

CHAPTER 4
TRAFFIC CODE

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4.01 STATE LAWS ADOPTED

Except as otherwise specifically provided in this Code, the statutory provisions of Chapters 340 to 348, inclusive Wis. Stats., describing and defining regulation with respect to vehicle 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 and term of imprisonment are adopted and by reference made a part of this code as if fully set forth herein. Any act required to be performed and prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this code in order to secure uniform state wide regulation of traffic on the highways, street, and alleys of the State.

4.02 PARKING, WINTER PARKING, STREET STORAGE PROHIBITED

- (1) Parking, Winter Parking, Street Storage Prohibited
 - (a) Street Storage Prohibited. No person shall park any object or motor vehicle on the Village streets and Village lots for longer than 48 hours at any one time.
 - (b) Hickory Street Parking. No person shall park any object or motor vehicle on the pavement portion of Hickory Street as posted by Official Traffic Signs. From November 15 to April 1, no person shall park any object or vehicle on the pavement portion of Hickory Street or on the Hickory Street right-of-way at any time.
 - (c) Winter Parking. Winter parking overrides the 48 hour parking rule from November 15 to April 1. No parking is permitted on Main Street (bluff side) from November 15 to April 1 between 2:30AM and 6:30AM. All vehicles must be moved within 24 hours a distance of 2 vehicles space or more or 12 hours after a 2 inch or more snowfall on all village streets and lots.
 - (d) Removal of Illegally Parked Vehicles/Objects. Any vehicle or object parked or left standing on the Village streets and lots is declared to be a hazard to traffic,

public safety and cleaning of Village property. Such vehicles shall be removed by the operator/owner on request of any law enforcement officer to a position where parking is not prohibited. Any law enforcement officer, after issuing a citation for illegal parking in violation of this section, is authorized to remove such vehicle/object to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer, or licensed motor vehicle dealer who performs towing services to remove and store such vehicles/objects to any facility of the person performing the towing service. In addition to other penalties provided the owner/operator shall pay the costs of towing and storage and the Village shall not be liable for damages to vehicle removed, towed or stored as a result of the enforcement of this section.

- (e) Penalties. The penalties for violation of this Ordinance shall be in conformity with the penalty provisions of Section 13.04 of the Municipal Code of the Village of Ferryville.

4.03 GOLF CARTS

- (1) "Golf Cart" means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf.
- (2) Pursuant to state statute 349.18(1m)(a) golf carts are permitted to be operated upon any street within the territorial boundaries of the Village of Ferryville whereon the posted speed limit is 25 miles per hour.
- (3) Pursuant to state statute 349.18(1m)(c) golf carts are prohibited from being operated on any portion thereof, or crossing, "Main Street", state trunk highway 35.
- (4) Penalties. The penalties for violation of this ordinance shall be in conformity with the penalty provisions of section 13.04 of the Municipal Code of the Village of Ferryville.

4.04 ERECTION OF OFFICIAL TRAFFIC SIGNS AND SIGNALS.

The Public Works Department shall procure, erect and maintain appropriate standard traffic signs, signals and markings conforming to the rules of the State Department of Transportation giving such notice of the provisions of this Ordinance as required by State Law. Signs shall also be erected in such locations and manner as authorized by Village Board as to give adequate warning to users of the street, alley or highway in questions.

4.05 STATE FORFEITURE STATUTES

Any forfeiture for violation of the State Statutes adopted by reference in 4.01 of this chapter shall conform to the forfeiture permitted to be imposed for violation of such statutes as set forth in the Uniform Deposit and Misdemeanor Bail Schedule of the Wisconsin Judicial Conference, including any variations or increases for subsequent offenses, which schedule is adopted by reference.

4.06 ENFORCEMENT

This Ordinance shall be enforced in accordance with the provisions of Section 345.20 to 345.53, Chapter 299 and 66.12, Wis. Stats.

