

Chapter 442

VEHICLES AND TRAFFIC

[HISTORY: Adopted by the Village Board of Trustees of the Village of Hixton 10-6-1987 (Title 8, Ch. 1, Secs. 8-1-1 through 8-1-42 and 8-1-44 through 8-1-51, of the 1987 Code of Ordinances). Amendments noted where applicable.]

ARTICLE I General Provisions

§ 442-1. Adoption of state statutes.

- A. Statutes adopted. Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment or exclusively state charges, 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 vehicle traffic on the highways, streets and alleys of the State of Wisconsin. Any person who shall, within the Village of Hixton, 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 chapter shall be as provided in Chapters 340 to 348, Wis. Stats., and the penalty for violation thereof shall be limited to a forfeiture as hereinafter provided in this chapter:
- (1) 941.01, Negligent Operation of Vehicle.
 - (2) 941.30, Recklessly Endangering Safety.
 - (3) 943.11, Entry into Locked Vehicle.
 - (4) 943.23, Operating Vehicle Without Owner's Consent.
 - (5) 346.935, Intoxicants in Motor Vehicles.¹
- C. General references. General references in this chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of

¹ Editor's Note: Original Sec. 8-1-1(c) of the 1987 Code of Ordinances, providing that statutes incorporated by reference shall refer to the 1985-86 Wis. Stats., which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See now § 1-1N.

local traffic regulations shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

§ 442-2. Adoption of State Administrative Code provisions.

- 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.
 - (1) Ch. Trans 146, Vehicle Registration and Fuel Trip Permits.²
 - (2) Ch. Trans 305, Standards for Vehicle Equipment.
 - (3) Ch. Trans 326, Motor Carrier Safety Requirements for Transportation of Hazardous Materials.
 - (4) Ch. Trans 300, Transportation of School Children.³
 - (5) Ch. Trans 304, Slow Moving Vehicle Emblem.
- B. Noncompliance 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 § 110.075 and Ch. 347, Wis. Stats., incorporated by reference in § 442-1 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 § 347.04, Wis. Stats., relating to nonapplicability of demerit points, shall apply to owners convicted of a 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

2. Editor's Note: The entry adopting MVD 4, Lettering on Vehicles, Display of Evidence or Registration and Dual Permit, of original Sec. 8-1-2(a) of the 1987 Code of Ordinances, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

3. Editor's Note: The entry adopting MVD 18, Protective Headgear Standards and Specifications, of original Sec. 8-1-2(a) of the 1987 Code of Ordinances, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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 § 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 Administrative 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.

§ 442-3. Official traffic signs and control devices; prohibited signs, signals and markers.

- A. Duty of Village Board 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 § 442-1, require the erection of traffic control devices for enforcement, the Village Board 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 Village Board or its designee, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village of Hixton.
- B. Code numbers to be affixed to official traffic control devices. The Village Board or its 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 Village Board 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 Village Board or its 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 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.

§ 442-4. 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 § 442-1, and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in § 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

§ 442-5. School bus warning lights.

Notwithstanding the provisions of § 346.48(2)(b)2., Wis. Stats., adopted by reference in § 442-1 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.

§ 442-6. Official Traffic Map.

- A. Official Traffic Map established. There is hereby established an Official Traffic Map for the Village of Hixton upon which shall be indicated no-parking areas, restricted parking areas, stop signs, arterial intersections, yield signs, special speed limits, one-way highways, school crossings and all other restrictions or limitations contained in this chapter, as from time to time amended or modified by the Village Board, when the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations.
- B. Violations prohibited. When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.
- C. Map to be maintained. A copy of the Official Traffic Map shall be maintained and displayed in the office of the Clerk-Treasurer.
- D. Additions to map. The Village Board may from time to time make additions to or deletions from the Official Traffic Map and the Clerk-Treasurer shall keep such Official Traffic Map

current.

ARTICLE II
Controlled Intersections; Street Traffic Regulations

§ 442-7. 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 § 442-1 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by § 346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right-of-way to other vehicles as required by § 346.18(6), Wis. Stats.

§ 442-8. Through streets designated.

