

## TITLE 10

### Motor Vehicles and Traffic

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### CHAPTER 1

#### Traffic and Parking

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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 Sec. 941.01(1) and Chapters 340 through 349 of the Wisconsin Statutes, describing and defining regulations with respect to vehicles, traffic, and powers of the state and local authorities, 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 through 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 Town of Caledonia, Racine County, Wisconsin, violate any provisions of any Statute incorporated herein by reference shall be deemed guilty of an offense under this Section.
- (b) **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of the Wisconsin Statutes, such references shall mean the Wisconsin Statutes of 1987-88 as from time to time amended, repealed or modified by the Wisconsin Legislature.
- (c) **General References.** General references in this Chapter to Wisconsin statutory sections or chapters describing or defining procedures or authority for enactment or enforcement of 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.

Wis. Adm. Code - MVD 3	Reciprocity - Nonresident Motor Carriers [Penalties of Wis. Stats. Sec. 341.04 apply] Wis.
Adm. Code - TRANS 302	Vehicle Marking Wis. Adm. Code MVD 5
Wis. Adm. Code - MVD 6	Standards for Motor Vehicle Equipment Transportation of Explosives by Motor Vehicle
Wis. Adm. Code - TRANS 300	Transportation of School Children
Wis. Adm. Code- MVD 18	Protective Headgear Standards and Specifications
Wis. Arm. 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 Town 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) **Owners 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 nonapplicability of demerit points shall apply to owners convicted of a violation of this Section.
- (d) **Safety Checks.**
  - (1) Operators to Submit to Inspection. When directed to do so by any law enforcement officer, the operator of any motor vehicle shall stop and submit such vehicle to an inspection and such tests as are necessary to determine whether the vehicle meets the requirements of this Section or that the vehicle's equipment is in proper adjustment or repair. No person, when operating a motor vehicle, shall fail to stop and submit such vehicle to inspection when directed to do so by any law enforcement officer as herein provided.
  - (2) Authority of Officer. Any law enforcement officer serving the Town of Caledonia 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) **Town Highway Superintendent 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 Town Highway Superintendent 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 Town Board will carry out the purposes of this Chapter and give adequate warning to users of the streets and highways of the Town of Caledonia.

- (b) **Code Numbers to be Affixed to Official Traffic Control Devices.** The Town Highway Superintendent 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 Town of Caledonia any sign, signal, marker, mark or monument unless permission is first obtained from the Town Board, upon the recommendation of the Town Highway Superintendent, 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 Town Highway Superintendent 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
- (e) illegal sign, signal, marking or device shall be reported by the Town Highway Superintendent 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.

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) 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.
- (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 or that portion of the right-of-way between the roadway and 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 OPERATORS TO OBEY TRAFFIC CONTROL DEVICE.**

When official traffic regulatory signs or devices have been posted regulating the speed, direction, stopping, parking, turning or any other control over movement of traffic, every operator of a vehicle or bicycle shall observe the traffic regulation indicated.

**SEC. 10-1-7 RESTRICTIONS ON PARKING; POSTED LIMITATIONS.**

- (a) **Posted Limitations.**
  - (1) The Town Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by
  - (2) physically handicapped persons and may limit the hours in which the restrictions apply. The Town shall mark by appropriate signs, each zone so designated in accordance with the provisions of Sec. 349.13, Wis. Stats.
  - (3) Except when necessary to avoid conflict with other traffic or in compliance with the directions of an 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.
  - (4) The Town Highway Superintendent, subject to approval by the Town Board, shall have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weediness 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.
  - (5) No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of speed weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.

- (6) After the parking limitations off any given street have expired, any change of location of not more than one (1) vehicle length following expiration of the parking period allowed shall be and constitute a violation of this Chapter.
- (b) **Parking of Trucks on Town Roads.** 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, or having a height of more than eight (8) feet from the roadway, shall park the same upon any road, street, avenue or public way in the Town of Caledonia. 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 Town 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 Town Board may, however, designate specific truck parking zones.
- (c) **Words and Phrases Defined.**
  - (1) "Stop" and "Stopping," where used in this Chapter, shall have the same meaning as that defined in Sec. 340.01(63), Wis. Stats.
  - (2) "Stand" or "Standing," where used in this Chapter, shall have the same meaning as that defined in Sec. 340.01(59m), Wis. Stats.
  - (3) "Park" or "Parking," where used in this Chapter, shall have the same meaning as that defined in Sec. 340.01(42m), Wis. Stats.
- (d) **Statutory Restrictions on Stopping, Standing and Parking.** All provisions of sections 346.50 to 346.55, inclusive, of the Wisconsin Statutes, adopted by reference in Section 10-1-1 of this Chapter, are included in this ordinance.