- (1) Stipulation of Guilt or No Contest. Stipulations of guilt or no contest may be made by person arrested for violations of this Ordinance in accordance with the Section 66.12(1) (b), Wis. Stats., whenever the provisions of Section 345.27 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under Section 345.11, Wis. Stats., and may be accepted within 5 days of the date of the alleged violation. Stipulations may be accepted by the Clerk of County Court. A person who has mailed or filed a stipulation under this subsection may, however, appear in Court on the appearance date and may be relieved from the stipulation for cause shown as required in Section 345.37, Wis. Stats.
- (2) Deposits. Any person stipulating guilt or no contest under sub. (1) of this section must make the deposit required under Section 345.26, Wis. Stats., or, if the deposit is not established under such Statute, shall deposit a forfeited penalty as provided in the schedule established by the Chief of Police and approved by the Village Board. Deposits may be brought or mailed to the office of the Chief of Police or the Clerk of the County Court as directed by the arresting officer. Deposits for parking or nonmoving violations shall be mailed or brought to the Village Treasurer.
The amount of the deposit shall be determined in accordance with the deposit schedule established by the Board of County Judges. The deposit shall include Court coast and suit tax.
- (3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty and money deposit under this section shall receipt therefore in triplicate as provided in Section 345.26 (3) (b), Wis. Stats. Every officer accepting a stipulation under the provisions of this Ordinance shall comply with the provisions of Sections 343.27, 343.28, 345.26 (1) (a), and 345.37 (2), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under section 345.11, Wis. Stats.
- (4) Forfeitures in Treasury; Officer to Post Bond, Qualify. Any officer accepting deposits or forfeited penalties under this Ordinance shall deliver them to the Village Treasurer within 20 days after receipt. Any officer authorized to accept deposits under Section 345.26, Wis. Stats., or this Ordinance, shall qualify by taking the oath prescribed by Section 19.01 Wis. Stats., and filing an official bond in the sum of \$1,000.00 as described by Section 19.01.

4.07 All-Terrain and Utility Terrain Vehicles

- (1) PURPOSE
The purpose of this chapter is to establish all-terrain vehicle (ATV)/utility-terrain vehicle (UTV) routes and trails and to provide safe and enjoyable ATV/UTV recreation consistent with public rights and interests pursuant to §59.02 and §23.33, Wis. Stats.

(2) APPLICABILITY AND ENFORCEMENT.

- (a) The provisions of this section shall apply to the areas designated in subsection (4) below, including all roadways within the jurisdiction of the County. The provisions of this section shall be enforced by the Crawford County Sheriff's Department.
- (b) Adoption of this section shall not prohibit any law enforcement officer or DNR warden from proceeding under any other ordinance, regulation, statute, law or order that pertains to the subject matter addressed under this section.

(3) LIMITATIONS.

The following limitations apply on all areas designated in section 4:

- (a) Speed . No ATV/UTV shall be operated at a speed greater than 35 miles per hour on any County Trunk Highway, Town or Village road or street or the speed limit on such street, whichever is less.
- (b) Lights. No ATV/UTV may be operated on any designated route or trail without fully functional headlights, tail-lights, and brake lights. Every ATV/UTV being operated on any designated route or trail must display a lighted headlamp and tail lamp at all times.
- (c) Routes - Roadway Only. On any public roadway designated as an ATV/UTV route, all ATV/UTV operation is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway which is safe given prevailing conditions. All ATVs and UTVs must operate in single file. Operation on paved shoulders intended for bicycle or pedestrians, gravel shoulders, grassy in-slope, ditches or other highway right-of-way is prohibited.
- (d) Trails – Off-Road Right of Way Only. On any off-road public corridor designated as an ATV/UTV trail, all ATV/UTV operation is authorized only within the marked trail designated within the right of way adjacent to a state, county, town or village highway, road or street. All ATVs and UTVs must operate in single file. No operation is allowed on any trail within the right of way during inclement weather, if the trail material is unstable or is marked as closed.
- (e) Hours of Operation. No ATV/UTV may be operated on any designated route or trail between the hours of 1:00 a.m. to 5:00 a.m. daily.
- (f) Age, License and Protective Headgear . On any designated ATV/UTV route or trail, all operators must be 16 years of age or older and have a valid driver's license. No person under the age of 18 may operate or be a passenger of an ATV/UTV on any designated route or trail without wearing approved protective headgear.

- (g) Noise. No ATV/UTV may be operated on any designated route if that ATV/UTV does not meet all applicable Wisconsin State noise pollution standards.
- (h) Insurance. All ATV/UTVs operating on any designated ATV/UTV route or trail or on any County trunk highway must have proof of liability insurance for the ATV/UTV being operated.
- (i) Registration . All ATV/UTVs being operated on any designated route or trail shall meet the registration requirements of the State of Wisconsin and Wisconsin Department of Natural Resources.
- (j) Activities Prohibited. No competitive events or any other type of contest shall be held, conducted or performed on any ATV/UTV route or trail.
- (k) Operation. ATV/UTV operation on designated routes and trails shall be in accordance with the provisions of the Wisconsin State Statutes, the Wisconsin Department of Transportation Administrative Code, the Wisconsin Department of Natural Resources Administrative Code and all applicable municipal ordinances.

