

Chapter 16

TRAFFIC CONTROLS

- 16.01 Maintenance of Property and Storage of Motor Vehicles.
- 16.02 Disorderly Conduct with a Motor Vehicle.
- 16.03 Official Traffic Signs and Control Devices
- 16.04 Through Streets Designated
- 16.05 Stop Sign Locations Designated
- 16.06 Traffic Control Signal Locations Designated
- 16.07 Yield Intersections Established
- 16.08 One-Way Streets Established
- 16.09 Parking Regulations
- 16.10 Heavy Truck Routes and Class "B" Highways Designated
- 16.11 Bus Loading Zones
- 16.12 Bicycles, In-Line Skates and Play Vehicles
- 16.13 Snowmobiles and All-Terrain Vehicles
- 16.14 Automobile and Other Vehicle Regulations
- 16.25 Penalty

16.01 Maintenance of Property and Storage of Motor Vehicles.

(1) DEFINITIONS. For the purpose of this ordinance, the following words and phrases shall have the meanings assigned to them in this section. Words and phrases not herein otherwise defined shall have the meanings accepted by common use.

(a) *Motor Vehicle.* A vehicle which is self-propelled.

(b) *Disabled Motor Vehicle.* A vehicle that cannot be operated without mechanical repair or assistance.

(c) *Inoperable Motor Vehicle.* A vehicle which does not meet the minimum equipment standards required for operation on the highway or street as set forth in Wis. Stats. Chapter 347 or Trans. 305.

(2) PROHIBITIONS. No person, group of

persons, company, firm, corporation or any other entity shall store or allow to remain outside of a building for more than three days any disassembled, disabled, inoperable, unlicensed, unregistered, junked or wrecked motor vehicle, boat, refrigerators, appliances, machinery or similar types of personal property.

(a) *Storage of Commercial and Recreational Vehicles.* No person shall store a trailer, semi-trailer, recreational vehicle, mobile home, camping trailer, or boat on any street or highway for more than 24 hours. Personal property stored on the street for 72 or more consecutive hours shall be declared abandoned and shall be impounded as an abandoned vehicle. Upon proper application, the police department may grant special permission to allow on the street parking of

commercial and recreational vehicles for a maximum of seven (7) days. This special permission provision shall apply only during the period from April 1st to October 31st.

(b) *Abandoned Vehicles.* No person, group of persons, company, firm, corporation or other entity shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home or any other motor vehicle on any public highway or private or public property for more than 72 hours under such circumstances so as to cause the vehicle to reasonably appear to have been abandoned.

1. If such vehicle is left on private property without permission of the property owner for more than 72 hours, it shall constitute a public nuisance and may be declared abandoned by any police officer.

2. Any vehicle so abandoned shall be declared so by the police department. The Village elects the provisions of Wis. Stat. §66.28 Disposal of Abandoned Property and §342.40 as it pertains to Vehicle Abandonment Prohibited; Removal; Disposal. The fees for the storage of abandoned vehicles shall be set from time to time by resolution of the Village Board.

3. If a vehicle is not claimed, that is, all fines, forfeitures imposed and fees are paid and the vehicle is removed from Village impoundment, in the time allotted under Wis. Stat. §342.40(3)(c) or a maximum of 30 days, the Village may dispose of such vehicle in the manner described or may at its discretion take the title to the vehicle for municipal use.

(3) **EXCEPTIONS.** The above regulations shall not apply to the following types of activities when they are located in a business or industrial zoning district.

(a) To damaged or inoperable vehicles that

are stored outside an automotive repair business while awaiting repair or servicing.

(b) To vehicles that are displayed for sale on the lot of a properly licensed car dealer.

(c) To heavy commercial vehicles that are subject to quarterly registration by the Department of Motor Vehicles.

(4) **ADMINISTRATION AND ENFORCEMENT.** The police department or its designee shall have the duty, responsibility and authority to enforce this section.

(a) Persons shall allow access to the police department or its designee to their property for the purpose of enforcing this section.

(5) **VIOLATIONS.** Whenever any violation of this section is found, the police department may take one or more of the following actions:

(a) Order the violation corrected by the property owner by the removal and proper disposal of the material within a specified period ranging from one to thirty days; or

(b) Issue a citation for violation of this section; or

(c) When the violations are pursued by the police department, such legal actions shall occur through the office of the Village Attorney including injunctive relief and forfeiture actions through the process of summons and complaints or other proper recourse.

(d) The municipal court may, upon petition, and at the request of the Village, order the removal of the violating junk or debris. The Village will then invoice the property owner for all such costs incurred in the removal. If the invoice is not paid within 30 days, the Village may place the amount of the invoice on the tax rolls as a special charge against the property in question.

(e) Injunctive relief can also be requested

requiring the property owner or other party in possession of the property to remove the violating motor vehicles and have them properly stored or disposed of. Any Village cost incurred in the removal of such items will be assessed against the violating possessor of the property and/or owners.

(f) *Failure to Comply.* Any person, group of persons, firm, corporation or other legal entity failing to comply with the provisions of this section shall, upon conviction, forfeit not less than \$75 nor more than \$500, plus costs of prosecution for each violation. Each day a violation occurs or continues constitutes a separate offense. Any person who is in default of payment of these forfeitures and costs and who is not found to be indigent by the court, shall be imprisoned in the Fond du Lac County Jail for up to 30 days for each violation or until payment is made.

16.02 Disorderly Conduct with a Motor Vehicle. No person shall operate a vehicle in such a manner as to cause a disturbance or annoy a person or persons including, but not limited to, acts deemed illegal by local ordinance and/or state law.

16.03 Official Traffic Signs and Control Devices.

(1) MANDATORY PLACEMENT OF TRAFFIC SIGNS AND CONTROL DEVICES. Whenever traffic regulations created by this section, including a State of Wisconsin traffic regulation adopted by reference in section 16.05 (stop signs); 16.06 (yield signs); 16.07 (parking regulations); 16.10 (heavy truck routes); 16.13 (snowmobile) where signs are applicable under 346.02(7) or require the erection of traffic

control devices for enforcement, the Director of Public Works, with the cooperation of the Police Department, shall procure, erect, and maintain uniform traffic control devices. These traffic control devices shall conform to the Manual on Uniform Traffic Control Devices promulgated by the Federal Highway Administration. Adequate notice of such traffic regulation shall be given to the users of the streets and highways on which such regulations apply.

(2) DISCRETIONARY PLACEMENT OF TRAFFIC SIGNS AND CONTROL DEVICES.

(a) Whenever state law grants discretion to local authorities in placing or removing a uniform traffic control device, devices shall be erected in such locations and in such manner as in the judgment of the Traffic Safety Committee which will carry out the purposes of this section. The Traffic Safety Committee shall be comprised of the Director of Public Works, the Police Chief, and the Administrator. Adequate notice of changes in such traffic regulation shall be given to the users of the affected streets and highways.

(3) PROHIBITED SIGNS AND MARKERS. No person other than an officer authorized by this section 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, any sign, signal, marker, mark or monument unless permission is first obtained from the Director of Public Works or, where applicable, 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 subsection (4).

