

7.01 TITLE

This ordinance is entitled the "Town Traffic Ordinance."

7.02 AUTHORITY

The Town Board has the specific statutory authority, powers and duties, pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under Sec. 60.10, (1991-1992) Wis. Stats., to regulate, control, prevent and enforce against in the Town certain uses, activities, businesses and operations by persons that may affect the traffic in the Town.

7.03 ADOPTION OF ORDINANCE

The Town Board has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance, the regulations, controls and enforcement against certain uses, activities, businesses and operations by persons that may affect the traffic in the Town.

7.04 GENERAL PROVISIONS

(1) State Statutes Adopted

Except as specifically noted otherwise in this ordinance, in Chapters 340 to 348, (1991-1992) Wis. Stats., inclusive, and Chapter 350, (1991-1992) Wis. Stats., describing and defining regulations with respect to vehicles, traffic and snowmobiles for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and incorporated by reference by the Town and made part of this ordinance as if fully set forth herein.

Any further amendments, modifications, revisions, additions or deletions within and of the above noted statutory Chapters shall be incorporated herein and made part of this ordinance in order to secure uniform state regulations of traffic on the public highways, roads, streets and alleys of the State of Wisconsin.

Chapter 340, (1991-1992) Wis. Stats.

Vehicles - General provisions

Chapter 341, (1991-1992) Wis. Stats.

Registration of Vehicles

Chapter 342, (1991-1992) Wis. Stats.

Vehicle Title and Anti-Theft Law

Chapter 343, (1991- 1992) Wis. Stats.

Operators License

Chapter 344, (1991-1992) Wis. Stats.

Vehicles Financial Responsibility

Chapter 345, (1991-1992) Wis. Stats.

Vehicles - Civil and Criminal Liability

Chapter 346, (1991-1992) Wis. Stats.

Rules of the Road

Chapter 347, (1991-1992) Wis. Stats.

Equipment of Vehicles

Chapter 348, (1991-1992) Wis. Stats.

Vehicle - Size, Weight and Load

Chapter 350, (1991-1992) Wis. Stats.

Snowmobiles

(2) **Maximum Speed Limits**

The Town establishes, by this ordinance, in compliance with Chapters 346 and 349, (1991-1992) Wis. Stats., the following maximum speed limits on the following public highways, roads, streets and alleys in the Town:

- (a) At a maximum speed of twenty five (25) miles per hour (MPH):
1. Lake Park Dr. From its intersection with 89th St. southwesterly to its termination at 296th Ave.
 2. Lake Park Ct. From its intersection with 396th Ave. westerly to its termination.
 3. 85th St. From its intersection with the Walworth County line easterly to its intersection with the Wheatland Township line.

4. 87th Pl. From its intersection with 384th Ave. easterly to its termination.
5. 87th Pl. From its intersection with 384th Ave. westerly to its termination.
6. 87th Pl. From its intersection with 390th Ave. westerly to its termination.
7. 88th Pl. From its intersection with 390th Ave. westerly to its termination.
8. 88th St. From its intersection with 376th Ave. westerly to its intersection with 380th Ave.
9. 88th St. From its intersection with 390th Ave. westerly to its termination.
10. 89th Pl. From its intersection with 359th Ave. easterly to its termination.
11. 89th Pl. From its intersection with 389th Ave. southwesterly to its intersection with 90th St.
12. 89th St. From its intersection with CTH "P" westerly to its intersection with Lake Park Dr.
13. 90th Ln. From its intersection with Lake Park Dr. southeasterly to its intersection with 390th Ct.
14. 90th Pl. From its intersection with 359th Ave. easterly to its termination.
15. 90th Pl. From its intersection with Lake Park Dr. easterly to its intersection with CTH "P."
16. 90th Pl. From its intersection with 400th Ave. easterly to its termination.
17. 90th St. From its intersection with CTH "EM" easterly to its termination.
18. 90th St. From its intersection with 390th Ct. easterly to its intersection with CTH "P."
19. 91st Pl. From its intersection with CTH "P" westerly to its intersection with 390th Ave.
20. 91st St. From its intersection with 396th Ave. northeasterly to its intersection with 393rd Ave.
21. 91st St. From its intersection with 390th Ave.

