

TRAFFIC AND VEHICLES

Chapter 38

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ARTICLE I. IN GENERAL

Sec. 38-1. Traffic Control Devices Ratified.

All traffic control signs, signals, devices and markings in place on the date of adoption of the Code are expressly ratified and confirmed by the Village Board.

Sec. 38-2. State Traffic Laws Adopted.

Except as otherwise provided in this Chapter, all provisions of Chapters 340 to 350 of the Wisconsin Statutes, and all provisions of Trans 305 of the Wisconsin Administrative Code describing and defining regulations relative to the equipment of vehicles that the Village may adopt as ordinances are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made a part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

Sec. 38-3. Violation.

The penalty for violation of any provision of this Chapter shall be as set forth in the Village Bond Schedule.

(Ord. of 1-10-1994, § 6)

Secs. 38-4--38-30. Reserved.

ARTICLE II. MINIBIKES, ATVS AND SELF-PROPELLED DEVICES

Sec. 38-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Highway means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of

the public as a matter of right for the purposes of vehicular travel. It includes not only the actual traveled portion of the roadway, but also the shoulders, ditches and other areas adjacent thereto which are owned by and reserved for the use of the public.

Minibike means any self-propelled device primarily used for transportation or sport, including, but not limited to, motorcycles, go-carts, motorized bicycles, off-the-road trail bikes, and all-terrain vehicles.

Self-Propelled Device means any device designed primarily for off-the-road use which is internal combustion engine driven, electric motor driven, or self-propelled, and in, upon, or by which any person or property is or may be transported or drawn. The term "self-propelled device" includes, without limitation for lack of enumeration, such devices commonly known as minibikes, go-carts, motor bicycles, and any self-propelled device operated upon the water.

(Code 1970, § 7.02(1))

Cross references: Definitions generally, § 1-2.

Sec. 38-32. Statutes Apply.

The provisions of Wis. Stats. §§350.10 and 350.101 shall apply to this article and any violation of such statutes shall constitute a violation of this section.

Sec. 38-33. Liability of Parent or Guardian.

No parent or guardian of any child under the age of 18 years shall authorize or permit any such child to violate any of the provisions of this article. Any child under the age of 18 years who shall operate a minibike or self-propelled device shall be presumed to be operating such vehicle under the authority of a parent or guardian.

(Code 1970, § 7.02(3))

Sec. 38-34. Roads Designated as ATV Routes.

The Village roads designated as ATV routes upon which ATVs may be permitted to operate

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are as designated by the Village Director of Public Works.

(Ord. of 1-10-1994, §§ 1--4)

Sec. 38-35. All Terrain Vehicles.

The provisions of Wis. Stats §23.33 are adopted and by reference made a part of this section as if fully set forth herein.

(Ord. of 1-10-1994, §§ 5, 6)

Secs. 38-36--38-70. Reserved.

ARTICLE III. SNOWMOBILES

Sec. 38-71. Roads Designated as Snowmobile Routes.

The Village roads designated as snowmobile routes and upon which snowmobiles may be permitted to operate are as designated by the Village Public Works Director. A list of these routes is on file in the Public Works Director's Office.

(a) *Declaring Trails Open or Closed.* Village routes are opened or closed in conjunction with county snowmobile routes. Additionally, the Public Works Director shall have the power to declare the stated snowmobile routes and trails either open or closed.

(b) *Markers to be Obeyed.* No person shall fail to obey any route or trail sign, marker or limit erected in accordance with this section.

(Code 1970, § 7.01(1), Updated November 2005)

Sec. 38-72. Use of Ditches When Practicable. Repealed and Reserved.

Sec. 38-73. Operation by Youthful Operators Restricted.

(a) *Persons Under Age 12 Years.* No person under the age of 12 years may operate a snowmobile unless the

person is accompanied either by a parent or guardian or by a person over 18 years of age.

(b) *Persons Age 12 Years and Older: Snowmobile Safety Certificates and Program.*

(1) No person who is at least 12 years of age and who was born on or after January 1, 1985, may operate a snowmobile unless he or she holds a valid snowmobile safety certificate.

(2) Any person who is required to hold a snowmobile safety certificate while operating a snowmobile shall carry the certificate on the snowmobile and shall display the certificate to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

(c) *Exceptions.* This section does not apply to the operation of snowmobiles upon lands owned or leased by the operator's parent or guardian. As used in this section, the term "leased lands" does not include lands leased by an organization of which the operator or the operator's parent or guardian is a member.

