

TITLE 8

Motor Vehicles and Traffic

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CHAPTER 1

Traffic and Parking

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SEC. 8-1-1 STATE TRAFFIC LAWS ADOPTED.

- (a) **STATUTES ADOPTED.** Excepted as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, including penalties to be imposed and procedures for prosecution, 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 regulation incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the statutory regulations in Chapters 340 to 348 incorporated herein are intended to be made part of this Chapter in order to secure to the extent legally practicable uniform statewide regulation of vehicles traffic on the highways, streets and alleys of the State of Wisconsin. Any person who shall within the Village of Prairie du Sac, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section.
- (b) **OTHER STATE LAWS ADOPTED.** There are also hereby adopted by reference the following sections of the Wisconsin Statutes, but the prosecution of such offenses under this ordinance shall be as provided in Chapters 340 through 348 of the Wisconsin Statutes and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this Chapter: 941.01 Negligent Operation of Vehicle Off Highway 941.03 Highway Obstruction 947.045 Drinking in Motor Vehicle on Highway.
- (c) **STATUTES SPECIFICALLY INCORPORATED BY REFERENCE.** Whenever this Chapter incorporates by reference specific sections of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1983-84 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (d) **GENERAL REFERENCES.** General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of local traffic regulations shall be deemed to refer to the most recent enactment's of the Wisconsin Legislature describing or defining such procedures or authorities.

SEC. 8-1-2 OFFICIAL TRAFFIC SIGNS AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

- (a) **DUTY OF SUPERINTENDENT 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 Section 8-1-1, require the erection of traffic control devices for enforcement, the Superintendent of Public Works, with the cooperation of the Police Department, 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 Superintendent of Public Works or his designee will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the Village of Prairie du Sac.
- (b) **CODE NUMBERS TO BE AFFIXED TO OFFICIAL TRAFFIC CONTROL DEVICES.** The Superintendent of Public Works or his designee shall cause to be placed on each official traffic control sign, a guide board, mile post, signal or marker erected under Subsection (a) a code number assigned by the Wisconsin Department of Transportation,

and shall also place or direct the placing of code numbers on all existing official traffic control devices as required by the laws of the State of Wisconsin.

- (c) **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 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 Superintendent 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 (d).
- (d) **REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES.** The Superintendent of Public Works or his designee may remove any sign, signal, marking 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, marking or device shall be reported by the Superintendent of Public Works or his designee to the Village Board 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.

State Law Reference: Sections 346.41 and 349.09, Wis. Stats.

SEC. 8-1-3 OFFICIAL TRAFFIC MAP

- (a) **OFFICIAL TRAFFIC MAP ESTABLISHED.** There is hereby established for the Village of Prairie du Sac an Official Traffic Map, dated August 15, 1985, upon which is indicated as of said date, all existing stop signs, arterial intersections, yield signs, speed zones and school crossings 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 Village Board may from time to time make additions to or deletions from the Official Traffic Map and the Chief of Police and Superintendent of Public Works shall keep such Official Traffic Map current. To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or location, and to warn pedestrians or drivers of motor vehicles of potential hazards, the Village Board, by resolution, and amendment to the Official Traffic Map, may establish lanes of traffic, safety zones, stop or yield intersections, speed zones, school zones, and other traffic controls which shall become effective upon installation of appropriate signs. Every addition to said Official Traffic Map made after August 15, 1985, 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.** A copy of the Official Traffic Map shall be maintained and kept in the office of the Superintendent of Public Works. The Chief of Police or Superintendent of Public Works shall make appropriate authorized changes on said map within three (3) 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.

SEC. 8-1-4 RESTRICTIONS ON PARKING; SPECIAL LIMITATIONS.

- (a) **SEVENTY-TWO (72) HOUR LIMITATION.** No person shall park or leave standing any vehicle on any street in the Village for a period of seventy-two (72) or more consecutive hours in the same location at any time. When any police officer shall find a vehicle standing upon a street in violation of the provisions of this section, he is authorized to move such a vehicle or to require the operator in charge thereof to move such vehicle to a position permitted under this ordinance. The police officer may cause said vehicle to be removed to a proper impoundment and storage area within the Village where storage space is available and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.
- (b) **POSTED LIMITATIONS.**
- (1) The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
 - (2) Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code of Ordinances.
 - (3) The Chief of Police is hereby granted the authority, within the reasonable exercise of police power to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Chapter 346 and shall also have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations.
 - (4) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
 - (5) After the parking limitations on any given street have expired, any change of location of not more than one stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.
- (c) **EMERGENCY SNOW REMOVAL REGULATIONS.**
- (1) Parking Interfering With Snow Removal Operations. Whenever there shall be an accumulation of snow not less than two (2) inches and such accumulation hinders the safe movement of traffic or impedes the ability of an emergency vehicle or public transportation vehicle to travel safely and expeditiously over the streets and highways of the Village, there shall then exist a snow emergency and the following parking restrictions shall go into effect:
 - a. Emergency snow parking regulations shall mean that no person shall park on any public street or highway in the Village of Prairie du Sac during any such snow emergency. Such emergency regulation shall continue in effect for forty-eight (48) hours after the snow has ceased to fall, or until such time as the snow has been removed from the streets or highways within the Village.

- b. For the purpose of this Section, parking is defined to mean leaving a vehicle or permitting it to remain unattended, but shall not include the stopping of:
 - 1. A vehicle by a doctor making a call.
 - 2. Business vehicles being used for temporary deliveries or pickups during these hours.
 - 3. Police, fire, or other emergency vehicles.
 - 4. A vehicle holding a valid permit issued by the Village Administrator after approval of Village Board for a handicapped person.
 - 5. A vehicle holding a valid permit issued by the Village Administrator after approval of the Village Board for extreme hardship cases.
 - 6. Vehicles or equipment owned or leased by the Village of Prairie du Sac.
- (2) Any vehicle in violation of this section will receive a parking citation, with a forfeiture of \$40.00. The parking citation shall serve as the vehicle owner's notice to remove the vehicle from the street within six (6) hours.
- (3) A vehicle that fails to move within six (6) hours of the issuance of the original parking citation shall receive a second citation, with a forfeiture of \$40.00, and will be subject to tow. If a vehicle is towed, the forfeiture will increase \$50.00, for a total of \$90.00 for the second parking citation. The vehicle owner will be responsible for costs associated with the towing of the vehicle.

History: Code of Ordinances, 1986. Sec. 8-1-4(c) repealed and recreated. Ordinance No. 9, Series of 1995. Sec. 8-1-4(c) amended. Ordinance No. 1, Series 2020.

SEC. 8-1-5 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 Chapter shall obey the direction of such Official Traffic Control Device as required by the Wisconsin Statutes incorporated by reference in Section 8-1-1 of this Chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Section 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 Section 346.18(6), Wis. Stats.

