

Chapter 50 TRAFFIC AND VEHICLES*

***Cross references:** Any ordinance prescribing through streets, parking and traffic regulations, speed limits, one-way traffic, limitations on load of vehicles or loading zones saved from repeal, § 1-9(9); vehicle accidents involving animals, § 6-85; junked, wrecked, abandoned vehicles, § 22-81 et seq.; miscellaneous offenses, ch. 30; streets, sidewalks and other public places, ch. 38.

State law references: Traffic and vehicles, Wis. Stats. chs. 340--351.

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ARTICLE I. IN GENERAL

Sec. 50-1. State traffic laws adopted.

The statutory provisions describing and defining regulations with respect to vehicles and traffic in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter.

TABLE INSET:

340.01, 341.01, 342.01, 343.01, 344.01, 346.01, 347.01 and 348.01	Words and phrases defined
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344.51, 344.52	Financial responsibility for rented or leased vehicles
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346.15	Driving on divided highway
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346.28	Pedestrians to walk on left side of highway; pedestrians and bicyclists on sidewalks
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346.32	Required position for turning into private road or driveway
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346.35	Method of giving signals on turning and stopping
346.37	Traffic-control signal legend
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346.39	Flashing signals
346.40	Whistle signals
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348.185	Empty weight to be indicated on side of certain vehicles; rules
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350.01--350.19	Snowmobiles
941.01	Negligent operation of vehicle

(Code 1982, §§ 7.340.01--7.941.03)

State law references: Power of town to prohibit crimes against public health and safety, Wis. Stats. § 66.0107; power to adopt traffic laws, Wis. Stats. § 349.03.

Sec. 50-2. Erection of official signs and signals.

- (a) The town board, or its deputies, the constable, police chief or police officers, at their direction, are hereby authorized and directed to procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the

Uniform Traffic Control Devices Manual and giving such notice of the provisions of this chapter as required by state law. Signs shall also be erected in such locations and manner as authorized by the town board to give adequate warning to users of the street, road, highway or alley in question.

- (b) No person shall intentionally damage, deface, move, remove or obstruct an official traffic sign or signal or intentionally interfere with the effective operation of such sign or signal.

(Code 1982, § 7.05)

Sec. 50-3. Penalty.

The penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required by Wis. Stats. § 757.05, a jail assessment if required by Wis. Stats. § 302.46, plus any applicable fees prescribed in Wis. Stats. ch. 814. Only those violations of ordinances adopted under the sections of the Wisconsin Statutes listed below are exempt from the penalty assessment:

TABLE INSET:

346.50	Exceptions to stopping and parking restrictions
346.51	Stopping, standing or parking outside of business or residence districts
346.52	Stopping prohibited in certain specified places
346.53	Parking prohibited in certain specified places
346.54	How to park and stop on streets
346.55	Other restrictions on parking and stopping
349.13	Authority to regulate the stopping, standing or parking of vehicles
349.14	Authority to use parking meters

- (1) *State forfeiture statutes.* Any forfeiture for violation of Wis. Stats. §§ 340.01--941.03 shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.
- (2) *Local regulations.* Except as otherwise provided in this chapter, the penalty for violation of sections 50-2, 50-51, 50-71, 50-91 and 50-92 shall be as provided in section 1-14.
- (3) *Parking violations.*

TABLE INSET:

		Forfeiture	
		Minimum	Maximum
346.51(1)	Improper parking on/off roadway	\$30.00	\$300.00
346.52(1)	Stopping/standing in prohibited areas	20.00	40.00
	Second conviction within one year	50.00	100.00
346.52(2)	Stopping/standing on highway by grade school	20.00	40.00
	Second conviction within one year	50.00	100.00
346.53	Parking/standing where prohibited	20.00	40.00

	Second conviction within one year	50.00	100.00
346.54	Improper parking/standing in vehicle	20.00	40.00
	Second conviction within one year	50.00	100.00
346.55(1)	Parking on left side of highway	30.00	300.00
346.55(2)	Parking vehicle for sale on highway	30.00	300.00
346.55(3)	Parking on posted private property	20.00	40.00
	Second conviction within one year	50.00	100.00

(Code 1982, § 7.10)

Sec. 50-4. Enforcement.

(a) *Enforcement procedure.* This chapter shall be enforced according to Wis. Stats. §§ 23.33, 66.0114, 345.11--345.61, 350.17 and Wis. Stats. ch. 799.

(b) *Deposit.*

(1) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at the office of the clerk of court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

a. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered plea of no contest and submitted to a forfeiture and penalty assessment if required by Wis. Stats. § 165.87, a jail assessment if required by Wis. Stats. § 53.46(1), plus any applicable fees prescribed in Wis. Stats. ch. 814, not to exceed the amount of the deposit that the court may accept as provided in Wis. Stats. § 345.37.

b. If the person fails to make a deposit for a violation of a traffic regulation or appear in court at the time fixed in the citation, the court may enter a default judgment finding the person guilty of the offense or issue a warrant for his arrest.

(2) The amount of the deposit shall be determined in accordance with the State of Wisconsin Revised Uniform State Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under Wis. Stats. § 165.87, a jail assessment if required by Wis. Stats. § 53.46(1), and court costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the town board, which shall include the penalty assessment established under Wis. Stats. § 165.87. Deposits for nonmoving violations shall not include the penalty assessment.