(4) REMOVAL OF UNOFFICIAL SIGNS,

MARKERS, SIGNALS, AND TRAFFIC CONTROL DEVICES. The Director of Public Works or his designee may remove any sign, signal, marking or other device that is placed, maintained, or displayed in violation of this Section or stated law. A charge may be imposed against premises for removal of a prohibited or illegal sign, signal, marking or device. Any such charge that is not paid on or before the next succeeding November 1st shall be placed upon the tax roll for collection as a special municipal tax.

16.04 Through Streets Designated. The Village designates the following streets, as through streets in the Village.

(1) All of that portion of State Highway 175, Prospect Ave., located within the corporate limits of the Village.

(2) Minnesota Avenue from the north curb line of Garfield Street to the south curb line of Harrison Street; and from the north curb line of Harrison Street to the south curb line of McKinley Street; and from the north curb line of McKinley Street to the north Village limits.

(3) Wisconsin Avenue from the south curb line of Center Street to the north curb line of Harrison Street; and from the south curb line of Harrison Street to the north curb line of Lincoln Street.

(4) Michigan Avenue from the north curb line of Harrison Street to the south curb line of Broadway Street.

(5) Michigan Avenue from the south curb line of Harrison Street to the north curb line of Winnebago Street.

(6) Michigan Avenue from the south curb line of Garfield Street to the north curb line of

Prospect Avenue.

(7) McKinley Street from the west curb line of Minnesota Avenue to the east curb line of Chapman Avenue; and from the west curb line of Chapman Avenue to Prospect Ave.

(8) Winnebago Street from the west Right-of-Way line of Prospect Avenue to the west Village limits.

(9) Thurke Avenue from the north curb line of Polk Street to the south curb line of Broadway Street; and from the north curb line of Broadway Street to the north Village limits.

(10) Harrison Street from the intersection of Ohio Street to the east curb line of Wisconsin Avenue; and from the west curb line of Wisconsin Avenue to the east curb line of Minnesota Avenue; and from the west curb line of Minnesota Avenue to the east curb line of Prospect Avenue; and from the west curb line of Prospect Avenue to Park Ridge Lane.

16.05 Stop Signs Locations Designated.

Operators of all vehicles shall stop at:

(1) Indiana Avenue, Illinois Avenue, Wisconsin Ave and Prospect Avenue when westbound on Lincoln Street

(2) Illinois Avenue, Indiana Avenue and Wisconsin Avenue when eastbound on Lincoln Street.

(3) Illinois Avenue, Wisconsin Avenue and Prospect Avenue when westbound on Jefferson Street

(4) Prospect Avenue, Wisconsin Avenue, Illinois Avenue and Indiana Avenue when eastbound on Jefferson Street

(5) Indiana Avenue and Wisconsin Avenue when westbound on Winnebago Street

(6) Wisconsin Avenue and Indiana Avenue when eastbound on Winnebago Street

(7) Illinois Avenue, Wisconsin Avenue, Michigan Avenue, Minnesota Avenue, Prospect Avenue, Florida Avenue and Washington Avenue when westbound on Garfield Street

(8) Michigan Avenue, Wisconsin Avenue, Illinois Avenue and Indiana Avenue when eastbound on Garfield Street

(9) Wisconsin Avenue, Prospect Avenue and Park Ridge Lane when westbound on Harrison Street

(10) Prospect Avenue and Wisconsin Avenue when eastbound on Harrison Street

(11) Minnesota Avenue when eastbound on Friendship Street

(12) Michigan Avenue and Minnesota Avenue when westbound on Cleveland Street

(13) Minnesota Avenue, Michigan Avenue and Wisconsin Avenue when eastbound on Cleveland Street

(14) Wisconsin Avenue, Michigan Avenue, Minnesota Avenue, Adams Avenue and Prospect Avenue when westbound on McKinley Street

(15) Adams Avenue, Minnesota Avenue, Michigan Avenue and Wisconsin Avenue when eastbound on McKinley Street

(16) Wisconsin Avenue, Michigan Avenue, Minnesota Avenue, Bechaud Avenue, Chapman Avenue, Thurke Avenue and Prospect Avenue when westbound on Polk Street

(17) Thurke Avenue, Adams Avenue, Bechaud Avenue, Michigan Avenue and Wisconsin Avenue when eastbound on Polk Street

(18) Wisconsin Avenue, Chapman Avenue and Thurke Avenue when westbound on Broadway Street

(19) Chapman Avenue, Bechaud Avenue

and Wisconsin Avenue when eastbound on Broadway Street

(20) Wisconsin Avenue, Minnesota Avenue, Chapman Avenue and Thurke Avenue when westbound on Marcoe Street

(21) Chapman Avenue, Minnesota Avenue and Wisconsin Avenue when eastbound on Marcoe Street

(22) Minnesota Avenue, Chapman Avenue and Thurke Avenue when westbound on Clinton Street

(23) Chapman Avenue, Minnesota Avenue and Wisconsin Avenue when eastbound on Clinton Street

(24) Westwood Avenue when westbound on Southview Drive

(25) Thurke Avenue when eastbound on Southview Drive

(26) Minnesota Avenue and Thurke Avenue when westbound on Center Street

(27) Chapman Avenue when eastbound on Center Street

(28) Minnesota Avenue, Chapman Avenue and Thurke Avenue when westbound on North Street

(29) Chapman Avenue and Minnesota Avenue when eastbound on North Street

(30) Chapman Avenue, Thurke Avenue and Westwood Avenue when westbound on Chapleau Street

(31) Thurke Avenue, Chapman Avenue and Minnesota Avenue when eastbound on Chapleau Street

(32) Chapman Avenue when westbound on Rose Street

(33) Minnesota Avenue when eastbound on Rose Street

(34) Thurke Avenue when westbound on Prairie Fox Court

- (35) Chapman Avenue and Thurke Avenue when westbound on Blackbird Street
- (36) Chapman Avenue and Minnesota Avenue when eastbound on Blackbird Street
- (37) Chapman Avenue when westbound on Willis Court
- (38) Chapman Avenue when westbound on Anne Street
- (39) Minnesota Avenue when eastbound on Anne Street
- (40) Blackbird Street when southbound on Woodside Court
- (41) Center Street when southbound on Rose Avenue
- (42) Prospect Avenue when southbound on Westwood Avenue
- (43) Southview Drive when southbound on Petula Street
- (44) Chapleau Street when northbound on Petula Street
- (45) Southview Drive when southbound on Fairlawn Avenue
- (46) Chapleau Street when northbound on Fairlawn Avenue
- (47) Southview Drive when southbound on Jeffrey Court
- (48) Southview Drive when southbound on Shelly Court
- (49) Southview Drive when southbound on Julie Court
- (50) Broadway Street and Polk Street when southbound on Thurke Avenue
- (51) Polk Street and Broadway Street when northbound on Thurke Avenue
- (52) McKinley Street when southbound on Adams Avenue
- (53) Broadway Street when northbound on Adams Avenue
- (54) North Street and McKinley Street