SEC. 8-1-6 TRUCK AND LARGE VEHICLE PARKING

- (a) Except in an emergency, and in such case for no more than 24 hours, none of the following shall be parked or stored on any street, avenue, or public way of the Village, except as provided for in Sec. 8-1-6(b) or when actively loading, unloading or rendering a service.
 - (1) Truck tractors and/or semitrailers as defined in Section 340.01, Wis. Stats.
 - (2) Other motor vehicles over 12,000 pounds licensed gross weight which are designed or used for commercial purposes, including school buses.
 - (3) Trailers designed or used for commercial purposes for which a license is required by the Wisconsin Statutes.
 - (4) Utility trailers and other non-motorized towable equipment.
- (b) Truck tractors or truck tractors with semi-trailers as defined in Section 340.01, Wis. Stats. may be parked along the north side of Tower Street from 13th Street to 17th Street for a maximum of forty-eight (48) hours, this provision shall not apply to any other vehicles. No semi-trailer is to be parked in accordance with this provision without being attached to a truck tractor. An on-street parking permit from the Village Administrator for a fee as stated

in the Schedule of Fees must be obtained for each truck tractor and must be displayed when parked in the designated area. All permits issued under this provision shall expire on June 30 of each year. This provision shall not supersede snow removal regulations as stated in Sect. 8-1-4(c) and 8-1-7 or other applicable parking restrictions of the Village Code.

- (c) Recreational vehicles, motor homes, camping trailers, recreational trailers, boats and boat trailers may not be parked or stored on any street, avenue, or public way of the Village longer than four (4) hours without a permit obtained from the Village Administrator. This temporary permit shall allow the permittee to park on a Village street for up to five (5) days for a fee as stated in the Schedule of Fees. No more than four (4) temporary permits in one calendar year may be issued to the same adjacent property address. Only one (1) permit may be issued at a time to an adjacent property address.
- (d) This section shall not apply to municipal, public health, and public safety vehicles.

History: Code of Ordinances, 1986. Sec. 8-1-6 repealed and recreated. Ordinance No. 9, Series of 1995.
Sec. 8-1-6(a) and Sec. 8-1-6(b) repealed and recreated. Ordinance No. 8, Series of 2003.
Sec. 8-1-6 amended. Ordinance No. 9, Series 2014.
Sec. 8-1-6 amended. Ordinance No. 3, Series 2017.

SEC. 8-1-7 MISCELLANEOUS PARKING RESTRICTIONS.

- (a) **PARKING DURING SNOW REMOVAL.** No person shall park, place or leave standing any automobile, truck or other vehicle on any street or public way after one (1) hour from the time such area has been designated and marked with signs or barriers by an agent of the Village indicating no parking due to snow removal. The Village Board hereby declares that an emergency exists during and following a snow storm until the snow from the storm has been removed; therefore, this paragraph shall be controlling over any other ordinance which might in any way conflict.
- (b) **STREET MAINTENANCE.** Whenever it is necessary to clear or repair a Village -roadway or any part thereof, the Superintendent of Public Works shall post such highways or parts thereof with signs bearing the words "No Parking - Street Maintenance Work." Such signs shall be erected at least two (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.

SEC. 8-1-8 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES

- (a) **PARKING PROHIBITED.** No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
 - (1) Within an intersection.
 - (2) On a crosswalk.
 - (3) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters.
 - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
 - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
 - (6) In front of the driveway entrance to a fire station.
 - (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
 - (8) In any place or manner so as to obstruct, block or impede traffic.

- (9) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
 - (10) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
 - (11) Upon any bridge.
 - (12) Upon any street or highway within the Village limits any vehicle which faces a direction different from the direction of normal traffic flow for the lane of traffic in which said vehicle is stopped or standing.
 - (13) Upon any terrace or sidewalk in the Village at any time.
 - (14) On Oak Street along the north curblin from First Street to Prairie Avenue, except for the area designated in Sec. 8-1-8(f)(4).
 - (15) On Lincoln Avenue along the south curblin from the intersection with First Street to a point 71 feet east thereof.
 - (16) On 20th Street along the West curblin from the intersection with Prairie Street (CTH PF) to a point 137 feet north thereof and along the East curblin from the intersection with Prairie Street (CTH PF) to a point 93 feet north thereof.
 - (17) On Tower Street along the south curblin from Fifteenth Street to Water Street.
 - (18) On Fifth Street along the east curblin from Lincoln Avenue to Grand Avenue.
 - (19) On Ninth Street from Grand Avenue to Broadway Street.
 - (20) On Fifteenth Street along the west curblin from Prairie Street to North Street.
- (b) **ANGLE PARKING.** Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Village except where vehicle-parking markers indicate that the same is permissible. All vehicles shall park parallel to, and within one (1) foot of the curb except where streets and parking lots are so marked for angle parking.
- (c) **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.
- (d) **PARKING VEHICLE FOR REPAIR OR TO DISPLAY FOR SALE PROHIBITED.** No person shall stand or park a vehicle on any street, alley or municipal parking lot in the Village for the purpose of repairing said vehicle, or to display such vehicle for sale.
- (e) **PARKING RESTRICTIONS DESIGNATED.** When signs or parking meters are erected in any block giving notice thereof, no person shall park a vehicle for longer than the period hereinafter specified at any time between the hours of 8:00 a.m. and 6:00 p.m., except Sundays and the following holidays (New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas):
- (1) Fifteen (15) Minute Parking.
 - a. Water Street along the east curblin from a point 15 feet south of the south crosswalk at the intersection with Galena Street to a point 18 feet south thereof.
 - b. Water Street along the east curblin from a point 166 feet north of the north crosswalk at the intersection with Washington Street to a point 25 feet north thereof.
 - (2) Two Hour Parking.
 - a. Water Street between Prairie Street and Broadway.
 - b. Galena Street along north curblin between Water Street and Third Street.
 - c. Washington Street between Water Street and Park Avenue.
 - d. Park Avenue along east curblin between Galena Street and Washington Street.
 - e. Third Street between Prairie Street and Galena Street.
 - (3) Parking Prohibited During Certain Hours.
 - a. When signs are erected in any block giving notice thereof, no person shall park a vehicle on the following streets from 3:00 a.m. to 6:00 a.m.:

