

CHAPTER I

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1.01 WISCONSIN STATUTES ADOPTED. Except as otherwise specifically provided in this chapter, all provisions of Chapters 340 to 348 of the Wisconsin Statutes describing and defining regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed and procedure for prosecution, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter.

Sections of Chapters 340 to 348 adopted by reference shall include but not be limited to the following: 340.01, 341.11(4), 341.15, 341.16(4), 341.42(4), 341.55, 341.57(3), 341.63, 342.05(4), 342.15(5), 342.15(6), 342.15(7), 342.23, 342.30, 342.31, 342.34, 343.01, 343.35, 343.45, 343.46, 343.60 to 343.72, 343.73, 344.01, 344.45 to 344.47, 344.51, 345.01, 345.20 to 345.53, 345.55, 346.01, 346.02, 346.03, 346.04(1) and (2), 346.05 to 346.16, 346.17, 346.18 to 346.21, 346.22, 346.23 to 346.29, 346.30, 346.31 to 346.35, 346.36, 346.37 to 346.42, 346.43, 346.44 to 346.48, 346.49, 346.50 to 346.55, 346.56, 346.57(2), (3) and (4)(a) to (c), 346.57(4)(d)(5) and (6) to 346.595, 346.60, 346.61, 346.62(1) and (3), 346.63(1) and (3) and (4), 346.64, 346.65(1) and (2), 346.66, 346.68, 346.69, 346.70(1), (2) or (3), 346.71, 346.72, 346.73, 346.70(4), 346.70(5), 346.77 to 346.81, 346.82, 346.87 to 346.94, 346.95, 347.01 to 347.05, 346.06 to 347.29, 347.30, 347.35 to 347.49, 347.50, 348.01 to 348.02, 348.05 to 348.10, 348.11, 348.15 to 348.20, 348.21, 348.25 to 348.27 and 348.28.

That the "short title" of each of the above chapters adopted by reference is as follows:

- 340 Vehicle Code, General Provisions
- 341 Registration of Vehicles
- 342 Vehicle Title and Anti-theft Law
- 343 Operators Licenses
- 344 Financial Responsibility
- 345 Rules Relating to Civil and Criminal Liability
- 346 Rules of the Road
- 347 Equipment of Vehicles
- 348 Size, Weight and Load

1.02 OTHER LAWS ADOPTED. There are also hereby adopted by reference, the following sections of the Wisconsin Statutes: 941.01(1), (2) and 947.045. The prosecution of such offenses under this ordinance shall be as provided in Chapters 340 to 348 of the Wisconsin Statutes but the penalty for violation thereof shall be limited to a forfeiture as provided in Section 1.01 of this chapter.

1.03 OFFICIAL TRAFFIC SIGNS AND SIGNALS

(1) The Police Department, with approval of the Village Council, is hereby authorized and directed to have procured, erected and maintained appropriate standard traf-

fic signs, signals and markings conforming to the rules of the State Highway Division giving such notice of the provisions of this chapter as required by State Law. Signs shall be erected in such locations and manner as the Police Department, with approval of the Village Council, shall determine what will best effect the purposes of this chapter and give adequate warning to users of the street or highway.

(2) Removal of Unofficial Signs and Signals. The Village Board shall have the authority granted by Section 349.09, Wisconsin Statutes, and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or Section 346.41, Wisconsin Statutes. Any charge imposed on a premises for removal of such an illegal sign, signal or device shall be reported to the Village Board at its next regular meeting for review and certification.

(3) The Chief of Police has the authority to place temporary "No Parking" signs as, where and when he shall deem such placement expedient to the best interests of public safety.

1.04 SPEED LIMITS. The Village Board of the Village of Weyerhaeuser hereby determines that the speed limit in said Village shall be Twenty-five (25) miles per hour except in school zones where the speed limit shall be Fifteen (15) miles per hour when children are present; and except as otherwise posted.

1.05 ACCIDENT REPORTS. The operator of any vehicle involved in an accident shall, within ten (10) days after such accident, file with the Village Police Department a copy of the report required by Section 346.70, Wisconsin Statutes, if any. If the operator is unable to make such report, any occupant of the vehicle at the time of the accident capable of making such report shall have the duty to comply with this section. Such reports shall be subject to the provisions and limitations in Sections 346.70(4)(f) and 346.73, Wisconsin Statutes.

1.06 ABANDONED VEHICLES.

(1) VEHICLE ABANDONMENT PROHIBITED. No person shall leave unattended any motor vehicle, trailer, semi-trailer or mobile home on any public street or highway or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. When any such vehicle has been left unattended on any Village street or highway or on any public or private property within the Village without the permission of the owner for more than Forty-eight (48) hours, the vehicle is deemed abandoned and constitutes a public nuisance.

(2) REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES. Any vehicle in violation of Subsection 1 shall be impounded until lawfully claimed or disposed of under Subsection 3 except that if the Constable or his duly authorized repre-

representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the Village prior to expiration of the impoundment period upon determination by the Constable or his duly authorized representative that the vehicle is not wanted for evidence or other reason.

(3) DISPOSAL OF ABANDONED VEHICLES.

