

# Motor Vehicles and Traffic

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# Chapter 1

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## Traffic and Parking

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# ARTICLE A: GENERAL PROVISIONS

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## Sec. 10-1-1 State Traffic Laws Adopted

- (a) **Statutes Adopted.** Except as otherwise specifically provided in this Code, the statutory provisions in Chapters 340 to 349 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles and traffic, for which the penalty is a forfeiture only, 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 349 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 City of Adams, 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 349 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                             |
| 943.11          | Entry into Locked Vehicle                       |
| 943.23          | Operating Motor Vehicles Without Owners Consent |
| 943.21 (1m) (d) | Fraud on Gas Station                            |
| 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 1991-92 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 enactments of the Wisconsin Legislature describing or defining such procedures or authorities.

## Sec. 10-1-2 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.

10-1-2

Wis. Adm. Code -	MVD 3	Reciprocity - Nonresident Motor Carriers [Penalties of Wis. Stats. Sec. 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 Explosives by Motor Vehicle
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 City a vehicle that is not in conformity with the requirements of Subsection (a) or the provisions of Sec. 110.075 and Chapter 347, Wis. Stats., incorporated by reference in Section 10-1-1 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 Sec. 347.04, Wis. Stats., relating to non-applicability 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 City 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 Sec. 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.

### **Sec. 10-1-3 Official Traffic Signs and Control Devices; Prohibited Signs, Signals and Markers.**

- (a) **Duty of Director 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 10-1-1, require the erection of traffic control devices for enforcement, the Director of Public Works, with the cooperation of the Street 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 Director of Public Works, will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the City of Adams.
- (b) **Code Numbers to be Affixed to Official Traffic Control Devices.** The Director of Public Works 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 City any sign, signal, marker, mark or monument unless permission is first obtained from the Director of Public Works or, where applicable, the State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this Subsection shall be subject to removal as provided in Subsection (d).
- (d) **Removal of Unofficial Signs, Markers, Signals and Traffic Control Devices.** The Director of Public Works 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 Director of Public Works to the Common Council 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. 10-1-4 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 Section 10-1-1 and shall be subject to the applicable forfeiture penalty; provided the defenses defined and described in Sec. 346.485(5)(b), Wis. Stats., shall be a defense for an owner charged with such violation.

### **Sec. 10-1-5 School Bus Warning Lights**

- (a)
  - (1) Notwithstanding the provisions of Sec. 346.48(2)(b)2., Wis. Stats., adopted by reference in Section 10-1-1 to the contrary and except as provided in Subsection (b) below, 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.
  - (2) The operator of a school bus equipped with flashing red warning lights shall actuate such lights at least one hundred (100) feet before stopping to load or unload pupils or other authorized passengers and shall not extinguish such lights until loading or unloading is completed and persons who must cross the street or highway are safely across.
  - (3) The operator of a school bus shall use the flashing red warning lights when loading or unloading passengers from either side where the curb and sidewalk are laid on one (1) side of the road only.
  - (4) The operator of a school bus shall use the flashing red warning lights when loading or unloading passengers in a residential or business district when the passengers are to be loaded or unloaded at a location at which there are:
    - a. No traffic signals;
    - b. Sidewalk and curb are laid on both sides of the street or highway; and
    - c. Such persons must cross the street or highway before being loaded or after being unloaded.
  - (5) The operator of a motor vehicle which approaches from the front or rear of any school bus which has stopped on a street or highway when the bus is displaying flashing red warning lights shall stop the vehicle not less than twenty (20) feet from the bus and shall remain stopped until the bus resumes motion or the operator extinguishes the flashing red warning lights. The operator of a school bus, which approaches the front or rear of another school bus that has stopped and is displaying red warning lights, shall stop not less than twenty (20) feet from the other bus, display its red warning lights and remain stopped with red warning lights actuated until the other bus resumes motion or the other operator extinguishes the flashing red warning lights.
- (b) Pursuant to Sec. 349.21(2), Wis. Stats., the use of flashing red warning lights by school bus operators is prohibited when pupils or other authorized passengers are loaded or unloaded directly from or onto the school grounds in a zone designated by “school” warning signs as provided in Sec. 118.08(1), Wis. Stats., in which a street or highway borders the grounds of a school.

### **Sec. 10-1-6 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 Sec. 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) A City police vehicle under Sec. 340.01(3) may be equipped so that the high beams of its headlamps pulsate or flash alternately at a rate of 70 to 90 pulses or flashes per minute. The pulsating headlamps may be used only when the warning lamps authorized under subsection 10-1-6(a) of this Code are in use.
- (d) The City Clerk is hereby authorized and directed to publish notice of the City's intent to equip its police vehicles as described in Sec., (c) above. Such notice shall be a Class 2 notice under Chapter 985 Wis. Stats., and shall be accomplished at least 90 days prior to the first vehicle being equipped.

### **Sec. 10-1-7 Accident Reports**

The operator of every vehicle involved in an accident shall, immediately after such accident, file with the Police Department a copy of the report required by Sec. 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 with this Section shall be for the confidential use of the Department and shall not be open to public inspection except as permitted by Sec. 346.73, Wis. Stats.

*State Law Reference: Sec. 346.70, Wis. Stats.*

### **Sec. 10-1-8 Reserved for Future Use**

### **Sec. 10-1-9 Reserved for Future Use**

## **ARTICLE B: Controlled Intersections: Street Traffic Regulations**

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### **Sec. 10-1-10 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 a Control Device as required by the Wisconsin Statutes incorporated by reference in Section 10-1-1 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by Sec. 346.46, Wis. Stats. Operators approaching intersections at which a yield sign as been installed shall yield the right-of-way to other vehicles as required by Sec. 346.18(6) Wis. Stats.

### **Sec. 10-1-11 Controlled Intersections Designated**

- (a) Complete Stops Required. It shall be unlawful for any person driving or operating any motor vehicle or other vehicle to drive or cause the same to be driven into an intersection designated and declared by this Section to be a stop zone listed hereto from and signalized intersections without first coming to a full and complete stop.
- (b) Designation of Location of Stop Signs. In the interest of public safety, stop signs shall be installed at the following locations to control highways over which the City has exclusive jurisdiction:
  - (1) The Northeast corner of the intersection of Main Street and Sherman Street.
  - (2) The Northeast corner of the intersection of Main Street and Railroad Street.
  - (3) The Northwest corner of the intersection of Grant Street and Railroad Street.
  - (4) The Northwest corner of the intersection of Linden Street and Railroad Street.
  - (5) The Northeast corner of the intersection of Ann Street and Main Street.
  - (6) The Northwest corner of the intersection of Ann Street and Grant Street.
  - (7) The Southeast corner of the intersection of Ann Street and Grant Street.
  - (8) The Northwest corner of the intersection of Ann Street and Linden Street.
  - (9) The Southeast corner of the intersection of Ann Street and Linden Street.
  - (10) The Northwest corner of the intersection of Ann Street and Walker Street.
  - (11) The Northwest corner of the intersection of Ann Street and Werner Street.
  - (12) The Northeast corner of the intersection of May Street and Main Street.
  - (13) The Northeast corner of the intersection of May Street and Grant Street.
  - (14) The Southwest corner of the intersection of May Street and Grant Street.
  - (15) The Southwest corner of the intersection of May Street and Walker Street.
  - (16) The Northeast corner of the intersection of May Street and Walker Street.
  - (17) The Northwest corner of the intersection of May Street and Pierce Street.
  - (18) The Northwest corner of the intersection of May Street and Watts Street.
  - (19) The Southwest corner of the intersection of May Street and Werner Street.
  - (20) The Northeast corner of the intersection of May Street and Werner Street.
  - (21) The Northeast corner of the intersection of June Street and Main Street.
  - (22) The Northeast corner of the intersection of June Street and Grant Street.(4-way)
  - (23) The Southwest corner of the intersection of June Street and Grant Street. (4-way)
  - (24) The Northeast corner of the intersection of June Street and Linden St. (4-way)
  - (25) The Northeast corner of the intersection of June Street and Linden St. (4-way)

- (26) The Southeast corner of the intersection of June Street and Linden St. (4-way)
- (27) The Southwest corner of the intersection of June Street and Linden St. (4-way)
- (28) The Southeast corner of the intersection of Elm Street and Park Street
- (29) The Southeast corner of the intersection of June Street and Walker Street.
- (30) The Northwest corner of the intersection of June Street and Walker Street.
- (31) The Northwest corner of the intersection of June street and Pierce Street.
- (32) The Southeast corner of the intersection of June street and Pierce Street.
- (33) The Northeast corner of the intersection of Grove Street and Main Street (Traffic lights)
- (34) The Northwest and Northeast corners of the intersection of Grove Street and Grant Street, (4-way).
- (35) The Southeast and southwest corners of the intersection of Grove Street and Grant Street, (4-way).
- (36) The Northwest corner of the intersection of Grove Street and linden Street.
- (37) The Northwest corner of the intersection of Elm Street and Liberty Street.
- (38) The Northeast corner of the intersection of Park Street and Juneau Street.
- (39) The Southeast corner of the intersection of Grove Street and linden Street.
- (40) The Northwest corner of the intersection of Grove Street and Walker Street.
- (41) The Northwest corner of the intersection of College Street and Park Street.
- (42) The Southwest corner of the intersection of College Street and Park Street.
- (43) The Southeast corner of the intersection of Grove Street and Walker Street.
- (44) The Northwest corner of the intersection of Grove Street and Pierce Street (4-way).
- (45) The Southeast corner of the intersection of Grove Street and Pierce Street (4-way).
- (46) The Southeast corner of the intersection of Grove Street and Watts Street.
- (47) The Northeast corner of the intersection of Goggin Street and Main Street.
- (48) The Southeast corner of the intersection of Center Street and Grant Street.
- (49) The Northeast corner of the intersection of Center Street and Main Street.
- (50) The Northwest and Northeast corners of the intersection of Center Street and Grant Street (4-way)
- (51) The Southeast and Southwest corners of the intersection of Center Street and Grant Street (4-way)
- (52) The Northwest corner of the intersection of Center Street and Linden Street.
- (53) The Southeast corner of the intersection of Center Street and Linden Street.
- (54) The Northeast corner of the intersection of Hazel Street and Main Street.
- (55) The Southwest corner of the intersection of Hazel Street and Grant Street.
- (56) The Northeast corner of the intersection of State Street and Main Street.
- (57) The Northeast corner of the intersection of State Street and Grant Street (4-way)
- (58) The Southwest corner of the intersection of State Street and Grant Street (4-way)
- (59) The Northwest corner of the intersection of State Street and linden Street
- (60) The Southeast corner of the intersection of State Street and linden Street.
- (61) The Northwest corner of the intersection of State Street and Pierce Street.
- (62) The Southeast corner of the intersection of State Street and Pierce Street.