1. Water Street from Broadway to Prairie Street.
 2. Third Street from Prairie Street to Galena Street.
 3. Galena Street from Fourth Street to Water Street.
 4. Park Avenue from Galena Street to Washington Street.
- b. When signs are erected in any block giving notice thereof, no person shall park a vehicle on the following streets from 5:00 a.m. to 5:00 p.m.
1. On Fifteenth Street along the east curblin from Prairie Street to North Street.
- (f) **LOADING ZONES.** No person may park in the following areas except for purposes of loading or unloading persons, materials or goods. This restriction shall not apply to public safety and public utility vehicles responding to calls for service.
- (1) On Oak Street along the north curblin from a point 102' east of the east curblin of First Street to a point 162' thereof.
- (g) **PERMIT REQUIRED.** No person, except for residents who obtain an on-street parking permit from the Village Administrator, shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following locations:
- (1) On Prairie Avenue along the east curblin, from a point 149' south of the south curblin of Lincoln Avenue to a point 189' south thereof.
- (h) **LIMITED PARKING - PERMIT REQUIRED.** No person, except for residents who obtain an on-street parking permit from the Village Administrator, shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, for period not to exceed the time limit posted in any of the following locations:
- (1) On Ninth Street, along the east curblin, from Ray Street to Oak Street.
 - (2) On Eighth Street from Lincoln Avenue to Oak Street.
 - (3) On Lincoln Avenue from Seventh Street to Ninth Street.
 - (4) On Ray Street from Seventh Street to Ninth Street
 - (5) On Oak Street, along the north curblin, from Ninth Street to Eighth Street.
 - (6) Prairie Avenue, along the east curblin, between Lincoln Avenue and Oak Street, except for area designated in Sec. 8-1-8(g)(1).
 - (7) Lincoln Avenue, along the north curblin, between First Street and Prairie Avenue, except for area designated in Sec. 8-1-8(a)(14).
 - (8) First Street along the west curblin, from the north curblin of Oak Street to a point 189 feet north thereof.
 - (9) Broadway Street, along the south curblin, from the east curblin of 13th Street to a point 830 feet east thereof.
- (i) **MAILBOXES.** No person shall park any vehicle or other piece of equipment directly in front of or within 15 feet in either direction of a mailbox. This restriction shall apply from 8:00 a.m. through 3:00 p.m., Mondays through Saturdays, except United States Postal Service holidays.
- (j) **PARKING PERMIT REQUIRED – 9TH STREET.** No person, except for Sauk Prairie High School Staff who obtain an on-street parking permit from the Village Administrator, shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, for period not to exceed the time limit posted, along the west curblin of 9th Street, from Grand Avenue to Oak Street. This restriction shall apply only during the hours of 7:30 a.m. to 3:30 p.m. on school days.

History: Code of Ordinances, 1986. Sec. 8-1-8 (a), (e), (f) revised, (g), (h) created. Ordinance No. 9, Series of 1999.

History: Code of Ordinances, 1986. Sec. 8-1-8 (e) amended. Ordinance No. 7, Series of 2002.

History: Code of Ordinances, 1986 re-codified, 2003. Sec. 8-1-8(a)(16) amended. Ordinance No. 3, Series of 2004.

History: Code of Ordinances, 1986. Sec. 8-1-8(e) amended. Ordinance No. 3, Series of 2012.

History: Code of Ordinances, 1986. Sec. 8-1-8 amended. Ordinance No. 3, Series of 2013.

History: Code of Ordinances, 1986. Sec. 8-1-8 amended. Ordinance No. 10, Series of 2013.

History: Code of Ordinances, 1986. Sec. 8-1-8(f) amended. Ordinance No. 3, Series of 2015.

History: Code of Ordinances, 1986. Sec. 8-1-8 amended. Ordinance No. 7, Series of 2015.

History: Code of Ordinances, 1986. Sec. 8-1-8(h) amended. Ordinance No. 10, Series of 2016.

History: Code of Ordinances, 1986. Sec. 8-1-8(j) created. Ordinance No. 11, Series of 2020.

SEC. 8-1-9 PARKING RESERVED FOR VEHICLES OF DISABLED.

When official traffic signs indicating such restriction have been erected in accordance with Section 8-1-2 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved for vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.

SEC. 8-1-10 LEAVING KEYS IN VEHICLE PROHIBITED; PARKING VEHICLES WITH MOTOR RUNNING.

- (a) **LEAVING KEYS IN VEHICLE.** No person shall permit any motor vehicle to stand or remain unattended on any street, alley or other public area, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift or ignition of the vehicle is locked and the key for such lock is removed from the vehicle. Whenever any police officer shall find a motor vehicle standing unattended with the ignition key in the violation of this Section, such police officer is authorized to remove such key from the vehicle and deliver the ignition keys to the police station for safekeeping.
- (b) **PARKING VEHICLES WITH MOTOR RUNNING.** No person shall park or leave standing any motor vehicle with the motor or refrigerator unit running for more than fifteen (15) minutes within three hundred (300) feet of any residence within the Village between the hours of 10:00 p.m. and 7:00 a.m.

SEC. 8-1-11 UNATTENDED MOTORIZED MACHINERY.

It shall be unlawful for any person, firm or corporation to permit any construction, compaction, earth-grading or farm machinery which is self-propelled and moves upon the surface of the earth, and which is owned or controlled by him to stand for any period of time unattended without locking the ignition system or otherwise rendering said machinery inoperable so as to prevent any person unauthorized by the owner or individual in control thereof from starting said machinery.

SEC. 8-1-12 MUNICIPAL PARKING LOTS.

- (a) **WATER STREET PARKING LOT.**
 - (1) No person shall park or store any vehicle, for more than three (3) hours at any time.
 - (2) No person shall park or store an inoperative or unlicensed vehicle in this lot at any time.
 - (3) No person shall park more than three (3) vehicles belonging to any one licensee in this lot between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays and holidays.
 - (4) Whenever the Emergency Snow Removal Ordinance (Section 8-1-4(c)) becomes effective, parking restrictions in this municipal lot shall be suspended for a period of forty-eight (48) hours.
- (b) **THIRD STREET MUNICIPAL LOT.**
 - (1) No person shall park or store any vehicle for more than twenty-four (24) hours, or in any handicapped designated stall for more than two (2) hours at any time.