**SEC. 10-1-8 TEMPORARY PARKING FOR SPECIAL EVENTS OR ROAD WORK/REPAIR.**

Pursuant to the provisions of Subsection 349.13, Wis. Stats., the Town Board is authorized to direct that temporary "No Parking" signs be erected by the Town Highway Superintendent during parades, festivals and other authorized events, or during times of road construction or repair that require the regulating of vehicle stopping, standing or parking on Town roadways. The temporary regulation shall be limited to the time the event exists or is likely to exist.

**SEC. 10-1-9 STOPPING OR PARKING PROHIBITED IN CERTAIN SPECIFIED PLACES.**

- (a) **Parking Prohibited at All Times.** Except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers or property and while the vehicle is attended by a licensed operator so that it may be removed promptly in case of an emergency or to avoid obstruction of traffic, no person shall at any time park or leave standing any vehicle:
  - (1) Within an intersection.
  - (2) On a sidewalk or terrace area, except when parking in such place is clearly indicated by official traffic signs or markers or parking permits. "Terrace or Sidewalk" 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.
- (3) 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.
  - (4) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
  - (5) Within twenty (20) feet of the driveway entrance to a fire station.
  - (6) 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.
  - (7) In any place or manner so as to obstruct, block or impede traffic.
  - (8) Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
  - (9) Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
  - (10) Upon any bridge.
  - (11) Upon any street or highway within the Town 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.
  - (12) In a loading zone.
  - (13) Within four (4) feet of the entrance to an alley, private road or driveway.
  - (14) In any Town park when said park is closed to the public.
  - (15) On railroad tracks and railroad spur lines.
- (b) **Blocking or Parking in Private Driveways.** No person shall park in any private driveway or park or leave standing any motor vehicle in such a manner as to unreasonably restrict the normal access to any private drive or driveway without the permission of the owner or lessee of the property. Said access shall be deemed unreasonably restricted if any vehicle is parked within four (4) feet of either side of said access.
- (c) **Parking Vehicle for Repair or to Display for Sale Prohibited.** No person shall park or leave standing any motor vehicle on any street, avenue, alley, Town parking lot, terrace or public right-of-way for the purpose of conducting mechanical work or to display such vehicle for sale.

**SEC. 10-1-10 PARKING RESERVED FOR VEHICLES OF DISABLED.**

When official traffic signs indicating such restriction have been erected in accordance with Section 10-1-3 of this Chapter, no person shall park, stop or leave standing any vehicle upon any portion of a street, highway or public or private parking facility reserved or vehicles displaying special registration plates or identification cards or emblems issued by the Wisconsin Department of Transportation or, for vehicles registered in another jurisdiction, by such other jurisdiction designating the vehicle as one used by a physically disabled person.



**SEC. 10-1-11 LEAVING KEYS IN VEHICLE PROHIBITED.**

No person shall permit any motor vehicle to stand or remain unattended on any street, alley or other public 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.

**SEC. 10-1-12 PARKING PROHIBITED ZONES.**

No person shall park, stop, or leave standing any vehicle, temporarily or otherwise, whether attended or unattended, in or on:

- (a) **Lakeshore Drive.** The 7200, 7300, 7400, 7500, and 7600 blocks between the hours of 6:00 p.m. and 6:00 a.m.
- (b) **7- 1/2 Mile Road.** Both sides of the road from its junction with East Frontage Road east for a distance of 500 feet.
- (c) **Lamberton Road.** The west side of the road between Arrowhead Drive and Lakeshore Drive, from May 20th through August 20th of each year.
- (d) **Nicholson Road.** The west side of Nicholson Road between Northwestern Avenue and Dunkelow Road from April 10th through November 1st of each year.
- (e) **Erie Street.** On both sides of the street from the north drive of Villa St. Anna, located at 5737 Erie Street, to the 6000 block of Erie Street.
- (f) **Three Mile Road.** On both sides of the road, from the 5900 block west to Johnson Park Drive.
- (g) **Trefoil Circle.** On the left side of the street, which is the inside of the circle of this one-way street that requires traffic to travel in a counterclockwise direction.
- (h) **Trefoil Circle.** On both sides of the street from November 15 through April 1 of each year.
- (i) **Bel Mar Avenue.** Both sides of the street from the intersection of Bel Mar Avenue and Short Road to the intersection of Bel Mar Avenue and Four Mile Road from December 1<sup>st</sup> through April 1<sup>st</sup> inclusive; however, the parking of any vehicle shall be permitted on the even side of the street on even-numbered calendar days, and on the odd side of the street on odd-numbered calendar days from April 2<sup>nd</sup> through November 30<sup>th</sup> inclusive, except that no parking on the street shall be allowed between the hours of 12:00 a.m. to 6:00 a.m.
- (j) **Blue River Way.** Both sides of the street from the Western most cul-de-sac of Blue River Way to the Eastern most cul-de-sac of Blue River Way in the Blue River Preserve Subdivision from December 1<sup>st</sup> through April 1<sup>st</sup> inclusive; however, the parking of any vehicle shall be permitted on the even side of the street on even-numbered calendar days, and on the odd side of the street on odd-numbered calendar days from April 2<sup>nd</sup> through November 30<sup>th</sup> inclusive, except that no parking on the street shall be allowed between the hours of 12:00 a.m. to 6:00 a.m.
- (k) **Long Meadow Lane.** Both sides of the street from the intersection of Long Meadow Lane and Blue River Way to the terminus of Long Meadow Lane at the temporary turnaround in the Blue River Preserves Subdivision from December 1<sup>st</sup> through April 1<sup>st</sup> inclusive; however, the parking of any vehicle shall be permitted on the even side of the street on even-numbered calendar days, and on the odd side of the street on odd-numbered calendar days from April 2<sup>nd</sup> through November 30<sup>th</sup> inclusive, except that no parking on the street shall be allowed between the hours of 12:00 a.m. to 6:00 a.m.

- (l) **Four Mile Road.**
  - (1) South side of Four Mile Road from the intersection with North Green Bay Road to the intersection with Memco Lane;
  - (2) North side of Four Mile Road beginning at the eastern border of the parking lot at 3210 Four Mile Road and due east for 235 feet; and
  - (3) North side of Four Mile Road beginning at the western border of the parking lot at 3210 Four Mile Road and due west for 315 feet.
- (m) **Four and a Half Mile Road.** On the north side from the stop sign at Middle Road east for fifty (50') feet.
- (n) **Middle Road.** On the west side of Middle Road from the traffic control lights at Highway 32 north to the north property line of the Moose Lodge on Middle Road. On the east side of Middle Road from the stop sign located at Four and a Half Mile Road north for fifty (50') feet.
- (o) **Packer Drive.** Beginning at a point that is 220 (two hundred twenty) feet west of the centerline of North Green Bay Road then west to include the entire cul de sac (inside and outside of the circle) of Packer Drive from November 15th through April 1st of each year.

**SEC. 10-1-13 WINTER PARKING.**

- (a) This Section shall be in effect through the winter months, from December 1<sup>st</sup> through April 1<sup>st</sup>, inclusive. The purpose of this Section is to assist the Town in keeping the streets free from snow and ice.
- (b) Parking of any vehicle between 6:00 a.m. and 6:00 p.m. the following day shall only be permitted on the even side of the street on even-numbered calendar days, and on the odd side of the street on odd-numbered calendar days.
- (c) For the purpose of public safety, property owners who live where turnaround tees exist are prohibited from parking any type of recreational or motorized vehicles within this area from December 1<sup>st</sup> through April 1<sup>st</sup> inclusive.

**SEC. 10-1-14 DECLARATION OF SNOW EMERGENCY AND PARKING REGULATIONS.**

- (a) There is hereby declared an emergency to exist in the Town of Caledonia by reason of a heavy snowstorm whenever snow falls during any period of twenty-four (24) hours to a depth of three (3) 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 and police protection, and other vital facilities of the Town of Caledonia. Such emergency is declared to continue for a period of forty-eight (48) hours or until such earlier time as snowplowing operations have been declared completed by the Town Chairperson of the Town of Caledonia, or his designated representative.
- (b) Whenever such an emergency exists and the Town Chairperson shall have caused announcement thereof to be made by a radio and/or television broadcast station whose normal operating range includes the Town of Caledonia, no person shall park, stop or leave standing any vehicle upon any public street, highway, or alley within the Town of Caledonia,

except that vehicles may be parked, stopped or left standing for a period of time not longer than fifteen (15) minutes for the actual loading or unloading of passengers or property, and provided that no other ordinance restricting parking as to time or place is violated thereby. The provisions of this Subsection shall not apply to physicians and emergency calls.