(4) DESIGNATION OF ATV/UTV ROUTES AND TRAILS.

- (a) State and County Trunk Highways. ATV/UTV routes on State and County Trunk Highways and ATV/UTV trails on off-road public corridors adjacent to State and County Trunk Highways shall be designated and approved by the Crawford County Board, except that permits for existing routes or trails may be renewed without further action by the County Board. Any modifications to a designated ATV and UTV route or trail shall be approved by the Crawford County Board. A copy of those ATV and UTV routes and trails, along with a map showing their location(s), shall be kept on file at the Crawford County Sheriff's Office and at the Highway Department. The Crawford County Highway Department shall be responsible for signage and the establishment of speed limits regulating ATVs and UTVs. The Crawford County Highway Department shall retain the sole authority for the closure or termination of any ATV/UTV route on the State and County Trunk Highway System.
 - (1) Designated ATV/UTV routes or trails on or adjacent to County roadways may be closed at the discretion of the Crawford County Highway Commissioner or his/her designee.
 - (2) The Crawford County Highway Commissioner shall have the authority to suspend operation on any highway or right of way for up to 90 days due to hazard, construction, or emergency conditions in any highway segment designated as an ATV/UTV route or trail. The Crawford County Highway Commissioner shall also have the authority to designate for up to 90 days alternate routes or trails for any of the above authorized highway segments that might be so closed.

- (3) Applications for the initiation of new routes and trails or alteration to existing routes, trails or crossings shall be submitted to the Crawford County Highway Department for processing and submission to the Crawford County Board.
 - (4) ATV/UTV routes on bridges shall be designated and approved by the Crawford County Board following §§23.33(4)(d)3.b and 23.33(11)(am)3, Wis. Stats.
- (b) Village Roads and Streets. ATV/UTV routes on Village roadways and ATV/UTV trails on off-road public corridors adjacent to Village roadways shall be designated, established and approved by the Village Board. Any modifications to a designated ATV and UTV route or trail shall be approved by the Village Board. A copy of those ATV and UTV routes or trails, along with a map showing their location, shall be kept on file at the Village Hall with a copy also filed at the Crawford County Sheriff's Department and Highway Office. The Village Board shall be responsible for overseeing signage on every route and trail designated within its jurisdiction and for the establishment of speed limits regulating ATVs and UTVs and may establish fewer allowed "Hours of Operation" within their jurisdiction. The Village Board shall retain the sole authority for the closure or termination of any ATV/UTV route or trail.
- (1) The Village Board shall have the authority to suspend operation on any road or street for up to 90 days due to hazard, construction, or emergency conditions in any highway segment listed above. The Village Board shall also have the authority to designate for up to 90 days alternate routes and trails for any of the above authorized road segments that might be so closed.
- (c) Crossings. Crossings for approved trails established across any public roadway are required to be permitted by the governmental agency having jurisdiction over that roadway.
- (5) ROUTE AND TRAIL SIGNS.
- (a) Route Signage: Every area authorized as an all-terrain vehicle/utility-terrain vehicle route shall be designated by an all-terrain vehicle/utility-terrain vehicle route sign having a reflectorized white all-terrain vehicle symbol, bordered and message on a reflectorized green background with a minimum size of 24 inches by 18 inches with directional arrow, where appropriate, placed at the beginning of an ATV/UTV route and at such locations and intervals as necessary to enable the ATV/UTV operators to follow the route. Existing 18-inch by 18-inch signs shall be allowed until replacement is required.
 - (b) Trail Signage: Every area authorized as an all-terrain vehicle/utility-terrain vehicle trail shall be designated by an all-terrain vehicle/utility-terrain vehicle trail sign having a reflectorized white all-terrain vehicle symbol, bordered and

message on a reflectorized brown background with a minimum size of 18 inches by 18 inches with directional arrow, where appropriate, placed at the beginning of an ATV/UTV trail and at such locations and intervals as necessary to enable the ATV/UTV operators to follow the trail.