(d) *Definition.* For purposes of this section, the term "accompany" means to be on the same snowmobile as the operator.

(Code 1970, § 7.01(3))

State law references: Similar provisions, Wis. Stats. § 350.05.

Sec. 38-74. Headlamps, Taillamps and Brakes. Repealed and Reserved.

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Sec. 38-75. Prohibited Use of Snowmobiles. Repealed and Reserved.

Sec. 38-76. Applicability of Traffic Regulations to Snowmobiles.

No person shall operate a snowmobile upon any street, highway or alley within the Village in violation of the traffic regulation provisions of Wis. Stats. §§346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1), (6), (6m) and (9), in accordance with Chapter 350.

Sec. 38-77. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Snowmobile accident means a collision, accident or other casualty involving a snowmobile.

Sec. 38-78. Penalty for Violation of Article.

Violations of any regulations which are adopted State Statutes will be cited using the forfeiture amount as set forth in the Wisconsin Uniform Bond Schedule plus all other costs required in a Municipal Court. All other violations of this ordinance will be assessed a \$150.00 forfeiture plus those additional costs required in Municipal Court.

Sec. 38-79. Accidents and Accident Reports.

- (a) If he can do so without serious danger to his own snowmobile or to persons on board, the operator of a snowmobile involved in a snowmobile accident within the Village shall stop his snowmobile and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and

address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.

- (b) If the snowmobile accident comes within Wis. Stats. § 350.15, every operator of a snowmobile involved in such accident shall, as soon as possible, notify the police department of the accident and comply with the statute.
- (c) If the operator of a snowmobile is physically incapable of making the report required by this section and there was another occupant in the snowmobile at the time of the accident capable of making the report, that occupant shall make such report.

Sec. 38-80. Speed.

No person shall operate a snowmobile upon any public highway within the Village at a speed in excess of 15 miles per hour. No person shall operate a snowmobile on any trail designed in section 38-71 or in any public park or recreation area at a speed in excess of the posted limit.

Sec. 38-81. Unattended Vehicles.

No person shall leave 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.

Sec. 38-82. Vehicle Operation.

On private property. The operator shall at all times have the express written consent of the owner before operation of such craft or vehicle on private property not owned or controlled by him, that is not part of the trail system.

- (a) *By improper persons.* 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

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- influence of an intoxicant or a dangerous or narcotic drug.
- (b) *Under influence.* Wis. Stats. §350.101 shall apply to the operation of a snowmobile any place within the Village.
- (c) *In parks.* No person shall drive a snowmobile in any park within the Village except upon designated snowmobile trails as shall be designed by the Public Works Director.
- (d) *Written consent of owner required.* The consent required under Wis. Stats. §350.10(6), (11), (12) and (13) and in subsection (a) of this section 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.

the roadway and travel with the flow of traffic.

(2) Snowmobiles shall be operated in single file.

(3) Snowmobiles shall have their headlights on at all times.

(4) Snowmobile operators shall yield the right-of-way to other vehicular traffic and pedestrians.

(d) *Speed.* A snowmobile operated on a portion of the roadway or shoulder of a highway pursuant to this section shall observe roadway speed limits except that between the hours of 10:30 p.m. and 7:00 a.m. snowmobiles may not exceed ten mph when operated within 150 feet of a dwelling.

(e) *Enforcement.* This section shall be enforced by any law enforcement officer of the Village.

Sec. 38-83. Snowmobile Access to Trails.

(a) *Intent of section.* The intent of this section is to provide a means for persons to travel on a snowmobile from a residence within the limits of the Village to a designated snowmobile route or trail using the shortest distance necessary.

(f) Penalties. State snowmobile penalties as found in Wis. Stats. §350.11(1)(a) are adopted by reference except for those exceeding Village authority.

Secs. 38-84--38-100. Reserved.

ARTICLE IV. TRAFFIC SCHEDULES

DIVISION 1. GENERALLY

Secs. 38-101. Disorderly Conduct with a Motor Vehicle.

No person shall, within the Village, on public or private property, by or through the use of a motor vehicle, motorcycle, snowmobile, mini-bike, or ATV, under circumstances which tend

(b) *Statutory Authority.* This section is adopted as authorized under Wis. Stats. §350.18.