- (c) Any vehicle which is illegally parked on any street or alley may be moved by, or under, the direction of any Town police officer and the cost of moving said vehicle shall be added as a cost to the penalty assessed for the illegal parking of said vehicle.

**SEC. 10-1-15 UNLAWFUL REMOVAL OF PARKING CITATIONS.**

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

**SEC. 10-1-16 OPERATION 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 in any private parking lot 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 and on any private parking lot or road held out for use for the general public for parking or vehicular traffic.

**SEC. 10-1-17 REMOVAL OF ILLEGALLY PARKED VEHICLES.**

- (a) **Hazard to Public Safety.** Any vehicle parked, stopped or standing upon a highway, municipal parking lot or other public parking area in violation of any of the provision of this Chapter is declared to be a hazard to traffic and public safety.
- (b) **Removal by Operator.** Upon request of a law enforcement officer, the operator in charge of such vehicle shall remove or cause to be removed said vehicle to a position or location where parking is permitted.
- (c) **Removal by Enforcement Officer.** The 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 or cause to be removed such vehicle to a position or location where parking is permitted.
- (d) **Removal by Private Service.** The law enforcement officer may contract with 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 area or rental parking area or any facility of the person providing the towing services.
- (e) **Towing and Storage Charges.** In addition to any other penalties provided in this Chapter, the registered owner of a vehicle so removed shall be responsible for the expense 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 area or rental facility, customary charges for such storage shall be paid. Upon payment by the owner or operator, a receipt shall be issued for the expense of moving, towing or storage and the vehicle shall be released.

#### **SEC. 10-1-18 INOPERABLE, WRECKED OR DISCARDED VEHICLES.**

No person owning or having custody of any partially dismantled, nonoperable, wrecked, junked or discarded motor vehicle shall allow such vehicle to remain on any public highway, parking lot or ramp longer than twenty-four (24) hours after notification thereof by a law enforcement officer. Notification shall be accomplished by placing in a conspicuous place on the vehicle a written notice setting forth briefly the applicable provisions of this Section and the date of the notice. Any vehicle so tagged which is not removed within twenty-four (24) hours after notice is declared to be the public nuisance and may be removed as provided in Section 10-1-17.

#### **SEC. 10-1-19 SPEED LIMITS**

The Town Board of the Town of Caledonia hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe or imprudent and modifies such speed limits under the authority granted by Sec. 349.11, Wis. Stats., as follows:

- (a) **Fifteen (15) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be fifteen (15) miles per hour:
  - (1) Packard Drive - entire length.
- (b) **Twenty-five (25) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be twenty-five (25) miles per hour:
  - (1) All roads wholly within a recorded subdivision.
  - (2) Hazelcrest Drive – entire length.
  - (3) Princeton Drive – entire length.
  - (4) Majestic Drive – entire length.
  - (5) 4-1/2 Mile Road – from its intersection with Charles Street easterly for its entire remaining length.
  - (6) Valley Road – entire length.
  - (7) Twin Elms Drive – entire length.
  - (8) St. Rita's Road – entire length.
  - (9) Eau Galle Road – entire length.
  - (10) River Hills Road – entire length.
  - (11) Six Mile Road – from its intersection with Middle Road, easterly for its entire remaining length.
  - (12) Belmar Road – entire length.
  - (13) West Johnson Road – entire length.
  - (14) Goley's lane – entire length.
  - (15) Stephan Road – entire length.