- when southbound on Chapman Avenue
- (55) North Street when northbound on Chapman Avenue
- (56) Marcoe Street and McKinley Street when southbound on Bechaud Avenue
- (57) Marcoe Street when northbound on Bechaud Avenue
- (58) McKinley Street, Harrison Street and Garfield Street when southbound on Minnesota Avenue
- (59) Garfield Street, Harrison Street and McKinley Street when northbound on Minnesota Avenue
- (60) Harrison Street, Winnebago Street and Prospect Avenue when southbound on Michigan Avenue
- (61) Winnebago Street and Harrison Street when northbound on Michigan Avenue
- (62) Harrison Street, Lincoln Street and Winnebago Street when south bound on Wisconsin Avenue.
- (63) Lincoln Street, Harrison Street, Center Street and Winnebago Street when northbound on Wisconsin Avenue
- (64) Winnebago Street and Lakeshore Drive when southbound on Illinois Avenue
- (65) Winnebago Street and Ohio Avenue when northbound on Illinois Avenue
- (66) Lakeshore Drive when southbound on Indiana Avenue
- (67) Lakeshore Drive when northbound on Indiana Avenue
- (68) Van Dyne Road when southbound on Lakeshore Drive
- (69) Lakeshore Drive when northbound on Van Dyne Road
- (70) Prospect Avenue when westbound on Van Dyne Road
- (71) Lakeshore Drive when eastbound on

Van Dyne Road

(72) Harrison Street when northbound on Washington Avenue

(73) Garfield Street when southbound on Maine Avenue

(74) Harrison Street and Winnebago Street when northbound on Maine Avenue

(75) Winnebago Street when southbound on Florida Avenue

(76) Winnebago Street when northbound on Florida Avenue

(77) Winnebago Street when southbound on Prospect Avenue and turning right

(78) Prospect Avenue when northbound on Michigan Street

(79) Prospect Avenue when southbound on Iowa Court

(80) Jefferson Street when northbound on Saratoga Avenue

(81) Jefferson Street when southbound on Saratoga Avenue

(82) Prospect Avenue when either southbound or northbound on Sunset Circle

(83) North Pioneer Road when southbound on Park Ridge Lane

(84) Winnebago Street when northbound on North Pioneer Road

(85) Winnebago Street when southbound on North Pioneer Road

(86) Winnebago Street when northbound on North Rolling Meadows Drive

(87) USH 45 when northbound on Lakeshore Drive

(88) USH 45 when eastbound on Lakeshore Drive

16.06 Traffic Control Signal Locations Designated

(1) Operators of all vehicles approaching

the following intersections controlled by traffic control signals shall follow the guidelines established in Wis. Stat. §346.37. Operators shall comply with these regulations at:

(a) Prospect Avenue and Winnebago Street.

16.07 Yield Intersections Established (1)

OPERATORS OF ALL VEHICLES SHALL YIELD THE RIGHT OF WAY AT:

(a) *St. Paul Avenue and North Street*

1. Traffic traveling southbound on St. Paul Avenue shall yield the right of way to traffic on North Street

(b) *St. Paul Avenue and Wells Street*

1. Traffic traveling westbound on Wells Street shall yield the right of way to traffic on St. Paul Avenue

(c) *Saratoga Avenue at Michigan Street*

1. Traffic traveling northbound on Saratoga Ave. shall yield the right of way to traffic on Michigan Avenue

(d) *Bechaud Avenue at Friendship Street.*

1. Traffic traveling southbound on Bechaud Avenue shall yield the right of way to traffic on Friendship Street

(e) *Bechaud Avenue at Cleveland Street.*

1. Traffic traveling northbound on Bechaud Avenue shall yield the right of way to traffic on Cleveland Street

(f) *Bechaud Avenue at Clinton Street*

1. Traffic traveling northbound on Bechaud Avenue shall yield the right of way to traffic on Clinton Street

(g) *Audrey Court at Polk Street*

1. Traffic traveling southbound on Audrey Court shall yield the right of way to traffic on Polk Street

(h) Prospect Avenue when making a right turn on Harrison Street.

16.08 One-Way Streets Established (1)

No operator of any vehicle shall operate against the flow of traffic on a street here-in designated as “one-way” by official sign or marking. The following streets are designated “one-way” within the Village:

(a) All traffic on Garfield Street, from the west curb line of Prospect Avenue to the east curb line of Florida Avenue, shall flow westbound.

16.09 Parking Regulations.

(1) PARKING LIMITS. When signs are erected in any block giving notice thereof, no person shall park a vehicle for longer than the period hereinafter specified, upon the following streets or portion of streets or parking lots.

(a) *No Parking from 7:30 a.m. to 3:30 p.m. school days at the following locations:*

1. On the west side of Thurke Avenue from Polk Street north to Broadway Street.
2. On the north side of McKinley Street from Adams Avenue east to Bechaud Avenue.
3. The 85’ east of the radius point of the corner on Harrison Street and Prospect Avenue.
4. On the west side of Chapman Avenue from McKinley Street to Polk Street.

(b) *Two (2) hour parking from 7:00 a.m. to 3:30 p.m. on school days at the following locations:*

1. On the east side of Chapman Avenue from its intersection with McKinley Street north 305 feet.
2. On the east side of Minnesota Avenue from Cleveland Street north to McKinley

Street.

3. On the north side of McKinley Street from Bechaud Avenue east to Minnesota Avenue.

4. On the north side of McKinley Street from Prospect Avenue east to Adams Avenue.

5. On the south side of McKinley Street, in all unrestricted space, beginning at the east curb line of Chapman Avenue and continuing to Minnesota Avenue.

(c) Parking is restricted to police vehicles on the west side of Illinois Avenue from a point four feet south of the southern edge of the police department driveway for a distance of 42 feet.

(d) Parking in the twelve spaces located on the north end of the municipal building next to the fire station located at 16 Garfield Street shall be restricted to the Village emergency response employees when responding to an emergency, when on call, or when stand-by status in the municipal building.

(e) *Parking is limited to 20 minutes from 6 a.m. to 6 p.m.:*

1. On the west side of Minnesota Avenue from a point 15 feet south of the southern most crosswalk on Minnesota Avenue at McKinley Street and continuing south for a distance of 130 feet.

2. On the east side of Adams Avenue commencing at the intersection of Adams Avenue and McKinley Street thence north 337 feet.

(2) WINTER PARKING.

(a) Regulated. Between 2:00 a.m. and 6:00 a.m. during the snow removal season, it shall be illegal to park any vehicle on any street, highway, or any terrace, street, or highway right of way, during or after any snowfall where the

accumulation of snow is one inch or more and the parking of a vehicle on the street, alley, highway, terrace, or right of way interferes with the timely and efficient removal of snow.

(b) During the time of snow emergency, which is determined by the Director of Public Works, all vehicles will be required to be moved off the streets by 2 a.m. Failure to adhere to this section, will result in citation and towing of vehicles, which are in violation, at owners expense.

(c) Violations of 16.09(2)(a) and (b) will be subject to the penalties stated in section 16.25.

(d) Snow removal season. A snow removal season is defined as November 1 through March 31 of the following year.

(3) PARKING PROHIBITED. No person shall park any vehicle at any time on:

- (a) 1. The north side of Garfield Street from Washington Avenue to Florida Avenue.
2. The east side of Delaware Avenue and the cul-de-sac on Delaware Avenue.
3. The south and north side of Marcoe Street from Wisconsin Avenue east to the bridge.
4. Either side of Prospect Ave from the south Village limits to the north Village limits
5. The north side of Winnebago Street from Prospect Ave westerly 942 feet to Florida Ave intersection.
6. The south side of Winnebago Street from Prospect Ave westerly 1002 feet to Florida Ave intersection.
7. The south side of Broadway Street, between Michigan Avenue and Wisconsin Avenue.
8. The south side of Lakeshore Drive between Van Dyne Road and Illinois Avenue.