- easterly to its intersection with CTH "P."
22. 91st St. From its intersection with 400th Ct. westerly to its termination.
 23. 92nd Pl. From its intersection with 395th Ave. easterly to its intersection with 392nd Ave.
 24. 92nd St. From its intersection with 391st St. easterly to its intersection with CTH "P."
 25. 92nd St. From its intersection with 408th Ave. easterly to its intersection with 402nd Ave.
 26. 96th St. From its intersection with 342nd Ave. southerly to its termination.
 27. 97th St. From its intersection with 342nd Avenue easterly to its intersection with 343rd Court.
 28. 101st St. From its intersection with 401st St. westerly to its intersection with the Walworth County line.
 29. 117th St. From its intersection with 318th Ave. southwesterly to its termination.
 30. 117th St. From its intersection with CTH "KD" easterly to its intersection with 334th Ave.
 31. 118th St. From its intersection with 318th Ave. northeasterly to its intersection with 316th Ave.
 32. 118th St. From its intersection with 333rd Ave. southwesterly to its termination.
 33. 118th St. From its intersection with 333rd Ave. northeasterly to its termination.
 34. 118th St. From its intersection with 342nd Ave. easterly to its termination.
 35. 120th St. From its intersection with CTH "KD" easterly to its termination.
 36. 121st Pl. From its intersection with 330th Ave. westerly to its termination.
 37. 121st Pl. From its intersection with 330th Ave. easterly to its termination.
 38. 125th St. From its intersection with CTH "P" easterly to its intersection with Twin Lakes

Village limit.

39. 313th Ave. From its intersection with CTH "C" southeasterly to its termination.
40. 314th Ave. From its intersection with CTH "W" northwesterly to its termination.
41. 316th Ave. From its intersection with CTH "W" northwesterly to its intersection with 118th St.
42. 318th Ave. From its intersection with CTH "C" southeasterly to its termination.
43. 320th Ave. From its intersection with CTH "C" southerly to its termination.
44. 330th Ave. From its intersection with 120th St. southerly to its intersection with 121st Pl.
45. 333rd Ave. From its intersection with CTH "C" southeasterly to its termination.
46. 333rd Ave. From its intersection with 120th St. southerly to its termination.
47. 334th Ave. From its intersection with 117th St. southerly to its termination.
48. 342nd Ave. From its intersection with CTH "HM" southerly to its intersection .with 118th St.
49. 342nd Ave. From its intersection with 96th St. southerly to its intersection with 97th St.
50. 343rd Ave. From its intersection with 98th St. southerly to its intersection with 97th St.
51. 343rd Ct. From its intersection with 97th St. southerly to its intersection with 96th St.
52. 347th Ave. From its intersection with CTH "HM" northerly to its termination.
53. 359th Ave. From its intersection with 90th St. northerly to its intersection with 89th Pl.
54. 359th Ave. From its intersection with 90th St. southerly to its intersection with 90th Pl.
55. 376th Ave. From its intersection with CTH "F" southerly to its intersection with 88th St.

56. 378th Ave. From its intersection with CTH "F" southerly to its intersection with 88th St.
57. 380th Ave. From its intersection with CTH "F" southerly to its intersection with 88th St.
58. 384th Ave. From its intersection with CTH "F" southerly to its termination.
59. 389th Ave. From its intersection with 89th St. southerly to its intersection with 90th St.
60. 390th Ave. From its intersection with CTH "F" southerly to its intersection with 88th Pl.
61. 390th Ave. From its intersection with 92nd St. northerly to its intersection with 389th Ave.
62. 390th Ct. From its intersection with 89th St. southeasterly to its intersection with 90th Ln.
63. 391st Ave. From its intersection with 93rd St. northwesterly to its intersection with 90th Ln.
64. 391st Ct. From its intersection with 88th Pl. southerly to its termination.
65. 392nd Ave. From its intersection with CTH "F" southeasterly to its termination.
66. 392nd Ave. From its intersection with 93rd St. northwesterly to its intersection with 90th Pl.
67. 393rd Ave. From its intersection with 93rd St. northerly to its intersection with 90th Pl.
68. 394th Ave. From its intersection with 92nd Pl. northerly to its intersection with 91st St.
69. 395th Ave. From its intersection with 93rd St. northerly to its intersection with 91st St.
70. 396th Ave. From its intersection with 93rd St. northerly to its termination.
71. 400th Ave. From its intersection with 93rd St. northwesterly to its intersection with 91st St.
72. 400th Ct. From its intersection with 400th Ave. northerly to its termination.
73. 401st Ave. From its intersection with 93rd St. southwesterly to its intersection with the

Walworth County line.

74. 401st Ave. From its intersection with 104th St. northerly to its intersection with 101st St.
75. 402nd Ave. From its intersection with 91st St. northerly to its intersection with 92nd St.
76. 402nd Ave. From its intersection with 93rd St. southerly to its intersection with 401st Ave.
77. 403rd Ave. From its intersection with 91st St. northerly to its termination.
78. 406th Ave. From its intersection with 93rd St. northerly to its intersection with 92nd St.
79. 406th St. From its intersection with 85th St. southerly to its termination.
80. 408th Ave. From its intersection with 93rd St. northerly to its intersection with the Walworth County line.

