) Wyman Street from Pershing Road to Wolf River Avenue.
 - (g) Shawano Street from Wolf River Avenue to the north City limits.
 - (h) Beckert Road from Mill Street to Pershing Road. (4/2019)
 - (i) Beacon Avenue from Mill Street to Pearl Street.
 - (j) Wolf River Avenue from Mill Street to the west City limits.
 - (k) County Trunk Highway S from the east City limits to North Water Street.
 - (l) North Water Street from County Trunk Highway "S" to Shawano Street.
 - (m) Waupaca Street from Pearl Street to Shawano Street.
 - (n) Fairview Drive from the east City limits to the west City limits.
- (2) TRAVEL PROHIBITED. No vehicle, except a motor bus, which is not equipped with pneumatic tires or has a combined vehicle load weight exceeding 12,000 pounds shall be operated or moved on any street or alley not a part of the heavy traffic route designated in sub. (1) above except for the purpose of obtaining orders for, moving or delivering supplies or commodities to or from a place of business or residence facing thereon! provided that in no event shall the weight of the vehicle and load on such other street exceed the limitations of §§5348.15 and 348.16(3), Wis. Stats.
- (3) SIGNS. The Director of Public Works shall cause to be secured and erected appropriate signs to give notice of the heavy traffic routes.

7.06 SPEED RESTRICTIONS. (1) 15 MILES PER HOUR LIMIT. The speed limit on the following streets shall be 15 miles per hour:

- (a) (Amended Ord. #1061) On Bobbi Lane and all roads within Hatten Park excluding Werner Allen Blvd.
- (b) That a 15 miles per hour when children are present school speed zone be established on Werner Allen Boulevard between Jennings and Millard Street.
- (c) (Rep. Ord. #834)
- (d) (Rep. Ord. #834)

- (2) SPEED ZONE ESTABLISHED ON COUNTY TRUNK HIGHWAY "S" (STEPHENSVILLE ROAD). No person shall operate any vehicle at a speed greater than as follows:
 - (a) 35 miles per hour from the intersection of County Trunk Highway "S" with the Outagamie and Waupaca County line, thence easterly and southerly for a distance of 0.22 of a mile.
 - (b) The speed limit on all other portions of said highway in Outagamie County within the corporate limits of the City shall be 55 miles per hour.
- (3) SPEED ZONE ON COUNTY TRUNK HIGHWAY "W" (PERSHING ROAD). A traffic and engineering investigation having been made on County Trunk Highway "W", the maximum permissible speed at which vehicles may be operated on said highway, which speed is herewith established as reasonable and safe, pursuant to §349.11, Wis. Stats., shall be as set forth herein, subject to approval by the State Department of Transportation and upon the erection of standard signs giving notice thereof is 25 miles per hour from its intersection with Wyman Street southwesterly to the City limits.
- (4) SPEED ZONE ESTABLISHED ON BECKERT ROAD (Cr. Ord. #652). No person shall operate any vehicle at a speed greater than 30 miles per hour on all portions of Beckert Road.
- (5) SPEED ZONE ON SHAWANO STREET (Cr. Ord. #834). (a) No person shall operate any vehicle at a speed greater than 35 miles per hour on Shawano Street, from its intersection with Broad Street to a point .70 of a mile north of its intersection with S.T.H. 54 (1.03 miles). (b) No person shall operate any vehicle at a speed greater than 45 miles per hour on Shawano Street, from a point .70 of a mile north of its intersection with S.T.H. 54 north of the City to the north intersection with C.T.H. D.

7.07 PARKING RESTRICTIONS. (1) PARKING, STANDING AND STOPPING. The authority to regulate the parking, standing and stopping of vehicles is delegated to the Chief of Police, pursuant to §349.13, Wis. Stats., subject to control of the Council.

(a) (Amend. 1370) No person shall, in the lane of traffic or yellow safety area, park, double park, stop or stand to drop off or pick up a pedestrian at the following locations:

- (1) Washington St. from Werner Allen Blvd to Oshkosh St.
- (2) Washington Street from Pearl St to Division St.
- (3) Werner Allen Blvd from Jennings St to Millard St. 5/2019

(2) PARKING LIMITS. No person shall park a vehicle for any longer than the period hereinafter specified upon the following streets or portions of streets.

- (a) One Hour Parking Limit. (Amd. Ord. #1182)
 - 1. The east side of Division Street between Beacon and East Cook Streets.

- (b) Two Hour Parking Limit. The parking limitation set forth in this paragraph shall be effective only between the hours of 8:00 A.M. and 5:00 P.M., except on Sundays and holidays.
 - 1. The north side of West Wolf River Avenue between Smith Street and South Pearl Street.
 - 2. The east side of St. John's Place from the south line of North Water Street to the north line of the alley which runs between the business buildings and the Wolf River, and parking shall be at an angle.
 - 3. North Water Street between Shawano Street and North Pearl Street.
 - 4. Pearl Street between North Water Street and Beacon Avenue.
 - 5. (Cr. Ord. #1261) The south side of Evergreen Street from Mill Street to Algoma Street
 - 6. [Amd. Ord. #1336] The east side of Algoma Street from Evergreen Street to 183 feet North of Evergreen Street.