9. The south side of Harrison Street from a point 99 feet east of its intersection with Wisconsin Avenue thence east to its intersection with Ohio Street.
10. The north side of Lincoln Street from Prospect Ave to Wisconsin Avenue.
11. The east side of Illinois Avenue from Ohio Street south 152 feet.
12. The south side of Lincoln Street from Wisconsin Avenue west for a distance of 187 feet.
13. The south side of McKinley Street from Prospect Ave to the east curb line of Minnesota Avenue.
14. The north side of Polk St. from Prospect Ave east 83 feet.
15. The south side of Polk St. from Prospect Ave east 102 feet.

(b) It will be illegal to park parallel to the roadway on any driveway access that is on the Village right-of-way. This would indicate any driveway access between the sidewalk and main roadway, and would be in effect on a year round basis.

(c) Parking Prohibited: No person shall park any tractor, semi-trailer or combination thereof, truck larger than ¾ ton pickup truck, or motorized mobile home upon any public street, driveway, or alley in the Village except for the purpose of delivering or picking up persons or merchandise and also excepting those vehicles or conveyances used to haul or transport equipment or machinery by persons, companies and/or contractors in the gainful pursuit or their employment or business. School buses having a capacity in excess of ten (10) may park in Village designated areas based on rules set by the Board, or driver's driveways if the entire bus, after being parked in driveway, is no less

than 12 feet back from the residence side of the public sidewalk. Drivers wishing to park a bus in their driveway will be required to provide signed written approval from the adjacent neighbors located on their street. A written request along with the signed neighbor's approval letters must be submitted to the Village Administrator for final approval.

(d) No person shall park any vehicle at any time in any posted alley of a residential district.

(e) Whenever any police officer finds a vehicle in or upon a street illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard or obstruction, blocks the use of a fire hydrant, loading zone or may obstruct the movement of any emergency vehicle, s/he is hereby authorized to remove or have removed and towed away by commercial towing service such illegally parked vehicle. Any reasonable expense incurred in the removal or in the keeping of such vehicle shall be paid by the operator or owner thereof before such vehicle is released to him.

(f) Notwithstanding any other provisions of this section, no vehicle shall be parked for longer than 24 hours in any one location upon a Village street or highway. Vehicles remaining in the same location without moving for a period of time long enough to receive three parking tickets will be considered to have been abandoned and will be impounded and disposed of as outlined in 16.01 (2) (b) (2).

(4) LOADING ZONES.

(a) No parking is allowed at any time on the north side of Winnebago Street from Prospect Avenue easterly a distance of 125 feet to the alley except for loading or unloading purposes.

(b) No parking is allowed on the east side

of Wisconsin Avenue from 2:00 a.m. to 3:00 p.m. from a point 35 feet south of the south right-of-way line of Harrison Street south a distance of 30 feet.

(c) No parking is allowed from 9 a.m. to 5 p.m. Monday through Saturday on the west side of Wisconsin Avenue from a point 44 feet south of the south curb line of Harrison Street at the southwest corner of the intersection of Harrison Street and Wisconsin Avenue south a distance of 42 feet.

16.10 Heavy Truck Routes and Class "B" Highways Designated.

(1) DEFINITION. For purposes of this Section, heavy traffic shall be defined as:

(a) All vehicles not operating completely on pneumatic tires; and

(b) All vehicles or combination of vehicles, other than motor buses, designed or used for transporting property of any nature and having a gross weight of more than fifteen thousand (15,000) pounds.

(2) PROHIBITED ROUTES. Heavy traffic is prohibited from using any Village street or highway not designated as a heavy traffic route.

(a) This section shall not act to prohibit heavy traffic from using a Village street or highway for the purpose of obtaining orders for supplies or moving or delivering supplies or commodities to or from any place of business or residence that has an entrance on such street or highway.

(b) This section will not act to prohibit heavy traffic from using any Village streets over which are routed state trunk highways.

(c) However, in no event shall the weight of vehicle and load on such other streets exceed

the limitations of Wis. Stats. §348.15 or §348.16(3) pertaining to Class "A" highways or deliveries on Class "B" highways.

(d) When being driven to the site of any construction, repair or maintenance of electric, gas or water service, vehicles owned and operated by a public utility will be exempt from the provisions of this Section.

(3) ADMINISTRATION. The Director of Public Works, in cooperation with the police department, shall administer this section. Administration shall include:

(a) *Posting of Signs.* Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established herein.

(b) *Maps.* Heavy traffic routes shall be shown on the Official Street Map.

(c) *Construction Equipment.*

1. The Director of Public Works may grant temporary permits to allow heavy construction equipment to use Village streets or highways not designated as heavy traffic routes.

a. These permits may be granted only when use of a non-designated route is necessary for the equipment to reach a construction site.

b. No permit may be issued unless the person or corporation owning the equipment agrees to reimburse and hold the Village harmless for any damage done to the Village street by the equipment and/or personal injury or property damage caused in part or in whole by the street damage.

2. Village-owned or operated equipment is specifically excluded from the provisions of this section.

(4) LIABILITY. Any operator, corporation, owner or agent whose heavy traffic vehicle damages any Village streets or highways in violating this section shall be liable and required

to pay the Village the cost of repair/replacement of the damaged street or highway.

(5) SPECIAL AND SEASONAL WEIGHT LIMITATIONS. The Director of Public Works shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Village to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting uniform traffic control devices giving notice thereof in accordance with the provisions of section 16.03.

(6) HEAVY TRAFFIC ROUTES DESIGNATED. All streets and alleys within the Village are designated Class "B" highways subject to the weight limitations of Wis. Stats. §346.16, except the following highways or parts thereof within the jurisdiction of the Village are hereby designated heavy traffic routes and are excepted from the Class "B" weight limitations:

(a) Prospect Avenue from north Village limits to south Village limits.

(b) Minnesota Avenue from north Village limits south to the intersection of Garfield Street.

(c) McKinley Street from Prospect Avenue east to the dead end.

(d) Harrison Street from Prospect Avenue Park Ridge Lane east to Ohio Street.

(e) Ohio Street from Harrison Street southeast to Indiana Avenue.

(f) Indiana Avenue from Ohio Street south to Lakeshore Drive.

(g) Lakeshore Drive from Van Dyne Road northeast to US Highway 45.

(h) Winnebago Street from Rolling Meadows Drive east to Indiana Avenue.

(i) Michigan Avenue from Prospect Avenue north to Harrison Street.

(j) North Rolling Meadows Drive from

north Village limits to south Village limits.

(k) North Pioneer Road from north Village limits to south Village limits.

(l) Park Ridge Lane from Pioneer Road north to the dead end.

(m) Westwood Avenue from Prospect Avenue to Park Ridge Lane.

(7) GROSS WEIGHTS. No vehicle with a loaded weight greater than 5 tons shall travel upon the following streets or bridges:

(a) Wisconsin Avenue bridge located between Center Street and Clinton Street.