(b) At a maximum speed of thirty-five (35) miles per hour (MPH):

1. 93rd St. From its intersection with CTH "P" westerly to its intersection with the Walworth County line.
2. 98th St. From its intersection with CTH "K" westerly to its intersection with the Twin Lakes village limits.
3. 104th St. From its intersection with 400th Ave. easterly to its intersection with 395th Ave.
4. 119th St. From its intersection with CTH "P" westerly to its intersection with the Walworth County line.
5. 125th St. From its intersection with CTH "P" westerly to its intersection with the Walworth County line.
6. 400th Ave. From its intersection with 104th St. southerly to its intersection with CTH "O."

(c) At a maximum speed of forty-five (45) miles per hour (MPH):

1. 322nd Ave. From its intersection with CTH "W"

southerly to its intersection with the Illinois State line.

2. 344th Ave. From its intersection with CTH "W" northerly to its intersection with CTH "HM".

(3) **Parking Restrictions** *(recreated April 1996)*

(a) **Parking Limitations** *(recreated July 1999)*

1. No person shall park any vehicle, as defined in Sec. 340.01(74) Wis. Stats., except an emergency vehicle, in the following areas which are designated as fire lanes, at any time.

- a. On or along the fire lane running from the point where it intersects with the intersection of Lake Park Drive and 90th Place to the point where it reaches the shore of Powers Lake.

- b. On or along the fire lane which runs through Lakeside Park from Lake Park Drive to the shore of Powers Lake.

2. Persons shall be allowed to park only motor vehicles, as defined by Sec. 340.01(35), Wis. Stats., on or along the public access/boat launch road, in the designated parking spaces, between its intersection with 396th Avenue and Lake Park Drive and the point where the public access/boat launch road reaches the shores of Powers Lake and in the designated parking spaces at Lakeside Park. "To park" or "parking" is defined by Sec. 340.01(42m), Wis. Stats. No watercraft, as defined by Sec. 30.01(7), Wis. Stats., nor any device or trailer used to transport a watercraft shall park on or along the public access/boat launch road between its intersection with 396th Avenue and Lake Park Drive and the point where the public access/boat launch road reaches the shores of Powers Lake, or in the designated parking spaces at Lakeside Park. Only motor vehicles shall be allowed to park on or along the public access/boat launch road in the designated parking spaces.

3. No person shall park any vehicle, as defined by Sec. 340.01(74), Wis. Stats., except an emergency vehicle, in or upon the following Town roads:

- a. On or along 396th Avenue between its intersection with 93rd Street and the point where 396th Avenue intersects with Lake Park Drive.

- b. On or along the south side of Lake Park Drive from its intersection with 90th Court to a

point two hundred (200) feet to the northeast.

c. On or along the north side of Lake Park Drive, where designated parking spaces are identified, between the hours of 11:00 p.m. and 4:00 a.m., Sunday thru Saturday. This area is commonly known as the "Lakeside Park Parking Area."

d. On or along Lake Park Court from its intersection with 396th Street and to its termination.

e. In the event that two (2) or more inches of snow accumulate on 89th Place, then no motor vehicle shall park on or along 89th Place for twenty-four (24) hours or until 89th Place has been plowed, whichever occurs first.

(b) No Parking Signs

Signs shall be posted at the beginning of each fire lane, at the entrance to each park and along each street or roadway enumerated in this section. Each sign shall indicate that parking is prohibited or restricted as set out in this section.

(c) Enforcement

This section shall be enforced by any Town supervisor or any Town Enforcement Officer

(d) Enforcement Procedures

When a person is authorized to enforce this section and finds any vehicle parked in violation of this section, he or she shall complete and hand to the violator or place on the violating vehicle a citation showing the violator's name, if known, the license number of the vehicle, date, time and place of violation. The citation shall also set forth the amount of the forfeiture and state that the violator may mail that amount to the Town Treasurer, c/o Randall Town Hall, Bassett, Wisconsin 53101. The citation shall also state that if the forfeiture is not paid within seventy-two (72) hours, a summons or warrant for enforcement will be issued. If the alleged violator does not mail the amount of the forfeiture, a summons or warrant under Ch. 968, (1991-1992) Wis. Stat., may be issued for him or her. Upon his or her appearance, the procedures under Section 345.32 to 345.36, (1991-1992) Wis. Stats., shall apply.

(4) **Prohibited Acts in Certain Places** (recreated
5/9/2002)

(a) The Town establishes, by this Ordinance, that in or on the following public places, public facilities and other public premises, the acts and events involving a motor vehicle as listed in subsection (b), shall not occur.

