

**CHAPTER 7**  
**TRAFFIC CODE**

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**7.01 STATE TRAFFIC LAWS ADOPTED.** Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348 and Sec. 941.01, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and, by reference, made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform state-wide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

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Established April 17, 2001

**7.02 ADOPTION OF WISCONSIN ADMINISTRATIVE CODE.**

(1) **SECTIONS ADOPTED.** Chapter TRANS 305 of the Wisconsin Administrative Code is hereby adopted by reference as though set forth fully herein, with the exception of Chapter TRANS 305.04, Wis. Ad. Code.

(2) **PENALTIES.** Penalties for violation of any of the above adopted Wis. Ad. Code Provisions shall result in a forfeiture of not less than \$10.00 nor more than \$200.00, pursuant to Sec. 110.075(7), Wis. Stats.

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Established April 17, 2001

**7.03 THROUGH STREETS DESIGNATED.** The following streets are designated arteries for through traffic:

- (1) South Shore Drive
- (2) North Shore Drive

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Established April 17, 2001

**7.04 PROHIBITED PARKING.** No person shall park any vehicle in the following areas:

- (1) On Bluegill Road, commencing at a point 150 feet North of South Shore Drive and extending to a point 100 feet South of the shore of Delavan Lake at any time.
- (2) On the East and West side of North Shore Drive starting at the Southerly limits of the City of Delavan and continuing Southerly to a distance of 2/10 of a mile to the South of the North Shore bridge at the Delavan Outlet crossing.
- (3) On either side of Prairie Avenue.
- (4) On either side of Town Hall Road.
- (5) On either side of South Shore Drive from State Highway 50 to Bailey Road, except that parking shall be allowed in this area so long as any vehicle is parked completely off the paved portion of the roadway.
- (6) On either side of South Shore Drive between County Trunk O and Blue Gill Road.
- (7) On either side of Spruce Drive, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (8) On either side of Poplar Drive, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (9) On either side of Mulberry Avenue, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (10) On either side of Chestnut Avenue, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (11) On either side of Central Boulevard, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (12) On either side of Ash Street, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (13) On either side of Cherry Avenue, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (14) On either side of Beach Avenue, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (15) On either side of Lake Avenue, between October 1<sup>st</sup> and May 15<sup>th</sup>.
- (16) On either side of West Channel Drive, between October 1<sup>st</sup> and May 15<sup>th</sup>.

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Established April 17, 2001; Revised November 19, 2002; revised August 19, 2003, Ordinance No. 245, revised March 19, 2008, Ordinance No. 286.

**7.05 SNOW EMERGENCY AND PARKING RESTRICTIONS.**

(1) There is hereby declared an emergency to exist in the Town of Delavan by reason of a heavy snowstorm whenever snow falls during any period of 24 hours or less to a depth of 2 inches or more in that such storm constitutes a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health, police protection, snow removal equipment and other vital facilities of the Township. Such emergency is declared to continue until such time as snow-plowing operations have been declared completed.

(2) It shall be a violation of this Code for any person to park, or suffer to be parked, any vehicle of any kind or description during any time of the day or night inclusive, upon the roadway, so as to cause obstruction of plowing, or block traffic, or inhibit traffic flow for emergency purposes including, but not limited to, those purposes set forth in Sec. 7.05 (1), herein.

(3) PENALTY. Any person violating the provisions of this section, shall, at their own expense, have their vehicle towed by the Town of Delavan Police Department to the area they so designate. Person or persons so in violation of this section, shall upon conviction thereof, be punished by a forfeiture not to exceed \$200.00, plus costs.

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Established April 17, 2001

**7.06 SPEED LIMITS.** The reasonable and safe speed limits set forth in this section are in accordance with Section 349.11, Wisconsin Statutes, and have been approved by the State Highway Division of the Department of Transportation, when required.