16.11 Bus Loading Zones. When signs or markers are placed, giving notice thereof, the operator of any vehicle, other than a passenger bus, shall not park, stop or leave standing such vehicle in the areas designated bus loading zones in the most current Fond du Lac Area Transit Map & Schedule for Route #10 except for the purpose of taking on or discharging passengers. The operator of any passenger bus shall not stop the same for the purpose of loading or discharging any bus passenger at any intersection where a bus loading zone is established, unless such stop is made within such designated not established, such stops shall be made at the near side of the intersection.

(1) DESIGNATED BUS LOADING ZONES.

(a) Commencing at the northwest corner of Michigan Avenue and Prospect Avenue and running 65 feet north of the right-of-way line of Michigan Avenue along Prospect Avenue right-of-way; thence east 8.5 feet; thence south and parallel with the right-of-way line a distance of 65 feet; thence westerly 8.5 feet to the place of beginning.

(b) Commencing at the northwest corner of

Jefferson Street and Prospect Avenue and running 65 feet north of the right-of-way line of Jefferson Street along Prospect Avenue; thence east 8.5 feet; thence south and parallel with the right-of-way line of Prospect Avenue a distance of 65 feet; thence westerly 8.5 feet to the place of beginning.

16.12 Bicycles, In-line Skates and Play Vehicles.

(1) PROVISIONS OF STATE LAW ADOPTED BY REFERENCE. The Village elects the provisions of Wis. Stats. §346.01, §346.02(4), and §346.77 to §346.81 relating to bicycles and play vehicles.

(2) REGISTRATION AND LICENSE REQUIREMENTS. It shall be unlawful for any person residing in the Village of North Fond du Lac to operate a bicycle upon any street, sidewalk, or other public place in the Village without having first registered such bicycle and secured a license to the vehicle.

(3) Application for registration and license for bicycles shall be made by the owner, in writing, upon forms furnished by the Village of North Fond du Lac Police Department.

(a) Upon payment of a registration fee as set from time to time by resolution of the Village board, a lifetime license sticker for that bike shall be issued.

(b) When possession of a bicycle that is registered in the Village of North Fond du Lac is legally transferred to a new owner, the new owner can transfer the attached license into his or her name for a fee that is set by a resolution of the Village Board.

(c) Loss of or Illegible License Stickers. Licensee shall report immediately to the police department the loss of or the illegibility or

destruction of a license sticker. A new license sticker shall be issued upon payment of a fee of \$5.00.

(3) RULES FOR RIDING AND OPERATING.

All operators of bicycles shall observe and obey all laws dealing with vehicular traffic and, in addition to the rules contained in this chapter, shall obey the following:

(a) Every bicycle when operated upon a public roadway or trail shall be in good and safe mechanical condition.

(b) Persons riding bicycles or in-line skating upon a roadway shall ride or skate single file on all roadways and as close as possible to the right side of the roadway.

(c) No person operating a bicycle, in-line skates or other play vehicle shall cling or attach himself/herself or the conveyance they are operating to any other moving vehicle.

(d) The operator of a bicycle, skate board or in-line skates emerging from an alley, driveway, garage or private sidewalk shall stop immediately prior to driving onto or across the public sidewalk or onto or across a public sidewalk line projected across an alley and shall exercise extreme care in making such movements.

(e) No person shall operate a bicycle, or in-line skates 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 or in-line skater. Such bicycle shall also be equipped with a red reflector that has a diameter of at least two (2) inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 feet to 500 feet to the rear, when

directly in front of lawful upper beams of headlamps on motor vehicles. 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) Skate boards, in-line skates, roller skates or bicycles, having wheels of a diameter of 16 inches or less may be operated on sidewalks or walkways except where prohibited by official sign, but in single file only. Newspaper carriers, while making deliveries or collections may ride a bicycle, having wheels of a diameter of more than 16 inches, on sidewalks.

1. No bicycle, skateboard, in-line skates or roller skates shall be operated on the sidewalks of Wisconsin Avenue between Harrison Street and Garfield Street.

2. No bicycle shall be operated in any park within the Village during any organized athletic event, picnic or festival where bicycle operation places the general public at risk, or where bicycle operation poses a hazard to the public or the operator of the bicycle.

3. When approaching a pedestrian, a cyclist on the sidewalk, shall reduce the speed of the bicycle to that which is no greater than necessary to continue the safe operation of the bicycle without the rider dismounting and shall not be increased until the pedestrian has passed.

(4) PARKING BICYCLES. In all permitted bicycle parking areas, it shall be unlawful to park along buildings in such a manner as to interfere with the movement of pedestrians, or on roadways where such parking may interfere with pedestrians or vehicle traffic or movement, or with persons alighting from or entering a motor vehicle.

(5) SPEED. No bicycle shall be operated at any time faster than the posted speed on street or highway and every bicycle shall be operated with reasonable regard to the safety of the rider and of other persons and property.

(6) TRAFFIC REGULATIONS. Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations, applicable thereto, and shall obey the orders and directions of every officer of the Village authorized to direct or regulate traffic.

(7) TRICK RIDING. No person shall, while operating a bicycle, indulge or engage in any kind of stunt or acrobatics on any public roadway or trail.

(8) TURNS-STARTING-STOPPING. The operator of a bicycle on a roadway, when making a right turn, shall follow the right-hand edge of the roadway, and the operator of a bicycle on a roadway when making a left turn shall approach the point of turning in the traffic lane nearest the center of the roadway. No operator of a bicycle shall slow down, stop or attempt to turn without first indicating such movement as provided by law.

(9) ADDITIONAL REGULATIONS FOR RIDING AND OPERATING BICYCLES.

(a) *Yield Right-of-way.* Any person riding a bicycle shall yield the right-of-way in the following circumstances:

1. When two (2) vehicles approach or enter an intersection at approximately the same time, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right. The operator of any vehicle driving at an unlawful speed forfeits any right-of-way that he/she would otherwise have.

2. The operator of a vehicle within an

intersection intending to turn to the left across the path of any vehicle approaching from the opposite direction.

3. The operator of a vehicle shall stop as required before entering a through highway and shall yield the right-of-way to other vehicles which have entered or are approaching the intersection upon the through highway.

4. When entering a highway from an alley or from a point of access other than another highway.

5. When moving from a parked position.

6. When approaching any intersection at which a yield sign has been installed.

7. When intending to turn to the left into an alleyway or private driveway across the path of any vehicle approaching from the opposite direction.

(b) *Riding Through Safety Zones.* No rider of a bicycle shall ride through any safety zone, unless directed by traffic signals, a police officer, or any official posted sign.

(c) *Racing on Highways.* No person operating a bicycle upon a public highway or street shall participate in any race, speed or endurance contest unless such race or contest has a permit from the Village.

(d) *Obstructing View of Rider.* No person shall ride a bicycle that is so loaded as to obstruct the view of the rider, or to interfere with the safe operation of the bicycle.

(e) *Crossing Sidewalk, Emerging from Driveway, Alley or Garage.* Any person riding a bicycle shall stop before crossing a crosswalk, sidewalk or intersection, or when emerging from an alley, garage or driveway.

(f) *Interfering with Traffic.* No person shall operate or park a bicycle in a manner which would obstruct, endanger, or interfere

with vehicular or pedestrian traffic on public or private property.

(g) *Improper Riding on Bicycle.* No person shall operate a bicycle from any part of a bicycle not intended for such use.

(h) *Spilling Loads.* No person shall operate any bicycle so loaded as to spill such load.