(c) Additional Sign Regulation

- (1) State and County Trunk Highways. All required designated route or trail signs and posts shall be paid for by the ATV/UTV Club requesting the route. All signs and posts shall be installed by the Crawford County Highway Department at the direction of the Highway Commissioner or his or her designee.
- (2) Town and Village Roads and Streets. All required designated route or trail signs and posts shall be paid for by the ATV/UTV Club requesting the route. Signs shall be erected by the club at locations approved by the Village Board.
- (3) All routes or trails shall be signed and posted in accordance with the Manual on Uniform Traffic Control Devices, the Wisconsin Department of Transportation, the Wisconsin Department of Natural Resources and all other applicable local guidelines.
- (4) No sign may be mounted on any existing County sign post, unless authorized by the Crawford County Highway Commissioner or designee.
- (5) No person may erect, remove, obscure, or deface any official designated route or trail sign unless authorized by the Crawford County Highway Commissioner or respective Town Board of Supervisors or the Village Board of Trustees or their designee.
- (6) No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

(6) PENALTIES

The penalty for violating any subsection of this section shall be according to the following schedule, plus the cost of damages or restoration and plus court costs:

- (a) The penalty for a violation of sections 3(c) and (3)(d) shall be not more than \$200.
- (b) The penalty for a violation of sections 3(b), (e), (f), (g), (h), (i) and (j) shall be not more than \$100.
- (c) The penalty for a violation of any other provision of this section for which no specific penalty is specified shall be not more than \$50.

(7) JUVENILE PENALTIES.

Any juvenile who violates this section shall be subject to the forfeitures prescribed in subsection (6) of this section except that the provisions for the incarceration in jail for the nonpayment of forfeiture shall not apply to juveniles.

- (a) Upon default of payment of any forfeiture imposed by this section, a court may order any license issued to a juvenile under Chapter 29 of the Wisconsin Statutes suspended or may order the child's operating privileges as defined in subsection §340.01(40) Wis. Stats., suspended for not less than 30 days or more than 90 days. Prior to suspension of licenses under this subsection, the court shall make a finding that the juvenile alone is financial able to pay the amount of the forfeiture and shall allow up to 12 months for the juvenile to make payment. The court shall immediately take possession of any suspended license and forward it to the department which issued the license together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the first 30 days after the license is suspended, the suspension shall be reduced to the minimum period of 30 days. If it is paid thereafter, the court shall immediately notify the appropriate department which will thereupon return the license to the person.

(8) VIOLATIONS, JUDGMENTS, RESTITUTION.

A judgment obtained under this chapter may be enforced in the same manner as any civil judgment. Penalties imposed for violations of this section shall be made according to the schedule of forfeitures listed in subsections (6) and (7) of this section. The procedures and provisions set forth in Ch. 800, Wis. Stats., shall apply to all violations of the sections and subsections of this section.

(9) UNIFORM CITATION AND SUMMONS.

A uniform County ordinance violation citation shall be created and reproduced in such a fashion as to provide alleged violators with proper notice of the ordinance violation alleged and date, time and place of said violation along with a summons to appear before the circuit court for Crawford County at the courthouse in Prairie du Chien, Wisconsin, at a date and time specified in the citation and shall provide an option of posting a uniform forfeiture deposit in lieu of the defendant's appearance on that date. The form of such citation and summons shall be on file in the office of the Clerk of Court. Other uniform citations adopted by the State of Wisconsin for the use of counties and other municipalities may be used in the prosecution of violations under this section.”

(10) ATV/UTV ROUTES AS AUTHORIZED BY THE VILLAGE BOARD ON VILLAGE STREETS

<u>Street</u>	<u>Description</u>
Badger Ridge Road	Entire
Big Buck Point Road	Entire
N Buck Creek Road	Entire
Cemetery Road	Entire
Deer Haven Road	Entire
Eagle Ridge Road	Entire
Eagle Roost Road	Entire
Eagle Watch Road	Entire
Elm Street	Entire
Grand Vista Road	Entire
Harbor Street	Entire
Hawk Point Road	Entire
Hickory Street	Entire
Lagoon Street	Entire
Maple Street	Entire
Market Street	Entire
Night Hawk Trail	Entire
Oak Street	Entire
Park Street	Entire
Pine Street	Entire
River Bluff Drive	Entire
N River Bluff Drive	Entire
S River Bluff Drive	Entire
River Drive	Entire
Turkey Run Road	Entire
Walnut Street	Entire

4.08 SEVERABILITY.

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Village Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.