In the interest of public safety and pursuant to § 349.07, Wis. Stats., the following streets or portions thereof set forth in this section are declared to be through highways and snow emergency routes, and traffic signs or signals giving notice thereof shall be erected by the Village Board in accordance with § 442-3:

- A. State Highway 95.
- B. County Trunk Highway A.

§ 442-9. Heavy traffic routes.

- A. Definitions. For purposes of this section, the following terms shall have the meanings indicated:

HEAVY TRAFFIC

- (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 15,000 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.
 - (1) Posting of signs. Appropriate signs shall be posted, giving notice of this section and

of the heavy traffic routes established herein. Yellow signposts may also be used to designate heavy traffic routes.

- (2) Maps. Heavy-traffic routes shall be shown on the Official Traffic Map.
- (3) Construction equipment.
 - (a) The Village Board or its designee 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. Special and seasonal weight limitations. The Village Board shall have the authority to impose special or seasonal weight limits on any highway, bridge or culvert maintained by the Village to prevent injury to the roadway or for the safety of the users of such bridge or culvert and shall be responsible for erecting uniform traffic control devices, giving notice thereof in accordance with the proving of § 442-3.
- F. Heavy traffic routes designated. All streets and alleys within the Village are designated Class "B" highways subject to the weight limitations of § 348.16, Wis. Stats., except the following highways or parts thereof within the jurisdiction of the Village are hereby designated heavy traffic routes and are excepted from the Class "B" weight limitations: [Amended 2-26-2019 by Ord. No. 2019-01; at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
 - (1) State Highway 95.
 - (2) County Trunk Highway A.
 - (3) East Adams Road.
 - (4) South Depot Street.
 - (5) South Sechlerville Road.
 - (6) Sand Prairie Road.
 - (7) Country Trunk Highway FF.
 - (8) Mill Street from South Sechlerville Road to King Road.

ARTICLE III

Parking Regulations

§ 442-10. Restrictions on parking; posted limitations.

- A. Seventy-two hour limitation. No person, firm or corporation shall park or leave standing any automobile, truck, tractor, trailer or vehicle of any description on any public street or public parking lot in the Village for a period of 72 or more consecutive hours in the same location at any time, except that where more restrictive parking limits have been established the more restrictive limits shall apply. When any law enforcement officer shall find a vehicle standing upon a public street or parking lot 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 chapter. The law enforcement 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 § 349.13, Wis. Stats.
 - (a) No parking on East Main Street (business district) from 3:00 a.m. to 7:00 a.m. from the driveway of 125 East Main Street westerly to the Highway 95 and State Street intersection on the north side and from the Village Hall at 145 East Main Street westerly to the Highway 95 and State Street intersection on the south side. [Added 11-17-2014]
 - (b) No parking on Main Street from November 1 to April 1 (winter) from 3:00 a.m. to 7:00 a.m. from Elder Street westerly to the Highway 95 and State Street intersection on both sides of the street. [Added 11-17-2014]
 - (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.
 - (3) The Village Board 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 Ch. 346, Wis. Stats. The Village Board shall 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.

§ 442-11. Parking restrictions during temporary snow removal or street maintenance.

- A. Street maintenance. Whenever it is necessary to clear or repair a Village roadway or any part thereof, Village maintenance employees 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 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.
- B. Temporary parking restrictions for special events. Pursuant to the provisions of § 349.13, Wis. Stats., the Village Board is authorized to direct that temporary "no parking" signs be erected by Village maintenance employees during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on Village roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.
- C. 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 hour from the time such area has been designated and marked with signs or barriers by Village maintenance employees indicating no parking due to snow removal.

§ 442-12. Stopping or parking prohibited in specified places.

- A. Parking prohibited at all times. Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be moved promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
 - (1) Within an intersection.
 - (2) On a crosswalk.
 - (3) On a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters. "Terrace or sidewalk area" means that area between the sidewalk and the nearest curblane running parallel or generally parallel thereto or, in the absence of a sidewalk, 10 feet beyond the curblane.
 - (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) Within 20 feet 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 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.⁴
 - (13) In a loading zoning.
 - (14) Within four feet of the entrance to an alley, private road or driveway.
 - (15) In any municipal park when said park is closed to the public.
- B. 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 which such driveway is located, whether or not such driveway is posted to limit or restrict parking.
- C. Vehicles not to block private drive, alley or fire lane. No vehicle shall, at any time, be parked so as to unreasonably restrict the normal access to any private drive, alley or fire lane. Said access shall be deemed to be unreasonably restricted if any vehicle is parked within four feet of either side of said access. Upon discovery by a police officer or upon complaint by the owner of any such blocked drive, alley or fire lane, the Chief of Police may order said vehicle towed from such position at the risk and expense of the owner of said vehicle.
- D. Parking vehicle for repair or to display for sale prohibited. No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the Village for the purpose of repairing said vehicle or to display such vehicle for sale.