- (63) The Northeast corner of the intersection of Liberty Street and Main Street.
- (64) The Northwest corner of the intersection of Liberty Street and Grant Street.
- (65) The Southeast corner of the intersection of Liberty Street and Grant Street.
- (66) The Southeast corner of the intersection of Liberty Street and Linden Street.
- (67) The Southeast corner of the intersection of Liberty Street and Pierce Street
- (68) The Northwest corner of the intersection of Liberty Street and Pierce Street
- (69) The Northeast corner of the intersection of Brevoort Street and Main Street.
- (70) The Southeast Southwest and Northeast corner of the intersection of Brevoort Street, and Grant Street, (3-way)
- (71) The Southwest corner of the intersection of Brevoort Street and Pierce Street
- (72) The Northeast corner of the intersection of North Street and Main Street.
- (73) The Southeast corner of the intersection of North Street and Pierce Street
- (74) The Southwest corner of the intersection of Sherman Street and Main Street
- (75) The Southwest corner of the intersection of Southerly Private Entry Road (May Street) to Castle Rock Container Company and Main Street
- (76) The Southwest corner of the intersection of Grove Street and Main Street (traffic signals)
- (77) The Southeast corner of the intersection of Grove Street and the Northeasterly Private Entry Road to Castle Rock Container Company
- (78) The Northwest corner of the intersection of Grove Street and Oak Street
- (79) The Northwest corner of the intersection of Grove Street and Pine Street
- (80) The Northwest corner of the intersection of Grove Street and Pine Street.
- (81) The Southeast corner of the intersection of Grove Street and Northwesterly Private Entry Road to Castle Rock Container Company.
- (82) The Southeast corner of the intersection of State Street and Grant Street, (4-way)
- (83) The Northwest corner of the intersection of State Street and Grant Street, (4-way)
- (84) The Northwest corner of the intersection of Commerce Street and Elm Street (3-way)
- (85) The Northwest corner of the intersection of Commerce Street and Juneau Street
- (86) The North side of the extension of the West end of Commerce Street and Juneau Street where said street abuts Union Pacific Rail road property.
- (87) The Southwest corner of the intersection of Goggin Street and Main Street
- (88) The Northeast corner of the intersection of Goggin Street and Oak Street
- (89) The Southwest corner of the intersection of Center Street and In Street
- (90) The Southeast corner of the intersection of Center Street and Oak Street
- (91) The Northwest corner of the intersection of Center Street and Oak Street
- (92) The Northeast corner of the intersection of Center Street and Pine Street
- (93) The Southwest corner of the intersection of Center Street and Pine Street
- (94) The Northwest corner of the intersection of Center Street and Cedar Street
- (95) The Southeast corner of the intersection of Center Street and Cedar Street
- (96) The Northwest corner of the intersection of Center Street and Elm Street (4-way)
- (97) The Southeast corner of the intersection of Center Street and Elm Street (4-way)

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- (98) The Northwest corner of the intersection of Center Street and College Street
  - (99) The Northwest corner of the intersection of Center Street and Kenwood Street
  - (100) The Northeast corner of the Intersection of Center Street and Juneau Street
  - (101) The Southwest corner of the Intersection of State Street and Main Street
  - (102) The Southeast corner of the intersection of State Street and Oak Street
  - (103) The Northwest corner of the intersection of State Street and Oak Street
  - (104) The Northeast corner of the Intersection of State Street and Pine Street (4-way)
  - (105) The Southwest corner of the intersection of State Street and Pine Street (4-way)
  - (106) The Southeast corner of the intersection of State Street and Cedar Street
  - (107) The Northwest corner of the intersection of State Street and Cedar Street
  - (108) The Southeast corner of the intersection of State Street and Elm Street
  - (109) The Northwest corner of the intersection of State Street and Elm Street
  - (110) The Northeast corner of the intersection of State Street and College Street
  - (111) The Southwest corner of the intersection of State Street and College Street
  - (112) The Northwest corner of the intersection of State Street and Kenwood Street
  - (113) The Southeast corner of the intersection of State Street and Kenwood Street
  - (114) The Northeast corner of the intersection of State Street and Juneau Street
  - (115) The Southwest corner of the intersection of State Street and Juneau Street
  - (116) The Southwest corner of the intersection of Liberty Street and Main Street
  - (117) The Southeast corner of the intersection of Liberty Street and Oak Street (4-way)
  - (118) The Southeast corner of the intersection of Liberty Street and Pine Street
  - (119) The Southeast corner of the intersection of Liberty Street and Cedar Street
  - (120) The Southeast corner of the intersection of Liberty Street and Elm Street
  - (121) The Southeast corner of the intersection of Liberty Street and College Street (4-way)
  - (122) The Southeast corner of the intersection of Liberty Street and Kenwood Street
  - (123) The Southwest corner of the intersection of Park Street and Main Street
  - (124) The Southwest corner of the intersection of Lincoln Street and Main Street
  - (125) The Southwest corner of the intersection of North Street and Main Street
  - (126) The Northwest corner of the intersection of North Street and Juneau Street (4-way)
  - (127) The Northwest corner of the intersection of North Street and Juneau Street (4-way)
  - (128) The Southeast corner of the intersection of North Street and Juneau Street (4-way)
  - (129) The Southwest corner of the intersection of North Street and Juneau Street (4-way)
  - (130) The Southwest corner of the intersection of Cedar Street and Park Street (4-way)
  - (131) The Northeast corner of the intersection of Cedar Street and Park Street (4-way)
  - (132) The Southeast corner of the intersection of Pine Street and Park Street
  - (133) The Northwest corner of the intersection of Vincennes Street and Liberty Street
  - (134) The Southeast corner of the intersection of Vincennes Street and Liberty Street
  - (135) The Southeast corner of the Intersection of Vincennes Street and State Street
  - (136) The Northwest corner of the intersection of Vincennes Street and State Street

- (137) The Northwest corner of the intersection of College Street and Liberty Street (4-way)
- (138) The Northwest corner of the intersection of Liberty Street and Cedar Street
- (139) The Northwest corner of the intersection of Pine Street and Liberty Street
- (140) The Northwest corner of the intersection of South Linden Street and East Sherman Street
- (141) The Northwest corner of the intersection of South Walker Street and East Sherman Street
- (142) The Southeast corner of the intersection of South Grant Street and East Sherman Street
- (143) The Southeast corner of the intersection of South Linden Street and East Sherman Street
- (144) The Southeast corner of the intersection of South Walker Street and Sherman Street
- (145) The Northeast corner of the intersection of Main Street and Capella Street
- (146) The Northeast corner of the intersection of June Street and Werner Street
- (147) The Southwest corner of the intersection of June Street and Werner Street
- (148) The Northwest corner of the intersection of Watts Street and Grove Street
- (149) The Northwest corner of the intersection of Watts Street and June Street
- (150) The Southeast corner of the intersection of Watts Street and June Street
- (151) The Southwest corner of the intersection of Pierce Street and North Street
- (152) The Southeast corner of the intersection of Cedar Street and North Street
- (153) The Northeast corner of the intersection of College Street and Park Street, (4-way)
- (154) The Southeast corner of the intersection of College Street and Park Street, (4-way)
- (155) The Northeast corner of the intersection of Center Street and Elm Street, (4-way)
- (156) The Southwest corner of the intersection of Center Street and Elm Street (4-way)
- (157) The Northeast corner of the intersection of Juneau Street and Liberty Street,
- (158) The Southeast corner of the intersection of Kenwood Street and Center Street
- (159) The Northwest corner of the intersection of Kenwood Street and Commerce Street
- (160) The Southeast corner of the intersection of College Street and Center Street
- (161) The Northeast corner of the intersection of College Street and Commerce Street
- (162) The Southwest corner of the intersection of Oak Street and Park Street, (4-way)
- (163) The Northeast corner of the intersection of Oak Street and Hazel Street
- (164) The Northwest corner of the intersection of Linden Street and May Street
- (165) The Southeast corner of the intersection of Linden Street and May Street
- (166) The Southwest corner of the intersection of Liberty Street and College Street, (4-way)
- (167) The Northwest corner of the intersection of Watts Street and State Street
- (168) The Southwest corner of the intersection of Main Street and Hazel Street
- (169) The Northwest corner of the intersection of Oak Street and Liberty Street (4-way)
- (170) The Northwest corner of the intersection of 11th Avenue and Ann Street
- (171) The Southeast corner of the intersection of Grant Street and Capella Street
- (172) The Northwest corner of the intersection of Grant Street and Sherman Street
- (173) The Southeast corner of the intersection of Linden Street and Capella Street