- (b) (1) Four Hour Parking Limit. (Amended Ord#1356) No person shall park a vehicle for more than four hours at the following city facility parking lots. An exemption to this rule will be for any government owned vehicle or government employee's personal vehicle when working.
 - 1. New London Municipal Pool
 - 2. New London Library/Museum
 - 3. New London Municipal Building
 - 4. New London Police Department

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7.07(2) (c) [Cr. Ord. #1299, Repealing Ord. #1310]

- (d) Downtown Parking Limit (Cr. Ord. #779). No person shall park a vehicle between the hours of 3:00 A.M. and 6:00 A.M. on the following streets:
 - 1. North Water Street, between North Shawano and North Pearl Streets.
 - 2. South Pearl Street, between North Water Street and East Beacon Avenue.

- (3) ALL NIGHT PARKING PROHIBITED (Am. Ord. #784). No person, except physicians on emergency calls, shall park any vehicle for longer than 30 minutes between 3:00 A.M. and 6:00 A.M. on any City street from November 1 to March 31.

(4)(a) 24 HOUR PARKING PROHIBITED. No person shall park nor shall any owner of a vehicle permit a vehicle to be parked on any public street, alley, public parking lot or any public parking place maintained by the City for a period longer than 24 hours unless another provision of this Code or regulation issued by the Chief of Police establishing a time limit for parking or designating the time for no parking is in full force and effect.

7.07 (4) (b) NO OVERNIGHT CAMPING. (Cr. Ord # 1355) No person shall camp in, or occupy as a temporary sleeping area, any vehicle or temporary structure including but not limited to tents, vans, pick-up campers, travel trailers, fifth wheels or motorhomes on any city owned property, including but not limited to streets, avenues and alleys, dedicated parks, improved or unimproved lots owned by the city, or city facility parking lots, at any time without written permission from the Mayor, City Administrator or Department Head.

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(5) PARKING PROHIBITED. No person shall park a vehicle at any time on any of the following streets:

- (a) The west side of Mill Street from the south City limits to East Beacon Avenue.
- (b) The north side of East Beacon Avenue from Mill Street to South Pearl Street.
- (c) The west side of North Shawano Street between North Water Street and the Green Bay & Western Railroad Tracks.
- (d) The west side of South Pearl Street between Beacon Avenue and Quincy Street.
- (e) The east side of North Pearl Street between North Water Street and the Wolf River.
- (f) (Amd. Ord. #1196) Both sides of Wyman Street from West Wolf River Avenue to Cameron Street.
- (g) Both sides of High Street from the Chicago & Northwestern Railroad tracks to the east end of the street.
- (h) (Am. Ord. #654) Within 20 feet on either side of the alley adjoining the east side of St. John's Place between North Water and Park Streets.
- (i) (Cr. Ord. # 1182) The south side of East Beacon Avenue from the intersection with Mill Street to a point 50 feet east of said intersection.
- (j) (Cr. Ord. #1262) The east side of Algoma Street from [120 feet south] of Douglas Street to [180 feet north] of Evergreen Street.

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- (k) (Cr. Ord. #1260) The north side of Evergreen Street from Mill Street to Algoma Street.
 - (l) (Cr. Ord. #1292) Both sides of East Ridge Drive from Lucas Drive to 140 feet northeast of the Lucas Drive intersection (north end of East Ridge Drive)
 - (m) (Cr. Ord. #1312) The north side of East Beacon Avenue from Mill Street to Montgomery Street.
 - (n) (Cr. Ord. # 1356) 7.07 (b) (1) Four Hour Parking Limit. No person shall park a vehicle for more than four hours at the following city facility parking lots. An exemption to this rule will be for any government owned vehicle or government employee's personal vehicle when working.
 - 1. New London Municipal Pool
 - 2. New London Library/Museum
 - 3. New London Municipal Building
 - 4. New London Police Department
 - (o) (Cr. Ord. #1358) The west side of Division Street from Wolf River Avenue to 130 feet south of Wolf River Avenue
 - (p) The south side of E Wolf River Avenue from Division Street to 50 feet West of Division Street
 - (q) Both sides of N Water Street from Pearl Street to the driveway of New London Utilities
 - (r) The south sides of Jennings Street from Werner Allen Blvd to the Parkview Drive.
 - (s) The west side of Division Street from starting 143 feet north of Beacon Avenue and encompassing the entire concrete terrace in front of the Franklin Park Apartments Building
 - (t) Both sides of Division Street from Beacon Avenue to 75 feet south of Beacon Avenue
 - (u) The west sides of Division Street from E Hancock Street to E Washington Street
 - (v) The west sides of Division Street from E Quincy Street to E Pine Street
 - (w) The east sides of Division Street from Douglas Street to 75 feet north of Douglas Street
 - (x) Both sides of Klatt Road from Cty Hwy W/Pershing Rd to Starlight Drive
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- (6) **LOADING AND UNLOADING PROHIBITED.** No person shall load or unload freight, express, cartage or items of a similar nature of any kind from any vehicle on the following streets:
- (a) The north side of North Water Street between North Pearl Street and North Shawano Street.