(i) *Crossing Center Line of Highway.* It shall be unlawful for the operator of any bicycle to cross the center line of any roadway on the left in order to pass any other vehicle unless the way ahead is clear and no traffic is approaching. It shall be unlawful for any operator to cross the centerline on a grade or curve if such operator's view is obstructed for such a distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(j) *Marked Lanes on Two-way Streets.* If a roadway is divided into marked lanes, the operator of bicycle shall:

1. Ride in the right lane unless overtaking another vehicle or when about to make a left turn.
2. Ride within a single lane, and change only when safe to do so.
3. If there are three (3) lanes, the middle lane should be used only for passing or overtaking another vehicle or for making a left turn.

(k) *Following Too Closely.* The operator of a bicycle shall remain at a safe and reasonable distance behind any other vehicle.

(l) *Approach of Emergency Vehicles.* When an ambulance, fire engine, or other emergency vehicle gives warning of its approach, the operator of a bicycle shall pull to the nearest curb in his lane of operation and

stop until such emergency vehicle has passed.

(m) *Following or Parking near Fire Apparatus.* It shall be unlawful for the operator of a bicycle to follow any fire apparatus closer than 500 feet, or to drive into or to park within the same block where or within 300 feet of where the fire apparatus has stopped in response to an alarm.

(n) *Crossing Railroad Tracks.* No operator of a bicycle shall cross any railroad track unless he/she can do so safely, and shall not drive on or across a railroad crossing under any of the following circumstances:

1. While any traffic officer or railroad employee signals to stop.
2. While any warning device signals to stop, except that if the operator of the vehicle, after stopping and investigating finds that no train is approaching he/she may proceed.
3. Shall not drive through, around or under any crossing gate or barrier is closed or is being opened or closed.

(10) RENTAL AGENCIES.

(a) *Registration.* It shall be unlawful for any person, firm or corporation, to rent, or offer to rent, any bicycles without first complying with the provisions of section (2) of this section relating to registration and licensing of bicycles.

(b) *Equipment.* Bicycles offered for rent by a rental agency shall be equipped with the lights and other equipment required by this ordinance and shall be kept in good and safe working condition. Rental agencies shall comply with all provisions of this ordinance, and shall be responsible for the condition of the bicycles they rent.

(c) *Inspection.* The Chief of Police or his/her designees may make periodic inspections of the rental agencies to insure

compliance with the provisions of this ordinance.

(11) OTHER PROVISIONS. (a) *Inspection.* Any member of the police department is authorized to inspect any bicycle, at any time, for the purpose of making a check of the license sticker and license number, serial number, and for the purpose of determining the mechanical condition of the bicycle.

(b) *Removal of Serial Number or License Sticker.* It shall be unlawful for any person, willfully or maliciously, to remove, destroy, mutilate or alter the serial number of any bicycle licensed hereunder; or to remove, destroy, mutilate or alter any license sticker during the time in which the license sticker is in force. The Chief of Police or the chief's designee is hereby authorized to stamp numbers on the frame of a bicycle in a legible manner for identification purposes, upon which no serial number can be found, or upon which the serial number is illegible or insufficient for identification purposes.

(c) *Use of Bicycle Without Consent of Owner.* It shall be unlawful for any person to use or operate any bicycle without the consent of the owner.

(d) *Bicycle Without Serial Numbers.* It shall be unlawful for any person residing in the Village, or any dealer in bicycles operating in the Village, to purchase, receive in trade, or otherwise acquire any bicycle from which the serial number on the frame has been removed, destroyed, mutilated or altered, without first reporting the same to the Chief of Police.

(e) *Enforcement of Provisions.* The Chief of Police shall be responsible for the enforcement of the provisions of this section.

1. Juveniles 12 years of age and older may

be issued citations for Village ordinance violations.

2. Juveniles 16 years and older may be given a Wisconsin Uniform Traffic Citation and fined, or forfeiture imposed according to law.

(f) *Penalties.* Juveniles 12 through 15 years of age who shall violate any of the provisions of this section shall upon conviction of such violation forfeit \$1.00 to \$500.00 with no costs of prosecution added. Juveniles 16 years and older who shall violate any provisions of this section shall upon conviction of such violation forfeit \$1.00 to \$500.00 together with the costs of prosecution.

16.13 Snowmobiles and All-terrain Vehicles.

(1) SNOWMOBILES. No person shall operate a snowmobile upon any street, highway, or alley within the Village, in violation of the provisions of Wis. Stats. Chapter 350 or the following:

(a) §346.04 – Obedience to a Traffic Officer, Sign and Signal, Fleeing from an Officer.

(b) §346.06 – Meeting a Vehicle.

(c) §346.11 – Passing or Meeting Frightened Animals.

(d) §346.14(1) – Distance Between Vehicles.

(e) §346.18 – General Rules of Right of Way.

(f) §346.19 – What to do on Approach of Emergency Vehicle.

(g) §346.20 – Right of Way of Funeral Processions and Military Convoys.

(h) §346.21 – Right of Way of Livestock.

(i) §346.26 – Blind Pedestrians on the Highway.

(j) §346.27 – Persons Working on the Highway.

(k) §346.33 – Where Turns Prohibited, Exceptions.

(l) §346.35 – Method of Giving Signals or Turning and Stopping.

(m) §346.37 – Traffic Control Signal Legend.

(n) §346.39 – Flashing Signals.

(o) §346.40 – Whistle Signals.

(p) §346.44 – All Vehicles to Stop at Signal Indicating Approach of a Train.

(q) §346.46 – Vehicles to Stop at Stop Signs and School Crossings.

(r) §346.47 – When Vehicles Using Alley or Non-Highway Access to Stop.

(s) §346.48 – Vehicles to Stop for School Bus Displaying Flashing Lights.

(t) §346.50(1)(b) – Exceptions to Stopping and Parking Restrictions.

(u) §346.51 – Stopping, Standing, or Parking Outside of Business or Residence Districts.

(v) §346.52 – Stopping Prohibited in Certain Specified Places.

(w) §346.53 – Parking Prohibited in Certain Specified Places.

(x) §346.54 – How to Park and Stop on a Street.

(y) §346.55 – Other Restrictions on Stopping or Parking.

(z) §346.87 – Limitations on Backing.

(aa) §346.88 – Obstruction of Operator's View or Driving Mechanism.

(bb) §346.89 – Inattentive Driving.

(cc) §346.90 – Following Emergency Vehicle.

(dd) §346.91 – Crossing a Fire Hose.

(ee) §346.92(1) – Illegal Riding.

(ff) §346.94(1) – Driving on Sidewalk.

(gg) §346.94(9) – Alighting From or Boarding a Moving Vehicle.

(hh) Except as otherwise authorized under Wis. Stats. Chapter 350, snowmobiles shall only be operated on designated snowmobile routes or trails authorized or designated by the Wisconsin Department of Natural Resources, Fond du Lac County or the Village.

(2) ALL-TERRAIN VEHICLES. No person shall operate an all-terrain vehicle upon any street, highway, or alley within the Village, in violation of Wis. Stats. Chapter 23.33 or any of the following:

(a) §346.04 – Obedience to a Traffic Officer, Sign and Signal, Fleeing from an Officer.

(b) §346.06 – Meeting a Vehicle.

(c) §346.11 – Passing or Meeting Frightened Animals.

(d) §346.14(1) – Distance Between Vehicles.