- (174) The Southeast corner of the intersection of Walker Street and Liberty Street
- (175) The Northwest corner of the intersection of Walker Street and State Street
- (176) The Northwest corner of the intersection of Holt Street and May Street
- (177) The Northwest corner of the intersection of State Street and Pine Street, (4-way)
- (178) The Southeast corner of the intersection of State Street and Pine Street
- (179) The Northwest corner of Commerce Street and Juneau Street with right turn no stop
- (180) The Southwest corner of the intersection of Center Street and Juneau Street
- (181) The Southeast corner of the intersection of Oak Street and Park Street, (4-way)
- (182) The Northeast corner of the intersection of Oak Street and Park Street, (4-way)
- (183) The Northwest corner of the intersection of Cedar Street and Park Street, (4-way)
- (184) The Southeast corner of the intersection of Cedar Street and Park Street, (4-way)
- (185) The Northeast corner of the intersection of College Street and Liberty Street, (4-way)
- (186) The Northeast corner of the intersection of Lincoln Street and Cedar Street
- (187) The Northwest corner of the intersection of Oak Street and Park Street, (4-way)
- (188) The Southeast corner of the intersection of Oak Street and Lincoln Street
- (189) The Southeast corner of the intersection of Vincennes Street and Park Street
- (190) The Northeast corner of the intersection of Liberty Street and Pierce Street (4-way)
- (191) The Southwest corner of the intersection of Liberty Street and Pierce Street. (4-way)
- (192) The Northwest corner of the intersection of Kenwood Street and Liberty Street
- (193) The Southeast corner of the intersection of Kenwood Street and Park Street
- (194) The Southeast corner of the intersection of Walker Street and Brevoort Street
- (195) The Northwest corner of the intersection of Walker Street and Liberty Street
- (196) The Southeast corner of the intersection of Walker Street and Center Street
- (197) The Northeast corner of the intersection of Grove Street and Pierce Street (4-way)
- (198) The Southwest corner of the intersection of Grove Street and Pierce Street (4-way)
- (199) The Southeast corner of the intersection of West North Street and N. Elm Street
- (200) The Northeast corner of the intersection of Oak Street and Liberty Street (4-way)
- (201) The Southwest corner of the intersection of Oak Street and Liberty Street (4-way)
- (202) The Northeast Corner of the Intersection of Vega Street and Main Street (Hwy 13)
- (203) The Southwest Corner of the Intersection of Vega Street and Linden Street
- (204) The Northwest Corner of the Intersection of Industrial Drive and Dixie Lane

*(Amendment to Sec. 11-1-11 (b) adopted by Council on 10-5-98 by Ord. No.14-98) (Amendment to Sec. 11-1-11 (b) adopted by Council on 12-7-98 by Ord. No.17-98) (Amendment to Sec. 10-1-11 adopted by Council on May 2, 1994 by Ordinance #7-94) (Amendment to Sec.10-1-11 (b)(57) Sec.10-1-11 (b) (58) rescinded recreated by Council on July 1, 1996 by Ordinance No.4-96) (Amendment to Sec. 10-1-11 (b) (47) rescinded and recreated by Council on October 7, 1996 by Ordinance No.24-96) (Amendment to Sec. 10-1-11 (b) adopted by Council on 10-5-98 by Ord. No.14-98) (Amendment to section 10-1-11 (b)(28), (37), (38), (41) &(42) adopted by Council September 18, 2000 by Ord #12-2000) (Amendment to Sec. 10-1-11 adopted by Council on May 2,1994 by Ordinance .7-94) (Amendment to Sec. 10-1-11(b) (82,83 & 86 rescinded and recreated by Council on July 1, 1996 by Ordinance No. 4- (Amendment to Sec. 10-1-11(b) 87'86 rescinded and recreated by Council on October 7, 1998 by Ordinance No.24-96) Amendment to Sec. 10-1-11 (b) 138 rescinded and recreated by Council on October 7, 1996 by Ordinance No.24-96) (Amend. To 10-1-11 adopted by Council on May 2, 1994 by Ordinance #7-94) (Amend. To Sec 10-1-11(b) 179 and 180 created by Council on July 1, 1996 by Ordinance #4-96) (Amend. To sec. 10-1-11 (b) 166 rescinded and recreated and 181 thru 185 created by Council on Oct 7, 1996 by Ordinance #24-96) (Amend. To Sec 10-1-11 (b) 186 created by Council on December 1, 1997 by Ordinance #12- 97) (Amend. To Sec. 10-1-11 (b) 162, 181 &182 rescinded and recreated by Council on November 15, 1999 by Ordinance 16-99) (Amend. To Sec. 10-1-11 (b) 187 and 188 created by Council on November 15, 1999 by Ordinance 16-99) (Amend to Sec 10-1-11 (b) (189), (190), (191)&(192) created by Council September 18, 2000 by Ord #12-2000) (Amend to Sec 10-1-11 (b) (194)&(195) created by Council October 1, 2001 by Ord 20-2001) (Amendment to section 10-1-11 (b)(196) adopted by Council August 5, 2002 by Ord 14-2002) (Amendment to section 10-1-11 (b)(44)(45) amended and section 10-1-11(b)(197)(198) created & adopted by Council September 10, 2003 by Ord 18-2003) (Amendment to section 10-1-11(b) (199) adopted by Council July 3, 2006 by Ord 04-2006)(Amendment to Sec. 10-1-11(b)adopted by Council on July 16, 2007 by Ord 02-2007A) (Amend Title 10, Chapter 1, Section 11(b)) of the Code of Ordinances of the City of Adams, WI by Council on January 9, 2012 by Ord. No.01-2012) (Rescind and Recreate Title 10 Chapter 1, Section 11(b) of the Code of Ordinances of the City of Adams, WI by Council on July 15, 2015 by Ord. 9-2015)*

## **Sec.10-1-12 Through Streets Designated**

In the interest of public safety and pursuant to Section 349.07, Wis. Stats., the streets or portions thereof set forth in this Section are declared to be through highways and traffic signs or signals giving notice thereof shall be erected by the Director of Public Works in accordance with Section 10-1-3.

- State Highway 13
- West State Street
- County Trunk Highway M

*State Law Reference: Section 349.07, Wis. Stats.*

## **Sec. 10-1-13 Heavy Traffic Routes**

**Definition.** For purposes of this Section heavy traffic shall be defined as: All vehicles not operating completely on pneumatic tires, and 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 five (5) tons.

**Prohibited Routes.** Heavy traffic is prohibited from using any City street of highway not designated as a heavy traffic route. This Section shall not act to prohibit traffic from using a City street or highway for the purposes 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 City street over which are routed State trunk highways. When being driven to the site of 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.

**Administration.** The Department of Public Works, in cooperation with the Police Department. Shall administer this Section. Administration shall include:

**Posting of signs.** Appropriate signs shall be posted giving notice of this Section and of the heavy traffic routes establishes herein. Yellow signposts may also be used to designate heavy traffic routes.

**Maps.** Maps of the City showing heavy traffic routes shall be prepared and shall be available upon request by heavy traffic operators and owners.

**Construction Equipment.** The Public Works Department may grant temporary permits to allow heavy construction equipment to use City 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 City harmless for any damage done to the City street by the equipment and/or any personal injury or property damage caused in part or whole by the street damage. City owned or operated equipment is specifically excluded from the provisions of this section.

**Liability.** Any operator, corporation, owner or agent whose heavy traffic vehicle damages any City streets or highways in violating this Section shall be liable and required to pay the City of the cost of repair or replacement of the damaged street or highway.



**Heavy Traffic Routes Designated.** The following highways or parts thereof within the jurisdiction of the City of Adams are hereby-designated heavy traffic routes:

- Commerce Street east from Juneau Street
- State Highway 13
- County Trunk M (or also known as Ann Street)
- Grove Street west to Commerce Street
- North Street west from Main Street
- Railroad Street east from Main Street
- West May Street
- Juneau Street from North Street to Commerce Street
- From the far most Southerly Kwik Trip Driveway on North Oak Street North to West Lincoln Street
- West Liberty Street from North Main Street to North Oak Street
- West Park Street from North Main Street to North Oak Street
- West Lincoln Street from North Main Street to North Oak Street

### **Sec. 10-1-14 Reserved for Future Use**

### **Sec. 10-1-15 Special Speed Restriction on Motor Vehicle Traffic on Certain City Streets**

- (a) In addition to complying with speed restrictions imposed under other applicable law, no person shall drive a vehicle at a speed in excess of fifteen (15) miles per hour when children are present on the following streets or specified segments of streets located within the City of Adams, Wisconsin:
- Cedar Street that portion thereof between Park Street and North Street;
  - Park Street that portion thereof between Cedar Street and College Street;
- (b) Traffic Control Signs to be Placed: The speed restrictions imposed under this Subsection 10-1-15 shall apply only after speed limit signs giving notice of the speed limits hereto are erected at such points on the said streets where persons traversing the same would enter such area from an area where a different speed limit is in effect.
- (c) Penalties and Enforcement: The penalty provisions of Section 10-1-50 of the Code of Ordinance City of Adams, Wisconsin as from time to time may be in effect, and the enforcement provisions of Section 10-1-51 of the Code of Ordinances City of Adams, Wisconsin, as from time to time may be in effect, shall apply to violations of Section 10-1-15 of this Code.