- (2) No person shall park or store any unlicensed or inoperable vehicle in this parking lot at any time.
 - (3) No person shall park more than three (3) vehicles belonging to any one licensee in this lot between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays or holidays.
 - (4) Whenever the Emergency Snow Removal Ordinance (Section 8-1-4(c)) becomes effective, parking restrictions in this municipal lot shall be suspended for a period of forty-eight (48) hours.
- (c) **FOURTH STREET PARKING LOT.**
- (1) Lands owned by the Village of Prairie du Sac, located between Third and Fourth Streets in Block 9 of the original plat (abutting Prairie Street) shall hereinafter be designated as the Fourth Street Parking Lot. The above-described land consists of, in part; five (5) parking spaces which shall constitute a public parking lot only so long as the Village Board shall determine the public interest is best served by the use of this land for parking lot purposes.
 - (2) The following parking regulations shall be in force when signs are erected:
 - a. 2 Hour Parking, 8:00 a.m. to 6:00 p.m. except Sundays and Holidays.
 - (3) No person shall store or park any inoperable or unlicensed vehicle in this lot at any time.
 - (4) Whenever the Emergency Snow Removal Ordinance (Section 8-1-4(c)) becomes effective, parking restrictions in this municipal lot shall be suspended for a period of forty-eight (48) hours.
- (d) **GALENA STREET PARKING LOT.**
- (1) No person shall park or store any vehicle in any parking space for more than twenty-four (24) hours.
 - (2) No person shall park or store any unlicensed or inoperable vehicle in this parking lot at any time.
 - (3) No person shall park more than three (3) vehicles belonging to any one licensee in this lot between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays or Holidays.
 - (4) Whenever the Emergency Snow Removal Ordinance (Section 8-1-4(c)) becomes effective, parking restrictions in this municipal lot shall be suspended for a period of forty-eight (48) hours.
- (e) **WASHINGTON STREET PARKING LOT.**
- (1) No person shall park or store any vehicle in any parking space for more than twenty-four (24) hours.
 - (2) No person shall park or store any unlicensed or inoperable vehicle in this parking lot at any time.
 - (3) No person shall park more than three (3) vehicles belonging to any one licensee in this lot between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays or Holidays.
 - (4) Whenever the Emergency Snow Removal Ordinance (Section 8-1-4(c)) becomes effective, parking restrictions in this municipal lot shall be suspended for a period of forty-eight (48) hours.

History: Code of Ordinances, 1986. Sec. 8-1-12 revised. Ordinance No. 13, Series of 1999.

History: Code of Ordinances, 1986. Sec. 8-1-12 amended. Ordinance No. 8, Series of 2015.

SEC. 8-1-13 THROUGH STREETS DESIGNATED.

- (a) **STATUTORY AUTHORITY.** In the interest of public safety and pursuant to Section 349.07, Wis. Stats., the streets or portions thereof set forth in this Chapter are declared to

be through highways, and traffic signs or signals giving notice thereof shall be erected by the Superintendent in accordance with Chapter 8-1-2.

(b) EAST-WEST THROUGH STREETS DESIGNATED. The following are east-west through streets:

- (1) Galena Street from the west curblines of Water Street to the east curblines of Third Street (One-way to the west); west curblines of Third Street to east curblines of Fifth Street; and from the west curblines of Fifth Street to east curblines of Ninth Street;
- (2) Washington Street from the west curblines of Water Street to the east curblines of Fifth Street, and from the west curblines of Fifth Street to the east curblines of Seventh Street, and from the west curblines of Seventh Street to the east curblines of Ninth Street;
- (3) Broadway from the west curblines of Water Street to the east curblines of Seventh Street; west curblines of Seventh Street to the east curblines of Thirteenth Street; west curblines of Thirteenth Street to the west east curblines of Lueders Road;
- (4) Grand Avenue from the west curblines of Water Street to the east curblines of Fifth Street, and from the west curblines of 5th Street to the east curblines of 9th Street, and from the west curblines of 9th Street to the west curblines of 13th Street, and from the west curblines of 13th Street to the east curblines of Lueders Road.

(c) NORTH-SOUTH THROUGH STREETS DESIGNATED. The following are north-south through streets:

- (1) Fifth Street from the south curblines of Prairie Street to the north curblines of Broadway, from the south curblines of Broadway to the north curblines of Grand Avenue, and from the south curblines of Grand Avenue to the south corporate Village limits;
- (2) Seventh Street from the south curblines of Water Street to the north curblines of Prairie Street, and from the south curblines of Prairie Street to the north curblines of Broadway, and from the south curblines of Broadway to the north curblines of Grand Avenue, and from the south curblines of Grand Avenue;
- (3) Ninth Street from the south curblines of Prairie Street to the north curblines of Broadway, and from the south curblines of Broadway to the north curblines of Grand Avenue, and from the south curblines of Grand Avenue to the north curblines of Ray Street, and from the south curblines of Ray Street to the north curblines of Oak Street.
- (4) Thirteenth Street from the south curblines of Tower Street to the north curblines of Prairie Street; south curblines of Prairie Street to the north curblines of Broadway Street; south curblines of Broadway Street to the north curblines of Grand Avenue; south curblines of Grand Avenue to the south corporate Village limits.

History: Code of Ordinances, 1986. Sec. 8-1-13 amended. Ordinance No. 5, Series of 2016.

SEC. 8-1-14 TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.

Pursuant to the provisions of Section 118.105, Wis. Stats., the following regulations shall apply to the grounds of the Sauk-Prairie School District located within the Village:

- (a) PARKING. All parking on any grounds of the Sauk-Prairie School District from 7:30 a.m. to 4:30 p.m. 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, all persons shall park only in areas designated and signed for visitor parking. There shall be no parking on said grounds between 11:00 p.m. and 6:00 a.m., except when school functions extend past 11:00 p.m.; on such nights there shall be no parking one (1) hour after the function has concluded.

- (b) SPEED LIMITS. No person shall at any time operate a motor vehicle upon any Sauk-Prairie School District grounds at a speed in excess of fifteen (15) miles per hour.
- (c) VEHICLES PROHIBITED AT SPECIFIED TIMES. No person shall at any time operate a motor vehicle, other than a school bus and emergency vehicle, 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.

SEC. 8-1-15 SPEED LIMITS.

- (a) AUTHORITY TO MODIFY SPEED LIMITS. The Village Board of the Village of Prairie du Sac hereby determines that the statutory speed limits on the streets or portions thereof set forth in this Section are unreasonable, unsafe or imprudent, and modifies such speed limits under authority granted by Section 346.57(5), Wis. Stats.
- (b) SPEED LIMITS INCREASED. Speed limits established by Section 346.57(4)(e), (f), Wis. Stats., are increased as hereinafter set forth upon the following streets or portions thereof:
 - (1) Thirty-five (35) mph on Water Street between Winnie Avenue and extending to south corporate limits;
 - (2) Thirty-five (35) mph from a point one hundred fifty (150) feet north of the north curbline of Prairie Street to the north corporate limits;
 - (3) Thirty-five (35) mph on Prairie Street from Ninth Street to the west corporate limits.
- (c) SPEED LIMITS DECREASED. Speed limits established by Section 346.57(4)(I), Wis. Stats. and Section 4-6-1(b)(12) of this code, are decreased as hereinafter set forth upon the following streets or portions thereof:
 - (1) Fifteen (15) mph on VFW Drive from the intersection with Water Street (STH 78) extending easterly and southerly through Veterans Memorial Park.

History: Code of Ordinances, 1986. Sec. 8-1-15 (b) amended to add (3). Ordinance No. 2, Series of 1999.