(e) §346.18 – General Rules of Right of Way.

(f) §346.19 – What to do on Approach of Emergency Vehicle.

(g) §346.20 – Right of Way of Funeral Processions and Military Convoys.

(h) §346.21 – Right of Way of Livestock.

(i) §346.26 – Blind Pedestrians on the Highway.

(j) §346.27 – Persons Working on the Highway.

(k) §346.33 – Where Turns Prohibited, Exceptions.

(l) §346.35 – Method of Giving Signals or Turning and Stopping.

(m) §346.37 – Traffic Control Signal Legend.

- (n) §346.39 – Flashing Signals.
- (o) §346.40 – Whistle Signals.
- (p) §346.44 – All Vehicles to Stop at Signal Indicating Approach of a Train.
- (q) §346.46 – Vehicles to Stop at Stop Signs and School Crossings.
- (r) §346.47 – When Vehicles Using Alley or Non-Highway Access to Stop.
- (s) §346.48 – Vehicles to Stop for School Bus Displaying Flashing Lights.
- (t) §346.50(1)(b) – Exceptions to Stopping and Parking Restrictions.
- (u) §346.51 – Stopping, Standing, or Parking Outside of Business or Residence Districts.
- (v) §346.52 – Stopping Prohibited in Certain Specified Places.
- (w) §346.53 – Parking Prohibited in Certain Specified Places.
- (x) §346.54 – How to Park and Stop on a Street.
- (y) §346.55 – Other Restrictions on Stopping or Parking.
- (z) §346.87 – Limitations on Backing.
- (aa) §346.88 – Obstruction of Operator’s View or Driving Mechanism.
- (bb) §346.89 – Inattentive Driving.
- (cc) §346.90 – Following Emergency Vehicle.
- (dd) §346.91 – Crossing a Fire Hose.
- (ee) §346.92(1) – Illegal Riding.
- (ff) §346.94(1) – Driving on Sidewalk.
- (gg) §346.94(9) – Alighting From or Boarding a Moving Vehicle.
- (hh) Further no person shall operate an all-terrain vehicle in violation of Sections NR 64.03, NR 64.04, NR 64.05, NR 64.06, NR 64.08, NR 64.12, or Chapter NR 45, Wisconsin Administrative Code.

(ii) Except as otherwise authorized under Wis. Stats. Chapter 23.33, or Chapters NR 64 or NR 45, Wisconsin Administrative Code, all-terrain vehicles shall only be operated on designated all-terrain vehicle routes or trails authorized or designated by the Wisconsin Department of Natural Resources, Fond du Lac County or the Village.

16.14 Automobile and Other Vehicle Regulations. The statutory provisions describing and defining regulations with respect to vehicles and traffic in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of said statutes, are hereby adopted and by reference made a part of this ordinance 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 code. Pursuant to Wis. Stat. §349.03 and §349.06, the Village’s adoption of specifically enumerated statutory regulations is intended to incorporate, as if fully set forth herein, any and all changes, modifications or amendments to said statutes made by the Wisconsin Legislature subsequent to the Village’s adoption of the same.

(1) §340.01, §343.01 and §348.01
Words and phrases defined.

(2) §341.04 Penalty for operating unregistered or improperly registered vehicle.

(3) §342.05 Certificate of title required.

(4) §342.31(2) Report of stolen or abandoned vehicles.

(5) §342.34 DOT to be notified of destruction or junking of vehicle.

(6) §343.05 Operators to be licensed;

exceptions.

(7) §343.07 Instruction permits.

(8) §343.43 Unlawful use of license.

(9) §343.44 Driving while disqualified or ordered out-of-service or after license revoked or suspended.

(10) §343.45 Permitting unauthorized person to drive.

(11) §343.46 Duty of persons renting vehicles to another.

(12) §346.02 Applicability of chapter.

(13) §346.03 Applicability of rules of the road to authorized emergency vehicles.

(14) §346.04 Obedience to traffic officers, signs and signals; fleeing from officer.

(15) §346.05 thru §346.16 Driving, meeting, overtaking and passing.

(16) §346.18 thru §346.21 Right-of-way.

(17) §346.23 thru §346.29 Respective Rights and duties of drivers, pedestrians and bicyclists.

(18) §346.31 thru §346.35 Turning and stopping and required signals.

(19) §346.37 thru §346.42 Traffic signs, signals and markings.

(20) §346.44 thru §346.48 Required stops.

(21) §346.50 thru §346.55 Restrictions on stopping and parking.

(22) §346.61 thru §346.64 Reckless and drunken driving.

(23) §346.66 thru §346.69, §346.70 (1) and §346.72 Accidents and accident reports.

(24) §346.77 thru §346.81 Bicycles and play vehicles.

(25) §346.87 Limitations on backing.

(26) §346.88 Obstruction of operator's view or driving mechanism.

(27) §346.89 Inattentive driving.

(28) §346.90 Following emergency vehicle.

(29) §346.91 Crossing fire hose.

(30) §346.92 Illegal riding.

(31) §346.94 Miscellaneous prohibited acts.

(32) §347.02 Applicability of chapter 347.

(33) §347.03 Sale of prohibited equipment unlawful.

(34) §347.04 Owner responsible for improperly equipped vehicle.

(35) §347.06 thru §347.29 Lighting equipment.

(36) §347.35 thru §347.49 Other equipment.

(37) §348.02 Applicability of chapter.

(38) §348.05 thru §348.10 Size and load

(39) §348.15 thru §348.20 Weight limits.

(40) §348.25 thru §348.27 Permits.

(41) §349 Applicability of Chapter (42)

PROHIBITING OPERATORS FROM LEAVING KEYS IN PARKED MOTOR VEHICLES. Every passenger motor vehicle shall be equipped with a lock suitable to lock either the starting levers, throttle, steering apparatus, gearshift lever or ignition systems; and no person shall permit a motor vehicle in his/her custody to stand or remain unattended on any street, alley, or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gearshift or ignition of said vehicle is locked and the key for such lock is removed from the vehicle. This code does not apply to municipal vehicles in the performance of their duties.

(43) SPEED LIMITS.

(a) *State Speed Limits Adopted.* The provisions of Wis. Stat. §346.57, §346.58 and §346.59 relating to the maximum and minimum speed of vehicles are hereby adopted as part of this section as if fully set forth herein.

(b) The speed limit for all alleys located in the Village is 5 m.p.h.

(44) OPERATION OF MOTOR VEHICLES ON PREMISES HELD OPEN TO THE PUBLIC.

(a) This section shall apply to all premises held open to the public for use by motor vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for the use thereof.

(b) *Definitions:* for the purpose of this section, the Village of North Fond du Lac hereby adopts Wis. Stats. §340.01 (22), (35), (41), (46), (54), and (64).

(c) The operator of a motor vehicle operating on premises held open to the public for use by motor vehicles must obey the following traffic regulations. The operator shall:

1. Not exceed the posted limit when the maintenance authority in charge of the premises erects signs indicating the speed limit.

2. When approaching an official stop sign at an intersection, cause such vehicle to stop before entering the intersection and shall yield the right-of-way to other vehicles which have entered or are approaching the intersection upon a highway, driveway, or private road that is not controlled by an official traffic sign or signal.