(c) *Conditions.* This section designates the roadways and/or shoulders of specific highways for snowmobile travel by persons residing or staying at a lodging establishment within the limits of the Village to travel for the shortest distance that is necessary to reach the snowmobile trail or route that is closest to that residence or lodging establishment subject to the following conditions:

(1) Snowmobiles shall be operated on the extreme right side of

to cause or provoke a disturbance or annoy one or more persons, engage in violent, abusive, unreasonably loud or otherwise disorderly conduct, including but not limited to unnecessary or deliberate or intentional: spinning of wheels; squealing of tires; revving

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of engine; blowing of horn(s); causing the engine to backfire; or causing the vehicle, while commencing to move or in motion, to raise one or more of its wheels off the ground. Such conduct is declared to be both unlawful and a nuisance, in whosoever is adjudged guilty of such conduct shall forfeit those sums as set forth in the Village Bond Schedule.

Sec. 38-102. Railroad Obstructing of Roadways.

- (a) No person or railroad company shall obstruct any street or alley so as to interfere with traffic thereon with a railroad locomotive, car or any railroad equipment for a period of more than twenty (20) minutes.
- (b) Sec. 38-102(a) shall not apply where an accident has occurred on the rail line where railroad equipment is engaged in the maintenance of the tracks.
- (c) Then penalty for violation of this section shall be not less than twenty dollars nor more than one thousand dollars.

(April 28, 2008)

Sec. 38-103-38-120. Reserved.

DIVISION 2. NO-PASSING ZONES

Sec. 38-121. Established.

- (a) Repealed and Reserved.
- (b) This division is passed in the interest of public safety, and pursuant to Wis. Stats. §§349.06 and 349.12. Erection of the marked intersection signs and the painted unbroken yellow line will in effect create a marked "No Passing" zone.
- (c) The signs and yellow unbroken line shall conform in accordance with the standard procedures adopted by the State Department of Transportation

and the "Manual on Uniform Traffic Control Devices."

- (d) The zone shall be an official "No Passing" zone, and no operator of a vehicle shall disobey the marked zone and signs unless otherwise directed by a traffic officer.

(Code 1970, § 9.02(1)--(4))

Sec. 38-122. Enforcement.

The Village Police Chief or his designees shall enforce this division. The County District Attorney's Office or the Village Attorney, as may be appropriate, shall prosecute cases under this division.

(Code 1970, § 9.02(5))

Sec. 38-123. Violation.

Repealed and Reserved.

Sec. 38-124. Bond Schedule.

Repealed and Reserved.

Secs. 38-125--38-150. Reserved.

DIVISION 3. PARKING

Sec. 38-151. Violation.

Repealed and Reserved.

Sec. 38-152. Official Parking Signs.

No person shall park, stop or leave standing any vehicle on any public street or alley in the Village when or where official signs have been erected or displayed prohibiting or limiting parking at such place, except in conformity with such official signs.

(Res. No. 98-24, 10-29-1998; Ord. of 1-28-2003, § 1)

Sec. 38-153. All Night Parking.

No person shall park any vehicle on any public street or highway in the Village

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between the hours of 2:00 a.m. and 7:00 a.m. from November 1 until May 1 except under the circumstances described in Wis. Stats. §346.50.

- (1) Official signs in compliance with the requirements of Wis. Stats. §349.13 shall be erected at or reasonably near the corporate limits of the Village on all State and County highways and connecting streets informing night motorists of the night parking regulations now or hereafter in effect in the Village.
- (2) Should any vehicle be left on a public street between the hours of 2:00 a.m. to 7:00 a.m. from November 1 to May 1, the Village Police Chief or his designees may have the vehicle towed pursuant to the provisions of Wis. Stats. §349.13.

(Amend. of 12-12-1994, § A)

Sec. 38-154. Snow Removal Emergency.

- (a) Pursuant to Wis. Stats. Ch. 349, the Village prohibits any person from parking a motor vehicle in any area where parking during a snow removal emergency has been prohibited. The Village Director of Public Works is authorized to declare that a snow removal emergency exists, and No Parking signs shall not be required provided official parking signs are placed at or reasonably near the territory or boundaries of the Village on all State and County trunk highways and connecting highways.
- (b) Temporary snow removal emergency parking signs may be installed at any location within the Village, but shall not be required.

(Ord. of 2-11-1980, § 9.03(a))

Secs. 38-155. Removal and Disposal of Abandoned Vehicles.

