

CHAPTER 7

TRAFFIC CODE

- 7.01 State Traffic Laws Adopted
- 7.02 Official Traffic Map and Control Devices; Prohibited Signs, Signals and Markers
- 7.03 Stop and Yield Signs
- 7.04 Parking Restrictions
- 7.05 Removal of Illegally Parked Vehicles
- 7.06 Abandoned Vehicles
- 7.07 Display of Power Prohibited
- 7.08 School Bus Warning Lights
- 7.09 Traffic Regulations Relating to Bicycles
- 7.10 Snowmobiles
- 7.11 All-Terrain Vehicles
- 7.12 Skateboards and Roller Skates
- 7.13 In-Line Skates Regulated
- 7.14 Compression Brakes
- 7.17
- to
- 7.19 (Reserved)
- 7.20 Penalty
- 7.21 Enforcement

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

7.02 OFFICIAL TRAFFIC MAP AND CONTROL DEVICES; PROHIBITED SIGNS, SIGNALS AND MARKERS.

(1) DUTY OF THE POLICE CHIEF TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.

Whenever traffic regulations created by this chapter, including a State traffic regulation, adopted by reference in sec. 7.01 of this chapter, require the erection of a traffic control devices for enforcement, the Police Chief, with the assistance of the Director of Public Works, 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 judgement of the Police Chief, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.

(2) OFFICIAL TRAFFIC MAP. (a) *Official Traffic Map Established.* There is hereby established for the Village of Frederic an Official Traffic Map dated March 5, 1982 on which is indicated as of said date all existing stop signs; arterial intersections; yield signs; no U-turn intersections; speed zones; angle parking areas; loading zones; no parking areas' no stopping standing or parking areas' handicapped parking areas' and school zones and school crossings. All such restrictions and limitations set forth on said Official Traffic map are hereby adopted by reference.

(b) *Additions to Map.* The Village Board may, from time to time, make additions to or deletions from the Official Traffic Map and the Police Chief shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after March 5, 1982 shall indicate the number of the authorizing resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing resolution.

(c) *Map to Be Maintained.* The Official Traffic Map shall be maintained and displayed in the Village Hall. The Police Chief shall make appropriate authorized changes on said Map within 3 working days after the appropriate official traffic control device is erected or removed, as the case may be.

(d) *Violations Prohibited.* When official traffic control devices, giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map, are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.

(3) PROHIBITED SIGNS AND MARKERS ON HIGHWAYS. No person other than an officer authorized by this chapter to erect and maintain official traffic control devices, or his designee, shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark or monument unless permission is first obtained from the Director of Public Works or 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 sub. (4) below.

(4) REMOVAL OF UNOFFICIAL SIGNS, SIGNALS, MARKERS AND TRAFFIC CONTROL DEVICES. The Police Chief or his designee may remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Police Chief to the Village 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.

7.03 STOP AND YIELD SIGNS. (1) **DESIGNATION OF LOCATION OF STOP SIGNS AND YIELD SIGNS.** In the interest of public safety, the Village Board, by resolution, has designated the location of stop and yield signs within the Village and has ordered the installation of such signs. In addition, the location of such signs is designated on the Official Traffic map of the Village pursuant to sec. 7.02 of this chapter.

(2) **OPERATORS TO OBEY TRAFFIC CONTROL DEVICES.** Every operator of a vehicle approaching an intersection at which an official traffic control device is erected, in accordance with this section, shall obey the direction of such official traffic control device as required by the Wis. Stats. Incorporated by reference in sec. 7.01 of this chapter. Operators of vehicles approaching a stop sign shall stop before entering a highway as required by §346.46, Wis. Stats. Operators approaching intersections at which a yield sign has been installed shall yield the right of way to other vehicles as required by §346.18(6) Wis. Stats.

7.04 PARKING RESTRICTIONS. (1) **NO PARKING AT ANY TIME.** When signs are erected in any block giving notice thereof, no person shall park a vehicle upon the following streets or portions of streets:

- (a) On Lake Avenue, between Birch Street and Cedar Street.
- (b) On both sides of STH 35 north, from Birch Street to the Village limits.
- (c) On both sides of STH 35 south, from Linden Street to the Village limits.
- (d) On both sides of STH 48 west, from First Avenue to the Village limits.
- (e) On the south side of Elm street, between Wisconsin Avenue and Traffic Avenue.
- (f) On the North side of Birch Street, between STH 35 and Park Avenue.
- (g) On the South side of Birch Street, between STH 35 and Pleasant Avenue.