### **Sec. 10-1-16 thru 10-1-19: Reserved for Future Use**

*(Section 10-1-15 (a) (b) & (c) created by Council on September 30, 1998 by Ord No.13-98) (Amend Title 10, Chapter 1, Section 13 of the Code of Ord of the City of Adams, WI by Council on March 15, 2010 by Ord. No.04-2010) (Amend Title 10, Chapter 1, Section 13 of the Code of Ord of the City of Adams, WI by Council on February 16, 2015 by Ord. No 06-2015)*

## ARTICLE C: Parking Regulations

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### Sec. 10-1-20 Restrictions on Parking; Posted Limitations

- (a) The Common Council 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 City shall mark, by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
- (b) 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.
- (c) 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. The Director of Public Works 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.
- (d) 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.
- (e) After the parking limitations on any given street have expired, any change of location of not more than one (1) stall following expiration of the parking period allowed shall be and constitute a violation of this Chapter.

### Sec. 10-1-21 Parking Restrictions During Temporary Snow Removal or Street Maintenance

- (a) **Street Maintenance.** Whenever it is necessary to clear or repair a City roadway or any part thereof, the Director of Public Works and/or Police Department 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.
- (b) **Temporary Parking Restrictions for Special Events.** Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Chief of Police is authorized to direct that temporary "No Parking" signs be erected by the Director of Public Works during parades, festivals and other authorized events that require the regulating of vehicle stopping, standing or parking on City 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 or leave standing any vehicle on any street, other than Main Street (Highway 13), in the City of Adams, Wisconsin, between the hours of 12:00 a.m.(midnight) and 8:00 a.m. between the period of November 15<sup>th</sup> of each calendar year to April 15<sup>th</sup> in the following calendar year, except as specified herein.

Vehicle parking shall be allowed on all streets, other than Main Street, between the hours of 12:00 a.m. (midnight) to 8:00 a.m. between the period of November 15<sup>th</sup> of each calendar year and April 15<sup>th</sup> of the following calendar year, provided that vehicles are parked on the odd-numbered side of the street on the odd-numbered days and on the even-numbered side of the street on the even-numbered days.

For purposes of interpretation, vehicles parked at 12:00 a.m. (midnight) shall park applicable to the date.

If conditions warrant, a snow emergency may be declared by the Mayor, or in his/her absence, a designee. While under the declared snow emergency, parking shall be prohibited on any City Street (except Main Street) until the declared snow emergency is lifted.

## **Sec. 10-1-22 Stopping or Parking Prohibited in Certain Specified Places**

- (a) **Parking Prohibited at All Times.** 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 parkway area, except when parking in such place is clearly indicated by official traffic signs or markers. "Parkway or Sidewalk Area" means that area between the sidewalk and the nearest curb line running parallel or generally parallel thereto or in the absence of a sidewalk ten (10) feet beyond the curb line.
  - (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 a fire lane consisting of either the driveway between the front doors of the Fire Station and the public street or in such places properly designated and marked as fire lanes ordered by the Fire Chief.
  - (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 or curb marking.
  - (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 City 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 parkway or sidewalk in the City at any time.
  - (14) In a loading zoning.
  - (15) Within six (6) feet of the entrance to an alley, private road or driveway.
  - (16) In any municipal park when said park is closed to the public.

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- (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 (4) 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.**
  - (1) No person shall stand or park a vehicle on any street, alley, public right-of-way or municipal parking lot in the City for the purpose of repairing said vehicle or to display such vehicle for sale. No person shall park on any street or avenue any vehicles for the primary purpose of advertising.
  - (2) No person other than an owner and/or operator of a business located on business-zoned property engaged in the regular business of selling vehicles may display a vehicle for sale upon private premises unless the following conditions are met:
    - a. Consent to display the vehicle has been given by the owner or lessee of the premises; and
    - b. The owner of the vehicle is on the premises or resides there; and
    - c. The vehicle displayed for sale is parked entirely on the premises; and
    - d. The premises contains only one (1) vehicle displayed for sale; and
    - e. The advertisement or sign for sale of the vehicle is not larger than two (2) square feet.

### **Sec. 10-1-23 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 thirty (30) minutes within three hundred (300) feet of any residence within the City between the hours of 10:00 p.m. and 7:00 a.m.

### **Sec. 10-1-24 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. 10-1-25 Parking Prohibited on Main Street During Parades**

No vehicular parking shall be allowed on the east side of that portion of Main Street bound by Center Street on the south and State Street on the north on those certain days and nights and during those certain hours while legally authorized parades are proceeding down Main Street. A "legally authorized parade" shall be defined as any parade for which a permit has been issued by the Chief of Police of the City of Adams. Such parking restriction shall be in full force and effect, on such parade dates, upon the posting of traffic control signs, duly indicating that parking is not allowed. Such signs shall be placed at least every five hundred (500) feet, on both sides of Main Street in the area where parking is so restricted.

**Sec. 10-1-26 Parking Restriction-Parking Spaces Marked for Handicapped Parking**

- (a) Except for vehicles wearing special registration plates issued under Section 341.14(1), (1a), (1m), or (1q) of the Wisconsin Statutes, or a motor vehicle upon which there is a special identification card issued under Section 343.51, Wis. Stats., is displayed, or a motor vehicle registered in another jurisdiction upon which is displayed a registration plate, a card, or an emblem issued by the other jurisdiction designating the vehicle as a vehicle used by a physically disabled person, no person may park, stop, or leave standing any vehicle, whether attended or unattended, and whether temporarily or otherwise, upon any portion of the street, highway or parking facility within the City of Adams, Wisconsin, reserved by official traffic signs, distinct markers, or parking meters indicating that such portion of the street, highway, or parking facility is reserved for use by the handicapped.
- (b) Any vehicle found parked in violation of the restrictions cited immediately above may be issued a City of Adams parking citation, the same to be made out in the name of the registered owner of such vehicle.

**Sec. 10-1-27 Prohibited Parking Regulations**

- (a) No person shall park a motor vehicle upon the following streets or parts of streets:
  - (1) Brevoort Street, on that portion thereof between Highway 13 (Main Street and Grant Street during normal school hours).
  - (2) The South Side of Ann Street, on that portion between Grant Street and Highway 13 (Main Street).
  - (3) The West Side of Grant Street, on that portion of Grant Street bound on the North by Goggin Street and on the South by Grove Street.
  - (4) The South side of W. Goggin Street (the westerly 1/2 portion of block between Highway 13 and alley).
  - (5) The north side of North Lincoln Street, on that portion bound on the east by the west point of Highway 13 (Main Street) and extending westerly for a distance of three hundred and seventy (370) feet (the west point of the intersection with N. Oak Street).
  - (6) Both sides of North Cedar Street, on that portion of North Cedar Street bound on the South by the centerline of West Park Street, and bound on the North by the center line of West North Street.
  - (7) Both sides of Highway 13 (Main Street), on that portion of Main Street bound on the North by North Street and on the South by State Street.
  - (8) The South Side of Capella Street. On that portion of Capella Street bound on the West by Highway 13 (Main Street) and on the East by Linden Street.

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- (9) The south side of West North Street, on that portion bound on the east by the west point of Highway 13 (Main Street) and extending westerly for a distance of two hundred (200) feet.
- (b) Parking shall be restricted on the north side of Center Street West of State Highway 13 for the first fifty (50) feet. It shall be marked as follows: (1) One (1) Parking Stall Handicapped; (2) One (1) Parking Stall City Officials; (3) One (1) Parking Stall Police Only.
- (c) No person shall park a vehicle for longer than five (5) minutes along the north side of State Street within such portion of State Street as is bound on the east by the extension of the east line of the alley in Block 4, Werner Subdivision and bound on the west by a line parallel and sixty (60) feet west of the easterly line. The area in question shall be marked with sign(s) giving notice of the parking limitation-
- (d) No person shall park a vehicle on Main Street within the City of Adams between the hours of 2:00 a.m. and 6:00 a.m.
- (10) No person shall park a vehicle on the north side of West Grove Street, on that portion bound on the east by the west point of Highway 13 (Main Street) and extending westerly for a distance of one hundred thirty five (135) feet.

**Applicability / Penalty:**

- (a) This parking regulation shall apply to the above-described street within the City of Adams, Wisconsin. Enforcement of this regulation shall be as generally provided by Title 1 of the Code of Ordinances of the City of Adams, Wisconsin, with the penalties for violation to be as set forth in Sec. 1-1- 7 of the said Code.

**Sec. 10-1-28 Parking on Certain Property Not Owned By The City is Prohibited**

- (a) **Parking Prohibited in Areas Designated as Fire Lanes.** No person shall park or leave standing any motor vehicle, whether attended or unattended, in any area within the City of Adams, which is designated as a fire lane. Areas designated as fire lanes shall be marked with appropriate painted striping and boundaries. Signs giving notice that the area is a fire lane and that parking within the fire lane is prohibited shall be posted in conspicuous places on or adjacent to the fire lane question.
- (b) Reserved for Future Use.
- (c) Reserved for Future Use.