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- (b) The south side of North Water Street between North Pearl Street and State Street.
- (7) ADVERTISING AND VENDING OF MERCHANDISE PROHIBITED. Except as otherwise specifically provided in this Code, no person shall park a vehicle on any street for the purpose of advertising or selling any goods or merchandise therefrom.
- (8) [Cr. Ord. #1300] PENALTIES.
- (a) The sum to be forfeited for a violation of this section shall be \$15.00. The sum to be forfeited for a violation of 7.07(2)(c) shall be \$25.00. If the citation is not paid within 30 days of issuance, the forfeiture amount shall increase to \$50.00.
 - (b) All vehicles which remain parked in violation of any subsection of section 7.07 may be ticketed or towed away in accordance with the provisions of subsections (c) and (d).
 - (c) Once a vehicle is towed to a suitable place, it will be done at the owner's risk. All charges for towing and storage of such vehicle shall be paid by the owner or operator thereof prior to the return of said vehicle to said owner or operator.
 - (d) Said vehicle removal may be done either by the authorized employees of the Department of Public Works or may be contracted to any garage man, serviceman or any other person. The owner/operator of the said vehicle shall hold the City harmless from any vehicle damage caused while being removed to a suitable location.
- 7.08 NO PARKING EXCEPT FOR AUTHORIZED VEHICLES.
- (1) EMERGENCY VEHICLES. No person shall park any vehicle, except authorized emergency vehicles, in the parking space in the Memorial Park parking lot designated and signed for emergency vehicles only.

SNOW EMERGENCY REGULATIONS. 7.09

7.09 (1) DEFINITIONS.

- (a) Snowstorm. A snowstorm in which snow falls during any period of 24 hours or less to a depth of 3 inches or more, or which produces a congestion of traffic or impedes the operation of emergency vehicles.
 - (b) Emergency Vehicles. Includes police cars, fire fighting apparatus, ambulances, rescue squad cars, snow removal equipment and machinery, and any other emergency vehicles.
 - (c) Emergency Thoroughfare. Any street, alley, lane or public highway which may be used by an emergency vehicle.
- (2) DECLARATION OF EMERGENCY. The Mayor or, in his absence the President of the Council, the Director of Public Works, the Chief of Police or the Fire Chief, in such order of priority, during periods of snowstorms or immediately thereafter, shall declare a state of public emergency and the duration thereof. Declaration of emergency shall be made by public proclamation.
- (3) NOTICE OF EMERGENCY. The Mayor or other authorized officials, as stated in sub. (2) of this section, may proclaim the state of emergency through the medium of radio, the press, placards, audible signals or other means of public communication.

- (4) **AUDIBLE SIGNAL.** The City fire siren located on top of the City Fall may be used to alert the citizens to the snow emergency. The signal shall be 2 soundings of the fire siren in succession. Citizens will be subjected to a test sounding of said signal during the first full week in November each year. The exact time and date will be announced in the local newspapers and on the local radio station as per order of the Director of Public Works. The above procedure will also be used if a change in the alert signal is requested or deemed necessary.
- (5) **DURATION OF EMERGENCY.** Such emergency shall exist so long as the operation of emergency vehicles is impeded or likely to be impeded by the falling of snow and/or the congestion of traffic and/or parked cars upon the streets, alleys, public parking lots or emergency thoroughfares of the City on which the snow removal operation has not been completed. Said emergency shall be in effect until the local citizens are informed that said emergency has ceased through one or all of the mediums of radio, the press, the removal of placards or other means of public communication.
- (6) **PARKING PROHIBITED DURING EMERGENCY.** (a) After the snow emergency has been ordered and the citizens have been properly warned, all vehicles parked on any street, alley or emergency thoroughfare shall be removed.
- (b) During a snow emergency, no person shall park or abandon any vehicle or load or unload any merchandise or freight truck or vehicle in any street, alley or designated emergency thoroughfare until said areas have been completely plowed.
- (c) All vehicles other than emergency vehicles which remain parked on said streets, alleys or emergency thoroughfares after a period of one hour after the snow emergency has been enacted and signals given to the citizens may be ticketed and/or towed away in accordance with the provisions set forth in sub. (8) of this section.
- (d) No person shall park any vehicle on any street, alley, public parking lot or emergency thoroughfare if and when signs have been posted indicating snow is being, or about to be, removed from said areas. Any person or vehicle operator violating this section shall be ticketed and/or the vehicle may be towed away in accordance with the provisions set forth in sub. (8) of this section.
- (7) **NEGLIGENT PARKING ON SIDE STREETS.** No person shall permit any vehicle to park or stop upon any uncleared street, alley, parking lot or emergency thoroughfare during a severe snowstorm, immediately thereafter or during a state of declared emergency in such manner as to interfere with snow removal equipment. Any person or vehicle operator violating this section may be subjected to the provisions set forth in sub. (8) of this section.