(2) **NIGHT PARKING LIMITATIONS.** No motor vehicle shall be left unattended or parked on Oak Street and Wisconsin Avenue between the hours of 3:00 am and 6:00 am, except during the following periods:

- (a) Christmas Eve until the day after Christmas
- (b) New Year's Eve until the day after New Year's Day.
- (c) Deer hunting season—Regular 9 day rifle season
- (d) Thanksgiving Day until the following Sunday
- (e) The Fourth of July
- (f) Labor Day
- (g) Family Days Weekend
- (h) Whenever there is a special need for which a parking permit has been issued. Parking permits that have been issued by the Village must be properly displayed on the vehicle in clear view.

(2A) **WINTER PARKING REGULATIONS.** In addition to particular parking restrictions contained in previous sections the following winter parking restrictions shall apply:

(a) Between November 1st of any year and April 1st of the following year it shall be unlawful for any vehicle to park on any Village Street from 3:00 am to 6:00 am.

(2B) **ENFORCEMENT AND PENALTIES.** One warning notice shall be given prior to issuing a citation for violation of the night parking limitations. Upon failure to comply with the warning, a citation shall be issued with a forfeiture of \$25.00 for each offense. Direct payment of the forfeiture may be made by mailing or forwarding within fifteen (15 days) of the date of the citation to the Village Treasurer. When payment is made as provided in this paragraph, no court costs shall be charged. If direct payment is not made as provided above, the Chief of Police shall forward a copy of the citation to the Village attorney for prosecution.

(3) **HEAVY VEHICLE PARKING.** No person owning or having control of any truck trailer, truck power unit, tractor, bus or recreation vehicle in excess of 10,000 pounds gross weight or over 16 feet in length or having an enclosed area of a height of more than 8 feet from the roadway shall park the same upon any street, avenue or public way in the Village between the hours of 6:00 pm and 7:00 am. One hour parking shall be permitted between 7:00 am and 6:00 pm. 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 Village for the actual loading of such equipment upon any street, avenue or public way in the Village for the actual loading or unloading of goods, wares or merchandise, providing, however, the loading and unloading, as used in this subsection, shall be limited to the actual time used in such operation. The Village Board may, however, designate specific truck parking zones.

(4) **PARKING IN MUNICIPAL PARKING LOTS REGULATED.** No person shall park a motor vehicle in any municipal parking lot for more than 24 hours unless a permit therefor is issued by the Director of Public Works.

(5) **TRAFFIC AND PARKING REGULATIONS ON SCHOOL DISTRICT GROUNDS.** Pursuant to the provisions of §118.105, Wis. Stats., the following regulations shall apply to the grounds of the Frederic School District located within the Village:

(a) *Parking.* All parking on any grounds of the Frederic School District from 7:30 am to 4:30 pm shall be restricted to areas designated for parking by the School Board. When signs are erected by the School Board giving notice of such restrictions, all persons shall park only in areas designated and signed for visitor parking. There shall be no parking on the grounds between 11:00 pm and 6:00 am, except when school functions extend past 11:00 pm; on such nights there shall be no parking one hour after the function has concluded.

(b) *Speed Limits.* No person shall at any time operate a motor vehicle upon any School District grounds at a speed in excess of 10 miles per hour.

(c) *Vehicles Prohibited at Specific Times.* No person shall at any time operate a motor vehicle other than a school bus or emergency vehicle in or upon any drive designated for buses only by sign during the hours of 7:30 am to 9:00 am and 3:00 pm to 4:30 pm on any week day during the months school is in session.

(6) PARKING IN DRIVEWAYS PROHIBITED. No person shall park or leave standing any motor vehicle in any private driveway without permission of the owner or lessee of the property upon which such driveway is located, whether or not such driveway is posted to prohibit parking.

(7) SNOW REMOVAL AND STREET MAINTENANCE. Whenever it is necessary to remove snow or repair a Village street or any part thereof, the Director of Public Works shall post such street or parts thereof with appropriate signs prohibiting parking. No person shall park a motor vehicle in violation of such signs.