*(Amendment to Sec. 10-1-27 (a) adopted by Council on May 4, 1994 by Ordinance No.7-94) (Amendment to Sec. 10-1-27 (a) adopted by Council on November 7, 1994 by Ordinance 17- 94) (Amendment to Sec. 10-1-27 (a) (5) adopted by council on June 5, 1995 by Ordinance No. 5- 95) (Amendment Sec 10-1-27 (a) (6) created by Council on July 3, 1995 by Ordinance No.7-95) (Amendment to Sec. 10-1-27 (a) (5) rescinded and recreated by Council on September 3, 1996 by Ordinance No.20-96 (Amendment to Sec. 10-1-27 (a) (7) created by Council on October 7, 1996 by Ordinance No.26-96) (Amendment to Sec. 10-1-27(a)(7) rescinded by Council June 7, 1999 by Ordinance 9-99) (Amendment Sec. 10-1-27(a)(7) recreated by Council on May 15, 2000 by Ordinance 03-2000) (Amendment to Sec. 10-1-27 (a) (8) created by Council on December 3,2001 by Ordinance No.23-2001) (Amendment to Sec. 10-1-27 (a) (7) recreated by Council on June 2, 2003 by Ordinance No. 2-2003) Amendment to section 10-1-27(a)(5) rescinded & recreated by Council on September 20, 2004 by Ordinance 06-2004) Amendment to section 10-1-27(a)(9) recreated by Council on September 20, 2004 by Ordinance 06-2004)(Ordinance rescinding Sec. 10-1-27(e)(1)(2)(3) rescinded by Council on August 7, 2006 by Ordinance 13-2006)(Rescind section 10-1-28(b)(c) adopted by Council on August 2, 2010 by Ordinance 07-2010)(Creating Title 10, Chapter 1, Section 27 of the Code of Ordinances of the City of Adams, WI by Council on July 2, 2012 by Ord. No. 04-2012*

## **Sec. 10-1-29 Angle Parking Areas**

No person shall park a vehicle except parallel to the curb except on the following streets or parts thereof where diagonal parking will be allowed:

- (a) The first one-half (1/2) block of West Hazel Street, west of Main Street (State Trunk Highway 13) along both the north and south side of said street.
- (b) The first one-half (1/2) block of East June Street, west of South Linden Street, but only along the north side of said street.
- (c) On the North side of the first full block of East Hazel Street, east of Main Street and west of Grant Street.
- (d) On the South side of the first full block of East State Street, east on Main Street and west of Grant Street.

*Ordinance 10-1-28 created by Council on February 19, 2001 Subsection 10-1-29 adopted by Council November 7, 1994 by Ordinance No.17-94)  
(Amendment of Section 10-1- 29 (c) rescinded by Council October 16, 1995 by Ordinance 19-95) (Amendment of Section 10-1-29 (c) & 10-1-29 (d)  
adopted by the Council on November 6, 1995 by Ordinance 20-95)*

### **Sec.10-1-30 Parking of Vehicles Over 12,000 Pounds or 16 Feet Restricted**

- (a) **Street Parking.** No person owning or having control of any truck, trailer, truck power unit, tractor, bus or recreation vehicle with a tare or empty weight in excess of twelve thousand (12,000) pounds gross weight, or over sixteen (16) feet in length (including accessories, racks, or other physical extensions). Or having a height of more than eight (8) feet from the roadway, shall park the same upon any street, avenue, or public way in the City in a residential-zoned area for more than two (2) consecutive hours. The provisions of this Subsection shall not be deemed to prohibit the lawful parking of such equipment upon any street, avenue or public way in the City for the actual loading or unloading of goods, ware or merchandise, providing, however, the "loading" and "unloading", as used in this Section, shall be limited to the actual time consumed in such operation. The Common Council may, however, designate specific truck parking zones.
- (b) **Removal.** Any vehicle unlawfully parked under Subsection (a), (b) or (c) above may be removed from the street by order of a law enforcement officer, pursuant to Section 10-1-33, and the expense of so moving and storing such vehicle shall be paid by the operator or owner of said vehicle as a forfeiture in addition to the penalties hereafter prescribed.

### **Sec. 10-1-31 Unlawful Removal of Parking Citations**

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

### **Sec. 10-1-32 Operation and Parking of Motor Vehicles in Public Parking Lots**

- (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 10-1-1 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 for the general public for parking or vehicular traffic.
- (c) **Restricted Parking on Public Parking Lots.** No person shall park a motor vehicle on any publicly owned parking lot within the City of Adams during the hours from 11:00 p.m. to 6:00 a.m. without written permission from the City Chief of Police or the Chiefs designee.
- (d) **Restricted Use of Public Parking Lots.** No person shall use a public parking lot as site upon which to perform motor vehicle maintenance or repair. This prohibition shall not apply to emergency repairs which do not involve changing or releasing of oil, anti-freeze, or other fluids of a motor vehicle if such repairs were not pre-scheduled and which can reasonably be completed within a time of one-half (1/2) hour.

### **Sec. 10-1-33 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 law enforcement officer, to a position where parking is permitted or to a private or public parking or storage premises.



- (c) **Removal by Officer.** Any law enforcement 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.

### **Sec. 10-1-34 Inoperable, Wrecked or Discarded Vehicles**

- (a) **Storage Prohibited.** No person owning or having custody of any partially dismantled, non-operable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public street or highway, parking lot or ramp longer than twenty-four (24) 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 this 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 10-1-33.
- (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 City of Adams.

*Cross-Reference: Section 10-5-1.*

### **Sec. 10-1-35 Traffic and Parking Regulations on School District Grounds**

Pursuant to the provisions of Sec. 118.105, Wis. Stats., the following regulations shall apply to the grounds of the Adams School District located within the City:

- (a) **Parking.** No person shall park any vehicle in any vehicular traveling area or parking area of the Adams School District, except in conformity with posted parking regulations set forth for such vehicular travel and parking areas.
- (b) **Speed Limits.** No person shall, at any time, operate a motor vehicle upon any Adams School District grounds at a speed in excess of ten (10) miles per hour.
- (c) **Vehicles Prohibited at Specified Times.** No person shall, at any time, operate a motor vehicle other than a school bus or emergency vehicle, in or upon any area designed for buses only by sign during the hours of 7:00 a.m. and 5:00 p.m. on any weekday during the months school is in session.

10-1-36

## **Sec. 10-1-36 Participation in the Nonmoving Traffic Violation and Registration Program of the Wisconsin Department of Transportation**

Pursuant to the provisions of Section 345.28 (4) of the Wisconsin Statutes, the City of Adams elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under Wisconsin Statute Section 85.13; such costs shall, in turn, be assessed against person charged with nonmoving traffic violations. The City of Adams shall be responsible for complying with the requirements set forth in Wisconsin Statute Section 345.28(4).

*(Section 10-1-36 created for the Code of Ordinances of the City of Adams, WI adopted by the Council on January 21, 2008, Ordinance No. 02-2008).*

**Sec. 10-1-37 through Sec. 10-1-39      Reserved for Future Use**

## **ARTICLE D: Miscellaneous Provisions**

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### **Sec. 10-1-40 Disturbance of the Peace With a Motor Vehicle**

- (a) Unnecessary Noise and Display of Power Prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public or private area in the City of Adams.
- (b) Unnecessary Smoke Prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner which shall make or cause to be made any smoke, gases, or odors which are disagreeable, foul, or otherwise offensive which may tend to annoy or disturb another in or about any public or private area in the City.
- (c) Unnecessary Acceleration Prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.
- (d) Avoidance of Traffic Control Device Prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and travel across private property to avoid an official traffic control device, sign, or signal.
- (e) Operation in Restricted Area Prohibited. It shall be unlawful for any person to operate a motor vehicle in such a manner as to leave the roadway and park, stop, or travel upon or across any public or private property, parking lot, driveway, or business service area for any purpose except the official conduct of business located on said property without the consent of the owner or lessee of the property. This Section shall specifically include, but not be limited to:
  - (1) Public park property;
  - (2) Cemetery properties;
  - (3) School District property;
  - (4) Medical facilities;
  - (5) Funeral homes;
  - (6) Service stations;
  - (7) Grocery stores;
  - (8) Restaurants;
  - (9) Financial institutions; and
  - (10) Other similar-type businesses with service driveways or drive-up or drive-through facilities.
- (f) Stopping and Parking Prohibited. It shall be unlawful for any person to stop or park a motor vehicle in any manner on any public or private property or parking lot contrary to a regulatory sign posted thereon which may permit parking by certain persons and limits, restricts, or prohibits parking as to other persons without the consent of the owner or lessee of the property. Any vehicle parked in violation of this Section may be removed or towed by the property owner at the vehicle owner's expense.

### **Sec. 10-1-41 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 City of Adams 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.

### **Sec. 10-1-42 Vehicles on Pedestrian Ways**

No person shall operate or park any vehicle on any pedestrian way within the City of Adams except municipal or county maintenance vehicles.

### **Sec. 10-1-43 School Crossing Guards**

Pursuant to Sec. 349.215, Wis. Stats., those adult persons hired by the School District or Police Department 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.

*State Law Reference:* Sec. 349.215, Wis. Stats.

### **Sec. 10-1-44 Driving Over Curbing**

- (a) Driving Over Curbing Prohibited. It shall be unlawful for any motor vehicle to be driven or backed over any curbing in the City of Adams.
- (b) Driving Over Safety Zones. Whenever safety zones 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.

### **Sec. 10-1-45 Railroad Regulations**

- (a) Obstruction of Railroad Crossings. No person shall leave standing or stop or permit or allow to stand or stop any railroad train, engine or car upon any street, alley or highway crossing within the city nor lower or cause to remain lowered any railroad crossing gate, so as to obstruct public travel for a greater period of time than ten (10) minutes, without opening said street, alley or crossing for such period of time as is necessary for all vehicles stopped because of the obstruction of the crossing, to proceed through the crossing.
  - (1) Any conductor, engineer, fireman, signalman, or brakeman on any train or locomotive so obstructing any street, alley or railroad crossing or any yardmaster, flagman, switchman or section hand who shall allow and be responsible for such obstruction shall be subject to penalty as provided in section 10-1-50 of this Code of Ordinance.