- (a) *Definitions*

1. “*VEHICLE*” as used in this section includes the motor vehicles described in Wis. Stats. §340.01(35), and includes trailers, semi trailers and mobile homes.
2. “*ABANDONED VEHICLES*” are vehicles left unattended, without the permission of the property owner for more than 48 hours; provided, however, a motor vehicle shall not be considered “Abandoned Vehicle” when it is out of ordinary public view or when designated as not being Abandoned by any official duly authorized to designate vehicles as “Not Abandoned.” The Chief of Police and Village Administrator are officials duly authorized to designate vehicles as “Not Abandoned.”

- (a) *Abandoned Vehicles*, except vehicles that have been stolen shall be forfeited, subject to the required notice to owners of record in to any lien holders of record. Wis. Stats. Sec. 342.40 as it now exists and as it may be hereafter amended, is incorporated herein by reference as though fully set forth verbatim.
- (b) The forfeiture of the vehicle under this section is in addition to the right of the Village to seek recovery of the cost of impounding and disposing of the vehicle.
- (d) The Village hereby declares that leaving any vehicle unattended without permission of the property owner for more than 48 hours constitutes a public nuisance. The Village may proceed under this Ordinance or under Section 14-71, Junk Vehicles, and Other Junk, in cases where both Ordinances apply herein.

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Sec. 38-156—38.180. Reserved.

DIVISION 4. SPEED LIMITS

Sec. 38-181. Violation.

Repealed and Reserved.

Sec. 38-182. Maximum Speed.

The location of all traffic regulations and restrictions adopted by Ordinance by the Village Board shall be listed in the Index of Traffic Regulations of the Village of

Kronenwetter, which is adopted by reference as though fully set forth in this Chapter. The official copy of the Index of Traffic Regulations shall be on file in the office of the Village Director of Public Works, who shall keep the same current at all times by such revisions as is required by additions, deletions, and amendments adopted by the Village Board by Ordinance from time to time. The Village Director of Public Works shall provide and maintain copies of the Index of Traffic Regulations for the offices of the Municipal Court, Village Attorney, Police Department and Village Clerk.

Secs. 38-183--38-200. Reserved.

DIVISION 5. WEIGHT LIMITS

Sec. 38-201. Violations of Weight Limits.

- (a) The Village Attorney shall prosecute cases under this division in the Municipal Court of the Village.
- (b) Any person who shall violate any provision of this division shall pay a forfeiture as set forth in the Village Bond Schedule.
- (c) Milk haulers, public utility vehicles, school buses, fuel haulers and septic tank pumpers, who are in route to or from a failing septic tank within the Village, are exempt from this division.

(Ord. No. 9.06, 2-22-1988)

Sec. 38-202. Scope.

The Spring breakup of roads is causing considerable damage to the Village highways. Such damage can be reduced by controlling the heavy load weights of vehicles traveling over Village highways. It is in the best interest of the public that load weights passing over Village highways be limited to protect the interests of the Village taxpayers.

(Ord. No. 9.06, 2-22-1988)

Sec. 38-203. Limits Established; Posting Signs; Enforcement of Weight Limits.

- (a) Pursuant to Wis. Stats. §349.16, the Village Director of Public Works shall be authorized to establish and impose special or seasonal weight limitations as necessary within the Village.
- (b) The Village Police Department shall enforce this division.

(Ord. No. 9.06, 2-22-1988)

DIVISION 6. REGULATORY SIGNAGE

Sec. 38-250. Stop Signs.

- (a) *Placement of Stop Signs.* The Department of Public Works may procure, install and maintain appropriate state traffic signs, signals and markings conforming to the Wisconsin Department of Transportation Edition of the Federal Manual of Uniform Traffic Control Devices for Streets and Highways ("MUTCD"). Signs shall also be installed in such locations and manner as are authorized by the Village Board with adequate warning to users of the street, alley or highway in questions.
- (b) *Index of Stop Signs.* The location of all stop signs shall be listed in the Index of Stop Signs for the Village of Kronenwetter, which is created herein by virtue of this Ordinance. An official copy of this Index of Stop Signs shall

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be on file in the Office of the Director of Public Works, who shall keep the same current at all times by such revision as is required by additions, deletions and amendments as adopted by the Village Board by Ordinance from time to time. The Director of Public Works shall provide and maintain copies of the Index of Stop Signs for the Village Attorney, Police Department, Village clerk and Municipal Court.

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