(8) DESIGNATED PARKING SPACES. The Director of Public Works, shall cause lines or markings painted upon the curb and/or upon the street or parking lot surface for the purpose of designating a parking space. It shall be unlawful to park any vehicle across any line or marking or to park a vehicle in such position that the same shall not be entirely within the area designated by such lines or markings.

(9) LEAVING KEYS IN IGNITION PROHIBITED. No person shall permit a motor vehicle in his custody to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless the starting lever, throttle, steering apparatus, gear shift or ignition of said vehicle is locked and the key removed.

7.05 REMOVAL OF ILLEGALLY PARKED VEHICLES. Any vehicle parked or left standing upon a highway, street or alley or other public grounds in violation of any of the provisions of this chapter is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of any police officer, to a position where parking, stopping or standing is not prohibited. Any police officer, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this chapter, is authorized to remove such vehicle 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 a licensed motor vehicle dealer who performs vehicle towing services to remove and store such vehicle in any storage garage or parking grounds or any facility of the person providing the towing services. In addition to other penalties provided by sec. 7.20 of this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

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

(2) DEFINITION. As used in this section, "vehicle" means a motor vehicle, trailer, semi-trailer or mobile home as defined in sec. 7.01 of this chapter, whether or not such vehicle is registered under Ch. 341, Wis. Stats.

(3) PRESUMPTION OF ABANDONMENT. Any vehicle left unattended for more than 72 hours on any public street or grounds, or on private property where parking is prohibited, limited or restricted, without the permission of the owner or lessee is deemed abandoned and constitutes a public nuisance; provided that the vehicle shall not be deemed abandoned under this section if left unattended on private property out of public view, by permission of the owner or lessee.

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

(5) REMOVAL AND IMPOUNDMENT OR SALE. Any vehicle found abandoned in violation of this chapter shall be impounded by any police officer until lawfully claimed or disposed of as provided in this section. If the Police Chief or his duly authorized representative determines that towing costs and storage charges for 10 days, as provided in sub. (6) below, would exceed the value of the vehicle, the vehicle may be junked or sold prior to the expiration of the impoundment period upon determination by the Police Chief that the vehicle is not wanted for evidence or any other reason; provided that vehicle in excess of 19 model years of age shall be sold or disposed of only by auction sale or sealed bid in accordance with sub. (8) below.

(6) **MINIMUM IMPOUNDMENT PERIOD.** The minimum period of impoundment or storage of a vehicle found in violation of this section shall be 10 days.

(7) **NOTICE TO OWNER.** The police officer removing or causing the removal of any vehicle found in violation of this section shall immediately notify the Police Chief of the abandonment and location of the impounded vehicle, and shall, within 10 days thereafter, notify the owner and lienholders of record, by certified mail, of the impoundment and of their right to reclaim the vehicle. The notice shall set forth the information contained in §342.40(3), Wis. Stats., and shall state that the failure of the owner or lienholder to exercise their right to reclaim the vehicle shall be deemed a waiver of all right, title and interest in the vehicle and a consent to sale of the vehicle.

(8) **SALE.** Each retained vehicle not reclaimed by the owner or lienholder may be disposed of by sealed bid or auction sale as provided in §342.40(3), Wis. Stats.

(9) **SALE TO BAR CLAIMS AGAINST VEHICLE.** The sale of a motor vehicle under the provisions of this section shall forever bar all prior claims thereto and interest therein except as hereinafter provided.

(10) **PURCHASER TO REMOVE VEHICLE.** The purchaser of any vehicle on sealed bid or auction sale under sub. (8) above shall have 10 days to remove the vehicle from the storage area upon payment of a storage fee of the actual cost of commercial storage for each day the vehicle has remained in storage after the second business day subsequent to the sale date. Ten days after sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be again sold.

(11) **REQUEST FOR LIST.** Any listing of vehicles to be sold pursuant to this section shall be made available by the Clerk to any interested person or organization who makes a request therefor.

(12) **NOTICE TO DEPARTMENT.** Within 5 days after the sale or disposition of a vehicle under this section, the Clerk shall advise the Wisconsin Department of Transportation of such sale or disposition on a form supplied by the Department.