3. Not participate in any race or speed or endurance contest upon any driveway or private road.

4. Upon all roadways of sufficient width, drive on the right half of the roadway except:

a. When making an approach for a left turn under circumstances in which the rules relating to left turns require driving on the left half of the roadway; or

b. When overtaking and passing under circumstances in which the rules relating to

overtaking and passing permit or require driving on the left half of the roadway; or

c. When the right half of the roadway is closed to traffic while under construction or repair; or

d. When overtaking and passing pedestrians, animals or obstructions on the right half of the roadway.

5. Upon the approach of any authorized emergency vehicle giving audible signal by siren, yield the right-of-way and immediately drive such vehicle to a position as near as possible and parallel to the right curb or the right-hand edge of the shoulder of the roadway or private drive, clear of any intersection. Unless otherwise directed by a traffic officer, the operator shall stop and remain standing in such position until the authorized emergency vehicle has passed.

This section does not relieve the operator of an authorized emergency vehicle from the duty to drive with due regard under the circumstances for the safety of all persons using the highway, driveway, or private road.

6. Comply with any lawful order, signal or direction of a traffic officer.

a. No operator of a vehicle shall disobey the instructions of any official traffic sign or signal unless otherwise directed by a traffic officer.

b. No operator of a vehicle shall, after having received a visual or audible signal from a traffic officer, or marked police vehicle, knowingly flee or attempt to elude any traffic officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or the traffic officer or other vehicles or pedestrians, nor shall he increase the speed of his vehicle or

extinguish the lights of his vehicle in an attempt to elude or flee.

7. Not follow an authorized emergency vehicle responding to a call or alarm closer than 500 feet or drive into or park his or her vehicle within the block where, or within 300 feet of the driveway entrance or similar point of access to a driveway or road on which, fire apparatus has stopped in response to an alarm. The personal vehicles of members of an official public safety department answering the alarm are considered on official business.

8. Unless given consent by the fire department official in command, not drive a vehicle over any unprotected hose of a fire department when such hose is laid down on any street, private driveway, or private road to be used at any fire or alarm of fire.

9. When approaching from the front or rear any school bus which has stopped on a roadway or private road, when the bus is equipped according to Wis. Stats. §347.25 (2) and when it is displaying flashing red warning lights, stop the vehicle not less than 20 feet from the bus and remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of any school bus which approaches from the front or rear any school bus which has stopped and is displaying flashing red warning lights shall display its flashing red lights while stopped.

10. Not drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. The speed of a vehicle shall be so controlled as may be necessary to avoid colliding with any object, person, vehicle, or other conveyance on or entering the driveway or private road in

compliance with legal requirements and using due care.

11. Consistent with the requirements of sub. (2), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, when passing school children, roadway construction or maintenance workers or other pedestrians, and when special hazard exists with regard to other traffic or by reason of weather or roadway conditions.

(c) Citations for violations of this section shall only be issued for offenses committed on premises not covered by the traffic code provisions of the Wisconsin Statutes.

(d) All citations for violations of this section shall be written as a Village municipal code citation.

(e) A monetary forfeiture may be assessed in accordance with section 24.04 against any operator of a motor vehicle that is convicted of a violation of this section, but no demerit point assessment shall be made against the driver's license of the offender.

(45) COMPRESSION BRAKING PROHIBITED.

(a) No operator of a motor vehicle within the corporate limits of the Village of North Fond du Lac shall brake a motor vehicle by the compression of the engine (commonly referred to as "Jake brakes," "engine breaks," or "compression brakes").

(b) The prohibiting of this ordinance shall not apply to authorized emergency vehicles, or where braking by compression of the engine is necessary for the protection of persons or property.

(46) Neighborhood Electric Vehicles. All provisions of Wisconsin Statutes relating to the licensing and use of Neighborhood Electric Vehicles (NEVs) are hereby adopted and made part hereof.

(1) DEFINITIONS. *Neighborhood Electric Vehicle* (NEV) is defined in Sates Statute 340.01 (36r) and means a motor vehicle that is propelled by electric power that conforms to the definition and requirements for low speed vehicles as adopted in the Federal Motor Vehicle Safety Standards for low speed vehicles. The definition of a Neighborhood Electric Vehicle does not include a golf cart.

(2) STANDARDS. An NEV must be titled and registered by the State of Wisconsin, and must display a State-issued license plate. An NEV shall have four wheels and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and shall have a gross vehicle weight of less than 3000 pounds. An NEV shall have the following equipment:

(a) headlamps; (b) stop lamps; (c) front and rear turn signals; (d) reflex reflectors, one red on each side as far to the rear as practicable, and one red on the rear; (e) an exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror; (f) parking brake; (g) a windshield that conforms to the federal safety standard on glazing; (h) a vehicle identification number (VIN) that complies with federal law; and (i) a type 1 or type 2 seatbelt assembly that conforms with federal law for each designated seating position.

(3) PERMITTED OPERATORS AND USES. Individuals who hold a valid Wisconsin drivers license may operate an NEV on any street

within the jurisdictional limits of the Village of North Fond du Lac that has a posted speed limit of 35 miles per hour or less. No NEV may be operating on or cross USH 45.

(4) TRAFFIC CODE. Operation of NEVs within the Village of North Fond du Lac shall comply with the provisions of the Village Traffic Code (Chapter 16) and all other Village ordinances.

(5) ENFORCEMENT. Enforcement of this ordinance regulating Neighborhood Electric Vehicles shall be pursuant to, 16.14, 16.25 and 24.05 of the Village Code of Ordinances.

16.25 Penalty. In lieu of or in addition to other penalties as prescribed, the penalty for violation of any provision of this chapter shall be as provided in section 24.05 of this code.

(a) Each day that any such provision is violated by any person shall be and constitute a separate violation hereunder.

(b) Handicapped parking violations shall be \$50.00 if paid within five (5) days. After five (5) days but within twenty-eight (28) days, the fine is increased to \$75.00. After twenty-eight (28) days, the forfeiture imposed remains \$75.00, but additional penalties may apply as outlined in (e) below.

(c) Parking penalties for the first violation of the winter parking ordinance during any snow removal season will be \$15.00 if paid within five (5) days. After five (5) days, but within twenty-eight (28) days, the fine is increased to \$30.00. The penalty for the second violation will be \$30.00 if paid within five (5) days. After five (5) days, but within twenty-eight (28) days, the fine is increased to \$45.00. The penalty for the third violation shall be \$50.00 if paid within five (5) days. After

five (5) days, but within twenty-eight (28) days, the fine is increased to \$65.00. The penalty for the fourth and subsequent violations of the winter parking ordinance during a snow removal season will be \$100.00, but additional penalties may apply as outlined in (e) below.

(d) All other citations issued in an amount of \$15.00 are payable within five (5) days. After five (5) days but within twenty-eight (28) days, the forfeiture imposed is increased to \$30.00. After twenty-eight (28) days, the fine remains \$30.00, but additional penalties may apply as outlined in (e) below.

(e) If a parking ticket is not paid within the twenty-eight (28) days from the date of issuance of the citation, the Village will make application to the Department of Transportation in accordance with Wisconsin State Statutes to suspend the vehicles registration and refuse to renew registration of any and all vehicles registered to the violator. Such suspension shall be in effect until such time that the Village gives written notice to the Department of Transportation that the forfeitures imposed has been satisfied.