§ 442-13. Parking reserved for vehicles of disabled.

When official traffic signs indicating such restriction have been erected in accordance with

4. Editor's Note: Original Sec. 8-1-22(a)(13) of the 1987 Code of Ordinances, regarding parking on terraces or sidewalks, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 442-3 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.

§ 442-14. 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 any vehicle standing with the key in the ignition in violation of this section, such officer is authorized to remove such key from the vehicle and deliver the key to the Police Department for safe custody.
- 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 30 minutes within 300 feet of any residence within the Village between the hours of 10:00 p.m. and 7:00 a.m.

§ 442-15. 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.

§ 442-16. Angle parking.

- A. Angle parking or parking diagonally is prohibited on all the streets, alleys and highways of the Village except where vehicle parking markers indicate that angle parking is permissible. All vehicles shall park parallel to and within one foot of the curb except where streets and parking lots are so marked for angle parking.
- B. No person shall at any time park any vehicle:
 - (1) In any direction other than the designated parking angle, where angle parking spaces are so designated and provided by appropriate markings.
 - (2) Backwards into angle parking spaces so designated and provided by appropriate markings.
 - (3) With a trailer attached or any vehicle longer than 20 feet on any street where angle parking is so provided and allowed.

§ 442-17. Snow emergencies.

- A. Snow emergency declarations.

- (1) The Village Board hereby declares that a snow emergency exists in the Village whenever a snowfall during any period of 24 hours or less reaches a depth of two inches or more. Such emergency is declared to be a serious public hazard impairing transportation and public health, safety and welfare for a period of 48 hours or until such time as snow removal operations have been declared completed by the Village President or his designee.
- (2) The Village President or his designee is hereby authorized to declare a snow emergency watch in advance of the conditions established in Subsection A(1) by reason of forecasted heavy snow or blizzard, and all provisions of a snow emergency are to become effective immediately upon the declaration of a snow emergency watch and at such time as the conditions of the snow emergency established above exist, or as otherwise proclaimed in the snow emergency watch declaration.

B. Parking restrictions.

- (1) When signs have been erected at or reasonably near the corporate limits, as provided in § 349.13, Wis. Stats., no owner or operator of any motor vehicle shall park upon any public street or alley during a snow emergency which has been declared by the Village in accordance with Subsection A, during the hours of 2:00 a.m. to 6:00 a.m. or until the snow removal operations have completely cleared the street or alley. Such snow emergency parking restrictions shall be applicable between December 1 and April 1.
- (2) Any vehicle parked in violation of any provision of this section shall be ticketed by law enforcement officers as an illegally parked vehicle and is subject to the provisions of § 442-20, Removal of illegally parked vehicles, of this Code.

§ 442-18. Unlawful removal of parking citations.

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

§ 442-19. 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 § 442-1 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 for the general public for parking or vehicular traffic.

§ 442-20. Removal of illegally parked vehicles.

- A. Hazard to public safety. Any vehicle parked, stopped or standing upon a highway or public parking lot or ramp 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 the actual 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.

§ 442-21. 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 24 hours after notification thereof by a law enforcement officer. 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 24 hours after notice is declared to be a public nuisance and may be removed as provided in § 442-20.
- 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.

ARTICLE IV
Miscellaneous Provisions

§ 442-22. Disturbance of the peace with 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.

§ 442-23. Pedestrian regulations.

- A. Pedestrian obedience to traffic control devices and regulations.