(13) **OWNER MAY FILE CLAIM.** At any time within 2 years after the sale of a motor vehicle, as provided herein, any person claiming ownership of such motor vehicle or a financial interest therein may present a claim to the Village Board setting forth such facts as are necessary to establish such ownership or interest, and that the failure of the claimant to reclaim the vehicle prior to the sale was not the result of the neglect or fault of claimant. If the Board is satisfied as to the justice of such claim, it may allow the same, but in no case shall the amount allowed exceed the sum paid into the Village Treasury as a result of the sale of such motor vehicle nor the amount of interest of the claimant therein.

(14) **EXEMPTION.** Any owner or person operating a registered vehicle which shall become disabled or inoperative for any reason and who shall be unable to cause removal of such vehicle from any alley, street, highway or public place not otherwise regulated as a restricted parking, stopping or standing zone shall, within 12 hours of such occurrence, notify the Police Department of the location of the vehicle and shall transfer and deliver clear title for said vehicle to the Village together with a fee for the cost of towing and junking charges and shall be exempt from the provisions of this section. When so requested by the owner or person in charge of a vehicle, the Chief of Police shall be authorized to order such vehicle removed and junked directly from the scene of disablement by the contractor engaged by the Village for towing of disabled vehicles. The provisions of sub. (11) above shall apply to any vehicle removed under this subsection.

7.07 DISPLAY OF POWER PROHIBITED. No person shall make unnecessary and annoying noises with a motor vehicle by squealing tires, excessive acceleration of engine or by emitting unnecessary and loud exhaust system noises.

7.08 SCHOOL BUS WARNING LIGHTS. Notwithstanding the provisions of §346.478(2)(b)2., Wis. Stats., adopted by reference in this section to the contrary, 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.

7.09 TRAFFIC REGULATIONS RELATING TO BICYCLES. (1) RULES OF THE ROAD. The provisions of Ch. 346, Wis. Stats., shall be applicable to the operation of bicycles where applicable.

(2) BICYCLES ON SIDEWALKS. Bicycles shall be permitted to be used on all sidewalks within the Village except the sidewalk on both sides of Wisconsin Avenue, between Birch Street and Linden Street and both sides of Oak Street between Polk Avenue and First Avenue. Bicycles may be walked and parked in these areas. Every person operating a bicycle upon a sidewalk shall yield the right of way to any pedestrian and shall exercise due care when passing said pedestrian proceeding in the same direction.

7.10 SNOWMOBILES. (1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions describing and defining regulations with respect to snowmobiles in the following enumerated sections of the Wisconsin statutes are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited by this section, as follows:

- 350.01 Definitions
- 350.02 Operation of Snowmobiles on or in the Vicinity of a Highway
- 350.03 Right of Way
- 350.04 Snowmobile Races, Derbies and Routes
- 350.045 Public Utility Exemption
- 350.047 Local Ordinance to be Filed
- 350.05 Operation by Youthful Operators Restricted
- 350.055 Safety Certification Program Established
- 350.06 Firearms and Bows and Arrows
- 350.07 Driving Animals
- 350.08 Owner Permitting Operation
- 350.09 Head Lamps, Tail Lamps and Brakes
- 350.10 Miscellaneous Provisions for Snowmobile Operation
- 350.101 Operating a Snowmobile While Intoxicated Prohibited To
- 350.107
- 350.12 Registration of Snowmobiles
- 350.13 Uniform Trail Signs and Standards
- 350.15 Accidents and Accident Reports
- 350.17 Enforcement
- 350.18 Local Ordinances
- 350.19 Liability of Landowners
- 350.99 Parties to a Violation

(2) APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES. The operator of a snowmobile upon a roadway shall, in addition to the provisions of CH. 350, Wis. Stats., be subject to §§346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1) and 346.94(1), (6), (6m) and (9), Wis. Stats.

(3) PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED. No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snowmobile who is not permitted under State law to operate such snowmobile, or who is under the influence of an intoxicant or a dangerous or narcotic drug.

(4) SPEED. As provided in §350.10(1)(a), Wis. Stats., no person shall operate a snowmobile upon any public street or roadway within the Village at a speed in excess of the posted speed limit. As provided in §350.10(1)(g), Wis. Stats., no person shall operate a snowmobile on any designated trail at a rate of speed in excess of 10 miles per hour between the hours of 10:30 pm and 7:00 am within 150 feet of a residence.