- (8) FORFEITED PENALTY AND REMOVAL OF VEHICLES. [Amd. Ord. 1298]
- (a) During winter parking hours as defined in §7.07(3), the sum to be forfeited for a violation of this section shall be \$25. If the citation is not paid within 30 days of issuance, the forfeiture amount shall increase to \$50.
 - (b) In addition, the Director of Public Works or any of the employees under his supervision and direction shall report any unlawfully parked vehicles to the Police Department. The Police Department may ticket said vehicle and/or cause said vehicle to be removed from any area aforementioned in this section so said vehicle will not interfere with the snow removal operation.
 - (c) When said vehicle is towed to a suitable place, it will be done at the owner's risk. All charges for towing and storage of such vehicle shall be paid by the owner or operator thereof prior to the return of said vehicle to said owner or operator.
 - (d) Said vehicle removal may be done either by the authorized employees of the Department of Public Works or may be contracted to any garage man, serviceman or other person. The owner or operator of said vehicle shall hold the City harmless for any vehicle damage caused while being removed to a suitable location.

7.10 MISCELLANEOUS PARKING RESTRICTIONS.

- (1) STREET MAINTENANCE. Whenever it is necessary to clear or repair a City roadway or any part thereof, the Street Department shall post such highways or parts thereof with signs bearing the words "No Parking-Street Maintenance Work". Such signs shall be erected at least 2 hours prior to the time that street maintenance work is to be commenced. No person shall park a motor vehicle in violation of such signs.
- (2) PARKING IN DRIVEWAYS. No person shall park or leave standing any motor vehicle in any private driveway without the permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- (3) PARKING IN RIVERSIDE PARK PARKING LOT. (Amend Ord. #1152) Parking in the parking lot designated as the Riverside Park Parking Lot shall be restricted to trailer parking only where so designated by signs restricting parking to trailer parking only. Certain areas of the Riverside Park Parking Lot shall be designed for parking of vehicles with trailers only.

7.11 PARKING LOTS. (1) LOTS TO BE REGULATED. On all parcels of land which are being used as parking lots for motor vehicles, the following rules shall apply:

- (a) No person shall enter, exit or drive within a parking lot contrary to the directional signs and markings appearing therein. This is to include any parking along any public alleys or streets.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, except within the marked parking stalls.

- (c) No person shall operate a motor vehicle within a parking lot in a reckless manner, and traveling over 15 miles per hour in a parking lot shall be presumed reckless driving.
 - (d) No person shall operate a vehicle in a parking lot who does not hold a valid operator's license.
- (2) TRAFFIC REGULATIONS APPLICABLE. All provisions of sec. 7.01 of this chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot and on any private parking lot held out for use of the general public for parking or vehicular travel.
- (3) PARKING LOTS TO BE NAMED. The following legally described City parking lots shall be named as designated herein:
- (a) That parking lot described as Lots 4 and 5, Block 4, Reeder Smith's Village Plat, be named a City parking lot.
 - (b) That parking lot described as the east 20 feet of Lot 4 and all of Lots 5 and 6, all in Block 12, Reeder Smith's Village Plat, be named Freeman Parking Lot.
 - (c) That parking lot described as the west 20 feet of Lot 3, the east 17 feet of the west 37 feet of the north 72 feet of Lot 3, the east 15 feet of the west 52 feet of the north 71 feet of Lot 3, and Lot 2, all in Block 20, Feeder Smith's Village Plat, be named Dautermann Parking Lot.
 - (d) That parking lot described as Lots 4 and 9, Block 8, Millard and Taft's Village Plat, be named McKinley Parking Lot.
 - (e) That parking lot described as Lot 7 and a 30 foot parcel lying east and adjacent to Lot 7, and Lots 13, 14, 15, 16, and 17, all in Block 6; Lots 3, 4, 5, the east 50 feet of Lots 6 and 7, Lots 8, 9, 10, 11 and part of Lot 1, all in Block 14; and all in Millard and Taft's Village Plat; be named Plaza Parking Lot.

7.12 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon highway, street or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or rental parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by sec. 7.21 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

If towing is done by the Department of Public Works, the sum of \$25 shall be paid; except during snow emergencies when no towing fee shall be charged or assessed against the owner of such vehicle for removal necessitated under the emergency powers granted by sec. 7.09 of this chapter.