- (1) Obedience to traffic control devices. No person shall fail to obey the instructions of any uniform traffic control device when traveling as a pedestrian on any highway within the Village of Hixton unless otherwise directed by a law enforcement officer.
 - (2) Crossing at crosswalks. No pedestrian shall cross at a crosswalk except on the right half thereof whenever practicable. Where sidewalks are provided, no pedestrian shall walk along and upon an adjacent roadway except when the sidewalk is visibly unsafe, obstructed or closed to public travel.
- B. Prohibited pedestrian crossings. No pedestrian shall cross between adjacent intersections, unless such crossing is permitted by official traffic control devices.

§ 442-24. Motor vehicles on pedestrianways and overpasses.

No person shall operate or park any motor vehicle on any pedestrianway or pedestrian overpass within the Village of Hixton except municipal or county maintenance vehicles.

§ 442-25. School crossing guards.

Pursuant to § 349.215, Wis. Stats., those adult persons hired by the Village Board to act as school crossing guards shall have the authority to stop vehicular traffic and to keep it stopped as long as necessary at their respective school crossings for the purpose of permitting school children to cross the street.

§ 442-26. Driving over curbing or safety islands prohibited.

- A. Driving over curbing prohibited. It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the Village of Hixton.
- B. Driving over safety zones or islands prohibited. Whenever safety zones or safety islands are marked in accordance with the Wisconsin Uniform Traffic Control Device Manual, no operator of a vehicle shall at any time drive through or over a safety zone or safety island.

ARTICLE V
Enforcement and Penalties

§ 442-27. Violations and 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 §§ 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 §§ 757.05 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 60 days. Any person 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 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, except a 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 uniform moving traffic regulations. Forfeitures for violations of any moving traffic regulation set forth in the Wisconsin Statutes adopted by reference in § 442-1 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 forfeiture for violation of nonmoving traffic regulations adopted by reference in § 442-1 as described in Chapters 341 to 348, Wis. Stats., shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- (2) Penalty for other parking violations. The penalty for all other parking violations not included under Subsection D(1) above, subject to the exceptions listed below, shall be \$5 if paid within the first five days after issuance of the violation. Failure to pay the penalty within five days after issuance of the violation causes the penalty to be increased to \$10. Failure to pay the increased penalty within 30 days after issuance of the violation further causes the penalty to be increased to \$25.

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 \$10 nor more than \$200.

§ 442-28. Enforcement.

A. Enforcement procedures.

- (1) How enforced. This chapter shall be enforced in accordance with the applicable provisions of the Wisconsin Statutes and this section.
- (2) Applicable court procedures. Except where otherwise specifically provided by the laws of the State of Wisconsin or this Code, the traffic regulations in this Code shall be enforced in the Circuit Court.

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 nonmoving traffic violations and violations of §§ 346.71 through 346.73, Wis. Stats. Violations of §§ 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 Village Board shall adopt a citation for use in enforcing the nonmoving traffic regulations in this chapter. Such citation shall be used for enforcement of nonmoving traffic regulations created or adopted by this chapter, including violations of nonmoving traffic regulations defined and described in the Wisconsin Statutes, adopted by reference in § 442-1, and all provisions regarding nonmoving traffic violations in this chapter. The citation for nonmoving traffic violations shall contain a notice that the person cited may discharge the forfeiture for violation of a nonmoving traffic regulation and penalty thereof by complying with Subsection C(2) of this section. Nonmoving traffic citations may be issued by law enforcement officers or by civilian employees authorized by the Village Board to issue citations. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

C. Deposits and stipulations.

- (1) Uniform traffic offenses.
 - (a) Who may make. Persons arrested or cited for violation of moving traffic regulations 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 § 66.0114(1)(b), Wis. Stats., whenever the provisions of § 345.27, Wis. Stats., are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under § 345.11, Wis. Stats., and may be accepted within five days of the date of the alleged violation. Stipulations may be accepted by the Police Department. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
 - (b) Delivery or mailing of deposit and stipulation. Any person stipulating guilt or no contest under Subsection C(1)(a) must make the deposit required under § 345.26, Wis. Stats., or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Village Board. Deposits may be brought or mailed to the office of the Clerk-Treasurer within five days of the issuance of 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 §§ 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats., 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 § 345.11, Wis. Stats. 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 days to the Clerk of Courts. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

(2) Nonmoving traffic offenses.