- (a) If the Constable or his duly authorized representative determines that the value of the abandoned vehicle exceeds One Hundred and no/100 Dollars (\$100.00), he shall notify the owner and lien-holders of record by certified mail that the vehicle has been abandoned and impounded by the Village and may be reclaimed within Fifteen (15) days upon payment of accrued towing, storage and notice charges, and if not so reclaimed, shall be sold.
- (b) In the event an abandoned vehicle determined to exceed One Hundred and no/100 Dollars (\$100.00) in value is not reclaimed within the period and under the conditions as provided above, it may be sold by sealed bids. The description of the vehicle and the terms of sale shall be published as a Class I notice five (5) days before the sale.
- (c) After deducting the expense of impoundment and sale, the balance of the proceeds, if any, shall be paid in the Village Treasury.
- (d) Any abandoned vehicle which is determined by the Constable or his duly authorized representative to have a value of less than One Hundred and no/100 Dollars (\$100.00) may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

1.07 SNOWMOBILES.

SECTION I: Travel by snowmobile on or adjacent to any Village street or roadway will be at the rate of speed not to exceed ten (10) miles per hour.

SECTION II: No person under the age of twelve (12) years of age shall operate a snowmobil on or within the traveled portion of any street, alleyway or roadway.

SECTION III: Any snowmobile operated upon any Village street, allwayway or roadway shall do so with the flow of traffic and on the extreme right side of such street, alleyway or roadway and shall have the front headlights and taillights on and operating properly.

SECTION IV: The operator of a snowmobile shall yield to all vehicular traffic when operating on or crossing a Village street, alleyway or roadway.

SECTION V: This ordinance does not affect State or County roadways nor does it supersede State Laws pertaining to snowmobile use, except as to Village streets and alleyways. State Laws will be adhered to where this ordinance fails to provide otherwise.

SECTION VI: Operating snowmobiles is prohibited within the area designated for travel near any church property on Sunday mornings between the hours of 8 A.M. and 12 noon.

SECTION VII: Operation and use of snowmobiles is prohibited in the Weyerhaeuser Cemetery proper.

SECTION VIII: No person shall operate a snowmobile on any sidewalk or pedestrianway within the Village limits.

SECTION IX: No person shall operate a snowmobile on any private property not owned or controlled by him within the Village of Weyerhaeuser without the express consent or permission of the owner.

SECTION X: Any person who shall violate any provisions of this snowmobile ordinance shall, upon conviction thereof, forfeit not less than Ten and no/100 Dollars (\$10.00) or more than Twenty and no/100 Dollars (\$20.00), together with costs of prosecution for the first offense and not less than Twentyfive and no/100 Dollars (\$25.00) nor more than Fifty and no/100 Dollars (\$50.00), together with costs of prosecution for all succeeding offenses within one (1) year.

1.08 PENALTY. The penalty for violating any provisions of this chapter, except as otherwise provided in any subsection, shall be forfeiture as hereinafter provided, together with the costs of prosecution imposed as provided in SS. 345.20 to 345.53 of the Wisconsin Statutes.

(1) UNIFORM OFFENSES. Forfeitures for violation of any provisions of Chs. 341 to 348 adopted by reference in Section 1.01 of this chapter shall conform to forfeitures for violation of the comparable State offense, including any variations or increases for second offenses.

(2) SPECIAL LOCAL REGULATIONS. The forfeiture for violation of Sections 1.03, 1.04, 1.05 and 1.06 of this chapter shall be not less than Five and no/100 Dollars (\$5.00) nor more than Two Hundred and no/100 Dollars (\$200.00) for the first offense and not less than Ten and no/100 Dollars (\$10.00) nor more than Five Hundred and no/100 Dollars (\$500.00) for the second offense within two (2) years.

(3) MISCELLANEOUS. The forfeiture for violation of any provision of Section 1.02 of this chapter shall be not less than Fifty and no/100 Dollars (\$50.00) nor more than Five Hundred and no/100 Dollars (\$500.00).

1.09 ENFORCEMENT. This chapter shall be enforced in accordance with the provisions of SS. 345.20 to 345.53, Ch. 299 and S. 66.12 of the Wisconsin Statutes.

(1) STIPULATION OF GUILT OR NO CONTEST. Stipulations of guilt or no contest may be made by persons arrested for violations of this chapter in accordance with S. 66.12(1)(b), Wisconsin Statutes, whenever the provisions of S. 345.17 are inapplicable to such violations. Stipulations shall conform to the form contained on the uniform traffic citation and complaint under 345.11, Wisconsin Statutes, and may be accepted within five (5) days of the date of the alleged violation.

(2) DEPOSITS. Any person stipulating guilt or no contest under Subsection 1 of this section must make the deposit required under S. 345.26, Wisconsin Statutes, or, if the deposit is not established under such statute, shall deposit a forfeited penalty as provided in the schedule established by the Constable and approved by the Village Council. Deposits may be brought or mailed to the officer of the Police Department as directed by the arresting officer. Deposits for parking or non-moving violations shall be moved or brought to the Village Clerk.

(3) NOTICE OF DEMERIT POINTS AND RECEIPT. Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefor in triplicate as provided in S. 345.26(3)(b), Wisconsin Statutes. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of SS. 343.27, 343.28, 345.26(1)(a) and 345.27(2), 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 S. 345.11, Wisconsin Statutes.

(4) FORFEITURES IN TREASURY; OFFICER TO POST BOND QUALITY. Any officer accepting deposits or forfeited penalties under this chapter shall deliver them to the Village Treasurer within twenty (20) days after receipt. Any officer authorized to accept deposits under S. 345.26, Wisconsin Statutes, or this chapter, shall qualify by taking the oath prescribed by S. 19.01, Wisconsin Statutes, and filing an official bond in the sum of Five Hundred and no/100 Dollars (\$500.00) as described by S. 19.01.