History: Code of Ordinances, 1986. Sec. 8-1-15 (b) amended to revise (1). Ordinance No. 10, Series of 1999.

History: Code of Ordinances, 1986. Sec. 8-1-15 amended to add (c). Ordinance No. 11, Series of 2003.

SEC. 8-1-16 UNLAWFUL REMOVAL OF PARKING CITATIONS.

No person other than the owner or operator thereof shall remove a Village parking ticket from a motor vehicle.

SEC. 8-1-17 REGISTRATION RECORD OF VEHICLE AS EVIDENCE.

When any vehicle is found upon a street or highway in violation of any provision of this Chapter regulating the stopping, standing or parking of vehicles and the identity of the operator cannot be determined, the owner as shown by the ownership registration of the vehicle supplied by the Wisconsin Department of Transportation, or a comparable authority of any other State, shall be deemed to have committed the violation for purposes of enforcement of this Chapter and specifically Section 8-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Section 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

SEC. 8-1-18 ACCIDENT REPORTS.

The operator of every vehicle involved in an accident shall within ten (10) days after such accident file with the Police Department a copy of the report required by Section 346.70 of the Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time

of the accident capable of making such report shall have the duty to comply with this Section. Such reports shall be subject to the provisions and limitations of Sections 346.70(4)(f) and 346.73 of the Wisconsin Statutes, specifically that accident reports filed under this Section shall be for the confidential use of the Department and shall not be open to public inspection except as permitted by Section 346.73, Wis. Stats. Such reports shall not be used as evidence in any trial or proceeding.

SEC. 8-1-19 SCHOOL BUS WARNING LIGHTS.

Notwithstanding the provisions of Section 346.48(2)(b)2., Wis. Stats., adopted by reference in Section 8-1-1 to the contrary, school bus operators shall use flashing red warning lights in residential and business districts when pupils or other authorized passengers are to be loaded or unloaded at locations at which there are no crosswalk or traffic signals so that pupils must cross the street or highway before being loaded or after being unloaded.

SEC. 8-1-20 OPERATION OF MOTOR VEHICLES IN PUBLIC PARKING LOTS AND RAMPS.

- (a) UNLICENSED OPERATORS PROHIBITED. No person who does not hold a valid operator's license shall operate a vehicle in any public parking lot or ramp or in any private parking lot or ramp held out for the use of parking for the general public.
- (b) TRAFFIC REGULATIONS APPLICABLE. All provisions of Section 8-1-1 of this Chapter and of the Wisconsin Statutes and laws incorporated herein by reference shall be applicable on any public parking lot or ramp and on any private parking lot, road or ramp held out for use of the general public for parking or vehicular travel.

SEC. 8-1-21 DISTURBANCE OF THE PEACE WITH A MOTOR VEHICLE.

No driver of any vehicle, including motorcycles, all-terrain vehicles and bicycles, shall cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin and emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration any loud noise as would disturb the public peace.

SEC. 8-1-22 REMOVAL OF ILLEGALLY PARKED VEHICLES.

- (a) HAZARD TO PUBLIC SAFETY. Any vehicle parked, stopped or standing upon a highway in violation of any of the provisions of this Chapter is declared to be a hazard to traffic and public safety.
- (b) REMOVAL BY OPERATOR. Such vehicle shall be removed by the operator in charge, upon request of any traffic officer, to a position where parking is permitted or to a private or public parking or storage premises.
- (c) REMOVAL BY TRAFFIC OFFICER. Any traffic 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 permitted.
- (d) REMOVAL BY PRIVATE SERVICE. 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 public storage garage or rental parking grounds or any facility of the person providing the towing services.
- (e) TOWING AND STORAGE CHARGES. In addition to other penalties provided in this Chapter, the owner or operator of a vehicle so removed shall pay reasonable cost of moving, towing and storage. If the vehicle is towed or stored by a private motor carrier, motor vehicle salvage dealer or licensed motor vehicle dealer, actual charges regularly paid for such services shall be paid. If the vehicle is stored in a public storage garage or rental

facility, customary charges for such storage shall be paid. Upon payment, a receipt shall be issued to the owner of the vehicle for the towing or storage charge.

SEC. 8-1-23 INOPERABLE, WRECKED OR DISCARDED VEHICLES.

- (a) **STORAGE PROHIBITED.** No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than seventy-two (72) hours after notification thereof by the Police Department. Notification shall be accomplished by placing in a conspicuous place on the vehicle and by mailing or serving upon the owner or occupant in charge of the premises a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be a public nuisance and may be removed as provided in Section 8-1-22.
- (b) **EXEMPTIONS.** This Section shall not apply to a motor vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Village.

SEC. 8-1-24 UNAUTHORIZED OPERATION OF MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

- (a) **PURPOSE.**
 - (1) The unauthorized off-road operation of motor vehicles has resulted in serious damage to public and private lands including damage or destruction of vegetation, animal life, and improvement to the lands; and
 - (2) The unauthorized off-road operation of motor vehicles has resulted in the permanent scarring of land and an increase in both erosion and air pollution; and
 - (3) The unauthorized off-road operation of motor vehicles has resulted in collisions and near collisions threatening the life and safety of the operators of such vehicles as well as of other persons; and
 - (4) The unauthorized off-road operation of motor vehicles has resulted in a loss of the privacy, quietude and serenity to which the owners and users of land are rightfully entitled.
- (b) **DEFINITIONS.** For purposes of this Section the terms below shall be defined as follows:
 - (1) Unauthorized shall mean without the express prior consent of the owner, lessee, manager or other person authorized to give consent by the owner or lessee of land. Authorization shall not be implied from a failure to post private or public land.
 - (2) Off-Road shall mean any location which:
 - a. Is not a paved or maintained public street or alley; or
 - b. Is not used or maintained by the owner or lessee of land as a driveway, parking lot or other way for motor vehicles; or
 - c. Is a private trail for use only by the owner or his permittees for recreational or other vehicular use. Off-road shall not include any creekbed, riverbed or lake provided, however, that this Subsection shall not apply to snowmobiles or other vehicles being operated on the ice covering such creekbed, riverbed or lake.
 - (3) Operation shall mean the physical manipulation or activation of any of the controls of a motor vehicle necessary to put it in motion.
 - (4) Motor Vehicle shall mean, for purposes of this Section, any vehicle which is self-propelled and shall include but not be limited to automobiles, trucks, jeeps, vans, motorcycles, motorbikes, go-karts, motorized three-wheeled vehicles, all-terrain vehicles, mopeds, snowmobiles, dune buggies, and tractors. Motor vehicle shall not mean any airplane, railroad train, boat, wheelchair or bicycle. A vehicle

which would otherwise be defined as a motor vehicle under this ordinance shall not be so defined while:

- a. It is being operated solely for the purpose of construction or maintenance of an improvement to land or solely for access to construction or maintenance sites provided such operation is by persons having legitimate business on such land or sites;
 - b. It is being operated by or at the direction of public employees or utility company employees as part of their employment duties;
 - c. It is being operated by the holder of an easement or right of access on or over the land on which operation is occurring or the holder's employees or agents.
- (c) **UNAUTHORIZED OFF-ROAD OPERATION PROHIBITED.**
- (1) The unauthorized off-road operation of a motor vehicle is prohibited.
 - (2) It shall be unlawful to operate any minibike, go-kart, all-terrain vehicle or any other motor-driven craft or vehicle principally manufactured for off-highway use on the Village streets, alleys, parks parking lots, or on any public lands or private lands or parking lots held open to the public. The operator shall at all times have the consent of the owner before operation of such craft or vehicle on private lands.
- (d) **PROHIBITED USE OF SNOWMOBILE TRAILS.** Except as provided in Subsection (b)(4) above, no person shall operate any motor vehicle other than a snowmobile on a snowmobile trail.

SEC. 8-1-25 HEAVY TRAFFIC ROUTES.

- (a) **DEFINITION.** For purposes of this Section heavy traffic shall be defined as:
- (1) All vehicles not operating completely on pneumatic tires, and
 - (2) 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 twelve thousand (12,000) pounds.
- (b) **PROHIBITED ROUTES.** Heavy traffic is prohibited from using any Village street or highway not designated as a heavy traffic route. 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 which has an entrance on such street or highway. Furthermore, this section will not act to prohibit heavy traffic from using any Village streets over which are routed state trunk highways. 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.
- (c) **ADMINISTRATION.** The Superintendent of Public Works in cooperation with the Police Department shall administer this section. Administration shall include:
- (1) Posting of signs. Appropriate signs shall be posted giving notice of this section and of the heavy traffic routes established herein;
 - (2) Maps. Maps of the Village showing heavy traffic routes shall be prepared and shall be available upon request by heavy traffic operators and owners;
 - (3) Construction equipment.
 - a. The Superintendent of Public Works may grant temporary permits to allow heavy construction equipment to use Village streets or highways not designated as heavy traffic routes. These permits may be granted only when use of a nondesignated route is necessary for the equipment to reach a construction site. 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 any personal injury or property damage caused in part or in whole by the street damage.

- b. Village owned or operated equipment is specifically excluded from the provisions of this section.
- (d) **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 or replacement of the damaged street or highway.
- (e) **ROUTES DESIGNATED.** The following streets in the Village are hereby designated as heavy traffic routes:
 - (1) Water Street.
 - (2) Prairie Street.
 - (4) Thirteenth (13th) Street from Prairie Street to Tower Street.
 - (5) Seventeenth (17th) Street from Prairie Street to Tower Street.
 - (6) Nineteenth Street (19th) Street from Prairie Street to Tower Street.
 - (7) North street from Nineteenth (19th) Street to Thirteenth (13th) Street.
 - (8) Tower Street from nineteenth (19th) Street to Water Street.

History: Code of Ordinances, 1986. Sec. 8-1-25 (e) revised. Ordinance No. 9, Series of 1999.

State Law Reference: Section 349.17, Wis. Stats.

SEC. 8-1-26 BLUE WARNING LIGHTS ON POLICE VEHICLES.

- (a) Pursuant to Sections 346.03(3), 346.94(14), 346.95(3) and 347.25(1), (1m)(a) and (b) and (4), Wis. Stats., a marked police vehicle under Section 340.01(3)(a), Wis. Stats., may be equipped with a blue light and a red light which flash, oscillate or rotate.
- (b) If the vehicle is so equipped, the lights shall be illuminated when the operator of the police vehicle is exercising the privileges granted under Sec. 346.03, Wis. Stats. The blue light shall be mounted on the passenger side of the vehicle and the red light shall be mounted on the driver side of the vehicle. The lights shall be designed and mounted so as to be plainly visible and understandable from a distance of five hundred (500) feet during normal sunlight and during hours of darkness. No operator of a police vehicle may use the warning lights except when responding to an emergency call or when in pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm or when necessarily parked on a highway in a position which is likely to be hazardous to traffic using the highway.
- (c) The Village shall give notice of its intent to equip its police vehicles with flashing, oscillating or rotating blue lights as a Class 2 notice under Chapter 985, Wis. Stats., at least ninety (90) days before so equipping the first police vehicle.

SEC. 8-1-27 STATE ADMINISTRATIVE CODE PROVISIONS ADOPTED.

- (a) **ADMINISTRATIVE REGULATIONS ADOPTED.** The following administrative rules and regulations adopted by the Secretary of the Wisconsin Department of Transportation and published in the Wisconsin Administrative Code, exclusive of any provisions therein relating to the penalties to be imposed, are hereby adopted by reference and made part of this Chapter as if fully set forth herein.
 - Wis. Adm. Code - MVD 3 Reciprocity - Nonresident Motor Carriers
[Penalties of Wis. Stats. §341.04 apply]
 - Wis. Adm. Code - MVD 4 Lettering on Vehicles, Display of Evidence of
Registration and Dual Permit
 - Wis. Adm. Code - MVD 5 Standards for Motor Vehicle Equipment

Wis. Adm. Code - MVD 6 Transportation of Explosives by Motor Vehicle
Wis. Adm. Code - MVD 17 Transportation of School Children
Wis. Adm. Code - MVD 18 Protective Headgear Standards and Specifications
Wis. Adm. Code - MVD 22 Standards and Specifications - Design and Mounting
SMV Emblem

- (b) NON-COMPLIANCE PROHIBITED. No person shall operate or allow to be operated on any highway, street or alley within the Village a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Section 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 8-1-1 of this Chapter.
- (c) OWNER'S LIABILITY. Any owner of a vehicle not equipped as required by this Section who knowingly causes or permits such vehicle to be operated on a highway in violation of this Section is guilty of the violation the same as if he or she had operated the vehicle. The provisions of Section 347.04, Wis. Stats., relating to nonapplicability of demerit points, shall apply to owners convicted of violation of this Section.
- (d) SAFETY CHECKS.
- (1) Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section, or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
- (2) Authority of Officer. Any law enforcement officer of the Village is hereby empowered whenever he or she shall have reason to believe that any provision of this Section is being violated to order the operator of the vehicle to stop and to submit such vehicle to an inspection with respect to brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust systems, windshield wipers, tires and other items of equipment.
- (3) Vehicle to be Removed From Highway. Whenever, after inspection as provided by this Section, a law enforcement officer determines that a vehicle is unsafe for operation, he or she may order it removed from the highway and not operated; except for purposes of removal and repair until the vehicle has been repaired as directed in a repair order. Repair orders may be in the form prescribed by the Secretary of the Department of Transportation under Section 110.075(5), Wis. Stats., and shall require the vehicle owner or operator to cause the repairs to be made and return evidence of compliance with the repair order to the department of the issuing officer within the time specified in the order.
- (e) PENALTY. Penalty for violation of any provision of this Section including the provisions of the Wisconsin Administration Code, incorporated herein by reference, shall be as provided in Subsection (c) of this Section, together with the costs of prosecution and applicable penalty assessment.