- (a) Direct payment of penalty permitted. Persons cited (summons not issued) for violation of nonmoving traffic regulations described and defined in this chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within five days of the issuance of the citation to the office of the Clerk-Treasurer the minimum forfeiture specified for the violation. If not forwarded, the penalty may be discharged by forwarding within 10 days of the date of citation to the above named office the amount of \$10. When payment is made as provided in this subsection, no court costs shall be charged. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
 - (b) Court prosecution. If the alleged violator does not deliver or mail a deposit as provided in Subsection C(2)(a) within 10 days of the date of the citation, a copy of the citation shall be given to the Village Attorney for prosecution.
 - (c) Registration suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation or, if no date is specified on the citation, within 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 § 345.28(4), Wis. Stats., and Subsection C(3) below.
 - (d) Deposits returned to Village Clerk-Treasurer. Officers receiving deposits for nonmoving traffic violations under this subsection shall pay over such deposits to the Village Clerk-Treasurer within seven days of receipt. Such payment shall be accompanied by an itemized statement for each deposit of the offense charged and the name of the depositor.
 - (e) Bond. Any officer authorized to accept deposits under § 345.26, Wis. Stats., or this section shall qualify by taking the oath prescribed by § 19.01, Wis. Stats.
- (3) Notice of demerit points and receipt. Every officer accepting a forfeited penalty or money deposit under this section shall receipt therefor in triplicate as provided in § 345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this section shall comply with the provisions of §§ 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats., 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 § 345.11, Wis. Stats. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- (4) Registration suspension program.

- (a) The Village shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in § 345.28, Wis. Stats., and Ch. Trans 128, Wis. Adm. Code, and all amendments or changes thereto.
- (b) The Clerk-Treasurer is hereby designated as a delegated authority for purposes of §§ 85.13 and 345.28, Wis. Stats., and Ch. Trans 128, Wis. Adm. Code. The Clerk-Treasurer is authorized to perform, on behalf of the Village, all functions required of a local authority under said Statutes and Code, including, but not limited to:
 - [1] Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for nonmoving traffic violations;
 - [2] Specifying whether the registration of vehicles involved in unpaid citations for nonmoving traffic violations should be suspended and/or whether registration should be refused for any vehicle owned by persons with unpaid citations for nonmoving traffic violations;
 - [3] Determining the method by which the Village 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) 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 § 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 fines and costs, including costs assessed under the preceding sentence, are paid.
- (d) This subsection shall not be interpreted as requiring that all unpaid citations for nonmoving 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.

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SECTION 1 - INTENT

The Village of Hixton, Jackson County, Wisconsin adopts the following all-terrain vehicle recreational route for the operation of all terrain vehicles upon the roadways listed in Section 3, for "recreational" purposes only.

Following due consideration of the recreational value to connect trails opportunities and weighed against possible dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic, the Village deems it appropriate to create certain ATV, UTV, and golf-cart routes.

SECTION 2 STATUTORY AUTHORITY

The route(s) herein are created pursuant to village authority as authorized by 23.33(8)(b)m Wis. Stats.

The applicable provisions of said 23.33 regulating all-terrain vehicles and utility terrain vehicles operation are adopted as if fully stated herein.

SECTION 3 – ROUTE(S) AND SIGNAGE

The following are hereby designated as recreational routes for ATV's, UTV's and gold carts:

- a) All Village streets;
- b) That part of State Highway 95, which is located within the Village limits, where the speed limit does not exceed 35 miles per hour.

Route signs shall be posted by the Village in appropriate locations.

SECTION 4 – CONDITIONS

- A. All ATV operators shall observe posted roadway speed limits.
- B. All ATV operators shall ride single file.
- C. All ATV operators shall slow the vehicle to 10-mph or less when operating within 150 feet of a dwelling.
- D. No ATV or other vehicle operating on the route shall be allowed if it has an expansion chamber or any muffler other than the type and size provided by the manufacturer.
- E. Each ATV must display a lighted headlight and taillight at all times and said lights must conform to the requirements of Section 350.09 of the Wisconsin Statutes.
- F. ATV, or any other vehicle operating on the routes must travel with all wheels on the paved surface "Part on and Part off" the paved surface is strictly prohibited.

SECTION 5 – ENFORCEMENT

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws in the State of Wisconsin.

SECTION 6 – PENALTIES

The penalties as found in 23.33(13) Wis. Stats., are adopted by reference.