(5) HOURS OF OPERATION RESTRICTED. Except on a designated trail, no person shall operate a snowmobile within the Village between the hours of 2:00 am and 6:00 am except for returning home via the most direct route.

(6) OPERATION ON SIDEWALKS PROHIBITED. No person shall operate a snowmobile upon any sidewalk, pedestrian way or upon the area between the sidewalk and the curb line of any street in the Village except for the purpose of crossing to obtain immediate access to an authorized area of operation.

(7) SNOWMOBILE OPERATION RESTRICTED. (a) *Operation on Public Property.* It shall be unlawful for any person to operate any snowmobile or any other motor driven craft or vehicle manufactured for off-highway use on any Village streets, alleys, park lands, parking lots or on any other public lands or private lands or parking lots held open to the public, except those streets, alleys and other public lands specifically defined as designated routes and trails by the Village Board in sub. (10) below.

(b) *Operation on Private Property.* It shall be unlawful for any person to operate any snowmobile on private property not held open to the public without the express written consent of the owner. The consent shall be dated and limited to the year in which the consent is given. If the property is owned or leased by more than one person, the consent of each shall be obtained.

(8) RESTRICTION ON OPERATORS. As provided in §350.05(1), (2), (3) and (4), Wis. Stats., no person under the age of 12 years may operate a snowmobile unless accompanied by a parent or legal guardian or a person over 18 years of age. No person over the age of 12 years, but under the age of 16 years, may operate a snowmobile unless he holds a valid snowmobile safety certificate or is accompanied by a person over 18 years of age, or by a person over 14 years of age having a valid snowmobile safety certificate issued by the Department of Natural Resources.

(9) ACCIDENTS AND ACCIDENT REPORTS. (a) The operator of a snowmobile involved in a snowmobile accident within the Village shall stop his snowmobile if he can do so without serious danger to his own snowmobile or to persons on board, and shall render to other persons affected thereby such assistance as may be practicable and necessary to save them from or minimize any danger caused by the accident and shall give his name and address and identification of his snowmobile to any person injured and to the owner of any property damaged in the accident.

(b) If the snowmobile accident results in death or injury or any person or total property damage in excess of \$200, every operator of a snowmobile involved in such accident shall, as soon as possible, notify the Police Department of the accident and shall, within 10 days after the accident, file a written report thereof with the Department of Natural Resources on forms prescribed by the Department.

(c) If the operator of a snowmobile is physically incapable of making the report required by this subsection and there was another occupant on the snowmobile at the time of the accident capable of making the report, he shall make such report.

(10) SNOWMOBILE ROUTES AND TRAILS DESIGNATED. Except as provided in §§350.02 and 350.045, Wis. Stats., or for snowmobile events authorized in accordance with §305.04, Wis. Stats., no person shall operate a snowmobile upon any public right of way, in any public park or on any other public property in the Village, except upon snowmobile routes and trails designated by the Village Board which shall include all platted Village streets presently certified by the State and all platted alleys that have been improved and are presently open for vehicular traffic. The Chief of Police shall have the power to declare the designated snowmobile routes and trails open or closed. No person shall fail to obey any route or trail sign or limit erected in accordance with this subsection.

(11) CLERK TO FILE SECTION. Pursuant to §305.047, Wis. Stats., the Clerk is hereby authorized and directed to send a copy of this section to the Department of Natural Resources and the County Sheriff's Department.

(12) OPERATION WHILE UNDER THE INFLUENCE PROHIBITED. §346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the Village.

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

7.11 ALL-TERRAIN VEHICLES. (1) STATE LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions enumerated §23.33, Wis. Stats., describing and defining regulations with respect to all -terrain vehicles/Utility task vehicles (ATV/UTVs), are hereby adopted by reference and made a part of this section 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 under §23.33, Wis. Stats., and the rules promulgated thereunder, are intended to be made a part of this chapter in order to secure, to the extent legally practicable, uniform statewide regulation of ATV/UTVs.

(2) OPERATION IN VILLAGE. *Operation on Private Property.* A property owner or a person with the written consent of the property owner may operate an ATV/UTV on such property. However, no ATV/UTV may be operated within 200 feet of any residence or between the hours of 11:00 pm and 6:00 am.