(1) The speed limit shall be fifteen (15) miles per hour on the following roads located in the Town of Delavan:

ACCESS ROAD

ALMOND ROAD

ARNOLD DRIVE

ASH STREET

BEACH STREET, South of the channel

BREEZY STREET

CAMERON STREET

CAROL STREET  
CEDAR POINT DRIVE  
CENTRAL BOULEVARD  
CHANNEL DRIVE  
CHERRY AVENUE  
CHESTNUT STREET  
COCHRANE STREET  
COLLIE STREET  
COOL STREET  
DARLINGTON STREET  
DELAVAN DRIVE  
DUSK DRIVE  
EAGLE STREET  
FIRST STREET  
FLEMING DRIVE  
GRASSIE PLACE  
GREEN MEADOW DRIVE  
HICKORY COURT  
HILLCREST DRIVE  
HILLVIEW ROAD  
HOMESTEAD ROAD  
HORSESHOE LANE  
HOUSE STREET  
HUNTINGTON PLACE  
INDUSTRIAL DRIVE

INLET SHORE DRIVE  
JACKSON PARK DRIVE  
JONES STREET  
KING STREET  
LAKE AVENUE  
LAKEVIEW ROAD  
LOCUST STREET  
MABIE STREET  
MANOR DRIVE  
MASON STREET  
MULBERRY AVENUE  
NEGLAY AVENUE  
ORANGE STREET  
POPLAR DRIVE  
RICKORDS STREET  
ROYAL OAKS DRIVE  
SCHROEDER AVENUE  
SHADY STREET  
SPRUCE STREET  
SUMMER STREET  
SUNNY AVENUE  
SUTTER AVENUE  
SWAN CREEK AVENUE  
TILDEN AVENUE  
TIMBER TRAIL

VALENCIA DRIVE

WALLIS AVENUE

WELLS STREET

WOODLAWN DRIVE

(2) The speed limit shall be twenty-five (25) miles per hour on the following roads located in the Town of Delavan:

BLUE GILL ROAD

BLUE HERON DRIVE

COUNTRY VIEW DRIVE

FOX LANE

FOXTAIL LANE

LINN ROAD

PRAIRIE DRIVE

SAGE ROAD

SOUTH SHORE DRIVE from its intersection with State Trunk Hwy. 50 southwesterly to its intersection with Bailey Road

SOUTH SHORE DRIVE from Robbins Street, westerly to Carol Street

(3) The speed limit shall be thirty (30) miles per hour on the following roads located in the Town of Delavan:

NORTH SHORE DRIVE from Soper's Corner, northerly and easterly to a point 0.10 of a mile north of the bridge over the outlet of Delavan Lake.

(4) The speed limit shall be thirty-five (35) miles per hour on the following roads located in the Town of Delavan:

BORG ROAD from the intersection with North Shore Drive Northerly for a distance of 0.40 miles to Linn Road.

HOLIG LANE from its intersection with County Trunk Highway "F" westerly to its intersection with South Shore Drive

NORTH SHORE DRIVE from County Trunk Highway "O", easterly to the place known locally as Soper's Corner, a distance of 0.80 of a mile.

SOUTH SHORE DRIVE from Bailey Road, southwesterly to Robbins Street, also known as Robbins Road.

SOUTH SHORE DRIVE from Carol Street, westerly to County Trunk "O".

STATE TRUNK HIGHWAY 50 from the north intersection with County Trunk "F", a distance of 1.00 miles.

THEATRE ROAD for southbound traffic commencing at a point, parallel with the northerly Village limits of the Village of Williams Bay, said Village limit immediately adjacent to Theatre Road and most northerly point therefrom, and for northbound traffic on Theatre Road commencing at the southwest corner of Section 36, T2N, R16E, northward to the northernmost Village limit of the Village of Williams Bay immediately adjacent to Theatre Road.

(5) The speed limit shall be forty-five (45) miles per hour on the following roads located in the Town of Delavan:

(a) On Bailey Road between Hwy. 67 and Tilden

(b) On that portion of Mound Road between its intersection with State Trunk Highway 11 easterly to a point 1,000 feet east of its grade crossing with the railroad tracks.

(c) On Theatre Road between the south line of the Town of Delavan and its intersection with State Highway 50.

(d) On Town Hall Road, commencing at a point one-half mile west of the intersection of Town Hall Road and Theatre Road, to the intersection of Town Hall Road and State Highway Trunk 50.