- (c) **Thirty (30) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be thirty (30) miles per hour:
- (1) Bell Road – from its intersection with the East Frontage Road of Interstate Highway “94” to the intersection of Barthel Road.
  - (2) Dunkelow Road – from its intersection with County Trunk Highway “H” east to its east junction with Nicholson Road.
  - (3) Erie Street – entire length.
  - (4) Five and One-Half Mile Road - from its intersection with Middle Road to its intersection with Charles Street.
  - (5) Four and One-Half Mile Road- from its intersection with Charles Street to its intersection with Middle Road.
  - (6) Hollander Drive - entire length.
  - (7) Industrial Drive – entire length.
  - (8) Mallard Drive - entire length.
  - (9) Quick Drive – entire length.
  - (10) Storage Drive – entire length.
- (d) **Thirty-five (35) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be thirty-five (35) miles per hour:
- (1) Adams Road - from its intersection with County Trunk Highway "K" to its intersection with County Trunk Highway "V"
  - (2) Botting Road - from its intersection with Six Mile Road to its intersection with Seven Mile Road.
  - (3) Charles Street - entire length.
  - (4) County Line Road – entire length.
  - (5) Dunkelow Road – from its intersection with State Trunk Highway "38" to its east junction with Nicholson Road.
  - (6) East Five Mile Road – from its intersection with Charles Street for its entire remaining length westerly.
  - (7) East River Road - entire length.
  - (8) Five Mile Road - from its intersection with Middle Road to its intersection with State Trunk Highway "32".
  - (9) Five Mile Road - from its intersection with State Trunk Highway "32" to its intersection with State Trunk Highway "31".
  - (10) Hageman Road - entire length.
  - (11) Michna Road - entire length.
  - (12) Middle Road - from its intersection with Four and One-Half Mile Road to its intersection with Wildrose Way.
  - (13) Newman Road - from its intersection with State Trunk Highway "38" for its entire remaining length northerly.
  - (14) Nicholson Road- from the Milwaukee County line to its intersection with State Trunk Highway "38".
  - (15) North Green Bay Road - entire length.
  - (16) Seven Mile Road - from its intersection with Nicholson Road to its intersection with West River Road.

- (17) Seven Mile Road - from a point 0.35 of a mile west of State Trunk Highway "32" to its intersection with Michna Road.
- (18) Seven and One-Half Mile Road – from its intersection with the East Frontage Road of Interstate Highway "94" to its intersection with State Trunk Highway "38".
- (19) Short Road - entire length.
- (20) Six Mile Road - from its intersection with State Trunk Highway "32" its intersection with Middle Road.
- (21) Stanley Road – entire length.
- (22) Three Mile Road - from its intersection with North Green Bay Road to its intersection with North Main Street.
- (23) Three Mile Road - from its intersection with State Trunk Highway "31" for its entire remaining length westerly.
- (24) On Nicholson Road from the 6500 block of Nicholson Road north to Hwy. 38.
- (25) Four Mile Road – from a point 100 feet west of its intersection with North Green Bay Road to its intersection with State Trunk Highway "32".
- (e) **Forty (40) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be forty (40) miles per hour:
  - (1) Four Mile Road - from its intersection with Short Road to a point 100 feet west of its intersection with North Green Bay Road.
  - (2) Nicholson Road -from its intersection with County Trunk Highway "K" to a point 0.65 of a mile north of its intersection with Dunkelow Road.
  - (3) West River Road - from its intersection with Six Mile Road to its intersection with Seven Mile Road.
- (f) **Forty-five (45) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be forty-five (45) miles per hour:
  - (1) Adams Road - from its intersection with County Highway "V" to intersection with County Highway "H".
  - (2) Barthel Road - entire length.
  - (3) Five Mile Road – from its intersection with State Trunk Highway "31" to its intersection with State Trunk Highway "38".
  - (4) Foley Road - entire length.
  - (5) Golf Road – entire length.
  - (6) Seven Mile Road - from its intersection with the East Frontage Road of Interstate Highway "94" to its intersection with Nicholson Road.
  - (7) Seven Mile Road – from its intersection with West River Road to a point 0.35 of a mile west of State Trunk Highway "32".
  - (8) Six and One-Half Mile Road – entire length.
  - (9) Sunflower Road - entire length.
  - (10) On Botting Road from Seven Mile Road north to Highway 32 (Douglas Avenue).
  - (11) Four Mile Road - from its intersection with Short Road to its intersection with the East Frontage Road of Interstate Highway "94".
- (g) **Fifty (50) Miles Per Hour.** The speed limit on the following roads or portions thereof shall be fifty (50) miles per hour:
  - (1) Nicholson Road – from 0.65 a mile north of its intersection with Dunkelow Road to the 6500 Block of Nicholson Road.