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

- (2) DEFINITION. As used in this section, "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in sec. 7.01 of this chapter, whether or not such vehicle is registered under Ch. 341, Wis. Stats.
- (3) PRESUMPTION OF ABANDONMENT. Any vehicle left unattended for more than 24 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.
- (4) EXCEPTIONS. This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the City.
- (5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by the Police Department until lawfully claimed or disposed of as provided in this section. If the Chief of Police or his duly authorized representative determines that towing costs and storage charges for 10 days, as provided in sub. (6), 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 Chief of Police that the vehicle is not wanted for evidence or any other reason; provided that vehicles in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with sub. (8) of this section.
- (6) MINIMUM IMPOUNDMENT PERIOD. The minimum period of impoundment or storage of a vehicle found a violation of this section shall be 10 days.

- (7) NOTICE TO OWNER. The police officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Chief of Police of the abandonment and location of the impounded vehicle, and shall within 10 days thereafter notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in §342.40(3), Wis. Stats., and shall state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.
- (8) SALE. Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in §342.40(3), Wis. Stats.
- (9) SALE TO BAR CLAIMS AGAINST VEHICLE. The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.
- (10) PURCHASER TO REMOVE VEHICLE. The purchaser of any vehicle on sealed bid or auction sale under sub. (7) shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of \$10 for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.
- (11) REQUEST FOR LIST. Any listing of vehicles to be sold pursuant to this section shall be made available by the Clerk-Treasurer to any interested person or organization who makes a written request therefor for a fee of \$5.
- (12) NOTICE TO DEPARTMENT. Within 5 days after the sale or disposition of a vehicle under this section, the Clerk-Treasurer shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.
- (13) OWNER MAY FILE CLAIM. At any time within 2 years after the sale of a motor vehicle as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Council setting forth such facts as are necessary to establish such ownership or interest, and that the failure of the claimant to reclaim the vehicle prior to sale was not the result of the neglect or fault of claimant. If the Council is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the City Treasury as the result of the sale of such motor vehicle, nor the amount of interest of the claimant therein.

- (14) EXEMPTION. Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the City together with a fee of \$25 to offset the cost of towing and junking charges and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the Department of Public Works or contractor engaged by the City for towing of disabled vehicles. The provisions of sub. (11) shall apply to any vehicle removed under this subsection.
- 7.14 LEAVING KEYS IN IGNITION 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 the starting lever, throttle, steering apparatus, gear shift or ignition of said vehicle is locked and the key removed.
- 7.15 DISPLAY OF POWER PROHIBITED. No person shall make unnecessary and annoying noises with a motor vehicle by squealing tires, excessive acceleration of engine, or by emitting unnecessary and loud muffler noises.
- 7.16 OBSTRUCTION OF RAILROAD CROSSINGS. (1) TIME LIMITATIONS. It shall be unlawful to stop any railroad train, locomotive or railroad car upon or across any highway or street crossing or to cause obstruction of vehicular traffic on public streets at such crossing by the stopping, leave standing, switching or otherwise maintaining constant railway use at such crossing longer than 5 continuous minutes, or for more than 7 minutes out of any 12 continuous minutes.
- (2) PENALTY. Either the owner or any conductor, engineer, RAILROAD brakeman or other employee or agent in charge of, or otherwise responsible for, such offending railroad locomotive or car who shall violate the provisions of this section shall, upon conviction, pay the City a forfeiture of not less than \$50 nor more than \$150 for each such violation, and a violation for each 12 minute period shall constitute a separate offense, plus the costs of prosecution, and in default of payment shall be imprisoned not less than 5 days nor more than 15 days in the county jail.
- 7.17 DUTY TO REPORT ACCIDENT. Pursuant to §346,70, Wis. Stats., the operator of a vehicle involved in an accident within the City resulting in injury to or death of any person, any damage to state or ether government—owned property to an apparent extent of \$200 or more total damage to all property to an apparent extent of \$400 or more shall immediately by the quickest means of communication give notice of such accident to the Police Department, the sheriff's department or the traffic department of the county in which the accident occurred or to a state traffic patrol officer.

7.18 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS. Pursuant to the provisions of §118.105, Wis. Stats., the following regulations shall apply to the grounds of the New London School District located within the City.

- (1) PARKING. All parking on grounds of the New London School District from 7:30 A.M. to 4:30 P.M. shall be by permit only and shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, no person shall park a motor vehicle in an area other than one for which he shall have been issued a permit nor without displaying a valid permit. All authorized visitors shall park only in areas designated and signed for visitor parking.
- (2) SPEED LIMITS. No person shall at any time operate a motor vehicle upon the New London School District grounds at a speed in excess of 15 miles per hour.
- (3) VEHICLES PROHIBITED AT SPECIFIED TIMES. No person shall at any time operate a motor vehicle other than a school bus in or upon any drive designated for buses only by sign during the hours of 7:30 A.M. to 9:00 A.M. and during the hours of 3:00 P.M. to 4:30 P.M. on any weekday during the months school is in session.
- (4) ONE-WAY TRAFFIC. No person shall operate a motor vehicle contrary to the one-way traffic signs posted on any school drive.