(3) DESIGNATION OF ALL-TERRAIN VEHICLE ROUTES. (a) All roadways within the Village of Frederic, that are maintained by Village personnel are approved for ATV/UTV use from 6:00am—11:00 pm, excluding State Highway 35 and State Highway 48, unless route signs are in place.

(b) All ATV/UTV operators shall observe the posted speed limit within the Village limits.

(c) Age of operation. No person shall operate an ATV/UTV on any streets or alleys in the Village unless that person operating the ATV/UTV is at least 16 years of age and in possession of a valid ATV Safety Certificate or 12-15 years of age in possession of a valid ATV Safety Certificate and accompanied by an adult.

(d) Method of Travel. Any person operating an ATV/UTV on any street or alley shall proceed in a single file, in the direction of regular traffic flow, on the extreme-right portion of the traveled roadway. Night operations require adequate headlights and taillights. ATV/UTV operators will yield the right of way according to the State's rules of road and obey all other traffic laws.

(4) Prohibited use of ATV/UTV. No person shall operate an ATV/UTV upon any state highway, any public grounds/parks, or any other public property.

7.12 SKATEBOARDS AND ROLLER SKATES. (1) REGULATED. It shall be unlawful for any person to operate or ride a skateboard or roller skates in any of the following places:

(a) Wisconsin Avenue and Oak Street W/Hwy 48

(b) Any sidewalk on the streets enumerated in sec. 7.09 of this chapter

(c) Private property unless permission has been received from the owner, lessee or person in charge of the property.

(2) RIGHT OF WAY. Operators or riders of skateboards or roller skates shall yield the right of way to other pedestrians using Village sidewalks, and shall not otherwise endanger or interfere with normal pedestrian traffic on those sidewalks.

7.13 IN-LINE SKATES REGULATED. (1) STATE LAWS APPLICABLE. Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which , by their nature, would have no application.

(2) PUBLIC SIDEWALKS OR WALKWAYS. No person shall use in-line skates on sidewalks enumerated in sec. 7.09 of this chapter. Every person using in-line skates upon a sidewalk or walkway shall yield the right of way to any pedestrian and shall exercise due care when passing any other person.

(3) PUBLIC OR PRIVATE PARKING LOTS AND PRIVATE PROPERTY. It shall be unlawful for any person to use in-line skates in any private parking lot. It shall be further unlawful for any person to use in-line skates on private property unless permission has been received from the owner, lessee or person in charge of the property.

(4) RIDING ON ROADWAY. (a) Every person using in-line skates on any Village street or alley shall keep as close to the right hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one way public street or alley shall proceed in the direction of the one-way traffic.

(b) Every person using in-line skates upon a roadway shall ride single file on all public roadways.

(c) Persons using in-line skates upon a public roadway shall not impeded the normal and reasonable movement of motor vehicle traffic.

(5) IN-LINE SKATING PROHIBITED AFTER DAYLIGHT HOURS. It shall be unlawful to use in-line skates on any Village roadway or sidewalk after daylight hours.

(6) CLINGING TO MOVING VEHICLES PROHIBITED. IT shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.

(7) PLAYING GAMES IN ROADWAY PROHIBITED. It shall be unlawful to play hockey or any other game on in-line skates on any Village roadway.

(8) OBSERVANCE OF TRAFFIC REGULATIONS. Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.

(9) YIELDING TO TRAFFIC. The operator of a vehicle shall yield the right of way to a user of in-line skates in the same manner as for bicyclists and pedestrians under §§346.23, 346.24, 346.36 and 346.38, Wis. Stats. When using in-line skates, every person shall, upon entering a public roadway, yield the right of way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under §§346.23, 346.24, 346.37 and 346.38, Wis. Stats.

7.14 COMPRESSION BRAKES. (1) PROHIBITED. Except as provided in sub. (2) below, no person shall use motor vehicle brakes (jake brakes) within the Village which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.

(2) EXCEPTION. It shall be an affirmative defense to prosecution under this section that compression brakes were applied in an emergency and were necessary for the protection of persons and/or property.

7.15 to 7.19 Reserved.