SEC. 8-1-28 PENALTIES.

- (a) FORFEITURE PENALTY. The penalty for violation of any provision of this Chapter shall be a forfeiture as hereafter provided, together with court costs and fees prescribed by Sections 814.63(1) and (2) or 814.65(1), Wis. Stats., the penalty assessment for moving traffic violations and the driver improvement surcharge imposed by Section 165.87 and 346.655, Wis. Stats., where applicable. Payment of the judgment and applicable court costs, fees, assessments and surcharges may be suspended by the sentencing court for not more than sixty (60) days. Any person eighteen (18) years of age or older who shall fail to pay the amount of the forfeiture, court costs, any penalty assessment or driver surcharge or

other penalty imposed for violation of any provision of this Chapter may, upon order of the court entering judgment therefor and having jurisdiction of the case, be imprisoned until such forfeiture, costs and assessment are paid, but not exceeding ninety (90) days.

- (b) **OTHER SANCTIONS.**
- (1) By Court. Nothing herein shall preclude or affect the power of the sentencing court to exercise additional authorities granted by the Wisconsin Statutes to suspend or revoke the operating privileges of the defendant, order the defendant to submit to assessment and rehabilitation programs or to attend traffic safety school in addition to payment of a monetary penalty or in lieu of imprisonment.
 - (2) By Municipality. No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the Village Administrator, except dog license, until the forfeiture imposed for such violation and any penalty assessment, court costs and fees or surcharge is paid.
- (c) **FORFEITURES FOR VIOLATION OF MOVING TRAFFIC REGULATIONS.** Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in Section 8-1-1 shall conform to the forfeiture penalty permitted to be imposed for violations of the comparable Wisconsin Statute, including any variations or increases for subsequent offenses; provided, however, that this subsection shall not be construed to permit prosecution under this Chapter for any offense described in Chapters 341 to 348, Wis. Stats. for which an imprisonment penalty or fine may be imposed upon the defendant.
- (d) **FORFEITURES FOR PARKING VIOLATIONS.**
- (1) Forfeitures for Uniform Statewide Parking, Stopping and Standing Offenses. Minimum and maximum forfeitures for violation of non-moving traffic violations adopted by reference in Section 8-1-1 as described in Chapters 341 to 348, Wis. Stats., shall be as provided for the comparable state non-moving traffic violation.
 - (2) Penalty for Other Parking Violations. The penalty for all other parking violations not included under Subsection (1) above shall be a forfeiture of not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars for the first offense and not less than Five (\$5.00) Dollars nor more than Two Hundred (\$200.00) Dollars for the second offense within two (2) years.
- (e) **OTHER VIOLATIONS.** Any person who shall violate any provision of this Chapter for which a penalty is not otherwise established by this Section shall be subject to a forfeiture of not less than Five (\$5.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

SEC. 8-1-29 ENFORCEMENT.

- (a) **ENFORCEMENT PROCEDURES.** How enforced. This Chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this Section.
- (b) **CITATIONS.**
- (1) Uniform Citation and Complaint. The Wisconsin Uniform Traffic Citation and Complaint described and defined in the Wisconsin Statutes shall be used for enforcement of all provisions of this Chapter except those provisions which describe or define non-moving traffic violations and violations of Sections 346.71 through 346.73, Wis. Stats. Violations of Sections 346.71 through 346.73, Wis. Stats., shall be reported to the District Attorney and the Wisconsin Uniform Traffic Citation shall not be used in such cases except upon written request of the District Attorney.
 - (2) Parking Citations. The Chief of Police shall recommend a citation for use in enforcing the non-moving traffic offenses in this Chapter. When approved by the Village Board, such citation shall be used for enforcement of non-moving traffic regulations created or adopted by this Chapter, including violations of non-moving traffic regulations defined and described in the Wisconsin Statutes, adopted by

reference in Section 8-1-1, and all provisions regarding non-moving traffic violations in this Chapter. The citation for non-moving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a non-moving traffic regulation and penalty thereof by complying with Subsection (c)(2) of this Section. Non-moving traffic citations may be issued by law enforcement officers or by civilian employees of the Police Department.

(c) DEPOSITS AND STIPULATIONS.

(1) Moving Traffic Offenses.

a. Who May Make. Persons arrested or cited for violation of moving traffic offenses created by this Chapter shall be permitted to make deposits and stipulations of no contest or released by the arresting officer in accordance with the applicable provisions of the Wisconsin Statutes. Stipulations of guilt or no contest may be made by persons arrested for violations of this Chapter in accordance with Section 66.0114(1)(b) of the Wisconsin Statutes whenever the provisions of Section 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11 of the Wisconsin Statutes and may be accepted on or before the assigned court date for the citation in lieu of court appearance. Stipulations may be accepted by the Sauk Prairie Municipal Court Clerk as directed by the arresting officer.

b. Delivery or Mailing of Deposit and Stipulation. Any person stipulating guilt or no contest under the preceding Subsection must make the deposit required under Section 345.26 of the Wisconsin Statutes or, if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Municipal Judge and approved by the Sauk Prairie Court Commission. Deposits may be brought or mailed to the office of the Police Department or Sauk Prairie Municipal Court Clerk as directed by the arresting officer on or before the assigned court date for the citation in lieu of court appearance.

c. Receipt Required. Every officer accepting a stipulation under the provisions of this Chapter shall comply with the provisions of Sections 343.27, 343.28, 345.26(1)(a) and 345.27(2) of the Wisconsin Statutes and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Section 345.11 of the Wisconsin Statutes. The official or person receiving the deposit shall furnish and deliver or mail an original receipt for such deposit to the alleged violator and shall deliver the deposit and stipulation, and a copy of the receipt within seven (7) days to the Sauk Prairie Municipal Court Clerk.

(2) Non-moving Traffic Offenses.

a. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of non-moving traffic offenses described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within seven (7) days of the issuance of the citation to the Police Department the minimum penalty specified for the violation. If citation is paid after seven (7) days of the issuance of the citation but within twenty-eight (28) days, the penalty may be discharged by forwarding to the above named office the minimum penalty specified plus an additional ten (\$10.00) dollars. If citation is paid after twenty-eight (28) days, the minimum penalty shall be paid plus an additional thirty (\$30.00) dollars and vehicle registration suspension as stated in subsection

(2)b may occur. When payment is made as provided in this paragraph, no court costs shall be charged.