7.19 REGULATION AND LICENSING OF BICYCLES. (1) REGISTRATION REQUIRED. No person shall ride or use a bicycle upon any public street, highway, alley or sidewalk in the City unless the same shall have been registered and tagged as herein provided. A bicycle is herein defined as any device propelled by human power upon which any person may ride, having 2 tandem wheels.

- (2) REGISTRATION. Registration shall be made by filing an application with the Police Department setting forth the name and address of the owner together with a complete description of the bicycle and paying the registration and license fee hereinafter provided. Each registration shall be serially numbered and kept on file in the office of the Police Department. The Police Department shall keep a record of the date of issuance of each license, to whom issued, and the number thereof. Upon such registration, the Police Department shall issue a license which shall be affixed to the bicycle in a place determined by the Police Department. Such license plate shall remain so fixed to the bicycle unless removed by order of a court.

- (3) BICYCLE REQUIRED TO BE IN SAFE CONDITION. No bicycle shall be registered that is not in safe mechanical condition.
- (4) LICENSE FEE. (Repealed Ord. #1067)
- (5) LICENSE TRANSFER. (Amended Ord. #1067) Within 7 days after any bicycle registered hereunder shall have changed ownership or have been dismantled and taken out of operation, the person in whose name the bicycle has been registered shall report such information to the Chief of Police. 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 operation, the registration shall be cancelled and the identification tag be returned to the Chief of Police.
- (6) LOST OR MUTILATED LICENSE. In case of theft, loss, mutilation or defacing of said license, a new license shall be issued by the Police Department for a fee of \$3.
- (7) MUTILATION OF SERIAL NUMBER OR LICENSE PROHIBITED. No person shall willfully or maliciously remove, destroy, mutilate or alter the serial number of any bicycle frame licensed pursuant to this section, or any license.
- (8) RULES FOR OPERATION OF BICYCLES. (a) Every child under 10 years of age is permitted to ride and operate a bicycle upon the sidewalks of the City provided any pedestrian shall have the right of way on all sidewalks except on the following streets:
 1. North and South Pearl Streets, from Beacon Avenue to Waupaca Street.
 2. North Water Street, from Pearl Street to Shawano Street.(b) No person over the age of 10 shall operate a bicycle at any time on any sidewalk in the City except newsboys in the performance of their duties if they are registered as such with the Chief of Police.
(c) Every person who may legally operate a bicycle upon a sidewalk must ride such bicycle in single file and at low rates of speed and all persons riding upon any public highway when bicycling in groups shall ride in single file and not abreast unless unavoidable.

- (d) Every person propelling or riding a bicycle upon a public highway shall be subject to the ordinances and state laws applicable to the operator of any vehicle, except those provisions which by their nature have no application.
- (e) No person may operate a bicycle upon a highway, bicycle lane or bicycle way during hours of darkness unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to, but not in lieu of, the red reflector.
- (f) Every bicycle, when operated upon any street or public highway in the City, shall be operated as near to the right curb as possible.
- (g) Every bicycle operator shall use an audible signal when overtaking or passing any person on any sidewalk or vehicle on any street, alley or public highway in such a manner as to sufficiently warn the person or vehicle being overtaken or passed of the approach of the bicycle.
- (h) It shall be unlawful for any bicycle operator to cling or attach himself or his bicycle to any other moving vehicle upon a sidewalk, street or public highway in the City.
- (i) No operator of a bicycle shall carry another person on his bicycle or pull or tow any object or carry any object in his hand while operating the bicycle. Objects may be carried on a bicycle in a basket or carrier provided for that purpose.
- (j) No bicycle operator shall propel his bicycle at a speed which is not reasonable and prudent under conditions existing at the time.
- (k) No bicycle operator shall participate in any race or speed contest with any person or vehicle.
- (l) No bicycle operator shall engage in acrobatic or trick-riding or any other skylarking on a moving bicycle.
- (m) Every bicycle operator, when emerging from any alley, shall stop and yield the right of way to any person or vehicle.

- (n) Every bicycle operator shall stop for all arterial signs and observe all other traffic regulations applicable for other vehicles in the City.
- (9) PENALTIES. Any person violating any provisions of this section shall, upon conviction thereof, be punished by a forfeiture not to exceed \$10.