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Established April 17, 2001

## 7.07 STOP SIGNS.

(1) VEHICLES TO STOP AT STOP SIGNS. Every operator of a vehicle approaching an official stop sign at an intersection shall cause such vehicle to stop before entering the intersection except when directed to proceed by a traffic officer or traffic control signal.

(2) LOCATION OF STOP SIGNS. Stop signs shall be erected and maintained at the following locations:

Amos Road	eastbound	at State Route 11
Amos Road	eastbound and westbound	at Briggs Road
Amos Road	westbound	at Cobblestone Road
Ash Street	southbound	at South Shore Drive
Bailey Road	eastbound	at State Route 67
Bailey Road	eastbound and westbound	at County Hwy F South
Bailey Road	eastbound and westbound	at Theatre Road
Bailey Road	westbound	at South Shore Drive
Bayview Road	eastbound	at State Route 67
Beach Street	northbound	at South Channel Drive
Blue Gill Road	southbound	at South Shore Drive
Blue Heron Road	westbound	at Borg Road
Borg Road	northbound and southbound	at North Shore Drive
Breezy Street	westbound	at State Hwy 50
Briggs Road	southbound	at State Route 11
Cedar Point	westbound	at North Shore Drive
Central Blvd.	northbound	at South Channel Drive
Central Blvd.	southbound	at South Shore Drive
Cherry Avenue	southbound	at South Shore Drive
Chestnut Avenue	southbound	at South Shore Drive
Circle Drive	eastbound	at State Route 67
Cobblestone	southbound	at State Route 11
Comus Drive	eastbound	at County Hwy O North
Countryside	southbound	at Bailey Road
Countryview	northbound	at Town Hall Road
Countryview	northbound	at Town Hall Road
Delavan Drive	westbound	at County Road F North
Delview Avenue	eastbound	at County Hwy O South

Dusk Drive	westbound	at Cobblestone Road
Eagle Street	westbound	at State Hwy 50
First Street	westbound	at State Hwy 50
Fox Lane	northbound	at South Shore Drive
Glenwood Road	eastbound	at State Route 67
Goose Pond Road	eastbound	at Cobblestone Road
Goose Pond Road	westbound	at County Hwy O North
Grassie Place	northbound	at South Shore Drive
Green Meadow	northbound	at Linn Road
Hickory Court	eastbound	at State Route 67
Hillcrest Drive	northbound	at Linn Road
Hillcrest Drive	westbound	at Borg Road
Hillview Road	eastbound	at State Route 67
Holig Lane	eastbound	at County Hwy F South
Holig Lane	westbound	at South Shore Drive
Homestead Road	eastbound	at Second Street
House Street	southbound	at Delavan Drive
Inlet Shore	westbound	at State Hwy 50
Jackson Park	westbound	at North Shore Drive
Lake Avenue	southbound	at South Shore Drive
Lake Trail	eastbound	at North Shore Drive
Linn Road	eastbound	at North Shore Drive
Linn Road	westbound	at Borg Road
Locust Street	southbound	at South Shore Drive
Mabie Street	southbound	at Bailey Road
Marsh Road	eastbound	at State Route 11
Marsh Road	eastbound and westbound	at County Road F North
Marsh Road	eastbound and westbound	at Railroad Tracks
Mason Street	southbound	at Grassie Place
Mound Road	eastbound	at State Route 67
Mound Road	eastbound and westbound	at County Road F North
Mulberry Avenue	southbound	at South Shore Drive
Neglay Avenue	westbound	at State Hwy 50
North Shore	northbound and westbound	at Sage Road
North Shore	westbound	at County Hwy O South