- (2) In addition to the liability imposed by the preceding paragraph the business entity owning or operating such train, engine, cars, or railroad-crossing gate, so obstructing any street or railroad crossing shall:
- (a) Be subject to a forfeiture of not more than Seven Hundred and Fifty Dollars (\$750.00), unless (b) applies.
  - (b) If the obstruction of the street or railroad crossing impedes an emergency vehicle while it is responding to an emergency, the business entity owning or operating the train, engine, cars, or railroad crossing gate shall be subject to a forfeiture of not more than One Thousand Five Hundred Dollars (\$1,500.00).
- (b) **Crossing Warning by Trains.** No person shall operate or permit to be operated a locomotive, railway train, engine or railway car over any graded street or highway crossing within the limits of the City unless a whistle or horn shall be blown eighty (80) rods from said crossing and a bell rung continuously until the crossing shall be reached. The blowing of a whistle or horn and the ringing of a bell shall not be necessary where gates are operated automatically or a flagman is stationed at such traveled grade crossing.

### **Sec.10-1-46 Shining with Spotlights Regulated**

- (a) Shining Residential Areas Prohibited. No person may use a hand-held spotlight or a spotlight mounted on a vehicle to shine homes, residential outbuildings, or residential yards within the City of Adams.
- (b) (1) **Exceptions.** The prohibitions described in (a) above shall not apply to any of the following:
- (a) Peace Officers, while in the course of performing their official duties.
  - (b) Fire Fighters, while in the course of performing their official duties.
  - (c) Employees of the City of Adams working on or investigating problems involving public utilities, or their utility providers.
- (2) The prohibitions described in paragraph (a) above shall not apply to pedestrians or bicyclists using hand-held lights to provide light incidental to otherwise lawful activity, or to motorists using the headlights of a motor vehicle being operated upon a public street or road.
- (c) Definitions: As referred to in this section, the following definitions shall apply:
- (1) **Hand-held spotlight:** Means any spotlight designed to be held by hand during use, regardless of the lights power source.
  - (2) **To Shine:** Means to case the rays of a light upon.
  - (3) **Peace Officer:** Has the meaning designated under §939.22(22) Wis. Stats.
  - (4) **Spotlight:** Means any light designed to shine an intense beam of light on an area.

**SECTION 2: PENALTY:** Person violating the ordinance shall be subject to the penalties set forth in Sec. 1-1-7 of the CODE OF ORDINANCES OF THE CITY OF ADAMS, WISCONSIN.

### **Sec. 10-1-47 through Sec. 10-1-49 RESERVED FOR FUTURE USE.**

# ARTICLE E: Enforcement and Penalties

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## Sec. 10-1-50 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 Sections 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 therefore 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 City, 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 Section 10-1-1 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 349, 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 non-moving traffic violations adopted by reference in Section 10-1-1 as described in Chapters 341 to 349, Wis. Stats., shall be as found in the current edition of the Revised Uniform State Traffic Deposit Schedule, as from time to time in effect after adoption by the Wisconsin Judicial Conference.
  - (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 Fifteen Dollars (\$15.00) if paid with seventy-two (72) hours, and Twenty-five Dollars (\$25.00) if paid thereafter. Parking in handicapped zone violations shall be Twenty-five Dollars (\$25.00). In addition, vehicles parked in violation of Section 10-1-28 may be towed away at the owner's expense if, in the discretion of the Chief of Police of the City of Adams, Wisconsin, the removal of said vehicle is required for the orderly removal of snow by City crews.

- (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 Fifteen Dollars (\$15.00) nor more than Two Hundred Dollars (\$200.00) for the first offense and not less than Twenty-five Dollars (\$25.00) nor more than Four Hundred Dollars (\$400.00) for the second offense within two (2) years.

## **Sec. 10-1-51 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 in accordance with the provisions of Sec. 345.20(2)(b) and Chapter 800, Wis. Stats.

(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 to the Common Council a citation for use in enforcing the non-moving traffic offenses in this Chapter. 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 10-1-1, 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) **Uniform 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 Sec. 66.12(1)(b) of the Wisconsin Statutes whenever the provisions of Sec. 345.27 of the Wisconsin Statutes are inapplicable to such violations. Stipulations shall conform to the form contained in the uniform traffic citation and complaint under Sec. 345.11 of the Wisconsin Statutes.

- 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 Sec. 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 Chief of Police and approved by the Common Council. Deposits may be brought or mailed to the Police Department or County Clerk of Courts within five (5) days of the issuance of the citation in lieu of court appearance.
- c. ***Receipt Required.*** Every official 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 Sec. 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 County Clerk of Courts.

(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 ten (10) days of the issuance of the citation to the City Clerk-Treasurer the minimum forfeiture specified for the violation. When payment is made as provided in this paragraph, no court costs shall be charged.
- b. ***Court Prosecution.*** If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the Chief of Police shall forward a copy of the citation to the City 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 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 City 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.
- d. ***Deposits Returned to City Clerk-Treasurer.*** Officers receiving deposits for non-moving traffic violations under this Subsection shall pay over such deposits to the City Clerk- Treasurer within seven (7) 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 official 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) **Notice of Demerit Points and Receipt.** Every officer accepting a forfeited penalty or money deposit under this Section shall receipt therefore in triplicate as provided in Sec. 345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this Section shall comply with the provisions of Sections 343.27, 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 Sec. 345.11, Wis. Stats.
- (4) **Registration Suspension Program.**
- a. The City shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Adm. 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. Adm. Code Trans. 128. The Police Department is authorized to perform, on behalf of the City, 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 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 City 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 fines 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 City's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

*State Law Reference:* Sec. 345.28, Wis. Stats.; Chapter Trans. 128, Wis. Adm. Code. .



### Bicycles and Play Vehicles

#### ARTICLE A GENERAL PROVISIONS

- [10-2-1](#)      **Definitions**
- [10-2-2](#)      **Lighting and Other Equipment**
- [10-2-3](#)      **Bicycle Rules of the Road**
- [10-2-4](#)      **Play Vehicles**
- [10-2-5](#)      **Bicycle Penalties**
- [10-2-6](#)      **Play Vehicle Penalties**

#### Sec. 10-2-1 Definitions

As used in this Chapter:

- (a)    **Bicycle.** Every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b)    **Bicycles' Lane.** That portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- (c)    **Bike Route.** Any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d)    **Bicycle Way.** Any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e)    **Carrier.** Any device attached to a bicycle designed for carrying articles.
- (f)    **Right-of-Way.** The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.
- (g)    **Play Vehicles.** Any coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.

#### Sec. 10-2-2 Lighting and Other Equipment

No person shall operate a bicycle upon a highway unless equipped as required in Sec. 347.81, .Wis. Stats.

### **Sec. 10-2-3 Bicycle Rules of the Road**

- (a) **Statutory Regulations.** The provisions of Chs. 346 and 347, Wis. Stats., and applicable City Ordinances shall govern the operation of bicycles where appropriate.
- (b) **Manner of Operation Restricted.** No bicycle shall be allowed to proceed in any street in the City by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the City nor shall any bicycle rider carry or ride any other person so that two (2) persons are on the bicycle at one time, unless a seat is provided for a second person.
- (c) **Warning Signal Required.** No bicycle shall be operated on the streets of the City unless equipped with either a warning bell or horn.
- (d) **Parking a Bicycle.** No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else.
- (e) **Riding Abreast Prohibited.** Persons riding or using bicycles or other similar vehicles along or upon any public street, avenue, lane, alley or other public road, ground or way within the City shall not ride more than two (2) abreast excepting in a general parade or public demonstration.

### **Sec. 10-2-4 Play Vehicles**

- (a) **Play Vehicle Streets Prohibited.** No person shall operate or make use of a play vehicle on any street in the City of Adams.
- (b) **Play Vehicle on Sidewalks Prohibited.** Except for tricycles, coaster wagons, and similar vehicles for young children, no person shall operate or make use of a play vehicle on any sidewalk in the City of Adams in any block where a business, industry, church, school, library or park is located.
- (c) **Play Vehicle Areas Prohibited.** No person shall operate or make use of a play vehicle on any public parking lot, grounds, upon any private parking lot held out for public use or upon any private driveway or private property without the owner's express consent.
- (d) **Responsibility of Parent or Guardian for Violation of Play Vehicle Regulations.** No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this Section.
- (e) **Definitions.** As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:
  - (1) ***Play Vehicle.*** Any coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- (f) **Use of skateboards, in-line skates, roller skates, coasters, toy vehicles and similar devices restricted.**
  - (1). **Operation of skateboards, in-line skates, roller skates, coasters, toy vehicles and similar devices.**
    - (aa) **Negligent Operation.** Every person using a skateboard, in-line skates, roller-skates, a coaster, toy vehicle or any device similar to the foregoing upon any sidewalk or public path shall use the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of

sidewalk or public path, and condition of surface, and shall obey all traffic-control devices. Every person using a skateboard, roller-skates, in-line skates, coasters, toy vehicles or any similar device upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon.

(bb) Interference with vehicular or pedestrian traffic prohibited. No person upon a skateboard, in-line skates, roller skates, coaster, toy vehicle, or any device similar to the foregoing, shall interfere with or restrict the flow of vehicular or pedestrian traffic in any manner whatsoever.

(cc) Operation of skateboards, in-line skates, roller skates, coasters, toy vehicles and similar devices after dark. No person upon a skateboard, in-line skates, roller skates, coaster, toy vehicle, or any device similar to the foregoing, shall ride upon a public highway or public sidewalk during the hours between one-half hour after sunset and one-half hour before sunrise without wearing a reflective device on his/her front and back.