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

- (a) 350.01 Definitions
 - (b) 350.02 Operation of Snowmobiles on or in the Vicinity of a 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
 - (m1) 350.101 Operating Snowmobile While Intoxicated to (Cr. Ord. #782) 350.107
 - (n) 350.12 Registration of Snowmobiles
 - (o) 350.13 Uniform Trail Signs and Standards
 - (p) 350.15 Accident and Accident Reports
 - (q) 350.17 Enforcement
 - (r) 350.18 Local Ordinances
 - (s) 350.19 Liability of Landowners
- (2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §5346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1) (b) , 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.
- (3) SNOWMOBILE ROUTES DESIGNATED. (a) (Amd. Ord. #1228) Except as provided in §350.02 and 350.03, WI Stats., with the exception of §350.02 (2) (a) 5. which is not included in this section, no person shall operate a snowmobile upon any public right of way, in any public park, golf course or on any other public property in the City, except as hereinafter designated.

1. (Amd. Ord. #1228) In public Parks only where snowmobile routes and loading/unloading areas are marked with prior approval by the Parks & Recreation Committee.
 2. On the site at the corner of Washington and Oshkosh Streets, which is known as Old Settler's Park.
 3. On property known as the Northside Industrial Site, except where prohibited by signs.
 4. (Cr. Ord #928; Amd. Ord. #1228) For purposes of "access to and from lodging" and "residential access" as defined by §350.01 (l0d) & (l0m) (WI STATS) on streets listed for that purpose by the Parks & Recreation Committee and placed on file with the City Clerk.
- (b) (Amd. Ord. #1228) Operation or loading/unloading of snowmobiles on marked routes or trails or areas is permitted so long as they are marked and laid out with the approval of the Traffic Committee and the Chief of Police.
- (c) (Amd. Ord. #1228) All necessary sign posting and marking will be done by the Department of Public Works or local snowmobile clubs.
- (4) 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.
 - (5) OPERATION WHILE UNDER THE INFLUENCE PROHIBITED. §346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the City.
 - (6) WRITTEN CONSENT OF PROPERTY OWNER REQUIRED. The consent required under §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 must be obtained.
 - (7) UNATTENDED VEHICLES PROHIBITED. No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
 - (8) OPERATION ON SIDEWALKS OR MALLS PROHIBITED. No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the City.

- (9) ONLY SNOWMOBILES TO OPERATE ON SNOWMOBILE TRAILS. No person shall operate any vehicle except a snowmobile on any snowmobile trail within the City.

7.21 PENALTY. (Amd. Ord. 1334) The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided together with costs under §345.27, Wis. Stats.

- (1) STATE FORFEITURE STATUTES. Forfeitures for violation of §§340.01 to 348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) STATE FINE STATUTES. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.
- (3) LOCAL REGULATIONS. The penalty for violation of secs. 7.02 through 7.16 and sec. 7.20 of this chapter shall be as provided in sec. 25.04 of this Code.
- (4) PENALTY TO BE FORFEITED FOR PARKING VIOLATIONS. (Amend Ord. 1074) The sum to be forfeited for violations of any parking ordinance shall be \$10. If the forfeiture is not paid within 48 hours of the violation, the Police Department will send a notice to the last known address of the register owner. If the forfeiture remains unpaid 10 days after the violation, a late fee of \$5 will be added to the forfeiture. If the forfeiture remains unpaid 20 days after the violation, the late fee will increase to \$10. If the forfeiture remains unpaid after a second notice has been sent from the Police Department, the matter will be referred to the Traffic Violation and Registration Program through the Department of Transportation for a suspension of the vehicle registration. Costs associated with the suspension action will be added to the forfeiture and late fee of the original violation.
- (5) COSTS (Cr. Ord. #662). The costs shall specifically include, but not be limited to, the cost to the City of participating in the traffic violation and registration program through the Department of Transportation, pursuant to Wis. Adm. Code Ch. 128.

7.22 COMPRESSION BRAKE REGULATIONS. (Amd. Ord. #1107) No person shall make any unnecessary or annoying noises with a motor vehicle by the use of motor vehicle brakes which are in any way activated or operated by the compression of the engine (i.e., a Jacobs Engine Brake™ or similar hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism).

Any person who shall violate this ordinance shall pay a forfeiture of not less than Fifty and no/100 (\$50.00) Dollars, nor more than Two Hundred and no/100 (\$200.00) Dollars, plus court costs.

7.23 ENFORCEMENT. (1) ENFORCEMENT PROCEDURE. This chapter shall be enforced according to §66.12, Ch. 299 and §345.20 to 345.53, Wis. Stats.

- (2) DUTY OF POLICE TO ENFORCE. The Police Department shall enforce the provisions of all traffic ordinances. Officers of the Police Department may direct all traffic, either in person or by means of audible or visible signals in conformity with the provisions of this chapter, provided that in the event of fire, other emergency, to expedite traffic, or to safeguard pedestrians, officers of the Police or Fire Department may direct traffic as conditions may require, notwithstanding the provisions of the traffic ordinances. The Chief of Police, by and with the consent of the Mayor, may make and enforce regulations necessary to make effective the provisions of all traffic ordinances and to make and enforce temporary regulations to cover emergency or special conditions.
- (3) DEPOSIT. 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 comply with §343.27, Wis. Stats., or, if the deposit is mailed, the signed statement required under §343.27, Wis. Stats., shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:
- (a) If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 - (b) If he fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.