North Shore	eastbound and westbound	at Borg Road
Orange Street	southbound	at South Shore Drive
Poplar Drive	southbound	at South Shore Drive
Prairie Drive	northbound	at Town Hall Road
Prairie Drive	southbound	at State Hwy 50
Royal Oaks	southbound	at State Route 11
S & D Townline	eastbound	at County Hwy O South
Sage Road	northbound	at Linn Road
Sage Road	southbound	at North Shore Drive
Schroeder	westbound	at County Road F North
South Shore	southbound	at Bailey Road
South Shore	westbound	at County Hwy O South
Spruce Street	northbound and southbound	at Channel Drive
Spruce Street	southbound	at South Shore Drive
Summit Drive	eastbound	at County Hwy O South
Summit Drive	northbound	at Sweet Road
Sun Meadow	northbound	at Summit Drive
Sweet Road	eastbound	at County Hwy O South
Theatre Road	eastbound	at State Route 67
Theatre Road	northbound and southbound	at State Hwy 50
Theatre Road	northbound and southbound	at State Hwy 50
Tilden Avenue	southbound	at Bailey Road
Timber Trail	southbound	at Linn Road
Town Hall Road	eastbound	at State Route 67
Valencia Drive	westbound	at County Road F North
Wallis Avenue	westbound	at South Shore Drive
Wells Street	southbound	at Bailey Road
Westshire Blvd.	southbound	at Town Hall Road
Woodlawn Drive	westbound	at North Shore Drive

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Established April 17, 2001

**7.08 OPERATION OF MOTOR VEHICLES ON PREMISES HELD OUT TO PUBLIC USE.**

(1) This section shall apply to all premises held out to the public for use of their motor vehicles, whether such premises are publicly or privately owned and whether or not a fee is charged for use thereof.

(2) No person shall operate a motor vehicle on such premises:

(a) At a speed in excess of 20 miles per hour.

(b) Outside of driving lanes indicated by painted lines.

(c) Across parking lot stalls indicated by painted lines, except when entering and occupying a parking stall.

(d) In a manner known as "spinning doughnuts," where the vehicle is driven rapidly in a tight radius.

(e) At a rapid or sudden acceleration that results in the squealing of tires or the leaving of tire marks.

(f) The wrong way in a driving lane, where such wrong way is indicated by painted arrow, or by the entry angle of adjoining parking stalls.

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Established April 17, 2001

**7.09 CLASSIFICATION OF AND WEIGHT LIMITATIONS ON TOWN HIGHWAYS.**

(1) CLASS "B" HIGHWAYS DESIGNATED. All roads, highways and alleys within the Town are designated as Class "B" Highways and shall be subject to the weight limitations imposed by Sec. 348.16, Wis. Stats.

(2) SPECIAL OR SEASONAL WEIGHT LIMITATIONS.

(a) The Town Chairperson is empowered to exercise the authority granted by Sec. 349.17(1), Wis. Stats., to impose temporary seasonal special weight limitations on any Town road or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations.

(b) Imposition of the special weight limitations authorized by paragraph (a) above shall be done by erecting signs on or along

the highway on which it is desired to impose the limitation sufficient to give reasonable notice that a special weight limit is in effect and the nature of that limitation.

(c) The Town Chairperson is further empowered to exercise the discretion authorized by Sec. 349.16, Wis. Stats., to exempt vehicles carrying certain commodities such as construction materials and fuel from the limitations imposed by paragraph (a) above or to set different weight limitations than those imposed by paragraph (a) above for vehicles carrying such commodities if, in the judgment of the Chairperson, the exemption or limitation is reasonable and necessary to promote the public health, safety and welfare.

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Established April 17, 2001

#### **7.10 OFFICIAL TRAFFIC SIGNS, SIGNALS AND MARKERS.**

(1) DUTY OF THE CHIEF OF POLICE TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES. Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in Sec. 7.01 of this chapter, require the erection of traffic control devices for enforcement, the Chief of Police, with the cooperation of the Town Highway Department, shall cause the procurement, installation and maintenance of 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 Chief of Police, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the town.

(2) 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 designee, shall place within the limits of any street or highway maintained by the town any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal, as provided in Sub. (3) below.

(3) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Chief of Police shall cause to be removed any sign, signal, marker 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, marker or device shall be reported by the Chief of Police to the Town Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

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Established April 17, 2001

### **7.11 SNOWMOBILES.**

(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 section as if fully set forth herein. Acts required to be performed or prohibited by this section, are as follows:

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the vicinity of a Highway
- 350.03 Right of Way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Ordinance to be Filed
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.101 to 350.107 Operating a Snowmobile While Intoxicated Prohibited
- 350.11(1), 350.11(2g) Penalty
- 350.12 Registration of Snowmobiles
- 350.13 Uniform Trail Signs and Standards

350.15	Accidents and Accident Reports
350.17	Enforcement
350.18	Local Ordinances
350.99	Parties to a Violation

(2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to Sec. 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 and 346.94.