**SEC. 10-1-20 WEIGHT LIMITS AND HEAVY TRAFFIC ROUTES.**

- (a) All streets and highways, other than Interstate, State and County Trunk highways within the Town of Caledonia, are hereby declared to be Class "B" highways, pursuant to Sec. 349.15, Wis. Stats.
- (b) Any person violating the provisions of Sec. 348.15 or 348.16, Wis. Stats., shall be
- (c) guilty of an ordinance violation and shall, upon adjudication to that effect, be subject to the forfeitures set forth in Sec. 348.21, Wis. Stats.
- (d) In, accordance with Sec. 348.22, Wis. Stats., the Clerk of the Municipal Court shall, within forty-eight (48) hours of conviction for a violation of this Section, forward a certificate thereof to the Department of Transportation.
- (e) The Town Highway Superintendent, subject to approval by the Town Board, shall have the authority to impose special or seasonal weight limits to prevent injury to the roadway of any highway, bridge or culvert within the jurisdiction of the Town or for the safety of users of such highway, bridge or culvert and shall be responsible for erecting signs giving notice thereof in accordance with Sec. 349.16, Wis. Stats.

**SEC. 10-1-21 MOTOR VEHICLE CONDUCT PROHIBITED.**

- (a) **Unnecessary Noise 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 Town of Caledonia.
- (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 Town.
- (c) **Unnecessary Acceleration 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 stones, gravel, soil, dirt, water, snow, slush, ice, rubber or any other debris to be thrown by the wheels of such motor vehicle upon the person or property of any person in the Town.
- (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) Town park property;
  - (2) Cemetery properties;
  - (3) School district property;
  - (4) Medical facilities;
  - (5) Service stations;

- (6) Grocery stores;
  - (7) Restaurants;
  - (8) Financial institutions; and
  - (9) 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.
- (g) **Negligent Operation of a Vehicle.** No person shall endanger another's safety by a high degree of negligence in the operation of a vehicle, not upon a highway as defined in Sec. 340.01, Wis. Stats.
- (h) **No Engine Braking in Designated Areas.**
- (1) **Intent.** It has been determined that the use of a device or procedure on motor vehicles, primarily on trucks, for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes creates unreasonable, loud, and excessive noise within the Village.
  - (2) **Prohibition.** No person shall use an engine braking system within designated areas in the Village which is in any way activated or operated by the compression of the engine of any such motor vehicle or any such unit or part thereof, except in cases of emergency or necessary for the protection of persons and/or property. Such braking system is commonly referred to as compression braking, a "jake brake," or "Jacobs Brakes."
  - (3) **Designated Areas.** The Village Board shall, by resolution, designate areas in the Village where engine braking is prohibited and signs shall be conspicuously posted in such areas stating: "No engine braking except in emergency" or its equivalent.
  - (4) **Signs.** The Highway Superintendent and his/her designees are authorized and directed to gain appropriate approval, if required, from the State of Wisconsin to post appropriate signs consistent with the provisions of this ordinance and in accordance with State law and Administrative Code.

**SEC. 10-1-22 MOTOR VEHICLES ON PEDESTRIAN WAYS.**

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

**SEC. 10-1-23 HIGHWAYS CLOSED TO TRAVEL.**

- (a) Whenever any highway is impassable or unsafe for travel or during the construction or repair of any such highway and until it is ready for traffic, the authorities in charge of the maintenance or construction thereof may keep it closed by maintaining barriers at each end



of the closed portion. The barriers shall be of such material and construction and so placed as to indicate that the highway is closed and shall be lighted at night.

- (b) Any person who, without lawful authority, removes, takes down, alters the position of, destroys, passes over or beyond any barrier so erected, or travels with any vehicle upon any portion of a highway closed by barriers as in this Section provided, or walks or travels in any manner upon the materials placed thereon as part of the repair or construction work, shall be guilty of an ordinance violation and upon adjudication to that effect, shall be subject to the penalties provided in Section 10-4-26 of this Code of Ordinances, and in addition thereto, shall be liable for all damages done to the highway, said damages to be recovered by the governmental agency responsible for the maintenance of said highway.

**SEC. 10-1-24 TRAINS OBSTRUCTING HIGHWAYS.**

It shall be unlawful to stop any railroad train, locomotive or car upon or across any highway or street crossing, within the Town of Caledonia, or leave the same standing upon such crossing longer than ten (10) minutes, except in cases of accident; and any conductor, engineer, brakeman or other person in charge thereof or responsible therefore who shall violate this Section shall be guilty of an ordinance violation and, upon adjudication to that effect, shall be subject to the penalties specified in Section 10-1-26 of this Code of Ordinances.