The amount of the deposit shall be determined in accordance with the deposit schedule established by the Board of County Judges. The deposit shall include court costs and suit tax.

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

- (c) If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit not less than the maximum forfeiture permitted under this chapter.

- (4) STIPULATION OF NO CONTEST. Any person charged with a violation of this chapter except §§346.62(1) and 346.63(1), WI Stats., may make a stipulation of no contest pursuant to §345.27, Wis. Stats., which must be received at the office of the Police Department or Clerk of Court within 10 days of the date of the alleged violation. Such person shall at the time of entering into the stipulation make the deposit required under sub. (2) of this section if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in §345.37, Wis. Stats.

**7.24 Operation of Low Speed Vehicles and Neighborhood Electric Vehicles
(Cr. Ord. #1273)**

1. Purpose: The purpose of this Chapter shall be to allow, subject to regulation, the use of Low Speed Vehicles on the streets of the City.
2. Authority: This ordinance is adopted pursuant to the authority granted to the City pursuant to ch 62.11(5) and 349.26, Wis. Stats.
3. Definitions:

The following definitions shall control application of the specified terms in this ordinance:

- (a) "Neighborhood Electric Vehicle" means a self-propelled motor vehicle which has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy and that conforms to the definition and requirements for low-speed vehicles as adopted by the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. This definition does not include a golf cart.
- (b) "Low Speed Vehicles" means a self-propelled vehicle including gas powered vehicles in addition to neighborhood electric vehicles which meet the national highway traffic safety administrations (NHTSA) federal motor vehicle safety standards and a certification label stating that the vehicle meets those standards.

Use of Low Speed Vehicles Limitations

- (a) To be eligible for use on streets of the City, a Low Speed Vehicle shall comply with the following standards:
 - (1) It shall be 4-wheeled and shall have a speed range potential of at least 20 miles per hour but not more than 25 miles per hour on a paved surface and a gross vehicle weight at rest of less than 3,000 pounds.
 - (2) It shall have headlights, front and rear turn signals and stop lamps.
 - (3) It shall have red reflex reflectors on each side as far as to the rear as practicable and one such reflector on the rear.

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- (4) It shall have an exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror.
 - (5) It shall have a parking brake.
 - (6) It shall have a windshield which conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
 - (7) It shall possess a vehicle identifications number (VIN) which complies with federal code (949 CFR 565).
 - (8) Neighborhood Electric Vehicle owners and Low Speed Vehicle owners shall be required to obtain a certificate of title from the Wisconsin Department of Transportation.
 - (9) It shall have a Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209 and Federal Motor Safety Standard No. 209 for each designated seating position.
 - (10) It shall meet the general test conditions under 49 CFR 571.50056.
- (b) Low Speed Vehicles may be operated only upon those streets having a posted limit of thirty five (35) miles per hour or less.
 - (c) Per SS 346.94(22)(b) Low Speed Vehicles and Neighborhood Electric Vehicles may only cross a state trunk highway or connecting highway only if the state trunk highway or connecting highway has a speed limit at the intersection of 35 miles per hour or less and traffic at the intersection is controlled by traffic control signals.
 - (d) The operator of a Low Speed Vehicle shall be in possession of a valid driver's license at the time of operation on City Streets.
 - (e) The operation of a Low Speed Vehicle shall comply in all respects with all ordinances of the City, together with applicable state laws.
 - (f) No Low Speed Vehicle shall be allowed to cross or use a street or highway jurisdiction over which is shared with any other governing body unless the City enters into an agreement with such governing body or obtains its consent to the said operation.

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- (g) Low Speed Vehicles may not be operated on City streets between November 1 and April 1.

Licensure by Wisconsin Department of Motor Vehicles Required

No person shall operate a Low Speed Vehicle on the streets of the City without having first obtained a license from the Wisconsin Department of Motor Vehicles. The License shall be clearly displayed on the rear window of the Slow Moving Vehicle or, if it has no rear window, then in a clear waterproof holder hung from the rear of the vehicle top.

Insurance Required

All Low Speed Vehicle operators must have a motor vehicle liability policy that covers the vehicle and meets minimum required coverage. The operator must display proof of insurance coverage upon demand from any traffic officer.

Enforcement of Violations

All violations of City Ordinances or State Law in the operation of a Low Speed Vehicle shall be enforced by the Police Department in the same manner as are violations of ordinances and state laws by the operators of standard motor vehicles. In addition, the violation of the standards set forth in the ordinance shall be subject to a forfeiture of not less than \$20.00 or more than \$200.00 for each violation.