(3) OPERATION FORBIDDEN ON PUBLIC PROPERTY. Except as provided in Secs. 350.02 and 350.03, Wis. Stats., no person shall operate a snowmobile upon any public right-of-way or street, or in any public park or on any public property unless the same or any part thereof have been designated as snowmobile routes and the trails have been clearly marked by municipal authorities.

(3) RULES OF THE ROAD ADOPTED. If snowmobile routes are designated over public highways, operators of vehicles upon them shall observe the rules of the road for motor vehicles set forth in Ch. 346, Wis. Stats., in addition to any special rules adopted by this section; and where operated over parks or other recreational areas, the speed shall not be in excess of posted speed limits.

(4) UNATTENDED VEHICLES. No person shall leave or allow a snowmobile owned or operated by such person to remain unattended while the motor is running or with the starting key left in the ignition.

(5) RIGHT-OF-WAY. Every pedestrian, skater, ice-boater and operator of a vehicle which is not motor-driven shall have the right-of-way over a snowmobile and other motor vehicles. The operator of a snowmobile or other motor vehicle shall yield the right-of-way to all pedestrians, skaters, ice-boaters and operators and occupants of vehicles which are not motor-driven. Every pedestrian shall have the right-of-way over a skater and ice-boater. Every skater shall have the right-of-way over ice-boaters.

(6) SNOWMOBILE COMPETITION. No person shall engage in snowmobile competition within the Town between 10:30 p.m. and 7:30 a.m.

(a) Written application must be filed with the Clerk at least 2 weeks prior to the proposed competition. Said application must show date or dates, time, location and the person or entity responsible for the administration of the event, and must be signed by the landowner or lessee, and specify how compliance with Sec.

350.03, Wis. Stats., will be maintained and how the area is to be lighted if used during hours of darkness.

(b) A \$5.00 premises permit fee must be tendered with the application.

(c) One application and, if so issued, one premises permit may be used for more than one date, but no date more than 2 months in advance.

(d) Applicant must also file with the Town Clerk proof of spectator liability insurance in force covering the event with minimum limits of liability of one million dollars, or proving financial responsibility by filing a bond or a certificate of deposit of money or securities or a certificate of self-insurance of the kind contemplated in Sec. 344.30, Wis. Stats.

(e) The use of the premises must conform with the requirements of the zoning and building regulations of the Town.

(f) A premises permit may be revoked by the Board at any time for cause.

(7) WARNING REFLECTORS. Any snowmobile or other vehicle or similar obstruction used or remaining on the ice in any waters of the Township during the hours of darkness must be equipped with reflectors of luminous red material so that a reflector can be seen from any direction, and each reflector being at least 25 square inches in size and situated 3 to 4½ feet above the surface of the ice.

(8) OTHER VEHICLES. Excluding Secs. 350.04, 350.05, 350.055, 350.10, and 350.11, Stats., any portion of this section relating to snowmobiles applies as well to any other motor-driven sporting craft or recreational vehicle principally manufactured for off-highway use on land or ice or as an amphibious craft or vehicle.

(9) TOWN CLERK TO FILE SECTION. Pursuant to Sec. 350.047, Wis. Stats., the Town Clerk is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the Walworth County Sheriff's Department.

(10) PENALTY. Any person who shall violate any of the provisions of this section shall be subject to a forfeiture as provided in Sec. 25.04 of this code or as otherwise mandated by Chapter 350, Stats.

## 7.12 OFF-HIGHWAY VEHICLES REGULATED.

(1) DEFINITION. OFF-HIGHWAY VEHICLE means any motor-driven vehicle which is designed for off-highway recreation, including but not limited to dirt bikes, power driven cycles, mini-bikes and all-terrain vehicles, but excluding tractors, mopeds and licensed motorcycles operated on highways by a licensed operator.