1. Bassett Town Hall;
2. Bassett Fire Station;
3. Powers Lake Fire Station;
4. Bassett Park;
5. Bayview Park;
6. Fox Park;
7. Richard F. Heigl Memorial Park;
8. Lakeside Park;
9. Randale Park;
10. Benedict Lake Property Owned by the Town of Randall.

(b) No person shall, in the above noted public places, public facilities, or other public premises in the Town, operate a motor vehicle:

1. At a speed in excess of fifteen (15) miles per hour (MPH);
2. Outside the established driving lanes;
3. Across parking stalls indicated by painted lines except when entering or exiting a parking stall;
4. Across any boulevard;
5. 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;
6. By failing to stop at a "stop sign" or failing to yield to another motor vehicle at a "yield sign."
7. At a rapid or sudden acceleration that results in squealing tires or leaving tire marks;
8. In a manner known as "power uhies" or "spinning doughnuts" where the motor vehicle is driven rapidly in a tight radius.

(5) **Stipulations**

The Town establishes, by this ordinance, that the enforcement of traffic ordinances in the Town will be in accordance with Sec. 66.12 and Chapter 345, (1991-1992) Wis. Stats. Stipulations shall conform to the form contained in the uniform traffic citation and may be accepted within seven (7) days of the alleged violation. Stipulations and deposits may be accepted by the Town Clerk or the Town Treasurer of the Town. Deposits shall be made in conformance with Sec. 345.26, (1991-1992) Wis. Stats. If a particular deposit is not established by this statute, then the person shall deposit

a forfeiture penalty as provided by the Town of Randall and approved by the Town Board of the Town of Randall.

(6) **Unattended Motor Vehicles**

No person shall leave or allow a motor vehicle to remain unattended on any public highway or public property while the motor is running or with the starting key in the ignition.

7.05 SNOWMOBILES

(1) **Snowmobile Routes and Trails Designated**

Except as provided in Sec. 350.02 and 350.045, (1991-1992) Wis. Stats., or for snowmobile events authorized in accordance with Sec. 350.04, (1991-1992) Wis. Stats., no person shall operate a snowmobile upon any public right-of-way, in any public park, golf course, or on any other public municipal property in the Town.

(2) **Additional Regulations**

(a) **Hours of Operation**

No person shall operate a snowmobile within the Town between the hours of 10:30 p.m. and 7:00 a.m., except upon a public highway as authorized by the Wisconsin Statutes and this chapter, for the purpose of gaining access to or leaving such highway or upon private marked trails on private property upon which such person is authorized by the owner of such property to operate a snowmobile.

(b) **Unattended Snowmobiles**

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

(c) **Operation on Sidewalks and Malls Prohibited**

No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the Town, except as specifically authorized by sub (1) or for the purpose of crossing to obtain immediate access to an authorized area of operation.

7.10 PENALTY

The penalty for violation of any provision of this chapter shall be forfeiture and any applicable assessments plus any applicable fees

prescribed in Ch. 814, (1991-1992) Wis. Stats.

(1) **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.

(2) **Local Regulations**

The penalty for violation of any local regulation of this chapter shall be as provided in Sec 25.04, of this Code of Ordinances.

7.11 ENFORCEMENT

(1) **Enforcement Procedures**

This chapter shall be enforced according to Sec. 23.33, Sec 66.12, Chapter 345, Chapter 350 and Chapter 800, (1991-1992) 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 Town Hall offices or the office of the Clerk of Court or by mailing the deposit to such places. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation and the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and any applicable assessments plus any applicable fees prescribed in Chapter 814, (1991-1992) Wis. Stats., not to exceed the amount of the deposit that the court may accept as provided in Chapter 345, (1991-1992) Wis. Stats.

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

(b) The amount of the deposit shall be determined in accordance with the Wisconsin Revised Uniform State Traffic Deposit Schedule established by the Wisconsin Judicial Conference and shall include any applicable assessments and

court costs.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefore as required by Sec. 345.26 (3) (b), (1991-1992) Wis. Stats.

(3) **Petition to Reopen Judgment**

Whenever a person has been convicted in this State on the basis of a forfeiture of deposit or a plea of guilty or no contest and the person was not informed as required under Sec. 345.27(1) and (2) (1991-1992) Wis. Stats., the person may, within sixty (60) days after being notified of the revocation or suspension of the operating privilege, petition the court to reopen the judgment and grant him an opportunity to defend on merits. If the court finds that the petitioner was not informed as required under Sec. 345.27 (1) and (2), (1991-1992) Wis. Stats., the court shall order the judgment reopened. The court order reopening the judgment automatically reinstates the revoked or suspended operating privilege.