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

(c) *Petition to reopen judgment.* Whenever a person has been convicted in this state

on the basis of a forfeiture of deposit or a plea of guilty or no contest and the person was not informed as required under Wis. Stats. § 345.27(1), (2), the person may, within 60 days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. If the court finds that the petitioner was not informed as required under Wis. Stats. § 345.27(1), (2), the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privileges.

(Code 1982, § 7.11)

Secs. 50-5--50-30. Reserved.

ARTICLE II. SPECIFIC STREET REGULATIONS

DIVISION 1. GENERALLY

Secs. 50-31--50-50. Reserved.

DIVISION 2. SPEED LIMITS*

***State law references:** Speed limits, Wis. Stats. § 46.57 et seq.

Sec. 50-51. Speed limits.

The town board determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under authority granted by Wis. Stats. § 349.11, as follows:

Alexandria Drive, 25 miles per hour for its full length.

Crystal Lane, 25 miles per hour from its intersection with Racine County Line Rd., "KR," northerly to its termination in section 35.

Deer path, 25 miles per hour for its full length.

Evans Lane, 25 miles per hour from its intersection with N. Sylvania Avenue westerly to its termination as a dead-end highway.

Fawn Trail, 25 miles per hour for its full length.

50th Road, 35 miles per hour from a point 0.60 of a mile east of its intersection with CTH "U" easterly to a point 0.80 of a mile east of its intersection with CTH "U".

50th Road, 45 miles per hour for all vehicles from its intersection with N. Sylvania Ave. (I-94 Frontage Road) westerly for 0.6 of a mile.

51st Drive, 45 miles per hour from its termination on CTH "C" southerly 0.8 of a mile.

51st Drive and 58th Road, 45 miles per hour for all vehicles for the entire length of the highway.

(1) 51st Drive from the intersection of Highway "C" to the intersection with 58th Road.

(2) 58th Road. from the intersection with Highway 45 to the intersection of S. Sylvania Avenue.

58th Road, 45 miles per hour from a point at its intersection with USH 45 easterly to a point 500 feet east of its intersection with Maurice Drive.

65th Court, 35 miles per hour from its intersection with 65th Drive westerly to its termination as a dead-end highway.

65th Drive, 25 miles per hour from its intersection with Town Line Road, southerly for a distance of 0.35 of a mile.

67th Drive, 45 miles per hour from Spring Street southerly to the intersection of STH 11.

(Code 1982, § 7.02; Ord. of 11-23-1998)

State law references: Authority to modify speed restrictions, Wis. Stats. § 349.11.

Secs. 50-52--50-70. Reserved.

DIVISION 3. STOPPING, STANDING, PARKING

Sec. 50-71. Parking prohibited where indicated by signs.

There shall be no parking on any roadway in the town where such prohibition is indicated by official signs of the town.

(Code 1982, § 7.03(1))

Sec. 50-72. Overnight parking on roadways.

Overnight parking on roadways in the town between the hours of 2:00 a.m. and 6:00 a.m. is prohibited.

(Code 1982, § 7.03(2))

Sec. 50-73. Specific parking prohibition.

Parking is prohibited on the west side of STH 45 from the northern boundary of Union Grove northerly 1,260 feet between the hours of 7:00 a.m. and 4:00 p.m.

(Code 1982, § 7.03(3))

Secs. 50-74--50-90. Reserved.

DIVISION 4. WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES

Sec. 50-91. Class B highways designated; weight limitations; exemptions.

- (a) *Designated.* All streets and alleys within the town, except for the following listed streets, are designated as Class B highways and shall be subject to the weight limitations imposed by Wis. Stats. § 348.16:
- (1) Leetsbir Road;
 - (2) West Frontage Road; and
 - (3) 58th Road from West Frontage Road to 56th Road.
- (b) *Weight limitation.* Any motor vehicle whose operation is pickup or delivery may pick up or deliver on a Class B highway if the gross weight imposed on the highway by the wheels does not exceed 16,500 pounds, subject to the approval of the town chairperson; provided that the use of such Class B highway shall be limited to the distances reasonably required to make such pickup or delivery.
- (c) *Exemption from Class B weight restrictions.* The town board may for good cause shown exempt certain motor vehicles on a case-by-case basis, from the Class B weight restrictions. Such exemption is dependent on the following criteria:
- (1) Weight;
 - (2) Number and frequency of trips requested; and
 - (3) Reason for overweight trips.

A request for an exemption of the Class B weight restriction shall be made in writing to the town board addressing the criteria set out in this subsection. Requests for exemptions shall be placed on the next regularly scheduled board meeting agenda. If an exemption is needed prior to the next town board meeting, then the town chairperson may grant a temporary exemption if good cause is shown by the requestor. The town may place conditions on any exemption granted, including the posting of a cash bond or letter of credit. Any exemption granted, except a temporary exemption, is valid for a period of one-year, unless a shorter time period is set by the town board. Any exemption granted under this section does not exempt the motor vehicle from any state department of transportation or county permit requirements.

(Code 1982, § 7.04(1))

Sec. 50-92. Special and seasonal weight limitations.

The town board may impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the town or for the safety of users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with Wis. Stats. § 349.16.

(Code 1982, § 7.04(2))