(2) PROHIBITED. No person shall operate an off-highway vehicle as follows:

- (a) Within any platted subdivision of the Town.
- (b) On the property of another without the written consent of said owner.
- (c) Between the hours of 9:00 p.m. and 8:00 a.m. within 300 feet of a dwelling.
- (d) On the shoulders or in the drainage ditches of public streets and highways or within the boundary of any public right of way unless a trail or an area is specifically authorized and designated by the Town Board for the use of all-terrain vehicles.
- (e) At a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards than existing.
- (f) With more than one passenger.
- (g) On a public street or highway unless the driver has an operator's license and the vehicle is licensed by and meets the equipment requirements of the State.
- (h) So as to race the engine or cause unnecessary or unusual noise which annoys, disturbs, injures or endangers the comfort, health, peace or safety of others.
- (i) Under the influence of an intoxicant or with a prohibited alcohol concentration, as those terms are defined in Sec. 346.63, Stats.

### **7.13 ABANDONED VEHICLES.**

(1) ABANDONMENT OF VEHICLES PROHIBITED. No person shall abandon any vehicle unattended within the Town for such time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned.

(2) DEFINITIONS.

(a) VEHICLE means a motor vehicle, trailer, semi-trailer or mobile home as defined in Sec 7.01 of this chapter, whether or not such vehicle is registered under Ch. 341, Wis. Stats.

(b) ABANDONED VEHICLE means any vehicle left unattended for more than 48 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee, is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee. Further an "abandoned vehicle" shall include any vehicle towed under Sec. 7.05 herein which shall remain unclaimed for a period of thirty days or more. An abandoned motor vehicle shall also include a motor vehicle which, through disuse and/or failure to be used, remains in one location for a period of ten (10) days or more and which does not have affixed to it a current motor vehicle license registration, or a motor vehicle which has been reported as stolen to any police department.

(3) EXCEPTIONS. This section shall not apply to a vehicle in an enclosed building or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner authorized by the Town.

(4) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by the Town until lawfully claimed or disposed of as provided in Sec. 24.02 of this Municipal Code.

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Established April 17, 2001

### **7.14 DISORDERLY CONDUCT WITH A MOTOR VEHICLE.**

(1) GENERALLY. No driver of any vehicle shall make such a fast start or takeoff as to cause the tires to squeal or leave tire marks on the roadway, or to cause such vehicle to start from a stopped position in such a manner as to endanger life or property. No driver or any of his or her passengers shall cause any unnecessary disturbance with or from any vehicle.

(2) OTHER ACTIONS PROHIBITED. No driver of any vehicle shall drive upon or allow such vehicle to roll upon, or across, or park upon any private or public property in the Town without the permission of the owner of such property.

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Established April 17, 2001

#### **7.15 ENFORCEMENT.**

(1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the provisions of Sec. 345.20 to 345.53, Ch. 799 and Sec. 66.12, Wis. Stats.

(2) DEPOSIT.

(a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the police station or at the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall comply with Sec. 343.27, Wis. Stats., or, if the deposit is mailed, the signed statement required under Sec. 343.27 shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

(i) If they fail to appear in court at the time fixed in the citation, they will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit.

(ii) If they fail to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, they will be summoned into court to answer the complaint.

(b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under Sec. 165.87, Wis. Stat., and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Municipal Court, which shall include the penalty assessment established under Sec. 165.87, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

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

(3) STIPULATION OF NO CONTEST. Except as otherwise provided by statute, any person charged with a violation of this chapter may make a stipulation of no contest pursuant to Sec. 345.27, Wis. Stats., which may be received at the police station or by the Municipal Court Clerk. Such person shall, at the time of entering into the stipulation, make the deposit required under sub (2) if they have not already done so. A person who has mailed or filed a stipulation under this subsections may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in Sec. 345.37, Wis. Stats.

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Established April 17, 2001

**7.16 PENALTY.** The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable.

(1) STATE FORFEITURE STATUTES. Forfeitures for a violation of Chapter 7 herein shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(2) STATE FINE STATUTES. The forfeiture for violation of any statute adopted by reference hereunder for which the penalty is a fine shall not exceed the maximum fine permitted under such statute.

(3) LOCAL REGULATIONS. The penalty for violations of Chapter 7 herein shall be as provided in Sec. 25.04 of this code, unless otherwise prescribed by statute.

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Established April 17, 2001