- (2) Confiscation of property. A law enforcement officer having probable cause to believe a violation of this chapter has been committed shall have the authority to confiscate the skateboard, in-line skates, roller skates, coaster, toy vehicle, or similar device used in violation of this chapter, and hold the same as evidence pending adjudication of the infraction.
- (3) No play vehicle recreational area shall be erected or maintained on City owned property
- (4) No public duty created.
  - (aa) It is expressly the purpose of this ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individual who will or should be especially protected or benefited by the terms of this ordinance.
  - (bb) Nothing contained in this ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this ordinance by its officers, employees or agents.
- (5) Play Vehicle Parks Regulated.
  - (aa) Any play vehicle park erected or maintained within the City shall have a legally authorized and designated person, entity or organization that is in charge of and responsible for the maintenance and oversight of said park. Said person, entity or organization shall hereinafter be referred to as the Responsible Party and if the Responsible Party is an entity or organization, said entity or organization shall be duly registered with the State of Wisconsin and have an official Registered Agent.
  - (bb) Insurance shall be carried by the Responsible Party constructing or maintaining a Play Vehicle Park / Recreation Area. The Responsible Party maintaining the play vehicle park shall carry general liability insurance with limits of not less than One hundred thousand dollars (\$100,000.00) for bodily injury, including accidental death, to any one person and not less than three hundred thousand dollars (\$300,000.00) for each accident. If the insurance is "claims made," the Responsible Party shall use best efforts to renew the claims made insurance on an annual basis with the same insurer. In the event the Responsible Party changes insurers, Responsible Party shall obtain from any new insurer a retroactive date for "claims made" since the inception of this agreement.

(cc) Fences required. All play vehicle parks not enclosed within a permanent building shall be completely enclosed by a chain link fence of sufficient strength to prevent access to the park, not less than 5 feet in height and so constructed as not to have voids, holes or openings larger than 4 inches in any one dimension. Gates / doors shall be constructed so as to be capable of being locked and shall be locked when the park is not supervised by the Responsible Party or the Responsible Party's properly identified designee.

(dd) Supervision required. The Responsible Party shall maintain a roster of designated and scheduled supervisors. One such supervisor must be physically present within the park while the park is being used. The Responsible Party shall provide the list of supervisors to the City Clerk. The supervisor shall be responsible to see that the park and is operated in a safe and lawful manner and kept free from litter.

### **Sec. 10-2-5 Bicycle Penalties**

- (a) Any person sixteen (16) years of age or older who shall violate any provision of this Chapter may be issued a Uniform Traffic Citation and be subject to the penalties provided by the Uniform State Traffic Deposit Schedule.
- (b) Any person fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this Chapter may be issued a citation and be subject to the penalties provided by the Deposit Schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with the cost of the prosecution and, in default of such payment, the Court may suspend the child's operating privileges, as defined in Sec. 340.01, Wis. Stats., for not less than thirty (30) days nor more than ninety (90) days.
- (c) Any person under fourteen (14) years of age who shall violate any provision of this Chapter may be issued a special Bicycle Violation Warning Notice along with the following additional actions:
  - (1) First offense in one (1) year: A warning letter sent to the parent or guardian.
  - (2) Second or third offense in the same year: The bicycle may be impounded by law enforcement authorities.
  - (3) Fourth and subsequent offense in the same year: Mandatory referral to Adams County Juvenile Court.
- (d) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.

### **Sec. 10-2-6 Play Vehicle Penalties**

- (a) Any person fourteen (14) years of age and over who shall violate any provisions of this Chapter may be issued a citation and be subject to the penalties provided by the deposit schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars (\$25.00), together with the costs of prosecution.
- (b) Any person under fourteen (14) years of age who shall violate any provisions of this Chapter may receive an officer's report warning notice along with the following additional actions:
  - (1) First offense in one (1) year: A warning letter sent to the parent or guardian.

- (2) Second or third offense in the same year: The play vehicle may be impounded by law enforcement authorities.
- (3) Fourth and subsequent offense in the same year: Mandatory referral to Adams County Juvenile Court.
- (4) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Chapter may be subject to the provisions of Sections 346.77 and 346.82(1), Wis. Stats.





# Chapter 3

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## Snowmobiles

- [10-3-1](#)      **State Snowmobile Laws Adopted**
- [10-3-2](#)      **Applicability of Traffic Regulations to Snowmobiles**
- [10-3-3](#)      **Speed**
- [10-3-4](#)      **Unattended Vehicles**
- [10-3-5](#)      **Operation on Sidewalks Prohibited**
- [10-3-6](#)      **Snowmobile and Other Off-Highway Vehicle Operation Restricted**
- [10-3-7](#)      **Restrictions on Operators**
- [10-3-8](#)      **Snowmobile Routes and Trails Designated**
- [10-3-9](#)      **Penalty**
- [10-3-10](#)     **Enforcement**

### **Sec. 10-3-1 State Snowmobile Laws Adopted**

Except as otherwise specifically provided in this Chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin Statutes are hereby adopted by reference and made part of this Chapter as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

- 350.01      Definitions
- 350.02      Operation of Snowmobiles on or in the Vicinity of Highways
- 350.03      Right-of-Way
- 350.04      Snowmobile Races, Derbies and Routes
- 350.045     Public Utility Exemption
- 350.047     Local Utility Exemption
- 350.05      Operation by Youthful Operators Restricted
- 350.55      Safety Certification Program Established
- 350.06      Firearms and Bows
- 350.07      Driving Animals
- 350.08      Owner Permitting Operation
- 350.09      Head Lamps, Tail Lamps and Brakes, Etc.
- 350.10      Miscellaneous Provisions for Snowmobile Operation
- 350.12      Registration of Snowmobiles
- 350.125     Completion of Application for Registration by Snowmobile Dealers
- 350.13      Uniform Trail Signs and Standards
- 350.15      Accidents and Accident Reports
- 350.17      Enforcement
- 350.18      Local Ordinances
- 350.19      Liability of Landowners
- 350.99      Parties to a Violation

### **Sec. 10-3-2 Applicability of Traffic Regulations to Snowmobiles**

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

### **Sec. 10-3-3 Speed**

No person shall operate a snowmobile upon any public highway within the City at a speed in excess of fifteen (15) miles per hour. No person shall operate a snowmobile on any trail designated in Section 10-3-8 of this Chapter at a speed in excess of the posted limit.

### **Sec. 10-3-4 Unattended Vehicles**

No person shall leave or allow a snowmobile owned or operated by him to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.

### **Sec. 10-3-5 Operation on Sidewalks Prohibited**

No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the City, except as specifically authorized by Section 10-3-8 or for the purpose of crossing to obtain immediate access to an authorized area of operation.

### **Sec. 10-3-6 Snowmobile and Other Off-Highway Vehicle Operation Restricted**

- (a) **Permitting Operation by Improper Persons Prohibited.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under state law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous narcotic drug.
- (b) **Operation While Under Influence Prohibited.** Section 346.63. WIS. Stats., shall apply, to the operation of a snowmobile any place within the City.
- (c) **Operation In Parks.** No person shall drive a snowmobile in any park within the City except upon designated snowmobile trails as shall be designated by the Common Council.

### **Sec. 10-3-7 Restrictions on Operators**

- (a) No person under the age of twelve (12) years may operate a snowmobile. No person over the age of twelve (12) years but under the age of sixteen (16) years may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over eighteen (18) years of age or by a person over fourteen (14) years of age having a snowmobile safety certificate issued by the Department of Natural Resources.
- (b) No person shall operate any snowmobile upon any Street, alley or other public right-of-way in the City unless such person shall have a valid motor vehicle operator's license or unless such operator is accompanied by a person who has a valid motor vehicle operator's license and who is occupying a seat on the vehicle.

## Sec. 10-3-8 Snowmobile Routes and Trails Designated

- (a) Routes Designated. Except as provided in Sections 350.02 and 350.045 of the Wisconsin Statutes, or for snowmobile events authorized in accordance with Section 350.04, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, or on any other public municipal property in the City except upon snowmobile routes and trails designated as follows:
- (1) *North Street* – from West City Limits east to 11<sup>th</sup> Avenue
  - (2) *Brevoort Street* – from Main Street east to Pierce Street
  - (3) *W. Park Street* – from Main Street west to Juneau Street
  - (4) *Liberty Street* – from Cedar Street east to Pierce Street
  - (5) *State Street* – from Cedar east to Pierce Street
  - (6) *Cedar Street* – from Park Street south to State Street
  - (7) *Pierce Street* – from North Street south to State Street
  - (8) *Juneau Street* – from North Street south to Park Street
  - (9) *Werner Street* – from May Street south to Ann Street
  - (10) *May Street* – from the most westerly point west of Main Street (State Highway 13) east to Werner Street
  - (11) *First Alley east of Main Street* – the Alley located one-half (1/2) block east and running parallel with Main Street, and bound on the north by East Liberty Street and on the south by East Railroad Street
  - (12) *First Alley west of Main Street* – from Liberty Street to Grove Street
  - (13) *Cross Over Points* on Main Street (State Highway 13) are at North Street, Brevoort Street and Park Street, Liberty Street, State Street, and May Street
  - (14) *West Sherman Street – Cross Over* - from the most northeasterly point of 181 W. Sherman Street to the south westerly point of 699 S. Main Street
  - (15) *Residential Access Allowed* – Snowmobiles may be operated on any street or alley within the City for purposes of providing residential access. “Purpose of Residential Access”, as used herein, shall mean for the purpose of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a residence and snowmobile route or trail that is closest to that residence.
  - (15) *Lodging Access Allowed* – Snowmobiles may be operated on any street or alley within the City for purposes of providing access from lodging. “Purpose of Access from Lodging”, as used herein shall mean for the purposes of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a lodging establishment and the snowmobile route or snowmobile trail that is closest to the lodging establishment.”
- (b) Trail Markers. The Director of Public Works is directed and authorized to procure, erect and maintain appropriate snowmobile route, trail and limit signs and markers as approved by the State Department of Natural Resources under Sec. 350.13, Wis. Stats. The Chief of Police or Director of Public Works shall have the power to declare the stated snowmobile routes and trails either open or closed.
- (c) Markers to be Obeyed. No person shall fail to obey any route or trail sign, marker, or limit erected in accordance with this Section.