- b. Registration suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a non-moving traffic violation on the date specified in the citation, or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the Village may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., and Subsection (c)(3) below.
- c. Deposits Returned to Sauk Prairie Police Department. Payments for non-moving traffic violations under this Subsection shall be made to the Sauk Prairie Police Department. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.
- d. Bond. Any payments of deposits or forfeited penalties under the ordinance shall be made to the Sauk Prairie Police Department. Any officer authorized to accept deposits under Sec. 345.26, Wis. Stats., or this Section shall qualify by taking the oath prescribed by Sec. 19.01, Wis. Stats.

(3) Registration Suspension Program.

- a. The Village shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Admin. Code Trans. 128 and all amendments or changes thereto.
- b. The Police Department is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Wis. Admin. Code Trans. 128. The Police Department is authorized to perform, on behalf of the Village, all functions required of a local authority under said Statutes and Administrative Code including, but not limited to:
 - 1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for non-moving traffic violations;
 - 2. Specifying whether the registration of vehicles involved in unpaid citations for non-moving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for non-moving traffic violations;
 - 3. Determining the method by which the Sauk Prairie Police Department will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
 - 4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
- c. The Chief of Police is hereby authorized to assign a member of the Police Department to perform such acts as are necessary to effectuate this subsection.
- d. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The Police Department may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable

finances and costs, including costs assessed under the preceding sentence, are paid.

- e. This Subsection shall not be interpreted as requiring that all unpaid citations for non-moving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The Village's participation in such program shall be in addition to any and all other means legally available to enforce such citations.
- f. The Sauk Prairie Police Department shall follow the following procedures in issuing non-moving violations:
 - 1. Issue citation -- a notice of the violations should be left on the parked vehicle;
 - 2. Two (2) warning notices of an unpaid citation must be sent to the owner of the vehicle within a twenty-eight (28) day period from the violation, which should include:
 - a. the date the citation was issued;
 - b. the license number of the vehicle involved;
 - c. the place the citation may be paid;
 - d. the means by which the citation must be paid or contested to avoid further action; and
 - e. the action which will be taken by the Sauk Prairie Police Department should the operator fail to respond.
 - 3. In the event no action is taken by the operator, the Sauk Prairie Police Department shall direct such violation to the Wisconsin Department of Transportation Traffic Violation and Registration Program, indicating how the Sauk Prairie Police Department wishes to proceed. The following actions may be directed to the Wisconsin Department of Transportation Traffic Violation and Registration Program:
 - a. SUSPEND only (illegal to operate cited plate);
 - b. REFUSE only (prevent the violator from obtaining any new registration); or
 - c. SUSPEND & REFUSE (illegal to operate cited plate and prevent the violator from obtaining any new registration).
 - 4. Upon payment of the citation by the operator, the Sauk Prairie Police Department shall notify the Wisconsin Department of Transportation Traffic Violation and Registration Program within three (3) working days, at which time any suspension shall be lifted.
- g. Fines and Penalties. Notwithstanding any other penalty provided in this chapter, the forfeiture for parking violations other than those violations contained in the Wisconsin Statutes as adopted by reference in this Chapter shall be as hereinafter provided in addition to any costs associated with the prosecution thereof which are required or authorized by Wisconsin Statutes or administrative regulation, as provided for in subsection (2)a of this Section.

History: Code of Ordinances, 1986. Sec. 8-1-29(c)(3) amended to add (f) and (g) bring into conformance with state statutes. Ordinance No. 1, Series of 1996. Ordinance No. 6, Series of 2004. Sec 8-1-29(c)(1, 2, 3 (b&g),) repealed and recreated Ordinance No 6, Series of 2004.

- (a) Purpose and Authority. This ordinance is adopted pursuant to the authority set forth in Wisconsin Statutes §349.26 and adopted for the protection of the public health, benefit and welfare of the Village. It is further the intent
- (b) Neighborhood Electric Vehicles Permitted.
- (1) Neighborhood Electric Vehicle Definition and Requirements
- a. “Neighborhood Electric Vehicle” (NEV) means a self-propelled electric powered vehicle that meets the National highway Safety Administration’s Federal Motor Vehicle Safety Standard for a “low speed vehicle” and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.5. An electric golf cart or a low-speed vehicle powered other than by an electric engine is not considered a NEV.
- b. NEVs shall be 4-wheeled and have a top attainable speed in 1 mile of more than 20 miles per hour and not more than 25 miles per hour on a paved level surface and have a maximum gross vehicle weight rating of less than 3,000 pounds.
- c. All NEVs shall be equipped with the following:
1. Headlamps
 2. Front and rear turn signals
 3. Stop lamps
 4. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear (three total)
 5. An exterior mirror mounted on the passenger side or an interior rearview mirror
 6. Parking brakes
 7. A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205)
 8. A vehicle identification number that complies with federal law (49 CFR 565)
 9. A Type I or Type 2 seatbelt assembly conforming to 49 CFR 571.209 and Federal Motor Vehicle Safety Standard No. 209, for each designated seating position
- (2) Permitted Users of Neighborhood Electric Vehicles. To use an NEV on Village streets meeting the criteria set forth in (1) above, the individual driver must have a valid Wisconsin driver’s license.
- (3) Permitted Use of Neighborhood Electric Vehicles on Village Streets. Any operator meeting the requirements of (2) above, may operate a licensed NEV on Village of Prairie du Sac streets, Sauk County Highway within the Village of Prairie du Sac or State Trunk Highway within the Village of Prairie du Sac having a posted speed limit of 35 miles per hour or less. The holder of this license shall also be permitted to operate within the Village of Prairie du Sac. Headlamps must be on at all times during operation on Village streets.
- (4) Operation of Neighborhood Electric Vehicles. NEVs shall comply with all state and local traffic laws, including but not limited to Title 8, Chapter 1 of the

Prairie du Sac Code of Ordinances, and owners and operators of NEVs shall be subject to citations and forfeitures for any such violation.

- (5) License. Any NEV shall be titled and registered through the Wisconsin Department of Transportation.
 - (6) Enforcement. Any person who violates any provision of this ordinance shall be subject to the penalties and enforcement provisions as provided in Sect 8-1-28 and 8-1-29 of this Chapter.
- (c) Severability. If any portion of this Sect 8-1-30, or its application to any person or circumstances, is held invalid, the validity of this ordinance as a whole, or any other provision herein and its application to other persons or circumstances, shall not be affected.

History: Code of Ordinances, 1986. Sec. 8-1-30 created by Ordinance No. 5, Series of 2006. Sec. 8-1-30 repealed and recreated by Ordinance No. 8, Series 2009.