**SEC. 10-1-25 NAMING OF NORTHWESTERN AVENUE.**

(a) **Purpose.**

- (1) The Town of Caledonia is a part of a 911 emergency system operating in Racine County, and the lack of a uniform numbering system throughout Racine County creates a problem with the proper functioning of the 911 emergency system due to a duplication of numbers in the Towns of Caledonia and Raymond, especially on county trunk highways running east and west through such Towns.
- (2) Absent the adoption of a county-wide numbering system, the alternative is to assign different names to streets in the different towns.
- (3) County Trunk Highway "K" is also known and designated as Northwestern Avenue in the City of Racine and in portions of the Towns of Caledonia and Mount Pleasant.

(b) **Designation of Name.**

- (1) The portion of County Trunk Highway "K" located within the Town of Caledonia is hereby named "Northwestern Avenue."
- (2) The Town officers and officials are authorized to take such steps as are necessary to effect such name change, including the installation of appropriate signs along such highway and the notification of the residents and the postal authorities.

**SEC. 10-1-26 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 therefor 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 or imprisonment.
  - (2) By Town. No person who has been convicted of a violation of any provision of this Chapter shall be issued a license or permit by the Town, 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 Violations of Uniform Moving Traffic Regulations.** Except for violations of Section 346.50 through 346.55, Wis. Stats., 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
- (d) 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.
- (e) **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.
  - (2) Forfeitures for Town Parking Offenses. The forfeiture for violation of Village parking regulations in this Chapter and for violations of Sections 346.50 through 346.55, Wis. Stats., adopted by reference in Section 10-1-1 of this Chapter shall be not less than Five Dollars (\$5.00) or more than Two Hundred and Fifty Dollars (\$250.00).
  - (3) Payment. In accordance with Sec. 345.28(2)(A), Wis. Stats., a person charged with a nonmoving traffic (parking) violation under this Chapter may mail, or pay in person, the amount of the forfeiture to the Caledonia Police Department. In that case, the

citation shall not be filed in court.

- (4) **Additional Fees.** In addition to the amount of forfeiture for violation of parking ordinances, the following fees shall be assessed when applicable:
  - a. When payment is made after the scheduled court appearance date when no court appearance was made, a fee of Five Dollars (\$5.00) shall be assessed.
  - b. When payment is made following notification to the Wisconsin Department of Transportation to suspend or refuse the registration of vehicles under Sec. 345.28(4)(A)(2), Wis. Stats., a fee of Twenty Dollars (\$20.00) shall be assessed in addition to that in paragraph a above.
- (e) **Special Local Regulations.** The forfeiture for violation of any special local regulation contained in this Chapter other than those pertaining to parking shall be not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for the first offense and not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00) for the second offense within two (2) years.

**SEC. 10-1-27 ENFORCEMENT.**

- (a) **Enforcement Procedures.**
  - (1) **How Enforced.** This Chapter shall be enforced in accordance with the
  - (2) applicable provisions of the Wisconsin Statutes and this Section.
  - (3) **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 Town of Caledonia.
- (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 be used in such cases.
  - (2) **Parking Citations.** Citations shall be used 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. Citations for all non-moving traffic violations shall conform to Sec. 345.28 of the Wisconsin Statutes and shall permit direct mail payment of the applicable deposit to the Town Police Department within ten (10) working days of the issuance of the citation in lieu of Court appearance.
- (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 and may be accepted within ten (10) days of the date of the alleged violation. Deposits are mailed directly to the Town of Caledonia Police Department. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If he fails to appear in court at the time fixed in the citation, he 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; or
2. If he fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.

- 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 approved by the Town Board. Deposits may be brought or mailed to the office of the Town Police Department or Racine County Traffic and Misdemeanor Clerk of Courts as directed by the arresting officer. Deposits shall be in the form of cash, certified Check or money order.
- c. **Receipt Required.** Every officer 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.

(2) Non-motoring 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 Town Police Department the minimum forfeiture specified for the violation.
- b. **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 Town 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.

(3) Registration Suspension Program.

- a. The Town 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 Chief of Police 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 Chief of Police is authorized to perform, on behalf of the Town, 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 Town will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;
  4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.
- c. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The Town may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.
- d. This Section 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 Town'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.