*Cross Reference: Section 10-4-4.*

### **Sec. 10-3-9 Penalty**

Any person who shall violate any provision of this chapter shall, upon conviction thereof, forfeit not less than Twenty Dollars (\$20.00) and not more than Five Hundred Dollars (\$500.00), together with the costs of prosecution, and, in default of payment thereof, may be imprisoned in the county jail for not exceeding ten (10) days, provided no person shall forfeit an amount in excess of the maximum fine or forfeiture allowed in the Wisconsin Statutes for the same offense and further provided that the penalty and forfeiture for parking violations on highways shall be the amount applicable to Such violations by owners or operators of motor vehicles under Title 10, Chapter 1, of this Code of Ordinances.

### **Sec. 10-3-10 Enforcement**

- (a) Uniform Citation for Highway Violations. The uniform traffic citation promulgated under Sec. 345.11, Wis. Stats., shall be used for violations of this Chapter relating to highway use except as herein provided.
- (b) Parking Violations. The special traffic citation described and defined in Title 10, Chapter 1, of this Code of Ordinances shall be used for enforcement of violations of rules of the road relating to parking of vehicles adopted by reference in Section 10-3-1 of this Chapter.
- (c) Other Violations. All violations of this Chapter not described in Subsections (a) or (b) shall be enforced in accordance with Sections 66.12 and 66.114 of the Wisconsin Statutes. Stipulations of guilt or no contest may be made as provided in Sec. 66.12(1) (b), Wis. Stats., in substantially the form provided in the uniform traffic citation within five (5) days of the date of the citation for such violation. Bail deposits may also be made under Sec. 66.12, Wis. Stats. Such deposits shall include a Three Dollars (\$3.00) Clerk's fee and costs of prosecutions.
- (d) Police Department to Receive Stipulations and Penalties. Stipulations, forfeited penalties and deposits for obtaining release from arrest authorized under this Chapter may be accepted at the Police Dept. Offices.
- (e) Forfeited Penalties and Deposits. Except as other wise provided in Sec. 345.26, Wis. Stats, and the deposit schedule adopted by the State Board of Circuit Court Judges there under, required penalties and deposits or bail not including costs or fees for violation of this Chapter shall be as established by the schedule adopted by the Common Council.

# Chapter 4

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## All-Terrain Vehicles and Off-Road Motor Vehicle Operation

### 10-4-1      **State All-Terrain Vehicle Laws Adopted** 10-4-2      **Unauthorized Operation of Motor Vehicles on Public or Private Property**

#### **Sec. 10-4-1 State All Terrain Vehicle Laws Adopted**

The provisions describing and defining regulations with respect to all-terrain vehicles in Sec. 23.33, Wis. Stats., and any future amendments or revisions, are hereby adopted by reference and made part of this Section as if fully set forth herein.

#### **Sec. 10-4-2 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.* 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.** 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.** The physical manipulation or activation of any of the controls of a motor vehicle necessary to put in motion.
- (4) **Reserved for Future Use.**
- (c) Unauthorized Off-road Operation Prohibited.
  - (1) **Reserved for Future Use.**
  - (2) Except for authorized maintenance vehicles and snowmobiles or all-terrain vehicles operating in areas authorized by the Common Council, 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 City streets, alleys, parks, sidewalks, bikeways, 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 written consent of the owner before operation of such craft or vehicle on private lands.
- (d) **Reserved for Future Use.**

### Abandoned and Junked Vehicles

- [10-5-1](#)      **Abandoned Vehicles; Definitions**
- [10-5-2](#)      **Removal and Impoundment of Vehicles**
- [10-5-3](#)      **Removal, Storage, Notice or Reclaimer of Abandoned Vehicles**
- [10-5-4](#)      **Disposal of Abandoned Vehicles**
- [10-5-5](#)      **Report of Sale or Disposal**
- [10-5-6](#)      **Owner Responsible for Impoundment and Disposal Costs**
- [10-5-7](#)      **Conflict With Other Code Provisions**
- [10-5-8](#)      **Junked Vehicles and Appliances on Private Property**

#### Sec. 10-5-1 Abandoned Vehicles; Definitions

- (a)      **Abandonment of Vehicles Prohibited.** No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Adams for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the City of Adams or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than seventy-two (72) hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.
- (b)      **Definitions.** *For* purposes of this Chapter, the following definitions shall be applicable:
  - (1)      **Vehicle.** A motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.
  - (2)      **Unattended.** Unmoved from its location with no obvious sign of continuous human use.
  - (3)      **Street.** Any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.
- (c)      **Presumptions.** *For* purposes of this Section, the following irrebuttable presumptions shall apply:
  - (1)      A vehicle shall be presumed unattended if it is found in the same position seventy-two (72) hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during said seventy-two (72) hours.

- (2) Any vehicle left unattended for more than seventy-two (72) hours on any public street or public ground or left unattended for more than seventy-two (72) hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by the Chief of Police.
- (d) **Exceptions.** This Section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premise licensed for storage of junk or junked vehicles and fully in compliance with City zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

### **Sec. 10-5-2 Removal and Impoundment of Vehicles**

Any vehicle in violation of this Chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of Section 10-5-3.

### **Sec. 10-5-3 Removal, Storage, Notice or Reclaimer of Abandoned Vehicles**

- (a) **Applicability.** The provisions of this Section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles as defined in Section 10-5-1.
- (b) **Removal.**
  - (1) Any police officer who discovers any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Adams which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.
  - (2) Upon removal of the vehicle, the police officer shall notify the Chief of Police or his designee of the abandonment and of the location of the impounded vehicle.
- (c) **Storage and Reclaimer.** Any abandoned vehicle which is determined by the Chief of Police or his designee to be abandoned shall be retained in storage for a period of fourteen (14) days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Chief of Police or his designee determines an abandoned vehicle to have a value of less than One Hundred Dollars (\$100.00), or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven (7) days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be deemed as a having value in excess of One Hundred Dollars (\$100.00). Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or his designee to prove an ownership or secured party interest in said vehicle.



- (d) Notice to Owner or Secured Party. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:
- (1) That the vehicle has been deemed abandoned and impounded by the City of Adams;
  - (2) The "determined value" of the abandoned vehicle;
  - (3) If the cost of towing and storage costs will exceed the determined value of the vehicle;
  - (4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within fourteen (14) days of the date of notice, unless the vehicle has been determined to have a value less than One Hundred Dollars (\$100.00) or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven (7) days upon the payment of the aforesaid charges; and
  - (5) That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

#### **Sec. 10-5-4 Disposal of Abandoned Vehicles**

Any abandoned vehicle impounded by the City which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this Chapter may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class 1 Notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale shall be published before the sale.

#### **Sec. 10-5-5 Report of Sale or Disposal**

Within five (5) days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have ten (10) days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the City for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list to the Police Department. The Police Department may charge a reasonable fee for the list.

#### **Sec. 10-5-6 Owner Responsible for Impoundment and Disposal Costs**

- (a) The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the City against the owner.
- (b) Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

## **Sec. 10-5-7 Conflict With Other Code Provisions**

In the event of any conflict between this Section and any other provisions of this Municipal Code, this Chapter shall control.

## **Sec. 10-5-8 Junked Vehicles and Appliances on Private Property**

- (a) **Storage of Automobiles Restricted.** No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances shall be stored upon private residential property or unenclosed within a building upon nonresidential property within the City of Adams for a period exceeding ten (10) days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as to not constitute a public nuisance.
- (b) **Definitions.**
- (1) The term "disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers" as used in this Section is defined as follows: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.
  - (2) The term "unlicensed motor vehicles, truck bodies, tractors or trailers" as used in this Chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.
  - (3) The term "motor vehicle" is defined in Sec. 340.01(35), Wis. Stats. ,
  - (4) The term "inoperable appliance" is defined as any stove, washer, refrigerator or other appliance which is no longer operable in the sense for which it was manufactured.
- (c) **Exceptions.** This Section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with the Ordinances of the City. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations the Common Council may issue temporary permits permitting an extension of not to exceed an additional thirty (30) days time to comply with this Section where exceptional facts and circumstances warrant such extension.
- (d) **Enforcement.**
- (1) Whenever the Police Department shall find any vehicles, vehicle parts or tires, or appliances, as described herein, placed or stored in the open upon private property within the City, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this Section. If said vehicles, part thereof or appliance is not removed within five (5) days, the Police Department shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

- (2) If such vehicle or appliance is not removed within twenty (20) days after issuance of a citation, the Chief of Police shall cause the vehicle or appliance to be removed and impounded, and it shall thereafter be disposed of as prescribed in Sections 10-5-3 through 10-5-6 by the Chief of Police or his duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from the owner. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.
- (3) The above enforcement action in (d)(1) and (d)(2) shall be required only once per calendar year. Should more incidents occur in the same year, no added warnings would be required.
- (e) **Penalty.** Any person who shall interfere with the enforcement of any of the provisions of this Section and shall be found guilty thereof shall be subject to a penalty as provided in Section 1-1-7. Each motor vehicle or appliance involved shall constitute a separate offense.

*State Law Reference: Sec. 342.40, Wis. Stats.*