7.20 PENALTY. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with statutory court costs and penalty assessment, if applicable. (1) STATE FORFEITURE STATUTES. Forfeitures for violation of §§340.01 to 1348.28, Wis. Stats., shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

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

(3) LOCAL REGULATIONS. The forfeitures for violations of secs. 7.02, 7.04, 7.06, 7.07, 7.08, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15 and 7.16 of this chapter are included in the Village Bond Schedule.

7.21 ENFORCEMENT. (1) ENFORCEMENT PROCEDURE. This chapter shall be enforced in accordance with the pr of §§345.20 to 345.53, Ch. 229 and §66.0114, Wis. Stats.

(2) DUTY OF POLICE OFFICERS TO ENFORCE. Police officers shall enforce all the provisions of this chapter.

(3) UNIFORM CITATION. The uniform citation promulgated under §345.11, Wis. Stats., shall be used for all moving and non-moving traffic violations, except parking violations.

(4) NOTICE OF DEMERIT POINTS AND RECEIPTS. Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefor in triplicate as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §§343.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats.

(5) PARKING CITATIONS. Citations for all parking violations under this chapter shall conform to §345.28, Wis. Stats., and shall permit direct mail payment of the applicable forfeiture to the Clerk within 48 hours of the issuance of this citation in lieu of a court appearance. The citation shall specify thereon the amount of the applicable forfeiture as provided in this chapter.

(6) REGISTRATION RECORD OF VEHICLE AS EVIDENCE. When any vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code 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 the enforcement of this section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses defined and described in §346.485(5), Wis. Stats., shall be defense for an owner charged with such violation.

7.21 ENFORCEMENT. (1) **ENFORCEMENT PROCEDURE.** This chapter shall be enforced in accordance with the provisions of §§345.20 to 345.53, Ch. 229 and §66.0114, Wis. Stats.

(2) **DUTY OF POLICE OFFICERS TO ENFORCE.** Police officers shall enforce all the provisions of this chapter.

(3) **UNIFORM CITATION.** The uniform citation promulgated under §345.11, Wis. Stats., shall be used for all moving and non-moving traffic violations, except parking violations.

(4) **NOTICE OF DEMERIT POINTS AND RECEIPTS.** Every officer accepting a forfeited penalty or money deposit under this chapter shall receipt therefor in triplicate as provided in §345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this chapter shall comply with the provisions of §§343.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats.

(5) **PARKING CITATIONS.** Citations for all parking violations under this chapter shall conform to §345.28, Wis. Stats., and shall permit direct mail payment of the applicable forfeiture to the Clerk within 48 hours of the issuance of this citation in lieu of a court appearance. The citation shall specify thereon the amount of the applicable forfeiture as provided in this chapter.

(6) **REGISTRATION RECORD OF VEHICLE AS EVIDENCE.** When any vehicle is found upon a street, highway or other public right of way in violation of any provision of this Code 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 the enforcement of this section and shall be subject to the applicable forfeiture penalty; provided, however, that the defenses defined and described in §346.485(5), Wis. Stats., shall be defense for an owner charged with such violation.

(7) **TRAFFIC VIOLATION AND REGISTRATION PROGRAM.** Pursuant to the provisions of §345.28(4), Wis. Stats., the Village elects to participate in the nonmoving traffic violation and registration program of the Wisconsin Department of Transportation and pay the costs established by the Department under §85.13, Wis. Stats.; such costs shall in turn be assessed against persons charged with nonmoving traffic violations. The Village Attorney shall be responsible for complying with the requirements set forth in §345.28(4), Wis. Stats.

(8) **DEPOSIT SCHEDULE.** Every police officer issuing a citation for any violation of this chapter shall indicate on the citation the amount of the deposit that the alleged violator may make in lieu of court appearance. The amount of the deposit shall be determined in accordance with the Wisconsin Judicial Council Bond Schedule or the Village Bond Schedule, which are hereby adopted by reference.

(9) **DISPOSITION OF DEPOSITS; OFFICERS TO POST BOND, QUALIFY.** Any police officer accepting deposits or forfeited penalties under this chapter shall deliver them to the County Clerk of Courts within 20 days after receipt, except for parking forfeitures which shall be turned over to the Clerk. Any police officer authorized to accept deposits under §345.26, Wis. Stats., or this chapter shall qualify by taking the oath and filing an official bond in the sum of \$100 as provided by §19.01 Wis. Stats.